

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

PETITION FOR CHANGE
(WATER CODE 1700)

Point of Diversion, Point of Rediversion, _____ Place of Use, _____ Purpose of Use
Application See Permit See License _____ Statement or Other _____
Attachment Attachment

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present as on file for permits listed in Attachment
Proposed see Attachment

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present N/A - No change to the current permitted place of use.
Proposed _____

Purpose of Use

Present N/A - No change to the current permitted purpose of use.
Proposed _____

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? N/A
(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: The proposed point of diversion/rediversion will allow the Contra Costa Water District (CCWD) to protect and improve the quality of water delivered to CCWD's customers.
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? No
(yes/no)
- WATER WILL BE USED FOR Purposes on file for permits listed in attachment. PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? written agreement
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? N/A
(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained.

Graydon Nichols, Victoria Island Farms P.O. Box 87 Holt, California 95234	Graydon Nichols, Reclamation District 2040 P.O. Box 87 Holt, California 95234
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Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

In accordance with California Water Code Section 1701.2(d), we have provided evidence to demonstrate a reasonable likelihood that the proposed change will not injure any other legal user of water. Details of this analysis and a list of water users are provided in the Attachment.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated August 2, 2007 at SACRAMENTO, California

Richard J. Woolley (916) 978-5201
Signature(s) Telephone No.

NOTE: A \$1,000 fee, for each Application listed, made payable to the State Water Resources Control Board and an \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>.

PRESENT AND PROPOSED DIVERSIONS

The Bureau of Reclamation (Reclamation) supplies water to the Contra Costa Water District (CCWD) under Water Service Contract I75r-3401A-LTR1. The present points of diversion and rediversion required for delivery of water to CCWD pursuant to this contract will be maintained and one point of diversion and/or rediversion along Victoria Canal will be added to each of the permits listed in Table A-1.

The proposed point of diversion/rediversion will allow CCWD to take delivery at Victoria Canal (location given in Table A-2), a Delta location that has, at times, lower salinity than is available at the existing Old River and Rock Slough points of diversion. The additional point of diversion also provides better protection of Delta fisheries because some diversions will be shifted from the currently unscreened Rock Slough intake to the screened Victoria Canal intake, when appropriate.

For a detailed description of project purpose and operation, see Attachment 1 to Environmental Information for Petition for Change.

Table A-1. Permits to be modified under this Petition

<i>Application Number</i>	<i>Permit Number</i>	<i>Principal Central Valley Project Facility</i>	<i>Source of Water</i>	<i>Points of Diversion (POD) and/or Rediversion (PORD) to be added</i>
5626	12721	Shasta Dam	Sacramento River	PORD
5628	11967	Trinity Dam	Trinity River	PORD
9363	12722	Shasta Dam	Sacramento River and Delta	POD and PORD
9364	12723	Shasta Dam	Sacramento River and Delta	POD and PORD
9366	12725	Contra Costa Canal	Rock Slough	POD
9367	12726	Contra Costa Canal	Rock Slough	POD
13370	11315	Folsom Dam	American River	PORD
13371	11316	Folsom Dam	American River	PORD
14858	16597	New Melones Dam	Stanislaus River	PORD
15374	11968	Trinity Dam	Trinity River	PORD
15375	11969	Trinity Dam	Trinity River	PORD
16767	11971	Trinity Dam	Trinity River	PORD
17374	11973	Trinity Dam	Trinity River	PORD
17376	12364	Whiskeytown Dam	Clear Creek	PORD
18115	13776	Black Butte Dam	Stony Creek	PORD
19304	16600	New Melones Dam	Stanislaus River	PORD
22316	15735	Contra Loma Dam	Rock Slough	POD

Table A-2 Location of Proposed Point of Diversion/Rediversion to be added

<i>Location by California Coordinate System, Zone 3 NAD27</i>	<i>40-acre subdivision of public land survey or projection thereof</i>	<i>Section</i>	<i>Town- ship</i>	<i>Range</i>	<i>Base and Meridian</i>
North 499,210 feet East 1,698,584 feet	NE¼ of NW¼	9	1S	4E	MD

POTENTIAL IMPACT ON OTHER LEGAL USERS OF WATER

Reclamation and CCWD evaluated the impacts of the proposed new point of diversion on Delta water resources. The data and analyses presented in the Draft Environmental Impact Report / Environmental Impact Statement (EIR/EIS), and appendices, and in the Final EIR/EIS responses to comments, demonstrate that any changes to Delta water quality, water level, or water supply caused by the Alternative Intake Project would be negligible and would not result in significant impacts to the environment, to other Delta water users, or to any beneficial uses of water, nor would they result in injury to any legal user of water.

