

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Temporary  
Permit 20622  
(Application 30113)

Pacific Gas Transmission-  
Pacific Gas and Electric, Permittee

ORDER: WR 93-4  
SOURCE: Sacramento River

COUNTY: Solano

FINDINGS AND ORDER VALIDATING THE  
RENEWAL, IN PART, OF TEMPORARY PERMIT

Pacific Gas Transmission-Pacific Gas and Electric, hereinafter referred to as PGT-PG&E, having filed an application for a second renewal, in part, of a temporary permit to divert and use water pursuant to Chapter 6.5 (commencing with Section 1425), Part 2, Division 2 of the Water Code; the State Water Resources Control Board (State Water Board) having consulted with the California Department of Fish and Game, the California Department of Water Resources, and the United States Bureau of Reclamation; the Executive Director, Walter G. Pettit, having reviewed available information, authorized a second renewal of the temporary permit to divert and use water subject to review and validation by the State Water Board as provided by Water Code Section 1425(d); the State Water Board finds as follows:

## Issuance and Renewal of Temporary Permits

1.0 Water Code Section 1425(d) provides for delegation of the authority to issue and renew temporary permits. The State Water Board has delegated this authority to Walter G. Pettit. When this delegated authority is exercised, Water Code Section 1425(d) requires that the State Water Board review and validate the renewal of any temporary permit within 30 days of renewal. By Order of March 15, 1993, Executive Director Walter G. Pettit renewed, in part, Temporary Permit 20622 to May 31, 1993. The matter is before the State Water Board for review and validation.

## Past Proceedings

2.0 Temporary Permit 20622 was issued on May 29, 1992 and validated by the State Water Board in Order WR 92-05 on June 18, 1992. The temporary permit authorized the direct diversion and use of water for the installation of a new 42-inch diameter natural gas pipeline at four waterway crossings between the Delta and the Oregon border and for hydrostatic mainline testing of 127 miles of the pipeline. The temporary permit was to expire on November 28, 1992 and was renewed on November 24, 1992. Renewal of the temporary permit, to allow for completion of the lower Sacramento River crossing, was validated by the State Water Board in Order WR 93-1 on January 21, 1993. This renewal was to expire on March 16, 1993. Due to heavy rains during January and February, pipeline construction was not completed in time to allow for completion of mainline hydrostatic pressure tests by March 16, 1993.

## Substance of the Application for Renewal of Temporary Permit

3.0 Temporary Permit 20622, as renewed, is only for direct diversion and use of water from the Sacramento River in Solano County for the purpose of completing mainline hydrostatic pressure tests on 10.2 miles of new pipeline between the Sacramento River and Rock Slough. The period of diversion is from March 16, 1993 to May 31, 1993. The point of diversion in Solano County is the same, for this location, as in the original temporary permit. Water will be diverted at a rate of 4.4 cubic feet per second, up to a maximum of 13.5 acre-feet per test.

All water diverted into the pipeline for hydrostatic testing purposes, except any lost to leakage, will be returned to the river upon completion of the tests. Temporary permit requirements for pump intake screening and approach velocity will remain in effect.

## Urgent Need of Permittee to Divert and Use Water

4.0 Hydrostatic testing of pipeline sections is required by the California Public Utilities Commission to ensure that the system will operate at the design maximum allowable operating pressure. Hydrostatic testing of the pipeline is a nonconsumptive use requiring water withdrawals for a short duration and then discharge back to the source. PGT-PG&E has no other source of water available in the quantity needed to complete hydrostatic tests on this section of the pipeline.

In consideration of the above circumstance, the State Water Board finds that PGT-PG&E has an urgent need for further renewal, in part, of Temporary Permit 20622 to divert and use water.

#### Notice of Renewal of the Temporary Permit

5.0 Public notice of the application for a second renewal of Temporary Permit 20622 was issued on March 5, 1993. The notice was published in a newspaper having a general circulation in the county of Solano. Copies of the Notice were also mailed, in accordance with Water Code Section 1428, to all known interested parties and diverters from the source. No objections were received to diversion of water as specified in the public notice and as authorized in the March 15, 1993 Order approving renewal of the temporary permit.

#### Effect of the Diversion on Other Lawful Users of Water

6.0 Based upon the facts described above, the State Water Board finds that water may be diverted and used under the renewal, in part, of Temporary Permit 20622 without injury to any lawful user of water.

#### Effects of the Proposed Diversion on Fish, Wildlife, and Other Instream Uses

7.0 The California Department of Fish and Game (DFG) prepared a California Endangered Species Act Biological Opinion for the overall pipeline project. Based on this document, DFG has requested that the temporary

permit requirements for pump intake screening and approach velocity remain in effect. The March 15, 1993 Order approving renewal of the temporary permit was so conditioned. Accordingly, the State Water Board finds that water may be diverted and used without unreasonable effect upon fish, wildlife or other instream beneficial uses.

#### Findings Concerning the California Environmental Quality Act

8.0 The California Public Utilities Commission (PUC) is lead agency under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. The State Water Board has reviewed and considered the information in the EIR prepared by the PUC and find that the project, as mitigated, has no significant adverse effects.

#### Public Interest

9.0 Diversion and use of water by PGT-PG&E under the renewal, in part, of Temporary Permit 20622 is in the public interest and in accordance with the constitutional policy that the water resources of the State be put to beneficial use to the fullest extent of which they are capable.

ORDER

NOW, THEREFORE, IT IS ORDERED that the renewal, in part, of Temporary Permit 20622 is validated subject to the conditions specified in the March 15, 1993 Order approving renewal of the temporary permit.

CERTIFICATION

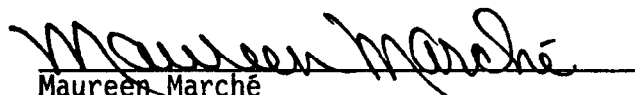
The undersigned, Administrative Assistant to the State Water Board, does hereby certify that the foregoing is a full, true and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 12, 1993.

AYE: John Caffrey  
Marc Del Piero  
James M. Stubchaer

NO: None

ABSENT: None

ABSTAIN: None

  
Maureen Marché  
Administrative Assistant to the Board