

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 TEMPORARY TRANSFER
OF WATER/WATER RIGHTS**

(Water Code 1725)

Point of Diversion Point of Rediversion Place of Use Purpose of Use

Application No(s) 14804 Permit No. _____ License No. 11118

Statement or Other No. _____

Present Holder and User of Water Right

South Sutter Water District	c/o Marc Van Camp, Agent	916/456-4400
Person or Company name	Contact person	Telephone No.
2450 Alhambra Boulevard, 2nd Floor	Sacramento	CA
Address	City	State
vancamp@mbkengineers.com		95817
		Zip Code
E-MAIL (For noticing purposes)		

Co-petitioner

Person or Company name	Contact person	Telephone No.
Address	City	State
		Zip Code
E-MAIL (For noticing purposes)		

Proposed New User

See Attachment.

Person or Company name	Contact person	Telephone No.
Address	City	State
		Zip Code
E-MAIL (For noticing purposes)		

I (We) hereby petition the State Water Resources Control Board (State Water Board) under the provisions of Water Code (WC) section 1725 et seq. and in conformance with the specific requirements of California Code of Regulations (CCR) section 794 for temporary change(s) to the water right application(s) noted above for the purpose of transferring water. The changes are **shown on the accompanying map and described as follows:**

Amount of Water to be Transferred 10,000 Acre-feet (AF). If the basis of right is direct diversion, the average rate of diversion for the maximum 30 day period of use is _____ cubic feet per second (cfs).

Period of Transfer/Exchange (Not to exceed one year) See Attachment.

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

Present See Attachment.

Proposed See Attachment.

4/11/08
#4997.00
#550.00
JF

Place of Use

Present See Attachment.

Proposed See Attachment.

Purpose of Use

Present See Attachment.

Proposed See Attachment.

<i>Season of Use</i>	<i>Direct Use (cfs)</i>	<i>Storage (ac-ft)</i>
Present <u>No change requested.</u>	<u>No change requested.</u>	<u>No change requested.</u>
Proposed <u>No change requested.</u>	<u>No change requested.</u>	<u>No change requested.</u>

The proposed transfer/exchange water is presently used or stored within the county/counties of:

Nevada, Placer, Yuba, and Sutter Counties

The proposed transfer/exchange water will be placed to beneficial use within the following county/counties:

See attachment.

- 1a. Would the transfer/exchange water have been consumptively used or stored in the absence of the proposed temporary change (See WC 1725)? Yes
(yes/no)
- 1b. Provide an analysis which provides documentation that the amount of water to be transferred/exchanged would have been consumptively used or stored in the absence of the proposed temporary change. **See Attachment.**
- 2a. If the point of diversion/diversion is being changed, are there any person(s) taking water from the stream between the present point of diversion/diversion and the proposed point? Yes
(yes/no)
- 2b. Are there any persons taking water from the stream between the present point of diversion or return flow and the proposed point of diversion or return flow? Not applicable. See attachment.
(yes/no)
- 2c. If the answer to 2a. or 2b. is yes, provide the name and address. Also provide the name and address of other persons known to you who may be affected by the proposed change.
See files at Division of Water Rights, State Water Resources Control Board.
- 3a. Provide an analysis of any changes in streamflow, water quality, timing of diversion or use, return flows, or effects on legal users resulting from the proposed transfer/exchange. See attachment.
- 3b. State reasons you believe the proposed temporary change will not injure any legal user of the water, see Water Code Section 1727 (b)(1). See attachment.
4. Consult with staff of the applicable Regional Water Quality Control Board concerning the proposed temporary change. State the name and phone number of person(s) contacted. Summarize their opinion concerning compliance with CCR 794(b) and any Regional Board requirements. Jacqueline Matthews (916) 224-4845. No comments have been provided at this time. A copy of the Petition has been sent to the RWQCB c/o Jacqueline Matthews.
- 5a. Consult with the California Department of Fish and Game pursuant to CCR 794(b) concerning the proposed temporary change. State the name and phone number of the person(s) contacted and their opinion concerning the potential effect(s) of the proposed temporary change on fish, wildlife, or other instream beneficial uses, and state any measures recommended for mitigation. Ian Drury (916) 358-2030. MBK initiated contact on 4/10/08. No comments at this time. A copy of the Petition has been sent to DFG, c/o Ian Drury.