Potential impacts to local hydrology and water quality in the immediate vicinity of the project site due to construction were also evaluated in the EIR/EIS. To minimize construction impacts, CCWD will prepare and implement a Stormwater Pollution Prevention Plan and comply with the Regional Water Quality Control Board requirements to protect water quality. With these measures, the project will not result in injury to any legal user of water.

A copy of the EIR/EIS in CD form is provided with this petition and is available online at http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=1818. Analytical methods and results supporting the determinations that the project will not harm any other legal user of water are detailed in the EIR/EIS in the following sections:

Draft EIR/EIS

Section 4: Affected Environment and Environmental Consequences

- 4.1 Approach to Environmental Analysis
Outlines the requirements, definitions, and analyses performed.
- 4.2 Delta Water Resources
Focuses on long-term impacts to water supply, water quality, and water levels. Details of analyses are provided in the appendices listed below.
- 4.5 Local Hydrology and Water Quality
Discusses local hydrology, water quality, drainage, flooding potential, and groundwater within the immediate vicinity of the project site.

Appendices:

- C-1 Delta Water Quality Monitoring Data
- C-2 Water Resources Modeling Methodologies Report

- C-3 CALSIM II Modeling
- C-4 DSM2 Delta Modeling
- C-5 CCWD Operations Modeling

Final EIR/EIS

Section 2: Master Responses

- 2.2 Delta Water Quality Analysis
- 2.3 Delta Water Level Analysis
- 2.4 Rock Slough Water Quality Standards and Compliance

Section 3: Responses to Individual Comments

Listed below are the following other legal users of water:

1. Persons taking water from the stream between the present point of diversion or rediversion and the proposed new point of diversion or rediversion, listed by name and address. Application number for appropriate water right is given when available.
 2. Holders of water rights along the Old River and Middle River corridor (including connecting channels) in the vicinity of the proposed point of diversion, listed by water rights application number.
 3. Additional regional water agencies and districts, listed by name and address.
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1. Persons taking water from the stream (Victoria Canal or Old River) between CCWD's existing intake on Old River and the proposed intake on Victoria Canal.

Mr. Graydon Nichols
General Partner
Victoria Island Farms
16021 W. Hwy. 4
P.O. Box 87
Holt, CA 95234

Mr. Graydon Nichols
Reclamation District 2040
P.O. Box 87
Holt, CA 95234

Elliott Christensen
Church of Jesus Christ of L D S
150 E Social Hall Ave, Suite 675
P.O. Box 511196
Salt Lake City, UT 84151-1196
Applications A006587 and A008338

2. Holders of water rights along the Old River and Middle River corridor (including connecting channels) in the vicinity of the proposed point of diversion.

<i>Application(s)</i>	<i>Owner</i>
A000301	West Side Irrigation District
A002950	Delta Farms R D #2024
A002954	Delta Farms R D #2028
A004110	Thomas J. Sarale
A004432	Jal Farms Inc.
A004635	Nancy D Moore Et Al.
A004942	Jackson Trust UDT 05-22-96
A004944	Reclamation District #2038
A004945	Reclamation District #2039
A005630	Department of Water Resources
A014443	
A014445A	
A006587	Church Of Jesus Christ Of L D S
A008338	
A006877A	Annlee McGurk
A010215	Conrad and Berniece Silva Revocable Trust
S013941	
A010215	Guido Bandoni
S000404	East Contra Costa Irrigation District
A020245	Contra Costa Water District

3. Additional regional water agencies and districts.

Mr. Rick Gilmore
General Manager
Byron Bethany Irrigation District
P.O. Box 160
Byron, CA 94514

Mr. Jeff Conway
District Manager
Reclamation District 800
1540 Discovery Bay Blvd., Suite A
Discovery Bay, CA 94514

West Side Irrigation District
P.O. Box 177
Tracy, CA 95378

Mr. Larry Preston
General Manager
East Contra Costa Irrigation District
626 First Street
Brentwood, CA 94513

Ms. Kathy Kelly
Chief, Bay Delta Office
Department of Water Resources
1416 9th Street
P.O. Box 942836
Sacramento, CA 94236-0001

Ms. Roberta Goulart
Contra Costa County Water Agency
651 Pine Street, 4th Floor - North Wing
Martinez, CA 94553

Mr. John Herrick, Esq.
Counsel & Manager
South Delta Water Agency
4255 Pacific Avenue, Suite 2
Stockton, CA 95207

Mr. Dante Nomellini, Sr.
General Manager
Central Delta Water Agency
235 E. Weber Ave.
P.O. Box 1461
Stockton, CA 95201-1461

Mr. Terry Erlewine
General Manager
State Water Contractors
1121 L Street, Suite 1050
Sacramento, CA 95814

Mr. Tom Boardman
Water Resources Engineer
San Luis-Delta Mendota Water Authority
1521 I Street
Sacramento, CA 95814

