



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825-1898

IN REPLY REFER TO:

MP-440
WTR-4.10

AUG 28 2015

Ms. Barbara Evoy
Deputy Director for Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Subject: Petition for Temporary Change – CVP Permits 5626 et al, Central Valley Project California

Dear Ms.Evoy:

Please find enclosed thirteen Petitions for Temporary Change (Petitions) for five Central Valley Project (CVP) permits filed pursuant to Water Code Section 1725. The Bureau of Reclamation requests that the State Water Resources Control Board temporarily add Clifton Court Forebay/Banks Pumping Plant as a point of diversion and add Zone 7 of the Alameda County Flood Control and Water Conservation District (Zone 7) as a place of use. These changes will facilitate a temporary water exchange between CVP contractor Contra Costa Water District (CCWD) and SWP contractors Alameda County Water District and Zone 7, to enable the SWP contractors to access previously banked water.

Reclamation appreciates the assistance that the Division will be providing in processing these Petitions. Reclamation's point of contact for these Petitions is Lisa Holm, Water Rights Specialist. Should you have any questions or concerns, please contact Ms. Holm at 916-978-5252 or lholtm@usbr.gov.

Sincerely,

Richard J. Woodley
Regional Resources Manager

Enclosures

cc: Board of Supervisors
COUNTY OF ALAMEDA
1221 Oak Street
Oakland, CA 94612

Board of Supervisors
COUNTY OF CONTRA COSTA
651 Pine Street
Martinez, CA 94553

Subject: Petition for Temporary Change -- CVP Permits 5626 et al, Central Valley Project California 2

Board of Supervisors

Thomas Niesar
Alameda County Water District
43885 South Grimmer Boulevard
Fremont, CA 94538

Amparo Flores,
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Lucinda Shih
Contra Costa Water District
PO Box H2O
Concord, CA 94524

Please indicate County where your project is located here:

Alameda and Contra Costa

MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

PETITION FOR CHANGE INVOLVING WATER TRANSFERS

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Temporary Urgency, Temporary Change, Long-term Transfer, Instream Flow Dedication

Application [see attached] Permit [see attached] License [] Statement []

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Present: Contra Costa Water District Rock Slough Intake, Old River Intake, and Middle River Intake at Victoria Canal
Proposed: State Water Project Clifton Court Forebay (North 485,035 & East 1,695,057 ft; NW 1/4 of SE 1/4, Projected Section 20, T1S, R4E, MDB&M)

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: Central Valley Project place of use, on file with the SWRCB - see attached
Proposed: addition of Alameda County Flood Control and Water Conservation District (Zone 7) service area

Purpose of Use

Present: Irrigation, Domestic, Municipal, Industrial, Salinity Control, Recreational, Fish And Wildlife Enhancement
Proposed: no change

Instream Flow Dedication - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location: n/a
Downstream Location: n/a

Table with 12 columns for months (Jan-Dec) and rows for flow quantities in cubic feet per second or gallons per day.

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No
If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

Proposed New User(s)

Provide the names, addresses, and phone numbers for all proposed new user(s) of the water right.

Alameda County Water District, 43885 South Grimmer Boulevard, Fremont, CA 94538
Zone 7 Water Agency, 100 North Canyons Parkway, Livermore, CA 94551

Amount of Water to be Transferred

5,000 acre-feet will be transferred. If the basis of right is direct diversion, the average rate of diversion for the maximum 30-day period of use is 320 cfs; see attached cubic feet per second or million gallons per day.

General Information – Provide the following information, if applicable to your proposed change(s).

Have you attached an analysis which documents that the amount of water to be transferred or exchanged would have been consumptively used or stored in the absence of the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis of any changes to streamflow, water quality, timing of diversion or use, return flows, or effects on legal users from the proposed temporary change or long-term transfer? Yes No

Have you attached an analysis that shows the proposed temporary change or long-term transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses? Yes No

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

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

Alameda County Water District and Zone 7 Water Agency will obtain agreements with DWR to convey CVP water through Banks Pumping Plant for this one-for-one exchange.
Mark Cowin, Director
California Department of Water Resources
1416 Ninth Street
Sacramento, CA 95814

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.

