

# Delta Watershed Human Health & Safety Cert. for S015794

## Petition to Increase Human Health and Safety Diversions

This page only applies to those who seek to divert more than 55 gallons per person per day for human health and safety needs or whose diversions cannot be quantified on the basis of “gallons per person per day.” If this does not apply to you, please skip this page.

To the extent that a diversion to meet the need for minimum human health and safety requires more than 55 gallons per person per day, continued diversion of water pursuant to a curtailed right requires submission to and approval by the Deputy Director for the Division of Water Rights of a petition demonstrating compliance with the requirements of section 878.1 subdivisions (b)(2)(A)-(F). Approval of the petition may be conditioned on implementation of additional conservation measures and reporting requirements. Any petition to continue diversion of more than 55 gallons per person per day to meet minimum human health and safety needs must:

(A) Describe the specific circumstances that make the requested diversion amount necessary to meet minimum human health and safety needs, and list the health and safety needs to be met by the diversion.

(B) Estimate the amount of water needed , clearly indicating the unit/rate/volume/timestep.

(C) Certify that the supply will be used only for the stated need.

(D) Describe any other additional steps the diverter will take to reduce diversions and consumption.

(E) Provide the timeframe in which the diverter expects to reduce usage to no more than 55 gallons per person per day, or why minimum human health and safety needs will continue to require more water.

(F) As necessary, provide documentation that the use meets the definition of minimum human health and safety needs provided in subdivision (g) of section 877.1.

Diversions to meet minimum human health and safety needs that cannot be quantified on the basis of an amount per person per day require a petition and approval from the Deputy Director. The Deputy Director may approve such a petition under section 878.1, subdivision (b)(2) or subdivision (d) upon a finding that the petition demonstrates that the requested continuation of diversion under the otherwise curtailed water right is in furtherance of the constitutional policy that the water resources of the state be put to beneficial use to the full extent they are capable and waste and unreasonable use be prevented, notwithstanding the effect of the diversion on senior water rights or instream beneficial uses. Approval may be conditioned as appropriate to ensure that the diversion and use are reasonable and in the public interest.

Please send the Petition for Increase to Human Health and Safety Diversions and supporting information to Bay-Delta@waterboards.ca.gov by September 10, 2021.

By checking this box, I certify that a Petition to Increase Human Health and Safety Diversions has been or will be submitted which outlines the diverter's compliance with California Code of Regulations, title 23, section 878.1, subdivisions (b)(2)(A)-(F) and (d).

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