Dr. Gregory Gartrell
Assistant General Manager
Contra Costa Water District
1331 Concord Ave.
Concord, CA 94524

DESCRIPTION OF PROPOSED CHANGE

Existing Facilities and Operations

Contra Costa Water District (CCWD) obtains its water supply exclusively from the Sacramento-San Joaquin Delta under its own Los Vaqueros (Permit 20749, Application 20245) and Mallard Slough (License 10514, Application 5941) water rights and under Water Service Contract I75r-3401A-LTR1 with the Bureau of Reclamation (Reclamation). Pursuant to that contract, Reclamation relies on seventeen water rights permits to supply Central Valley Project (CVP) water to CCWD (Permits 12721, 11967, 12722, 12723, 12725, 12726, 11315, 11316, 16597, 11968, 11969, 11971, 11973, 12364, 13776, 16600, 15735). CCWD serves treated and untreated water to approximately 550,000 people in central and eastern Contra Costa County.

Existing facilities owned, operated, and maintained by CCWD include Delta water intakes at Old River and Mallard Slough, untreated water distribution and pumping facilities, reservoirs, water treatment plants, and treated water distribution facilities. The Contra Costa Canal, its Rock Slough intake, Martinez Reservoir, and Contra Loma Reservoir are owned by Reclamation and operated and maintained by CCWD. Figure A1-1 shows the locations of existing facilities and the proposed project area.

Facilities are operated to deliver high quality water to CCWD's customers while complying with all environmental regulations, permit conditions, and biological opinion conditions; operations are based on a CCWD Board-adopted goal of delivering water that does not exceed chloride concentrations of 65 milligrams per liter (mg/L). Water from the Mallard Slough intake exceeds 65 mg/L chlorides throughout most of the year, and water from the Old River and Rock Slough intakes often exceeds 65 mg/L during periods of low Delta inflows. CCWD meets the delivered chloride goal by direct diversion when possible, and by using low-chloride water from Los Vaqueros Reservoir to blend with Delta water when Delta chloride concentrations are above 65 mg/L. Los Vaqueros Reservoir is filled from the Old River intake when Delta salinity (as measured by chloride concentrations) is low, so that low-chloride stored water is available later, as needed, for blending with higher-chloride Delta water.

Limitations on diversion amounts and rates applicable to CCWD's and Reclamation's existing permits cited above are found in Water Right Decision 1629. In a maximum year at some point in the future, the amounts of water that would be diverted, used, and stored with existing facilities and operations would reach the permit limitations.

Further description of existing facilities and operations can be found in the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS)¹ in the following sections:

- Section 2: Project Background
 - 2.1 CCWD Background
 - 2.2 CCWD Facilities and Operations

¹ Available at: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=1818.

2.3 Drinking Water Standards and CCWD Water Quality Goals

Proposed Facilities & Operations

CCWD is proposing to build a new Delta intake to be used together with its existing Delta intakes. Reclamation is assisting CCWD to the extent consistent with Water Service Contract I75r-3401A-LTR1 between Reclamation and CCWD, and with water right permits issued to Reclamation for operation of the CVP. The proposed project is Alternative 3 in the EIR/EIS, the environmentally preferred alternative.

The project includes the following facilities:

- Intake and pump station: A new 250 cfs intake with a state-of-the-art fish screen, a pump station and ancillary structures, utilities, and access and security features.
- Levee improvements: Reinforcement and reconfiguration of the levee at the intake/pump station site.
- Pipeline: A conveyance pipeline across Victoria Island, tunneled under Old River and tying into CCWD's existing conveyance facilities on Byron Tract.

Figure A1-1 shows the proposed project area in relation to other existing CCWD facilities in the Delta, and Figure A1-2 is a conceptual depiction of the proposed facilities.

Further descriptions of these facilities are given in the Draft EIR/EIS in Section 3.4.2, Proposed Facilities.

CCWD would operate the proposed intake and pipeline together with its existing facilities to better meet the goal of delivering water with chloride concentrations of 65 mg/L or less, given the physical infrastructure limitations and consistent with environmental regulations, permit conditions, and biological opinions. Operations with the project would be similar to existing operations: CCWD would deliver Delta water to its customers by direct diversion when chloride concentrations at its intakes are low enough, and would blend Delta water with releases from Los Vaqueros Reservoir when chloride concentrations at its intakes are greater than the delivered water quality goal. Los Vaqueros would be filled from the existing Old River intake or the new Victoria Canal intake during periods of high flow in the Delta, when the intake salinity (as measured by chloride concentration) is low. The choice of which intakes to use at a given time would be based in large part upon salinity; salinity at the Victoria Canal intake site is, at times, lower than salinity at the existing intakes.

