

State Water Resources Control Board

NOTICE OF STAFF WORKSHOP ON POTENTIAL LEGAL DELTA AND RETURN FLOW WATER SUPPLY REFINEMENTS TO THE WATER UNAVAILABILITY METHODOLOGY FOR THE DELTA WATERSHED

State Water Resources Control Board (State Water Board or Board) staff will hold a technical workshop to receive public input on potential changes to the Water Unavailability Methodology (Methodology) for the Delta Watershed, including Legal Delta and return flow water supplies. Summary materials describing some possible changes to the Methodology will be made available on the [Water Unavailability Methodology webpage](#) in late February. During the workshop, there will be a staff presentation followed by the opportunity for questions and comments.

**Friday, March 10, 2023
10:00 a.m. – 5:00 p.m.
Remote Participation Only**

WORKSHOP TOPICS

During the workshop, staff will seek public input on the following topics related to the Water Unavailability Methodology:

1. Legal Delta Water Supply — possible changes to Legal Delta water supply assumptions in the Methodology.
2. Return Flow Water Supply — possible changes to refine estimated water supply contributions from return flows.

WORKSHOP PARTICIPATION

If you wish to view the workshop only, a webcast will be available at <https://video.calepa.ca.gov/> (closed captioning available). This option should be used for viewing the workshop **UNLESS** you intend to provide oral comments, ask clarifying questions, or make a presentation during the workshop.

If you wish to make oral comments or ask clarifying questions during the workshop, you must submit a virtual speaker card using the [online form](#) provided for this workshop by **noon on Wednesday, March 8, 2023**. Staff will respond to your form with the information needed to join the workshop via the Zoom online platform. If you do not submit an online form, you may not be provided access to speak during the

workshop and may be limited to viewing the webcast only. Comments should address the topics identified above. Comments will be limited to 5 minutes per speaker unless you request to make a presentation. Presentations will be limited to no more than 10 minutes. If there are a large number of commenters, speakers may be asked to shorten their comments to accommodate all speakers.

If you wish to make a PowerPoint presentation during the workshop, please indicate so on the online form. PowerPoint presentations are required to be submitted to Bay-Delta@waterboards.ca.gov no later than **noon on Wednesday, March 8, 2023**. Presentations must be in **PowerPoint format and should not include any animations, transitions or external media sources**. Please be aware that State Water Board staff will be projecting and advancing PowerPoint slides during presentations. If multiple speakers wish to organize as a panel, please submit a single speaker card listing the number and names of all panelists.

This workshop will be recorded, and the recording will be posted on the [Delta Drought webpage](#). If you have any questions regarding how to participate in the workshop, please send an email to Bay-Delta@waterboards.ca.gov.

WRITTEN PUBLIC COMMENTS

Written comments related to the workshop topics must be submitted to Bay-Delta@waterboards.ca.gov by **5:00 PM on Friday, March 24, 2023**. Comments should be formatted with a heading describing the general topic or subject of the comment and should refer in the email subject at a minimum to the workshop by date or to one or both of the specified workshop topics. In addition to written comments, interested parties will have the opportunity to provide oral comment at the staff workshop on Friday, March 10, 2023. Timely-submitted written comments will be considered, along with oral comments and presentations at this workshop, in the Board's consideration of potential changes to the Methodology for the Delta Watershed with respect to Legal Delta and return flow water supply.

BACKGROUND

On July 20, 2022, in response to continued drought conditions in the Delta watershed, the State Water Board revised and renewed an emergency regulation authorizing the curtailment of diversions when water within the Delta watershed is determined to be unavailable at a water right holder's or claimant's priority of right (Cal. Code Regs., tit. 23, §§ 876.1–879.3.). The regulation was approved by the Office of Administrative Law and went into effect upon filing with the Secretary of State on August 12, 2022. The emergency regulation will remain in effect for up to one year but could be repealed if hydrologic conditions improve or renewed again if drought conditions persist.

Curtailments are determined using the Water Unavailability Methodology, which evaluates water unavailability by comparing supplies and demands at the headwater subwatershed and Sacramento and San Joaquin River watershed scales in order of water right or claim priority. The two possible changes to the Water Unavailability Methodology that are the focus of this workshop are described in summary materials that will be made available on the Board's [Water Unavailability Methodology webpage](#) in late February.

ADDITIONAL RESOURCES

For more information regarding drought in the Delta watershed, visit the [Delta Drought webpage](#). To receive updated information regarding drought in the Delta watershed, it is also strongly encouraged that you subscribe to the Delta Drought list on the [State Water Board's Email Lists webpage](#). For information on other drought related activities, please visit the State Water Board's [Drought webpage](#).

CONTACT

Individuals who require special accommodations are requested to contact staff at Bay-Delta@waterboards.ca.gov prior to the workshop. If you have any questions regarding this notice or related efforts, you may send an email to Bay-Delta@waterboards.ca.gov or call the Delta Drought phone line at (916) 319-0960.