

Supplement

U.S. Bureau of Reclamation Central Valley Project Permits

Applications: 5626, 5628, 9363, 9364, 9366, 9367, 13370, 13371, 15374, 15375, 16767, 17374

Permits: 12721, 11967, 12722, 12723, 12725, 12726, 11315, 11316, 11968, 11969, 11971, 11973

Contra Costa Water District Los Vaqueros Project Permit

Application: 20245 Permit: 20749

Requested Change

The United States Bureau of Reclamation (Reclamation) and the Contra Costa Water District (CCWD) request that the State Water Resources Control Board (SWRCB) modify the permits and licenses listed in this petition to temporarily add a point of diversion/rediversion to the above Reclamation permits. The requested change will allow the temporary transfer of up to 5,000 acre-feet (AF) of surface water that would otherwise be diverted by CCWD at its Old and/or Middle River intakes under Reclamation's Central Valley Project (CVP) water rights. The water will instead be diverted into the State Water Project (SWP) Clifton Court Forebay (CCF) for pumping at the Harvey O. Banks (Banks) pumping plant for delivery to ACWD in 2014 via the South Bay Aqueduct.

The proposed temporary changes identified in this petition apply to each of the water rights listed above and involve the same facilities, place of use, and purposes of use. Thus, a single consolidated petition and environmental information form has been prepared for these water rights to address the questions and provide the relevant information associated with the proposed temporary changes, similar to other petitions submitted by Reclamation to the SWRCB.

Both the CVP and SWP are operating under a Temporary Urgency Change Petition (TUCP) due to this year's extraordinarily dry hydrologic conditions. The proposed action would increase pumping at Banks, which is currently allowed under the TUCP in order to facilitate the transfer. Net pumping in the Delta would not be changed, due to simultaneous and commensurate reduction in pumping at CCWD intakes.

Present Point of Diversion or Rediversion

The temporary transfer will occur during a period when Rock Slough is shut down for maintenance. The points of diversion and rediversion for delivery of CVP water to CCWD during the transfer are described in Water Right Decision 1629 (June 1994) and Water Right Orders issued by the SWRCB on July 8, 2010.

The following locations are also shown in Figure 2:

Old River Intake: NW_{1/4} of SE_{1/4} of projected section 31, T1N, R4E, MDB&M

Also described as California Coordinates, NAD 83, Zone 3, North 2,147,455 feet and East 6,250,918 feet

"Middle River" Intake at Victoria Canal: Victoria Canal tributary to Old River thence San Joaquin Delta Channels, within NE_{1/4} of NW_{1/4} of Section 9, T1S, R4E, MDB&M.

Also described as California Coordinates, NAD 83, Zone 3, North 2,139,610 feet and East 6,259,970 feet.

There is no change to the present points of diversion/rediversion in the water rights listed above.

Requested Additional Point of Diversion or Rediversion

Reclamation requests that the SWRCB modify the permits listed in this petition to temporarily add Banks Pumping Plant as a point of diversion/rediversion (in addition to the currently authorized Joint Point of Diversion), also shown in Figure 2, for the purpose of this transfer:

Clifton Court Forebay: within the NW_{1/4} of SE_{1/4} of Projected Section 20, T1S, R4E, MDB&M.

Also described as California Coordinate System N 2,126,440 ft., E 6,256,425 ft., Zone 3, NAD 83

The proposed additional point of diversion/rediversion is identified on maps filed with the Division of Water Rights by the California Department of Water Resources (DWR) under application 5630. Adding this point of diversion/rediversion will permit DWR to convey the transfer water to ACWD's service area via the South Bay Aqueduct.

Place of Use

The present place of use of the water diverted under the Reclamation permits is the entire consolidated CVP Place of Use shown on maps maintained by the SWRCB. No change in the present place of use is proposed. The place of use of this transfer of CVP water is the ACWD water service area. As shown on Figure 3, the ACWD service area is within the federal CVP service area as identified on maps obtained from the SWRCB's files, except for a small area in the southeastern part of ACWD. Figure 3 shows that this small area is outside the distribution pipelines of ACWD and cannot receive water. In addition, the City of Fremont has ordinances that preclude development on this mountainside. Therefore, none of the transfer water will be delivered outside the existing CVP place of use.