In addition, the new Victoria Canal intake would make it possible to shift some pumping from the unscreened Rock Slough Intake to the screened Old River and Victoria Canal intakes and to shift the timing of some diversions away from the sensitive fish periods, for an increased benefit to Delta fisheries. It is this project feature that caused the United States Environmental Protection Agency to note the environmental superiority of the selected project alternative in its July 17, 2006 comment letter on the Draft EIS/EIR. Complete information concerning the extent to which fish and wildlife would be affected by the project, and a statement of the measures that will be taken for the protection of fish and wildlife in connection with the change are included in the April 27, 2007 biological opinion from the United States Fish and Wildlife Service and the July 3, 2007 biological opinion from the National Oceanic and Atmospheric Administration

Environmental Information for Petition for Change in Points of Diversion/Rediversion Attachment 1 - Description of Proposed Change

National Marine Fisheries Service, which are submitted with this petition in electronic format and incorporated herein by this reference. An incidental take permit from the California Department of Fish and Game is expected in 2007.

The proposed intake would use CCWD's existing water supply entitlements and would not be used to divert additional water out of the Delta; it would simply allow CCWD to shift the location and timing of pumping between the existing Old River and Rock Slough intakes and the new location based on water quality. Annual diversions in a given year may be slightly more or less than they would have been without the new intake due to changes in storage in Los Vaqueros Reservoir, but average annual diversions will not be changed and diversions will never exceed permit limitations. Annual water usage by CCWD's customers will be unaffected by the proposed project.

Reclamation is petitioning herein to add the Victoria Canal Intake as a point of diversion or rediversion under its permits, and CCWD is separately petitioning to add the Victoria Canal Intake as a point of diversion under its permit. Both petitions seek to limit combined diversions from the Old River and Victoria Canal Intakes to 320 cubic feet per second; this will allow a shift in diversions from the unscreened Rock Slough intake to the screened intakes at Old River and Victoria Canal intake under appropriate conditions.

Neither CCWD nor Reclamation is proposing any increase in any diversion limitation under the proposed project, nor any change in the purpose or place of water use. Neither CCWD nor Reclamation is proposing any change in permitted annual diversions nor any change in actual average annual diversions.

Construction Activity

Construction activities will consist of foundation preparation, in-water installation of the intake and fish screen, levee improvements, pipeline installation on Victoria Island, pipeline installation for the Old River crossing, and pipeline installation and connection to the CCWD distribution system on Byron Tract.

Construction details, including information about grading and excavating, are given in the Draft EIR/EIS in the following sections:

Section 3: Alternatives, Including the Proposed Action

3.4.3 Project Construction

3.6 Alternative 3, Modified Operations Alternative

Land Use

The proposed Project will not affect the agricultural land use of most of Victoria Island's 7,000 acres. However, it will result in permanent conversion of 6 to 8 acres of farmland to non-agricultural uses at the site of the new pump station, a significant but unavoidable impact of the project. This will be addressed with Mitigation Measure 4.8-a: Preserve the agricultural productivity of prime farmland and farmland of statewide importance to the extent feasible.

Environmental Information for Petition for Change in Points of Diversion/Rediversion
Attachment 1 - Description of Proposed Change

