

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

**VIA EMAIL**

September 3, 2020

Mr. Fergus Morrissey, Engineer-Manager
Orange Cove Irrigation District
1130 Park Boulevard
Orange Cove CA 93646

Governor's Office of Planning & Research

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STATE CLEARINGHOUSE

fmorrissey@orangecoveid.org

SCH# 2020079028, Orange Cove Irrigation District – Dudley Ridge Water District 2020 Water Transfer Program Initial Study and Proposed Mitigated Negative Declaration (IS/MND)

Dear Mr. Morrissey,

The Department of Water Resources (DWR) is in receipt of the subject Initial Study/Negative Declaration (IS/ND) prepared by the Provost & Pritchard Consulting Group for the Orange Cove Irrigation District (OCID). OCID proposes to transfer up to 700 acre-feet of water under a pre-1914 water right it owns on Mill Creek to the Dudley Ridge Water District.

According to Section 2.1.7 of the IS/ND, OCID proposes to release a portion of their Mill Creek water during the months of September and October 2020 for downstream delivery to Dudley Ridge Water District (DRWD). The OCID flow during the months of September and October is estimated by the water master (Los Molinos Mutual Water Company) at approximately 205 acre-feet per month. The analysis of the proposed project assumes the potential transfer of up to 700 acre-feet for the two-month transfer period, which allows for additional flows should there be any unseasonable precipitation during this period in the fall. OCID's water right provides them 5.57% of the adjusted stream flow in Mill Creek.

DWR has the following specific comments on the IS/ND and related documents:

1) Transferability of OCID's Mill Creek Water – According to the IS/ND, OCID will “release a portion of their Mill Creek water for downstream delivery into the Sacramento River, then to be picked up in the Sacramento-San Joaquin River Delta (Delta) by the California State Water Project (SWP), for ultimate delivery to DRWD.”

OCID plans to make its Mill Creek water available for transfer by merely “releasing” it down the creek for eventual delivery to DRWD. OCID states that groundwater substitution or crop idling/crop shifting scenarios do not apply to this transfer – instead of presumably being diverted for irrigation by the Los Molinos watermaster, this water will be bypassed at Ward Dam and left in Mill Creek. Thus, according to OCID, water is made available by a reduction in diversion only, with no corresponding reduction in consumptive use or substitution of groundwater. However,

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reductions in diversion, by themselves, do not make water available for transfer. DWR requests that OCID provide sufficient information to demonstrate reduced *consumptive use* of surface water applied for irrigation as explained in the December 2019 Draft Technical Information for Preparing Water Transfer Proposals (Draft Water Transfer White Papers).

As indicated under Section 2.1.7 of the IS/ND, OCID's total flow during the months of September and October is estimated to be 410 acre-feet. Proposed project conservatively assumes the potential transfer of up to 700 acre-feet for the two-month transfer period, which allows for additional flows should there be any unseasonable precipitation during this period in the fall.

Any additional amount of flow over and above 410 acre-feet due to precipitation is not transferable, as OCID has taken no specific action to make this additional water available.

2) Historic Use of OCID's Mill Creek Water – The IS/ND does not contain any information on OCID's historic use of its Mill Creek water rights. In order to determine baseline conditions, DWR requests that OCID provide information on historic use of this right (amounts diverted, season of diversion, place of use, crops irrigated, etc.) for at least five years before 2020.

DWR appreciates the opportunity to comment on the IS/ND for this transfer.

If you have any questions or need additional information, please contact Janice Wu at (916) 653-9467 or janice.wu@water.ca.gov

Sincerely,

Brian G. Heiland 9/3/2020
Brian Heiland
Chief of Project Water Management

State Water Project Analysis Office
Department of Water Resources