

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.waterboards.ca.gov/waterrights>

**ENVIRONMENTAL INFORMATION
FOR PETITIONS***

STATE WATER RESOURCES
CONTROL BOARD
2012 MAR -5 PM 3:28
DIV OF WATER RIGHTS
SACRAMENTO

Application 13156, Permit 10478

* Required for all petitions, including change petitions, time extension petitions, wastewater change petitions and instream flow dedication petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board 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

See Attachment No. 1

2. COUNTY PERMITS (NOT APPLICABLE)

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

Person contacted: _____ 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):

b. Have you obtained any of the required permits described above? YES NO

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)

N/A

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. ____

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. _____

d. Have you contacted the California Department of Fish and Game concerning your project? YES
 NO

If YES, name and telephone number of contact:

Kent Smith, Regional Manager, (916) 358-2382

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:

b. If NO, check the appropriate box and explain below, if necessary:

The petitioner is a California public agency (see below).

I expect that the State Water Board will be preparing the environmental document.**

I expect that a California public agency other than the State Water Board will be preparing the environmental document.* Public agency:

The petition is exempt under CEQA Guidelines §15061(b)(3) because it will have no significant effect on the environment; §15261 as an ongoing project approved prior to 1970; and §15301 as an existing facility.

See Attachment No. _____

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

** **Note:** CEQA requires that the State Water Board, 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 State Water Board, 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. _____

b. Will a waste discharge permit be required for your project? YES NO

Person contacted: _____ Date of contact: _____

c. What method of treatment and disposal will be used?

N/A

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 If YES, explain:

See Attachment No. ____

7. ENVIRONMENTAL SETTING --- N/A

Attach **two 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.

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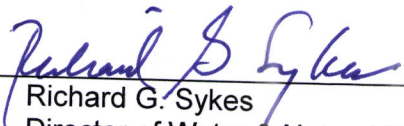
At the place(s) where the water is to be used.

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: March 2, 2012

Signature: 
Richard G. Sykes
Director of Water & Natural Resources
(510)287-1629

Attachment No. 1

East Bay Municipal Utility District (EBMUD) holds Permit 10478 (Application 13156), which was obtained to supplement EBMUD's pre-existing municipal water right at Pardee Reservoir (License 11109), and authorizes direct diversion and storage at both Pardee Reservoir and the adjacent Camanche Reservoir (collectively the Mokelumne Project) during December 1 through July 1 for municipal purposes. Withdrawals from storage under the Permit can occur year-round. The Permit also authorizes Camanche Dam as a point of redirection for waters previously stored upstream in Pardee Reservoir. The Permit and authorized Project operations were modified by the State Water Resources Control Board's (State Water Board) 1960 approval of a Changed Plan of Development. The purpose of this Petition for Change (Petition) to EBMUD's Permit 10478 is to request the addition of a term to Permit 10478 to more explicitly describe the manner in which EBMUD utilizes the water stored in Camanche Reservoir. The term makes a technical clarification to conform to the principles and procedures that the State Water Board currently uses to analyze diversions, as described further below. This Petition proposes no other changes to Permit 10478.

Over the course of the past several years, EBMUD and Division of Water Rights (Division) staff have analyzed diversion and use of water under Permit 10478. As indicated above, Permit 10478 and the approved Plan of Development authorize diversions and storage at both Pardee and Camanche Reservoirs, and, together with requirements such as flood control, fishery protections and downstream obligations, result in the need to operate the system as a single, unified Mokelumne Project. Under this unified system, EBMUD diverts its municipal supply from Pardee Reservoir while operating Camanche Reservoir to support those diversions while concurrently making releases from Camanche to satisfy downstream senior rights and regulatory and environmental obligations. In this way the Project as a whole can provide the municipal water supplies authorized to be diverted and stored under Permit 10478 while meeting all other regulatory requirements with releases from the reservoirs. The analysis of these quantities for the combined reservoirs, or effectively a single reservoir, confirms beneficial use of water under Permit 10478 by direct diversion, and also by withdrawal from storage, with the withdrawals occurring only when there is a corresponding net depletion in the combined storage of Pardee and Camanche Reservoirs.

Accordingly, this Petition proposes to include the term identified below in Permit 10478 in order to clarify the manner in which the authorized diversions are occurring and to account for diversions consistent with existing water right limitations, particularly relative to withdrawals from storage under Permit 10478. Specifically, the proposed term would be a technical clarification to ensure that withdrawals from storage into the Aqueducts at Pardee Reservoir under Permit 10478 occur only when there is a net depletion of a corresponding quantity of water in the combined storage at Pardee and Camanche Reservoirs.

The term requires a reduction in the combined storage of Pardee and Camanche Reservoirs when diversions into the Aqueducts are accounted for as withdrawals from

storage under Permit 10478. This term ensures consistency with water right limitations and assures no injury to downstream legal water users and instream beneficial uses. This proposed term does not alter the release and bypass requirements for the lower Mokelumne River and is consistent with EBMUD's existing operations and with the Permit 10478 authorizations.

This Petition is intended only to clarify EBMUD's existing rights and does not initiate a new water right or expand EBMUD's existing rights to divert from the Mokelumne River, as the water withdrawn from storage at the authorized points of diversion is water that is currently authorized under Permit 10478. In addition, no construction is required as a result of this Petition. With this proposed term, EBMUD will continue to meet its water supply needs and will continue its longstanding practices in meeting various state and federal environmental objectives and operational requirements, including, but not limited to (a) fishery flows; (b) temperature management; (c) flood control; and (d) downstream water rights.