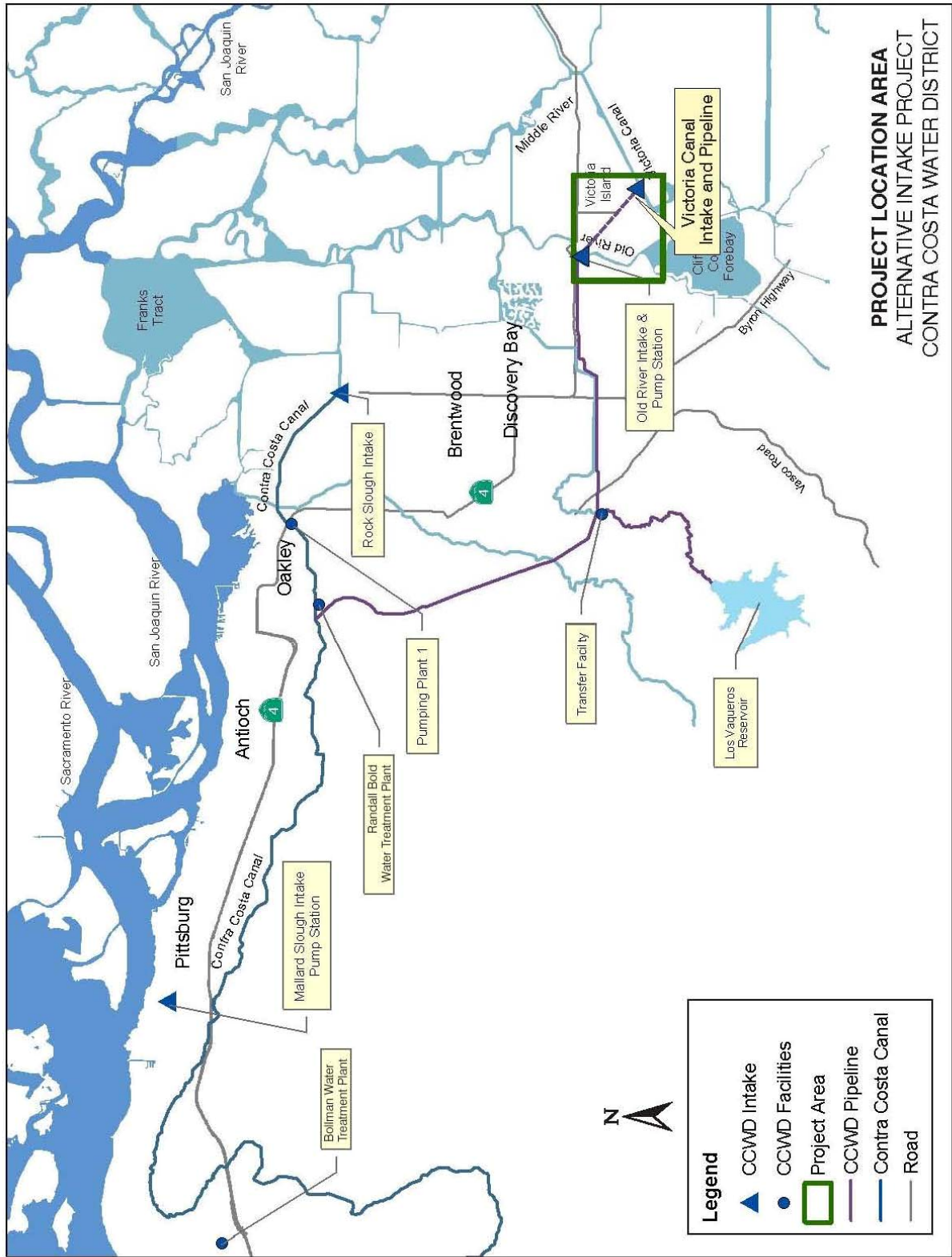
For further discussion of land use, see the following sections of the Draft EIR/EIS:

Section 4: Affected Environment and Environmental Consequences

4.7 Land Use

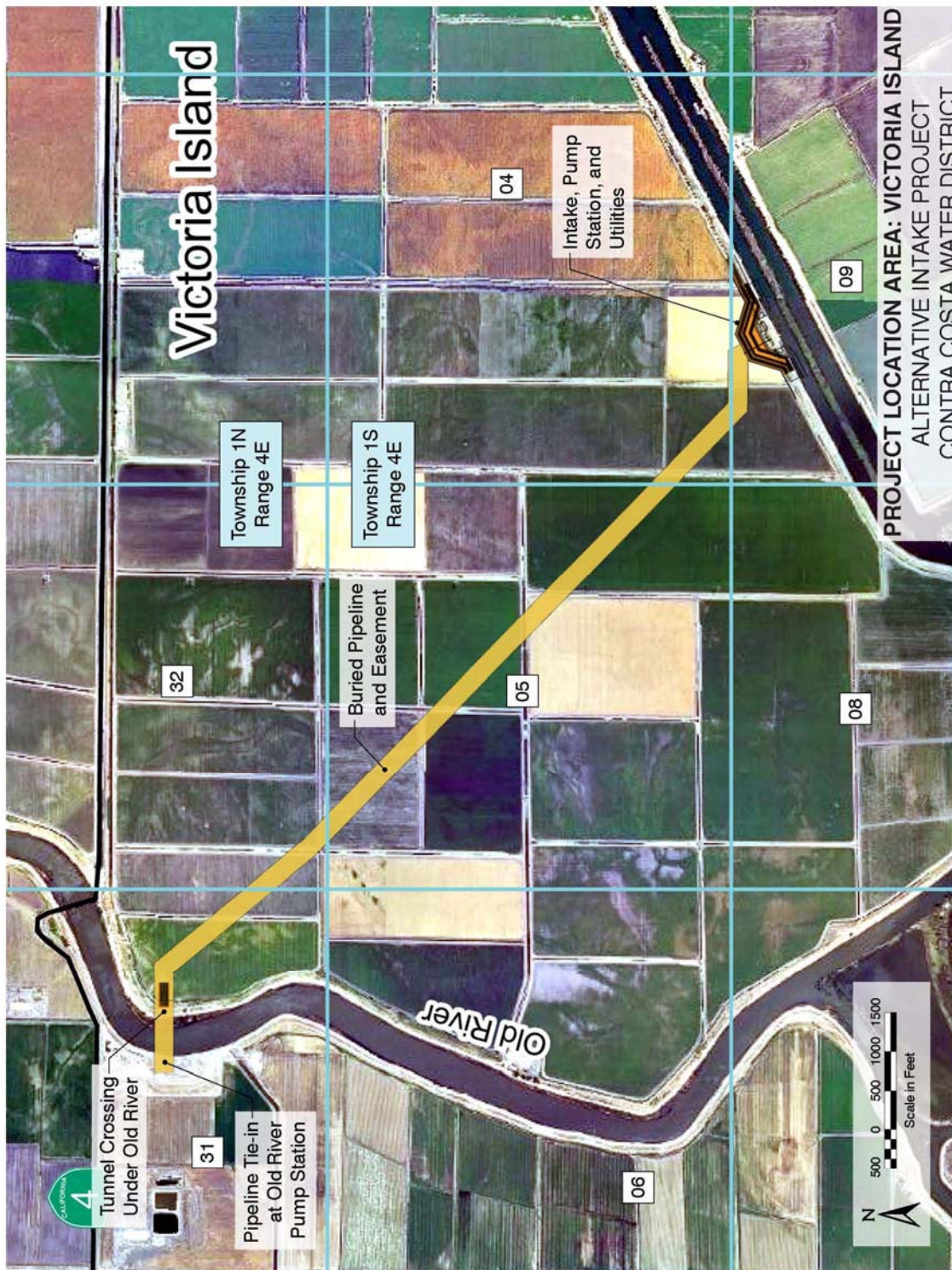
4.8 Agriculture

Environmental Information for Petition for Change in Points of Diversion/Rediversion
 Attachment 1 - Description of Proposed Change



ccwd\1206m\1-6938.ai

Figure A1-1. Existing Facilities and Project Area



Note: Township, range, and section shown are approximate based on extension of known/recorded sectionalized land on east and west sides of Victoria Island.

ccwd10712-6998.ai

Figure A1-2. Conceptual Alternative Intake Project Facilities

STATE/FEDERAL PERMITS AND REQUIREMENTS

Discussions with various public agencies that may have jurisdiction over elements of the project began in November 2004 and are continuing.

The Environmental Impact Report/Environmental Impact Statement (EIR/EIS) should meet these agencies' environmental review requirements under CEQA and NEPA. Biological opinions were received on April 27, 2007 from the United States Fish and Wildlife Service and on July 3, 2007 from the National Oceanic and Atmospheric Administration National Marine Fisheries Service. An incidental take permit is expected from the California Department of Fish and Game. The EIR/EIS and the biological opinions are submitted with this petition in electronic format and incorporated herein by this reference.

Agencies responsible for permitting some element of the project are listed in the table below.

Permitting Agencies

<i>Agency ▪ Permit Type</i>	<i>Person(s) Contacted</i>	<i>Telephone Number</i>	<i>Initial Contact Date(s)</i>
Federal Agencies			
U.S. Army Corps of Engineers ▪ Clean Water Act Section 404 Permit ▪ Rivers and Harbors Act Section 10 Permit	William Guthrie	(916) 557-5269	Feb 2005
U.S. Fish and Wildlife Service ▪ Endangered Species Act compliance ▪ Fish and Wildlife Coordination Act compliance	Kim Squires A. Leigh Bartoo	(916) 414-6654 (916) 414-6729	Nov 2004
National Oceanic and Atmospheric Administration, National Marine Fisheries Service ▪ Endangered Species Act compliance	Bruce Oppenheim	(916) 930-3603	Nov 2004
State Agencies			
California Department of Fish and Game ▪ California Endangered Species Act compliance ▪ Fish and Game Code Section 1602 Streambed Alteration Agreement ▪ Fish and wildlife resource protection – CEQA trustee agency	Anna Holmes	(209) 948-7163	Nov 2004

Environmental Information for Petition for Change in Points of Diversion/Rediversion
Attachment 2 – Permits and Requirements

<i>Agency</i> ▪ <i>Permit Type</i>	<i>Person(s)</i> <i>Contacted</i>	<i>Telephone</i> <i>Number</i>	<i>Initial</i> <i>Contact</i> <i>Date(s)</i>
California State Water Resources Control Board/Central Valley	Greg Wilson (SB)	(916) 341-5427	January 2007
Regional Water Quality Control Board ▪ Clean Water Act Section 401 water quality certification	Greg Vaughn (RB)	(916) 464-4742	January 2007
California Regional Water Quality Control Board Central Valley Region ▪ National Pollutant Discharge Elimination System permit ▪ Waste discharge requirements	Greg Vaughn	(916) 464-4742	June 2005
California State Office of Historic Preservation ▪ National Historic Preservation Act Section 106 compliance	Milford Wayne Donaldson		Feb 2007
Local Agencies			
Bay Area Air Quality Management District ▪ Permit to construct/ permit to operate	Douglas Kolozsvari	(415) 749-4602	Oct 2005
San Joaquin Valley Air Pollution Control District ▪ Permit to construct/ permit to operate	John Cadrett	(209) 557-6400	May 2005
Reclamation District 800 ▪ Encroachment agreement	Jeff Conway	(925) 634-2351	Oct 2004
Reclamation District 2040 ▪ Encroachment agreement	Graydon Nichols	(209) 465-5600	Oct 2004