No injury to other water users will occur in this one-for-one exchange of State Water Project water for Central Valley Project water. In the winter, Contra Costa Water District will divert State Water Project water for use in its service area that otherwise would have been diverted into the State Water Project Clifton Court Forebay. In the summer, the State Water Project will divert Central Valley Project water at Clifton Court Forebay for pumping at Harvey O. Banks Pumping Plant and delivery via the South Bay Aqueduct to Alameda County Water District and Zone 7 Water Agency; this water would have otherwise been diverted by Contra Costa Water District.

All Right Holders Must Sign Below: I (we) declare under penalty of perjury that this involves only the amount of water which would have been consumptively used or stored in the absence of the proposed temporary change, and that the above is true and correct to the best of my (our) knowledge and belief.

Dated Aug. 28, 2015 at Sacramento, CA


Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all 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.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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.

This one-for-one exchange will use only existing facilities and calls for only slight re-operation of these existing facilities. Contra Costa Water District (CCWD) will divert the State Water Project water of Alameda County Water District (ACWD) and Zone 7 Water Agency (Zone 7) in 2015, and ACWD and Zone 7 will take delivery of CCWD's Central Valley Project water from Banks Pumping Plant in 2016. There are no additional works that need to be constructed to facilitate this exchange. There is no change to the purpose of use of the water.

Insert the attachment number here, if applicable:

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

11/4/2014

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

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

Since this temporary transfer would not involve construction of any new diversion or transfer facilities, the Central Valley Regional Water Board has no concerns about the project.

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

11/3/2014

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted: Date of Contact:

Department: Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

- Grading Permit
- Use Permit
- Watercourse
- Obstruction Permit
- Change of Zoning
- General Plan Change
- Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

This exchange only requires a slight re-operation of existing facilities for which all necessary local permits have already been obtained. No new local permits are required to facilitate this exchange.

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

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

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

This exchange only requires a slight re-operation of existing facilities for which all necessary federal and state permits have already been obtained. No new state or federal permits are required to accomplish this exchange except the change in point of diversion/redirection requested in DWR and Reclamation's petitions to the SWRCB on this matter.

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

Contra Costa Water District's Los Vaqueros Reservoir sits within the Kellogg Historic District, and CCWD operates under a memorandum of agreement among CCWD, the Bureau of Reclamation, Army Corps of Engineers, and State Historic Preservation Office.

Insert the attachment number here, if applicable:

Photographs The present and proposed points of diversion and redirection include existing facilities that are well known and documented with the Division. In addition, the present and proposed places of use are also well known and documented with the Division. Therefore, for these reasons, photographs of these points of diversion, points of redirection, and places of use are not included.

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

Maps The proposed additional points of diversion/redirection are identified on maps filed with the Division of Water Rights by the California Department of Water Resources (DWR) under application 5630 and by Contra Costa Water District under application 20245.

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of redirection, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated Aug. 28, 2015 at Sacramento, CA.


Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

**Supplement for Petition for Temporary Change to Add Banks Pumping Plant
as a Point of Diversion/Point of Rediversion and add Zone 7 of the Alameda County
Flood Control and Water Conservation District Service Area as a Place of Use to
Central Valley Project Permits Involving Water Transfers to Facilitate Exchange of
SWP Water for CVP Water**

U.S. Bureau of Reclamation Central Valley Project Permits

Applications: 5626, 5628, 9363, 9364, 9366, 9367, 13370, 13371, 15374, 15375, 16767,
17374, 17376

Permits: 12721, 11967, 12722, 12723, 12725, 12726, 11315, 11316, 11968, 11969, 11971,
11973, 12364

Requested Change

The United States Bureau of Reclamation (Reclamation) requests that the State Water Resources Control Board (SWRCB) modify the Reclamation permits listed in this petition to temporarily add the State Water Project (SWP) Clifton Court Forebay as a point of diversion/rediversion to the above Reclamation permits, and to temporarily change the authorized place of use of the above Reclamation permits to include the service area for Zone 7 of the Alameda County Flood Control and Water Conservation District (Zone 7). The requested change will allow the exchange of up to 5,000 acre-feet (AF) of surface water that would otherwise be diverted by Contra Costa Water District (CCWD) at its Rock Slough, Old River, and/or Middle River intakes under Reclamation's Central Valley Project (CVP) water rights, as part of CCWD's available CVP contract allocation. The water will instead be diverted at the SWP Clifton Court Forebay for pumping at Banks Pumping Plant (Banks) and delivery via the South Bay Aqueduct to Alameda County Water District (ACWD) and Zone 7 in 2016. An equivalent amount of SWP water will be diverted by CCWD in 2015 to initiate the one-for-one exchange; this SWP water is return water from ACWD and Zone 7's Semitropic Water Storage District and Cawelo Water District groundwater banking programs.