Proposed New Users

The proposed new users will be water users within the service area of ACWD. As described above, the user is within the authorized place of use of the CVP.

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Requested Refill Conditions

The proposed exchange results in a lower water level in Los Vaqueros Reservoir than would have existed absent the transfer. When this vacated storage will be refilled is a concern to other legal users of water. As stated above, Los Vaqueros Reservoir is an off-stream reservoir that is filled from Delta diversions with CCWD's CVP Contract water or under CCWD's Los Vaqueros water right.

As a condition of this project, CCWD will keep track of the vacated storage amount in Los Vaqueros resulting from this transfer and refill that storage space only under its Los Vaqueros water rights or with its CVP Contract supply, only during Delta excess conditions and subject to the approval of DWR and Reclamation. CCWD, Reclamation, and DWR are developing a refill agreement and request that the SWRCB condition the Order approving this action with the terms of this agreement to avoid impacts to other legal users of water.

Transfer Window

The Biological Opinions on the operations of the CVP and SWP, issued for delta smelt by the United States Fish and Wildlife Service in 2008 and for salmonids issued by the National Marine Fishery Service in 2009, cover water transfers if those transfers occur during the 3-month window between July and September. This one-time transfer of water will occur in the approved Delta transfer window. The timing and rate of the water transfer will be determined in close coordination among ACWD, CCWD, DWR and Reclamation. The transfer of 5,000 AF could occur in as little as 15 days but will more likely take three months to complete.

Reason for Requested Change

ACWD has obtained through agreement 5,000 AF of water in Los Vaqueros Reservoir, previously stored under CCWD's Los Vaqueros water right when the Delta was in surplus conditions. When CCWD is reducing its CVP Delta diversions at its Old River and/or Middle River intakes to allow this transfer to occur, CCWD will release the ACWD water held in Los Vaqueros in exchange to meet demand in its service area. This "storage water substitution transfer" is similar to the common "groundwater substitution transfer", but in this case the forgone surface water made available for transfer is replaced by releasing water held in storage, rather than by pumping groundwater. In this manner, these two Bay Area water users are cooperating to share their facilities and resources to help maximize the beneficial use of water as part of improved Integrated Regional Water Management.

The ACWD is a SWP contractor located in southern Alameda County (see Figure 1). Normally, ACWD receives about 40% of its water supply from the SWP via the South Bay Aqueduct; this year, however, due to the extraordinarily dry hydrologic conditions, ACWD's SWP allocation has been set to five percent. In addition, due to the lack of local rainfall, ACWD's local groundwater levels are at critically low levels, and the groundwater basin is at risk of overdraft and seawater intrusion. ACWD has already requested its customers to cut-back on water use by 20%, and the ACWD Board adopted mandatory water use restrictions on March 13, 2014.

CCWD is a federal CVP contractor located in central and eastern Contra Costa County (see Figure 1). CCWD has also received a reduced CVP allocation due to the extraordinarily dry hydrologic conditions. CCWD relies completely on the Delta for its water supply, and diverts water at its four intakes in the Delta: Rock Slough, Mallard Slough, Old River and Middle River at Victoria Canal. Using these last two intakes, CCWD can also divert water to storage in Los Vaqueros Reservoir, which is CCWD's off-stream storage facility located in the foothills in the south area of CCWD (see Figure 1). As described in SWRCB Decision 1629, CCWD can divert water to storage under its CVP contract as well its own Los Vaqueros water rights. Los Vaqueros is a water quality reservoir; CCWD diverts Delta water to storage when the Delta is fresh and makes releases from storage to blend with Delta diversions when the Delta is saltier.

ACWD and CCWD are working together to share resources and facilities for Integrated Regional Water Management to the mutual benefit of their collective customers. ACWD and CCWD have entered into

an agreement to undertake a one-time demonstration project to cooperatively evaluate the feasibility of a longer-term partnership for the improvement of regional water supply reliability. The proposed water transfer is part of this demonstration project.