- 5b. 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)? Yes
(yes/no)
- 5c. Provide an analysis of potential effect(s) on fish, wildlife, or other instream beneficial uses which may arise from the proposed change. See attachment.
- 5d. State reasons you believe the proposed temporary change will not unreasonably affect fish, wildlife, or other instream beneficial uses, see Water Code Section 1727 (b)(2). See attachment.
- 6a. Does any agency involved in the proposed transfer/exchange rely upon section 382 of the Water Code to allow the delivery of water outside of the agency's service area? No. See Attachment.
(yes/no)?
- 6b. If yes, provide an analysis of the effect of the proposed transfer/ exchange on the overall economy of the area from which the water is being transferred. _____

A TRANSFER/EXCHANGE UNDER WATER CODE SECTION 1725 INVOLVES ONLY THE AMOUNT OF WATER WHICH WOULD HAVE BEEN CONSUMPTIVELY USED OR STORED IN THE ABSENCE OF THE PROPOSED TEMPORARY CHANGE. A CHANGE WILL BE EFFECTIVE FOR A PERIOD OF ONE YEAR OR LESS, BEGINNING ON THE APPROVAL OF THIS PETITION OR ON SUCH DATE OTHERWISE SPECIFIED BY THE SWRCB ORDER. FOLLOWING EXPIRATION OF THIS TEMPORARY CHANGE, ALL RIGHTS AUTOMATICALLY REVERT TO THE PRESENT HOLDER BY OPERATION OF LAW.

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

Dated: April 11, 2008 at Sacramento, California

Marc Van Cuyk
Signature(s)

(916) 456-4400

Telephone No.

NOTE: This petition shall be accompanied by all information and fees required by this form and W.C. Section 1725 et. seq, before the SWRCB will consider acceptance of the petition requesting a temporary change to facilitate a transfer/exchange.

Proof of Service: Compliance with W.C. section 1726(c) shall be met by the filing of copies of the proof of service to the Department of Fish and Game and to the board of supervisors of the counties where the water is currently used and the counties to which water is proposed to be transferred.

Fees: The following fees must accompany the petition before the petition will be accepted:

1. The fee of \$0.30 per acre-foot shall be submitted with the petition. (Title 23, California Code of Regulations section 1064). The fee is made payable to the State Water Resources Control Board.
2. An \$850 environmental filing fee, made payable to the Department of Fish and Game, must accompany a petition for change (Public Resources Code 10005).

Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

**Attachment to Petition for Change
to License 11118 (Application 14804)
held by South Sutter Water District**

GENERAL

The purpose of this Petition for Change is to; (1) add the Harvey O. Banks Pumping Plant and the Barker Slough Pumping Plant as points of Rediversion, (2) change the place of use to include the service areas of the State Water Project served by the export facilities and (3) add municipal and industrial as purposes of use to License 11118. This petition is necessary to allow for the one-year transfer of up to 10,000AF of surface water from South Sutter Water District (District) to multiple State Water Contract Agencies in order to provide an additional municipal, industrial, and domestic water supply.

RESPONSES TO PETITION FORM

PROPOSED NEW USER

The proposed new users pursuant to the surface water transfer are the following eight State Water Contractor Agencies:

Dudley Ridge Water District
c/o Provost & Pritchard Engineering Ground, Inc.
268 W. Cromwell Avenue, Fresno, Ca. 93711-6162
Telephone: (559) 449-2700
Email: rbesecker@ppeng.com

Kern County Water Agency, Attention: Curtis Creel
3200 Rio Mirada Drive, Bakersfield, Ca 93309
Telephone: (661) 634-1400

Napa County Flood Control and Water Conservation District,
Attention: Felix Riesenber
1195 Third Street, Suite 201, Napa, Ca 94559
Telephone: (707) 259-8620
Email: friesenb@co.napa.ca.us

Metropolitan Water District of Southern California, Attention: Steve Hirsch
1121 L Street, Suite 900, Sacramento, Ca 95814
Telephone: (916) 650-2622
Email: shirsch@mwd2o.com

San Bernardino Valley Municipal Water District, Attention: Randy Van Gelder
P.O. Box 5906, San Bernardino, Ca 92412
Telephone: (909) 387-9218
Email: randyv@sbvmd.com

Antelope Valley East Kern Water Agency, Attention: Tom Barnes
6500 West Avenue N Palmdale, Ca. 93551
Telephone: (661) 943-3201
Email: tbavekwa@aol.com

Palmdale Water District, Attention: Jon. M. Pernula
Palmdale, Ca. 93550
Telephone: (661) 947-4111, ext 105

Tulare Lake Basin Water Storage District, Attention: Frank Apgar
1001 Chase Avenue, Corcoran, Ca 93212
Telephone: (559) 992-4127
Email: fapgar@tlbwsd.com

PERIOD OF TRANSFER/EXCHANGE

The District proposes a reservoir release transfer of up to 10,000 acre feet from Camp Far West Reservoir. The water will be made available under the District's appropriative water right during the period from July through September.