The proposed action would result in a slight decrease in pumping at CCWD's Delta facilities and a corresponding increase in pumping at Banks, but no net increase in pumping from the Delta. The change will not result in the delivery of more water to any individual SWP contractor than has been delivered historically. All water pumped at Banks will be done in conformance with the terms and conditions of existing water rights permits and any other applicable regulatory restrictions in effect at the time the water is diverted.

DWR filed a separate petition requesting the changes necessary to allow the diversion of SWP water at CCWD's intakes in 2015 required to initiate the exchange. The SWRCB issued an order approving the temporary change petition for the exchange of water under DWR permits 16478 and 16749 on January 20, 2015.

Requested Additional Point of Diversion or Rediversion

Reclamation requests that the SWRCB modify the Reclamation permits listed above to temporarily add Banks Pumping Plant as a point of diversion/rediversion (in addition to the currently authorized Joint Point of Diversion) for the purpose of this exchange. Adding this point of diversion/rediversion will permit DWR to convey the CVP transfer water via the South Bay Aqueduct to ACWD and Zone 7's service areas (Figure 1).

The point of diversion and rediversion to be added is described in the DWR water rights, shown in Figure 2:

- 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

Place of Use

Reclamation requests that the SWRCB modify the Reclamation permits listed above to temporarily include the Zone 7 service area in the place of use for the purpose of this exchange. 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. The place of use of this transfer of CVP water is the ACWD water service area and the Zone 7 water service area. Figure 3 shows the Zone 7 and ACWD water service areas in relation to the CVP service area. Most of Zone 7's potable water delivery area is currently within the CVP service area. The ACWD service area is within the federal CVP service area, except for a small area in the southeastern part of ACWD. Figure 4 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, only the Zone 7 service area needs to be added as a temporary place of use for this exchange.

Proposed New Users

The proposed new users of the CVP exchange water will be water users within the service areas of ACWD and Zone 7 as described in the previous paragraph.

Reason for Requested Change

ACWD and Zone 7, located in Alameda County, have long-term SWP water supply contracts with DWR. Both agencies also participate in groundwater banking programs within Kern County to store SWP water during years when sufficient supply is available for recovery in dry years. ACWD and Zone 7 participate in the Semitropic Water Storage District groundwater banking program. Recovery of the banked SWP water normally takes place via exchange either by: (a) Local water users recovering the banked groundwater via their own wells or Semitropic wells and making a like amount of their SWP Table A available for delivery to ACWD or Zone 7, or (b) Semitropic recovering banked groundwater into the California Aqueduct to augment the SWP supply and DWR releasing a like amount of SWP Table A supply to ACWD or Zone 7. Both recovery options have limitations during peak demand periods and, in particular, in recent critically dry years. Zone 7 also participates in

a groundwater banking program with Cawelo Water District which has similar limitations on the retrieval of stored water.

CCWD is a federal CVP contractor located in central and eastern Contra Costa County (Figure 1). CCWD relies on diversions from the Delta for its water supply. CCWD obtains water under a long-term water supply contract with Reclamation for CVP water and also diverts water under its own water rights. CCWD diverts water at its four intakes in the Delta: Rock Sough, Mallard Slough, Old River and Middle River at Victoria Canal. CCWD constructed Los Vaqueros Reservoir in the foothills in the south area of CCWD to provide off-stream storage of CVP water when CVP contract allocations exceed demand as well as storage of water diverted under CCWD's water rights. Storage in Los Vaqueros Reservoir is used for water quality benefits primarily and for dry year and emergency supply.

In order to recover water previously stored in the Semitropic and Cawelo groundwater banking facilities for use during the peak summer demand period in 2016, CCWD, ACWD, and Zone 7 are proposing the exchange of SWP and CVP supplies described above.