Starting in May 2014, CCWD will be diverting water at its Old River and/or Middle River intakes for delivery to its customers (see Figure 4). CCWD's Rock Slough intake will be shut down for construction on the unlined portion of the Contra Costa Canal, and salinity at CCWD's Mallard Slough intake is projected to be too high for municipal and industrial use. Water diverted will be CCWD's CVP Contract water, made available to CCWD by Reclamation under its CVP water rights. The Old River and Middle River at Victoria Canal points of diversion/rediversion were added to the identified CVP permits by the SWRCB through Decision 1629 and water right orders adopted by the Division of Water Rights dated July 8, 2010. Maximum permitted diversions at these intakes are 320 cfs, and actual diversions depend on CVP allocation, water demand within CCWD's service area and water quality at CCWD's Delta intakes.

Under the proposed transfer, CCWD will forgo diversions of their CVP Contract supply at its Old River and/or Middle River intakes and allow that water to stay in the southern Delta for diversion by the SWP into CCF. Water diverted into CCF will be diverted at Banks Pumping Plant and conveyed to ACWD through the South Bay Aqueduct. When CCWD is forgoing diversions at its Old River and/or Middle River intakes, that water supply will be replaced by releasing water held in Los Vaqueros that ACWD has previously obtained through agreement (see Figure 5). This exchange of surface water in the Delta for stored water in Los Vaqueros Reservoir allows ACWD to obtain the benefits of the water secured under agreement with CCWD and also maintain water delivery to CCWD customers. This stored water substitution transfer is similar in concept to the more common groundwater substitution transfers that have been approved by the SWRCB in the past.

No Injury to Other Legal Users or the Environment

This temporary transfer only requires a slight re-operation of existing facilities for which all the necessary permits have already been obtained. No new construction will take place due to this proposed transfer. No new permits are required from any of the agencies listed to accomplish this temporary transfer, except the change in point of diversion/rediversion requested by this petition to the SWRCB. This temporary transfer of water in the Delta is covered by the biological opinions for the operation of the CVP and SWP.

Bypassing diversions at CCWD's Old River and/or Middle River intakes under this transfer will only increase flows compared to what flows would be in the absence of this transfer. When the SWP takes this bypassed water into CCF for pumping at the Banks Pumping Plant, the overall pumping from the south Delta will not be increased from what would have occurred absent this transfer. The Old and Middle River flows north of CCWD's Old River and Middle River intakes do not change due to this transfer.

The reduction in Los Vaqueros Reservoir water levels due to the transfer of 5,000 AF is well within the operational range of this off-stream reservoir. This reduction is small and will not have environmental effects not otherwise considered in the permitting of this reservoir. The refill agreement will eliminate any impacts to other legal users.

The Amount of Water to be Transferred/Exchanged Would Have Been Consumptively Used or Stored in the Absence of the Transfer

The 5,000 AF of CVP water to be transferred would have been consumptively used in the absence of the proposed temporary change. CCWD would have diverted the water under its CVP Contract for use in its service area this year, rather than leaving the water in the Delta to be diverted to ACWD. 5,000 AF of water would have remained in storage in Los Vaqueros Reservoir in the absence of the proposed temporary change. CCWD would have used Delta diversions to meet its service area demand this year, rather than releasing the water purchased by ACWD in order to forgo Delta diversions.

Analysis of Potential Changes in Streamflow, Water Quality, Timing of Diversions or Use, Return Flows, or Effects on Legal Users

The proposed temporary transfer does not result in any measureable change to streamflow, water quality, timing of diversion or use, or return flows. CCWD's Old River and Middle River intakes are both under four miles away from the CCF intake, and the rate of diversion for the transfer is planned to be under 30 cubic feet per second, so increases in southward local streamflow and any changes in water quality in the south Delta will be undetectable in the tidal river environment. There will be no net change in quantity or timing of diversions from the Delta. There will be no change in CCWD's return flows from the CCWD service area. The conditions for refilling Los Vaqueros Reservoir ensure that will be no effects on other legal users of water due to this temporary transfer.

The Transfer Will Not Result in Unreasonable Impacts to Fish and Wildlife or the Environment

The proposed temporary transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses. The operations of existing facilities used to accomplish this transfer fall under CCWD's biological opinions and incidental take permits and CVP and SWP's biological opinions. There will be no measurable change in the hydrodynamics in the local area due to this transfer.