POINT OF DIVERSION OR REDIVERSION

Present Point of Diversion and Rediversion

Point of Diversion

Camp Far West Dam - North 60° 30' West 4,450 feet from SE corner of Section 21, T14N, R6E, MDB&M, being within NE ¼ of SW ¼ of said Section 21 (California Coordinate System, Zone 2, N 504,600 and E 2,194,500);

Point of Rediversion

Camp Far West Diversion Dam – South 400 feet and West 2,850 feet from the corner NE corner of Section 29, T14N, R6E, MDB&M., being within the NE ¼ of NW ¼ of said Section 29 (California Coordinate System, Zone 2, N 501,550 and E 2,189,600).

Proposed Points of Diversion and Rediversion:

Point of Diversion

No change in the point of diversion is proposed.

Point of Rediversion

The State Water Project Banks Pumping Plant and the Barker Slough Pumping Plant are to be added as points of rediversion to provide the ability to export the proposed transfer quantity from the Delta to the State Water Project place of use at points further described below.

Banks Pumping Plant - within the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 20, T1S, R4E, MDB&M at N 486,035, E 1,695,057, California Coordinate System, Zone 3.

Barker Slough Pumping Plant - within the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 18, T5N, R2E, MDB&M at N 567,682, E 2,017,761, California Coordinate System, Zone 2.

PLACE OF USE

Present Place of Use

Domestic use and irrigation of 59,000 acres within a gross area of 65,796 acres, within the boundaries of South Sutter Water District; and Irrigation of a net area of 4,180 acres (including 102 acres located outside of District boundaries and served by contract) within Camp Far West Irrigation District and a power plant located on the Conveyance Canal within the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1, T13N, R5E, MDB&M, as shown on the map filed with the State Water Resources Control Board.

Proposed Place of Use:

The proposed additional place of use is to include the State Water Project service areas served by the export facilities. The service area of the State Water Project is shown on Map 1878 - 1, 2, 3, and 4 on file with the Division of Water Rights under Application 5629. The proposed transfer water will be placed to beneficial use within, Kings, Kern, Los Angeles, Napa, Orange, San Diego, Riverside, San Bernardino, and Tulare Counties.

PURPOSE OF USE

Present Purpose of Use

The present purposes of use include domestic, irrigation and incidental power.

Proposed Purpose of Use

The proposed purposes of use include domestic, irrigation, incidental power, municipal and industrial.

RESPONSE TO NUMBERED ITEMS ON PETITION FORM

No. 1b

The District proposes to transfer up to 10,000 AF of surface water between July 1, 2008 and September 30, 2008 through reservoir release. Camp Far West Reservoir (Reservoir) fills and spills in most years of operation. Releases made at the Reservoir flow downstream to the Diversion Dam, where water is diverted to Camp Far West Irrigation District (CFWID), the Fish Flow Bypass release structure and the Main Canal for deliveries within the District service area. Except at times the Reservoir is spilling Camp Far West Dam controls flows in the Bear River. Under normal operations the District releases from the Reservoir only the quantity of water required to meet the fish bypass flow requirement, their obligation to CFWID, deliveries within the District's service area, and any releases required under its Bay-Delta Settlement Agreement with the Department of Water Resources. Therefore; absent the proposed transfer, all water proposed to be transferred would be delivered for use within the District's service area. Under historical operational conditions and absent a water transfer, all water not utilized for meeting the in-stream fish flow requirement and obligations to CFWID, would have been diverted to the District's Main Canal for delivery to its service area. If circumstances occur such that it was not delivered through its Main Canal, the water would be retained in storage.

No. 2a, 2b and 2c

Although there are water users taking water from the stream between SSWD's current points of return flow and the proposed points of diversion, we have answered question No. 2b as "not applicable". The diverters downstream of the existing point of diversion/rediversion are diverting under rights/contracts from the Feather River, Sacramento River, and the Delta. The releases made pursuant to the proposed temporary transfer will not reduce the supply available to these other users.

Landowners within the District rely on both groundwater and surface water supplies. Each year landowners receive supplemental surface water supplies as a result of reservoir releases from the Reservoir. Irrigation requirements above the supplemental surface water supply provided by the District are met through groundwater pumping within the District. Landowners within the District will not alter their cropping patterns as a result of the proposed transfer. The District operates the system's outflow structures to maintain surface water levels within delivery and drainage channels to facilitate deliveries upstream. The outflow structures during the 2008 proposed temporary transfer will be operated to maintain water levels at their historical levels. Therefore, because there will be no change in landowner or District operations, there will be little or no change in District outflow as a result of the proposed transfer.