Amount of Water to be Transferred

5,000 AF of water will be exchanged. The maximum permitted combined rate of diversion at CCWD's Old River and Middle River Intakes is 320 cfs. The rate of diversion for the transfer is planned to be lower than this maximum, reflecting the demands in CCWD, ACWD, and Zone 7 service areas and other operational considerations.

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 exchanged would be consumptively used in the absence of the proposed exchange. CCWD would divert the water under its CVP Contract for use in its service area in 2016, rather than leaving the water in the Delta to be diverted to ACWD and Zone 7. The exchange results in no net increase in diversions from the Delta and no increase in allocations of SWP or CVP water to ACWD, Zone 7, or CCWD.

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

The proposed project is a one-for-one exchange involving use of existing facilities. The exchange will not result in a net increase in pumping from the Delta. Both the SWP and CCWD facilities are located within the southern Delta; the change will not result in a significant change in streamflow, water quality or timing of diversion or return flows. There will be no increase in net diversions under with DWR's or Reclamation's water rights or allocations to ACWD, Zone 7 or CCWD. All diversions by DWR are done in conformance with the criteria specified in D1641, as may be modified by subsequent order of the SWRCB, and all other regulatory restrictions governing SWP and CVP operations including those contained in the biological opinions issued by the U.S. Fish and Wildlife Service and