Figure 1

Alameda County Water District (ACWD) and
Contra Costa Water District (CCWD)
Water Service Areas and Conveyance Pipelines

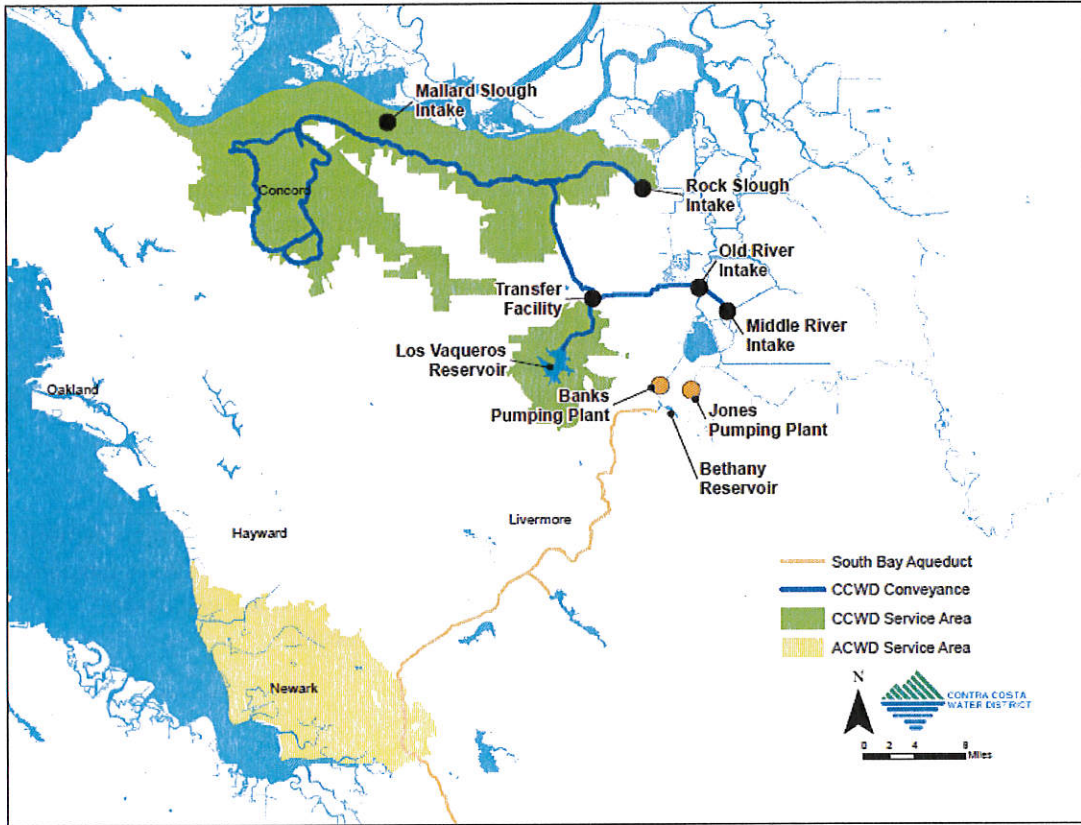