No. 3a, and 3b

The proposed temporary transfer will not result in a shift in timing of releases from Camp Far West Reservoir. Absent the transfer, the District would release the transfer quantity of 10,000 AF from Camp Far West Reservoir for diversion into the Main Canal during the months of July, August and September for consumptive use within the District. Thus, the quantity of stored water released from Camp Far West Reservoir would be the same as compared with the conditions absent the proposed temporary transfer. However, the proposed transfer will result in an increase in stream flow in the Bear River below the Diversion Dam during the proposed transfer period from about July 1 through September 30.

The water released for the proposed transfer will be in addition to the required bypass flow and any releases required under the District's Bay-Delta Settlement Agreement with the Department of Water Resources. Therefore, the flow in the channel between the Diversion Dam and the proposed points of rediversion will be higher during the transfer period than would occur absent the proposed transfer. The release pattern for the proposed temporary transfer quantity will be coordinated with the Department of Fish and Game (DFG), and fisheries biologists to minimize fishery concerns within the Bear River as further described in section No. 5b, 5c and 5d.

As stated above, the District supplies surface water to supplement the groundwater supplies of the landowner within the service area. The quantity of supplemental surface water supplied to landowners varies from year to year based on hydrologic and other factors. The quantity of supplemental surface water to be delivered to District landowners in 2008 assuming the proposed transfer will be within historical levels. There are no changes in cropping patterns or irrigation practices expected as a result of the proposed transfer. Also, as identified above, the structures that control outflow from the District are operated to minimize outflow and maintain water levels to facilitate deliveries to District landowners upstream. Therefore, there will be no change in the timing, quality, or quantity of tailwater as a result of the transfer.

The District does not release water from storage to other existing downstream users; and thus, there will be no downstream effect from the proposed temporary transfer relative to other legal users of water or to water quality. In addition, according to the Division's eWRIMS website database, no active authorized points of diversion exist downstream of the Diversion Dam along the Bear River from the Diversion Dam to the confluence with the Feather River.

No. 5b, 5c and 5d

The principal concern of effects on instream beneficial uses resulting from the proposed water transfer relate to the potential for deleterious artificial attraction of fish species of concern into the lower Bear River. Possible effects on wildlife and other beneficial uses resulting from the proposed transfer are considered negligible or positive due to increased water available for wildlife and riparian habitats. Under present conditions, the lower Bear River does not provide

suitable habitats for anadromous fish known to occur elsewhere in the Feather River system: fall-run Chinook salmon, spring-run Chinook salmon, steelhead trout, and green sturgeon. The latter three species are listed by the federal government as threatened species under the Endangered Species Act. Reproduction of the salmonid species in the lower Bear River is limited by silted spawning gravels, high winter flood flows, and high water temperatures (SWRCB Order WR 2000-10). Additionally, habitats are unsuitable for green sturgeon due to the lack of deep pools and cool water necessary for reproduction.

Because the proposed transfer would increase instream flows in the lower Bear River, there is the potential for these fish species to be artificially attracted from the Feather River into the Bear River where habitats are hostile and fish production would be poor compared to those fish remaining in the Feather River. This potential circumstance is dependent on the timing of the increased flows relative to the seasonal presence of the fish species of concern. The analyses of potential effects on fish included an examination of the life cycle periodicity of anadromous fish in the Feather River system, the magnitude and timing of the instream flows in the lower Bear River resulting from the proposed transfer, the timing and magnitude of Feather River flows during the proposed transfer, and physical habitat conditions for anadromous fish in the lower Bear River.

The timing of the proposed transfer would be during July, August, and September. This period avoids the primary life cycle timing of the upstream migration and reproduction of anadromous fish in the Feather River. Upstream migration and spawning of steelhead and fall-run Chinook salmon occur during the fall and winter. Upstream migration of spring-run Chinook primarily occurs during the spring, and to a lesser extent, the early fall with reproduction occurring during the early fall. Green sturgeon upstream migration occurs during the winter and spring with reproduction occurring during the spring. The proposed water transfer period avoids adverse impacts to these species by timing the increased instream flows when the fish are not seasonally present.

Because the proposed transfer would occur during July, August, and September, water temperature data during this period within Camp Far West Reservoir and the river downstream of the dam were examined to determine suitability for anadromous fish. Prior studies conducted for the District demonstrated that the water temperatures in front of the dam at both the power outlet and the low-water outlet during the summer and early fall exceed the range for successful salmonid reproduction. Additionally, water temperatures recorded downstream of the dam at the District's diversion facility showed that water temperatures do not cool to tolerable levels for salmon spawning until mid- to late-November. These circumstances are attributable to the fact that Camp Far West Reservoir is a relatively low-elevation impoundment and subject to high summer water temperatures and intense solar radiation. Prior studies demonstrated that a shift in water layers in the reservoir does not occur until the late fall/early winter as early, cooler water runoff enters the reservoir. Therefore, increased reservoir releases during July, August, and September resulting from the proposed water transfer would not be expected to lower water temperatures in the lower Bear River to a tolerable range for anadromous fish and, therefore, would not attract fish into the river if the fish were present during that period. Additionally,

juvenile anadromous fish would not be expected to be present during July, August, and September due to unsuitably high water temperatures and lack of or inferior physical rearing habitats, a condition attributable to a river channel formed by very high and frequent winter-time scouring flows.