POTENTIAL IMPACTS AND MITIGATION MEASURES FOR ANY ALTERATION TO THE STREAM BED OR BANKS

In consultation with the fishery agencies, Contra Costa Water District (CCWD) and the Bureau of Reclamation (Reclamation) examined the potential impact of possible alterations to the streambed or banks in the vicinity of the proposed point of diversion.

There is one potential impact of the streambed alteration, listed as impact 4.3-e in the Environmental Impact Report/Environmental Impact Statement (EIR/EIS): aquatic habitat loss at the intake structure site along Victoria Canal shoreline. This impact was found to be less than significant, although it may contribute to a significant cumulative impact. It will be fully mitigated with mitigation measure 4.3-e: compensate for the permanent loss of shallow water aquatic habitat at Victoria Canal intake. This measure will be implemented by first determining the area of shallow water habitat lost in Victoria Canal due to the project footprint (approximately 1 acre), and then purchasing mitigation credits at appropriate mitigation ratios at a mitigation bank or species conservation fund approved by the United States Fish and Wildlife Service and the California Department of Fish and Game.

The methods and results are detailed in the Draft EIR/EIS² in the following sections:

Section 4: Affected Environment and Environmental Consequences

- 4.1 Approach to Environmental Analysis
- 4.3 Delta Fisheries and Aquatic Resources

Appendices:

- D-1 Agency Special-Status Species Lists
- E-1 Action Specific Implementation Plan

All necessary permits and agreements from the California Department of Fish and Game (e.g. Fish and Game code Section 1602) will be obtained before construction begins.

All of the temporary and permanent impacts of project construction in Victoria Canal will also be permitted by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Permits will be obtained prior to construction and will include appropriate mitigation for impacts to wetlands and waters of the United States.

² Available at: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=1818

WASTE DISPOSAL AND EROSION CONTROL

In consultation with the Regional Water Quality Control Board (RWQCB), Contra Costa Water District (CCWD) and the Bureau of Reclamation (Reclamation) examined the potential impact of possible erosion, increased turbidity, and waste produced during construction and operation of the new facility. A summary of the potential impact and mitigation measures is provided in the table below.

The methods and results are detailed in the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS)³ in the following sections:

Section 4: Affected Environment and Environmental Consequences

- 4.1 Approach to Environmental Analysis
- 4.3 Delta Fisheries and Aquatic Resources
- 4.5 Local Hydrology and Water Quality

Summary of Mitigation Measures		
Impact Mechanism/Objective	Mitigation Measure	
	Physical Action	Management Action
4.3-a Minimize Turbidity, Sedimentation, and Other Water Quality Impacts during Construction	<ul style="list-style-type: none"> ▶ Conduct twice daily turbidity monitoring during periods when construction may create turbid conditions 	<ul style="list-style-type: none"> ▶ Obtain and comply with RWQCB Section 401 Water Quality Certification, DFG Streambed Alteration Agreement, and USACE Clean Water Act Section 404 permit as necessary
	<ul style="list-style-type: none"> ▶ Conduct water quality surveys during dredging operations and installation/removal of cofferdam; project field manager responsible for monitoring in accordance with established protocols/procedures 	<ul style="list-style-type: none"> ▶ Develop and comply with a hazardous materials management plan similar to those that have been approved by RWQCB for similar fish screen projects

³ Available at: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=1818

Environmental Information for Petition for Change in Points of Diversion/Rediversion
Attachment 4 – Waste Disposal and Erosion Control