Figure 2



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Figure 3

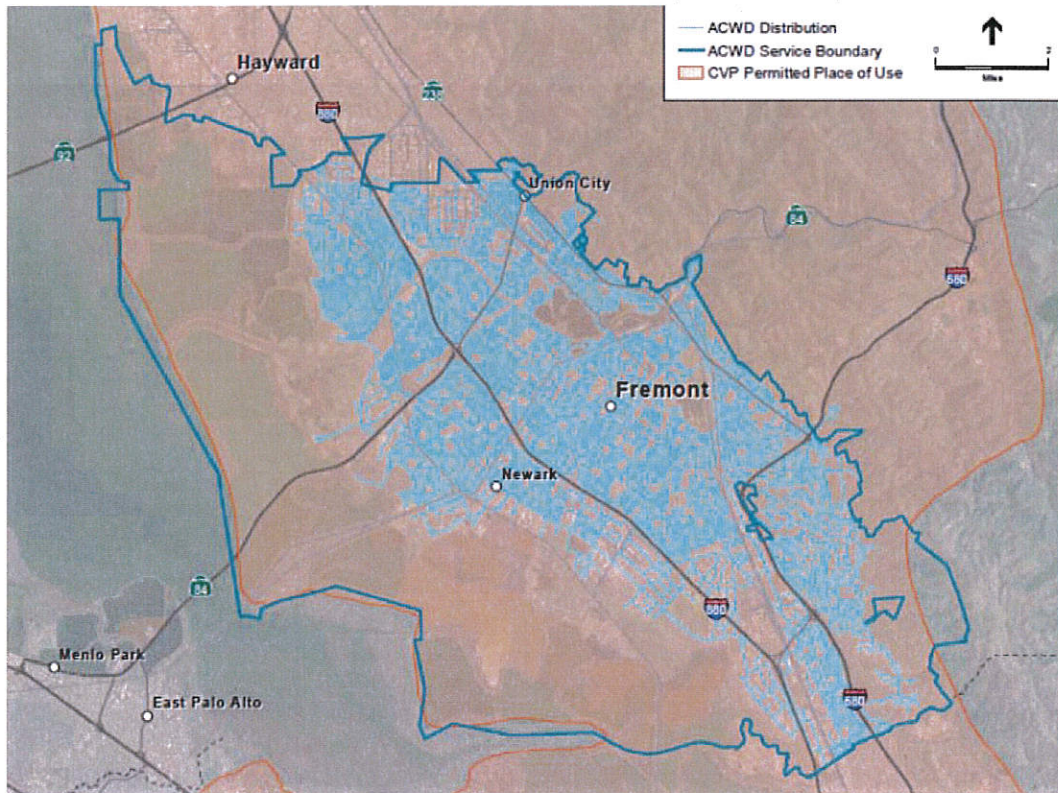


Figure 4

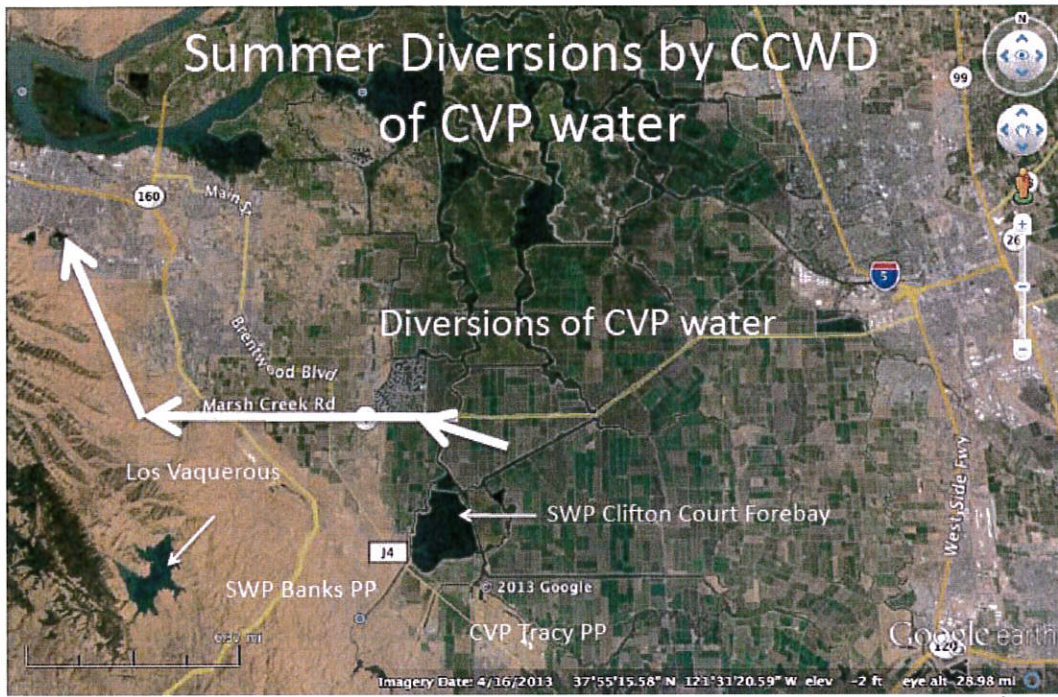


Figure 5