The flows in the Feather River at the Bear River confluence during the proposed water transfer period were estimated to approximate the relative proportional contribution of Bear River flows. If high flow contributions occur during periods when fish may be present at the confluence, there is the potential to inadvertently attract fish into the river. These flow estimates are projected and subject to uncertainties, but provide a general indication of conditions that may occur during July, August, and September. According to forecasts prepared by the Department of Water Resources the magnitude of anticipated mainstem Feather River flows downstream of Thermalito during this period are estimated to be in the approximate range of 4,000 cfs during July, 3,000 cfs during August, and 1,800 cfs during September. Based on information obtained from Yuba County Water Agency estimated flows in the Yuba River during this period are 850 cfs, 850 cfs, and 500 cfs, respectively. Depletions between Thermalito and the Bear River are not known; however based on a review of available gage data a conservative estimate of depletions indicate that depletions within that reach are not expected to exceed the Yuba River flow contributions into the Feather River. These estimates indicate that the Bear River flows during the proposed transfer period (estimated at approximately 60 cfs to 120 cfs) would be less than 5% of the Feather River flows. This low level would not be expected to attract fish into the Bear River. Additionally, because of the large magnitude of Feather River flows released from the cold-water hypolimnion of Lake Oroville relative to Bear River flows, water temperatures in the Feather River are likely to be cooler than the Bear River inducing any fish migrating past the confluence to remain in the Feather River.

Therefore, we concluded that the proposed water transfer during July, August, and September would not adversely impact fishery resources because the fish species of concern are not seasonally present, and the combination of low proportional contribution to the Feather River flows and unsuitably warm water temperatures would be unlikely to inadvertently attract fish into the Bear River if the fish were present. In addition, the transfer will take place within the constraints set forth in the 2006 Bay-Delta Water Quality Control Plan and the requirements of water rights Decision 1614 for the protection of fish and wildlife.

No. 6b

There will be no change in the overall economy of the area as a result of this proposed temporary transfer. The proposed transfer involves the release of stored water. There are no changes in cropping patterns within the District as a result of the proposed transfer. Additionally, the quantity of supplemental surface water to be supplied to District landowners will be within the historical range. Therefore, the proposed transfer will have no effect on the overall economy of the area from which the water is being transferred.

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

Application No. 14804 License No. 11118

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.

Multiple horizontal lines for providing a description of proposed changes or work remaining to be completed.

See Attachment No. 1

ENVIRONMENTAL INFORMATION FOR PETITIONS

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 *Not Applicable.*

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) _____

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. _____

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: Ian Drury (916) 358-2030

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: Not applicable. Exempt Water
 The petitioner is a California public agency and will be preparing the environmental document.* Code
 I expect that the SWRCB will be preparing the environmental document.** Section 1725
 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. 1

* 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. _____

- 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? Not Applicable.

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: _____

See Attachment No. ____

7. ENVIRONMENTAL SETTING See Attachment.


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.

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: April 11, 2008

Signature: 

**Attachment to Environmental Information Form for
Petition for Temporary Transfer
License 11118 (Application 14804)
held by South Sutter Water District**

PROJECT DESCRIPTION

Introduction

South Sutter Water District (District) is proposing a transfer of up to 10,000 acre-feet (AF) of previously stored water to several State Water Contractor Agencies. The District historically has not been involved in water transfers, with the exception of the Bay-Delta Phase 8 Settlement Agreement (Settlement Agreement). Increased costs associated with the FERC relicensing process, the required Probable Maximum Flood (PMF), and other regulatory processes have resulted in the District considering a water transfer to aid in offsetting these large expenses in order to maintain their ability to provide an affordable surface water supply. This project description, together with some background information, will provide the support and information necessary for agencies and others to evaluate the benefits and potential impacts of a 2008 Reservoir Release Transfer by the District.

Under the proposed transfer, up to 10,000 AF of previously stored water would be released from the Reservoir. This water would flow downstream in the Bear River, thence the Feather River, thence the Sacramento River to the Delta where it would be rediverted at the State Water Project's Banks Pumping Plant and/or the Barker Slough Pumping Plant for delivery to certain SWP contractors. In absence of the proposed transfer, this water would be delivered to District landowners.

