

EXHIBIT D

State Water Resources Control Board

NOTICE OF STAFF WORKSHOP AND OPPORTUNITY FOR PUBLIC COMMENT ON WATER UNAVAILABILITY METHODOLOGY FOR THE DELTA WATERSHED

NOTICE IS HEREBY GIVEN that State Water Resources Control Board (State Water Board) staff are holding a staff workshop to receive public input on the proposed methodology for determining water unavailability in the Sacramento and San Joaquin River Delta Watershed (referred to as Water Unavailability Methodology for the Delta Watershed or methodology). Currently, the methodology is focused on evaluating water unavailability for post-1914 appropriative users during the dry season. Modifications to the methodology are planned in order to evaluate water unavailability during the wet season. The methodology could also be modified to evaluate water unavailability for pre-1914 appropriative and riparian water right claimants. Due to the critically dry conditions throughout the Delta watershed and the projection of insufficient supplies to meet water demands, the State Water Board is likely to issue notices of water unavailability to all post-1914 appropriative water right holders in the Delta watershed as early as June of this year. During the workshop, staff will provide an update on the current and forecasted watershed conditions for this year and present an overview of the proposed Water Unavailability Methodology, which includes an interactive graphing tool that displays relevant supply and demand data.

In accordance with the Governor's Executive Order (N-29-20) and the declared State of Emergency as a result of the threat of COVID-19, including all social distancing directives, this workshop will be held remotely. There will not be a physical location for this workshop. This is an informal stakeholder workshop where a quorum of the State Water Board may be present, but the State Water Board will take no formal action.

**Staff Workshop on Water Unavailability Methodology
for the Delta Watershed
May 21, 2021
9:00 a.m. – 5:00 p.m.
Remote Participation Only**

Participation Information

If you wish to view the workshop only a webcast will be available at <https://video.calepa.ca.gov/> (closed captioning available). You can access the live workshop by clicking on the video icon under the corresponding date and event. This option should be used for viewing the workshop UNLESS you intend to provide oral

comments or ask clarifying questions during the workshop. Please note that the link to the webcast will be available approximately 5 minutes before the workshop begins.

If you wish to make oral comments or ask clarifying questions during the workshop you must fill out a virtual speaker card using the [online form](#) provided for this workshop. Workshop participants should submit their online forms by **12 noon on May 18, 2021**. Staff will respond to your form with the information needed to join the workshop via the Zoom online platform. To accommodate all participants, comments may be limited to 3-5 minutes per speaker. Comments during the workshop should be limited to technical, factual, or legal matters related to the methodology. Comments pertaining to policy matters may be provided in writing (see below for instructions). Should you have any questions regarding the online form or how to participate in the workshop, please send an email to Bay-Delta@waterboards.ca.gov.

If you wish to make a PowerPoint presentation at the workshop, please indicate so on the online form. Presentations are required to be submitted to Bay-Delta@waterboards.ca.gov no later than **12 noon on May 18, 2021**. Presentations must be in **PowerPoint format and should not include any transitions or external media sources**. Please be aware that State Water Board staff will be presenting and advancing PowerPoint slides during presentations.

Speakers are encouraged to organize themselves as panels and should indicate this, if applicable, on their online form. Time limits for panels will be limited to a maximum of 15 minutes per panel (panels may be asked to shorten their presentations in order to accommodate all speakers). 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.

Background

The Delta watershed is currently experiencing extreme dry conditions following dry conditions in 2020. Currently, the 2021 and 2020 period is projected to be the second driest two year period on record, second only to the extreme drought years of 1977 and 1976 and drier than the drought years of 2014 and 2015, when water was found to be unavailable to thousands of diverters statewide. The conditions this year are expected to result in severe limitations in water supplies for various purposes starting this summer, including limited reservoir storage levels and associated water supplies, and significant water quality and environmental concerns. Based on these conditions, the State Water Board is currently evaluating water unavailability for diversions by water right holders in the Delta watershed as part of the Water Unavailability Methodology for the Delta Watershed.

The methodology will be used to determine when available data indicates that water supply is insufficient to meet demands, based on priority of right. Notices of water unavailability will inform diverters that, based on the best available information, water is expected to be unavailable for diversion pursuant to their right. Given the exceedingly dry conditions, the methodology may be implemented to issue notices of water unavailability to all post-1914 appropriative water right holders in the Delta watershed as early as June 2021.

This workshop is one of a series of public outreach events conducted by State Water Board staff relating to drought planning methodologies and tools. The purpose of this workshop is to provide an explanation of the proposed method for determining water unavailability in the Delta watershed and to provide the opportunity for public comment. The methodology is similar to the method used in 2014 and 2015, with the incorporation of several improvements. The current methodology does not represent a static assessment of water unavailability within the Delta watershed. The methodology may change as the season progresses, including in consideration of public comments as appropriate.

Resources Available for Public Comment

With this Notice, the State Water Board is releasing the following resources related to the Water Unavailability Methodology for the Delta Watershed for public review:

- An interactive graphing tool that displays supply and demand data (this tool is updated monthly to reflect current supply conditions)
- A spreadsheet with the data inputs used for the analysis
- A summary report that outlines the methods used to develop the tool and describes the data sources, assumptions, and the bases for the assumptions used to develop the methodology
- Technical appendices to the summary report that describes the methodology and data process to assess supply and demand conditions in greater detail

These resources are available on the State Water Board's [Water Unavailability Methodology webpage](#).

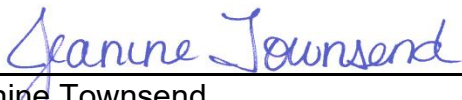
In order to be considered before the State Water Board issues notices of water unavailability, written comments regarding these resources must be emailed to Bay-Delta@waterboards.ca.gov by close of business on **May 25, 2021**. **Comments should be formatted with a heading describing the general topic or subject of the comment. Where changes to the methodology are recommended, specific recommendations should be provided that can be implemented by this summer, including specific recommended data sources and the basis for any recommended changes.**

Contact and Resources

Individuals who require special accommodations are requested to contact staff at Bay-Delta@waterboards.ca.gov prior to the workshop.

Questions regarding this notice and related efforts should also be emailed to Bay-Delta@waterboards.ca.gov. For more information on the State Water Board's drought related activities, please visit the State Water Board's [Drought webpage](#).

Date



Jeanine Townsend
Clerk to the Board