Figure 2. Points of Diversion/Rediversion

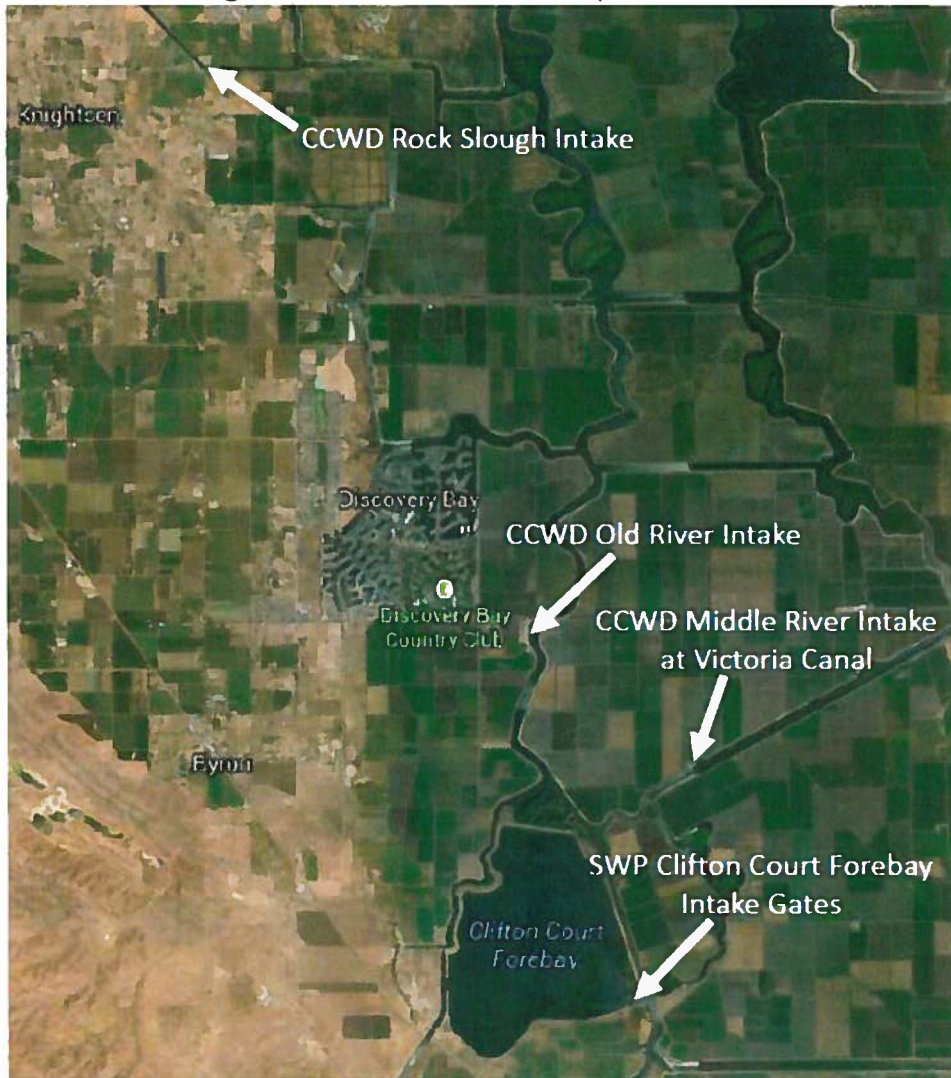


Figure 3. ACWD and Zone 7 Service Areas and CVP Place of Use

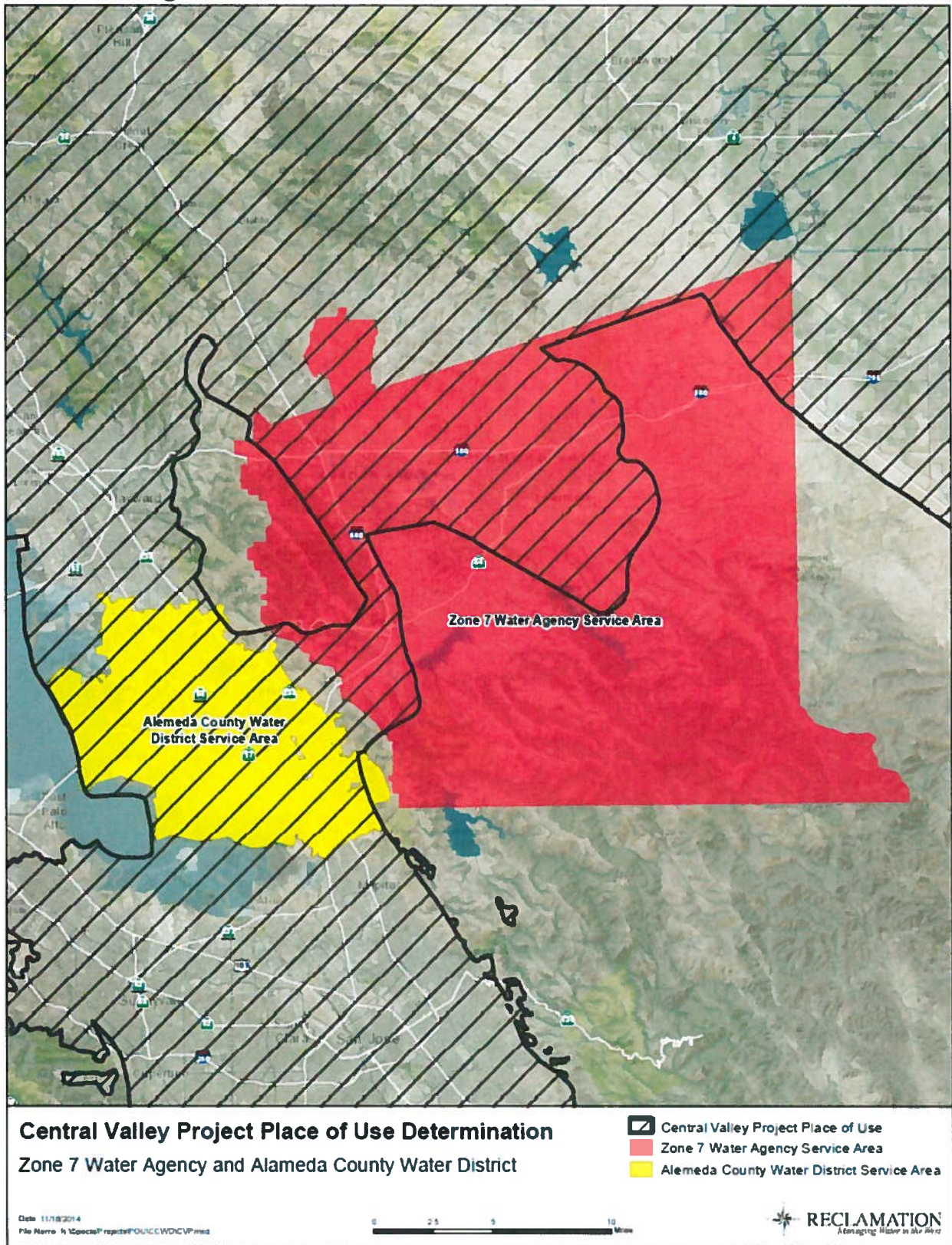


Figure 4. ACWD Service Area and CVP Place of Use