General Location

The District's service area is located within Sutter and Placer Counties, south of the Bear River and east of the Feather River, and includes a gross area of approximately 66,000 acres. Figure 1 identifies the location of the District within the Sacramento Valley, relative to other districts and stream systems. The District owns and operates Camp Far West Reservoir (Reservoir), Camp Far West Dam, and Camp Far West Diversion Dam (Diversion Dam) located on the Bear River within Placer, Nevada and Yuba Counties.

Background

Prior to the development of the Reservoir, individual landowners within the District's service area pumped groundwater to meet crop irrigation requirements. As a result, prior to the construction and subsequent enlargement of the Reservoir, the groundwater levels were declining. The District was formed in May 1954 to develop, store, and distribute surface water in order to reverse the effects of declining groundwater elevations resulting from groundwater pumping. As a result of the development of the Reservoir and the District's delivery of surface

water, the groundwater elevations have been successfully restored to pre-depletion historical levels. The development of the Reservoir has resulted in an efficient conjunctive use project, which has operated successfully for the last 40 years. District landowners receive supplemental surface water supplies that augment their groundwater pumping. The District does not own or operate any groundwater production wells. The proposed American Basin Conjunctive Use Project Report prepared by the Department of Water Resources (Department) identifies the minimal impact groundwater pumping has had on the groundwater basin post-Reservoir construction. In addition, monitoring wells located within the District indicate, in almost every year, that the groundwater basin is recharged during the subsequent winter period when the Delta is not in balance conditions. Absent the development of the surface water reservoir, groundwater pumping within the District's service area would have continued and groundwater levels would be significantly lower than they are with the development of the surface water supply.

The District has an existing settlement agreement relative to the State Water Resources Control Board's (SWRCB) Phase 8 of the Bay-Delta hearings with the Department. The Settlement Agreement requires the release of surface water during dry and critical years into the Bear River for in-stream beneficial uses within the Delta. In these years, the supplemental surface water supply available to District landowners is reduced to offset the 4,400 acre-feet release of surface water from the reservoir. The Settlement Agreement, and the subsequent SWRCB Order 2000-10 identify that there is a less than significant impact to export supplies available to State and Federal Contractors as a result of the Settlement Agreement, and increased groundwater pumping.

Current Operations

Camp Far West Reservoir and Camp Far West Diversion Dam Operations

As identified above, the District owns and operates the Reservoir, which has a capacity of 104,400 acre-feet. Figure 2 is a reservoir hydrograph, representing the last eight years of District operations. As can be seen from this hydrograph, the reservoir fills, spills, and is essentially emptied in each and every year to meet the District's water delivery and in-stream flow requirements. The Bear River watershed feeding the Reservoir is a rainfall basin; and therefore, the runoff into Camp Far West Reservoir diminishes rapidly during the spring months. The spring runoff is very unpredictable and unreliable as a surface water supply to the landowners within the District. Each year, District management estimates the water available from both Camp Far West Reservoir and the spring runoff to determine the surface water supply for allocation to all District landowners prior to the irrigation season. Increased spring runoff may allow for an increased surface water delivery to landowners within the District's service area.

Pursuant to an agreement between Camp Far West Irrigation District (CFWID) and the District during the construction and subsequent enlargement of the Reservoir, CFWID is entitled to the first 13,000 AF released from the Reservoir each year to satisfy their senior water rights on the Bear River. All of the inflow to the reservoir not delivered to either CFWID or District landowners flows downstream in the Bear River to the Feather River. Figure 3, attached, is a schematic of the system facilities at the Reservoir and the Diversion Dam. The District releases water from the Reservoir either through the power generating turbine or through the bypass

outlet discharge structure. The water flows downstream approximately 1.5 miles to the Diversion Dam. The District operates the Diversion Dam to regulate the flow released from the Reservoir for diversion by CFWID, deliveries to District landowners, and releases through the Fish Flow Bypass structure. Reservoir releases, deliveries to the District's Main Canal and to CFW ID, and releases through the Fish Flow Bypass structure are closely monitored to minimize spill at the Diversion Dam during irrigation season. The District does not own or operate any other facilities along the Bear River below the Diversion Dam and the Fish Flow Bypass structure.

Bear River Stream Flow

Flows released through the Fish Flow Bypass structure enter the Bear River at the base of the Diversion Dam. Releases through the structure are measured and recorded at USGS Gage 11423800, Bear River Fish Release below Camp Far West Reservoir. Table 1 summarizes the average monthly fish flow releases to the Bear River for the last five years during the proposed transfer months, July through September. As identified above, the Diversion Dam does not typically spill during the irrigation season; however, some unmeasured seepage/leakage does occur. Based on information provided by Brad Arnold, the District's General Manager, and District staff; this quantity of water is assumed to be minimal and will not change as a result of the proposed transfer.