Summary of Mitigation Measures		
Impact Mechanism/Objective	Mitigation Measure	
	Physical Action	Management Action
	<ul style="list-style-type: none"> ▶ Verify construction documents contain Erosion Control Plan measures and Best Management Practices (BMPs) ▶ Conduct periodic inspections during construction ▶ Site intake on existing rip-rapped banks to avoid effects on higher-quality tule beds ▶ Install cofferdam to minimize in-water work 	<ul style="list-style-type: none"> ▶ Construction contractor to prepare and implement an Erosion Control Plan and Stormwater Prevention Plan prior to grading and excavation that shall include BMPs to minimize erosion and sedimentation as verified by RWQCB
4.3-c Develop and Implement a Hazardous Materials Control and Spill Prevention and Response Plan to Prevent/Avoid Hazardous Materials Impacts	<ul style="list-style-type: none"> ▶ Implement Plan as written. Conduct periodic inspection during construction 	<ul style="list-style-type: none"> ▶ Construction contractor to prepare and implement a Hazardous Materials Control and Spill Prevention and Response Plan prior to construction
4.5-a Minimize Potential Contamination of Surface Waters as a Result of Contaminant Release and Runoff during Construction	<ul style="list-style-type: none"> ▶ Implement Plan as written 	<ul style="list-style-type: none"> ▶ Construction contractor to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that minimizes potential contamination and complies with RWQCB requirements to protect water quality.
4.5-d Minimize Potential Cumulative Temporary Degradation of Surface Water Quality as a Result of Contaminant Release and Runoff during Construction	<ul style="list-style-type: none"> ▶ Implement Plan as written 	<ul style="list-style-type: none"> ▶ Construction contractor to prepare and implement a SWPPP that minimizes potential contamination and complies with RWQCB requirements to protect water quality.

Environmental Information for Petition for Change in Points of Diversion/Rediversion
Attachment 5 – Site Photos



View of Victoria Canal and levee surface (site of new point of diversion), facing to the southwest. (April 6, 2005)

Environmental Information for Petition for Change in Points of Diversion/Rediversion
Attachment 5 – Site Photos



View of Victoria Canal and levee (site of new point of diversion), facing to the northeast. (April 6, 2005)

California Environmental Protection Agency

State Water Resources Control Board

DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

ENVIRONMENTAL INFORMATION FOR PETITIONS

Petition for Change

Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment No. 1

ENVIRONMENTAL INFORMATION FOR PETITIONS

2. COUNTY PERMITS No County Permits Required

a. Contact your county planning or public works department and provide the following information:

Person contacted: N/A (see below) Date of contact: _____

Department: _____ Telephone: (____) _____

County Zoning Designation: _____

Are any county permits required for your project? YES NO If YES, check appropriate box below:

Grading permit Use permit Watercourse Obstruction permit Change of zoning

General plan change Other (explain): _____

Government Code section 53091(d) exempts the location and construction of facilities for the production, generation, storage or transmission of water by a local agency from the building ordinances of a City or County. Government Code 53091(e) exempts the same from zoning ordinances.

b. Have you obtained any of the required permits described above? YES NO No County Permits Required

If YES, provide a complete copy of each permit obtained.

See Attachment No. ___

3. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project:

Federal Energy Regulatory Commission U.S. Forest Service Bureau of Land Management

Soil Conservation Service Dept. of Water Resources (Div. of Safety of Dams) Reclamation Board

Coastal Commission State Lands Commission Other (specify) See Attachment 2

b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.

See Attachment No. 2

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake? YES NO

If YES, explain: _____

See Attachment No. 3

ENVIRONMENTAL INFORMATION FOR PETITIONS

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO
If YES, name and telephone number of contact: Anna Holmes (209) 948-7163

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: Contra Costa Water District and Bureau of Reclamation
- b. If NO, check the appropriate box and explain below, if necessary:
- The petitioner is a California public agency and will be preparing the environmental document.*
 - I expect that the SWRCB will be preparing the environmental document.**
 - I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.* Public agency: _____

See Attachment No. _____

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

5. WASTE/WASTEWATER

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation? YES NO
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. 4

- b. Will a waste discharge permit be required for your project? YES NO
Person contacted: Greg Vaughn (916) 464-4742 Date of contact: March 2006, ongoing
- c. What method of treatment and disposal will be used? During construction, when groundwater is present in excavation areas, the groundwater table will be drawn down and the groundwater will be land applied or discharged to surface water. All appropriate permits will be obtained from RWQCB before construction begins.

See Attachment No. _____

6. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project? YES NO
- b. Will you be preparing an archeological report to satisfy another public agency? YES NO
- c. Do you know of any archeological or historic sites located within the general project area? YES NO

ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain: _____

In compliance with Section 106 of the National Historic Preservation Act, the U.S. Bureau of Reclamation submitted the "Cultural Resources Inventory and Evaluation Report" (January 2007) to the State Historic Preservation Officer for project implementation considerations. The report concludes no historic properties will be affected by the Project.

See Attachment No. _____

7. ENVIRONMENTAL SETTING

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

- Along the stream channel immediately downstream from the proposed point(s) of diversion.
- Along the stream channel immediately upstream from the proposed point(s) of diversion.
- At the place(s) where the water is to be used.

See Attachment No. 5

8. CERTIFICATION

I hereby certify that the statements I have furnished above and in the attachments are complete to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date: 8/2/2007

Signature: 