Pursuant to License 11118 (Application 14804), the District maintains a release of 10 cfs down the Bear River during the months of July through March of the subsequent year. The District does not release surface water down the Bear River to fulfill District surface water delivery obligations.

Pursuant to the Settlement Agreement, the District releases 4,400 AF during dry or critical years, as classified by the Sacramento Valley Year Type Index 40-30-30. Releases are made through the Fish Bypass Structure and the Diversion Dam, which is modified to allow for water to be released at the specified diversion rate needed to fulfill the 4,400 AF release. Table 2 identifies the average monthly flow rate pursuant to the Settlement Agreement during 2007.

Under the proposed transfer, the Diversion Dam would be modified in a similar manner as under the Settlement Agreement to allow for the flow rate of release needed to satisfy the 10,000 AF transfer. Water released pursuant to the proposed transfer would be in addition to the District's required fish flow bypass and any releases required pursuant to the Settlement Agreement.

Other inflows to the Bear River below the Diversion Dam are the result of natural runoff and inflow from non-District operations. These downstream inflows are not the result of operations within the District. Therefore, they will not be affected by the proposed transfer.

According to the Division of Water Rights eWRIMS website, no authorized points of diversion exist downstream of the Diversion Dam along the Bear River from the Diversion Dam to the confluence with the Feather River.

Surface Water Use within the District

As previously indicated, the Reservoir was constructed to reduce the reliance on groundwater within the District's service area. The available surface water supplies are not sufficient to meet all of the demands within the District. The surface water supply is a supplemental source of water for District landowners.

Water originating from the Bear River for delivery to the District's service area is measured at the head of the Main Canal. The headworks of the Main Canal consist of a rated radial gate that is used to control, as well as measure, deliveries to the canal. Table 3 identifies the quantity of surface water measured at the Main Canal for delivery to District landowners for the last seven years. Table 3 also identifies the projected 2008 quantity for delivery to District landowners assuming the 2008 proposed transfer.

The major crop within the District is rice, which typically requires approximately 5 to 6 acre-feet per acre of applied water to satisfy consumptive use and cultural practices. Since the construction and subsequent enlargement of the Reservoir, landowners have received between ½ and 2½ AF per acre of supplemental surface water to augment their groundwater pumping and fulfill irrigation needs within the District. The quantity of supplemental surface water delivered to landowners varies depending upon hydrologic conditions and other factors. Based on current projections, the quantity of supplemental surface water available for delivery to District landowners in 2008, assuming the proposed transfer, will be within the historical range.

Tail Water Recovery Facilities and Operations within the District

District Delivery System and Facilities

As identified above, water is diverted at the Diversion Dam and conveyed through the Main Canal for delivery within the District's service area. The District utilizes a system of constructed canals, a pipeline, and reconstructed stream channels and sloughs as both its delivery and drainage system. Figure 4 is a map of facilities within the District's service area, including the main channels used to convey water to District landowners. Control structures located at key locations are operated to minimize spill and maintain water levels in order to facilitate deliveries.

Figure 4 identifies the District's eight outflow sites where spill could occur during the irrigation season. At seven of these eight outflow sites, control structures are in place, which maintain the water levels throughout the irrigation season to facilitate deliveries from the conveyance channels. Yankee Slough, Line 3, Line 3B, West Auburn Extension, East Auburn Extension, Coppin Dam, and King Slough have upstream control structures in place to maintain water levels and minimize outflow during the irrigation season.

According to Mr. Arnold, outflow from the District is minimal; and generally only occurs just prior to rice harvest, when farmers drain their rice fields. Mr. Arnold identified Coppin Dam and King Slough (sites 6 and 7 on Figure 4) as the two locations where outflow does occur. As identified on Figure 4, Coppin Dam is located at the confluence of the Auburn Ravine and the East Side Canal. Spill at the Coppin Dam can be partially attributed to operations within the

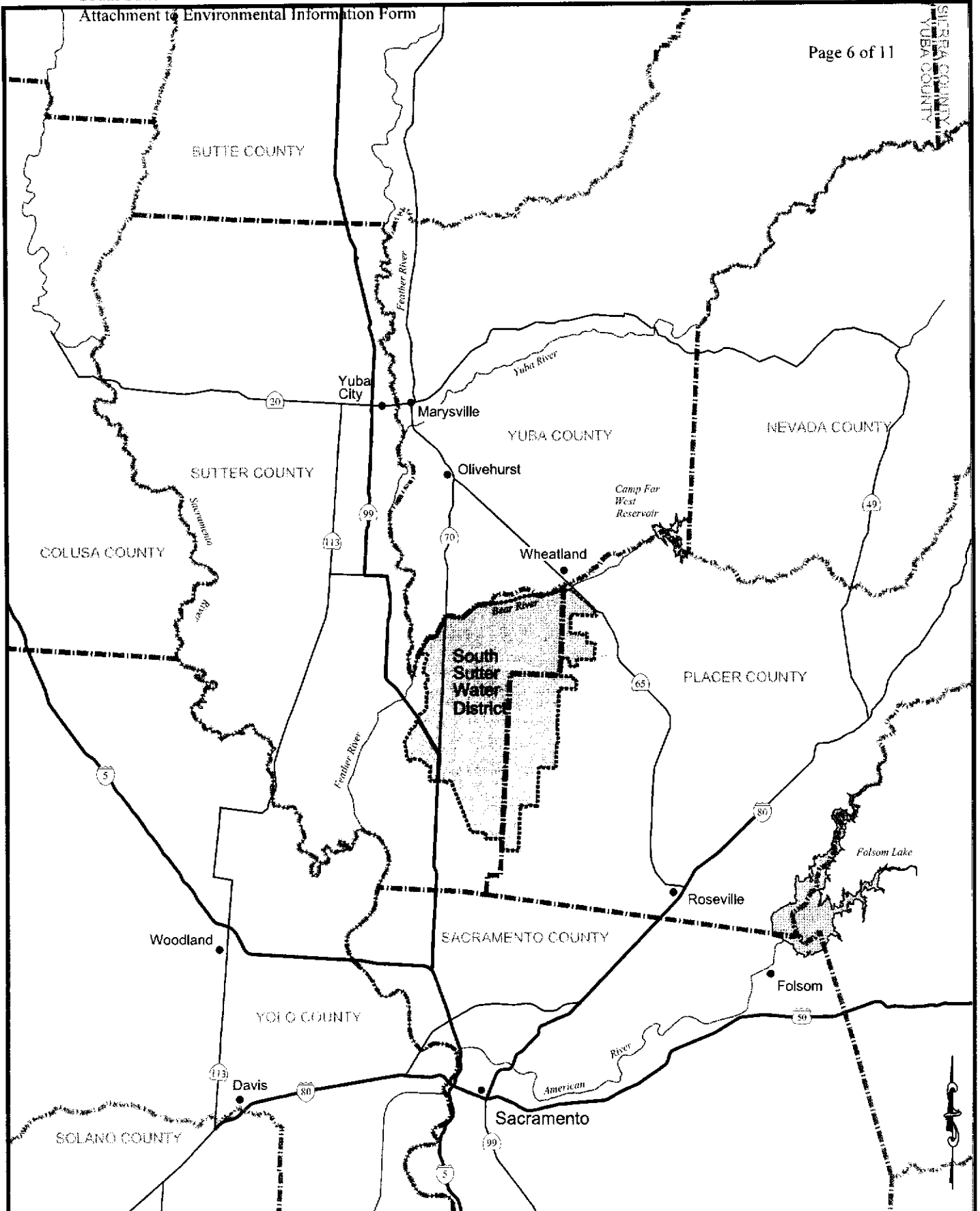
District, and partially to unexpected inflow from Auburn Ravine which originates upstream of the District. According to District staff, outflow from the other conveyance channel control structures in place and at Pleasant Grove Creek, which does not have a control structure in place, is minimal. The tailwater from the majority of the District operations would flow into the East Side Canal, and thence, into the Natomas Cross Canal. Although the control structures at the outflow sites could be utilized for measurement of District outflow, due to budgetary constraints, and observations by District staff confirming that outflow is minimal during irrigation season, outflow measurement has not been conducted.

As identified above, the control structures at the outflow sites are operated to maintain water levels to facilitate deliveries to District landowners. The outflow structures will be operated to maintain the same water levels with or without the proposed transfer. Therefore, there will be little or no change in District outflow as a result of the proposed transfer.

Third Party Impact Consideration

The cropping pattern within the District, delivery operations, and outflow operations will not change as a result of the proposed transfer. Therefore, the release and transfer of up to 10,000 acre-feet of surface water proposed by the District will have little to no impact on other parties within or downstream of the District.

SUTTER COUNTY
 YUBA COUNTY



2450 Alhambra Boulevard, 2nd Floor
 Sacramento, California 95817
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South Sutter Water District

FIGURE 1: LOCATION MAP

SCALE:	NTS
JOB NUMBER:	5025
DRAWN BY:	MB
DATE:	February 2008



Figure 2
South Sutter Water District
Camp Far West Reservoir Capacity and Daily Storage Volume

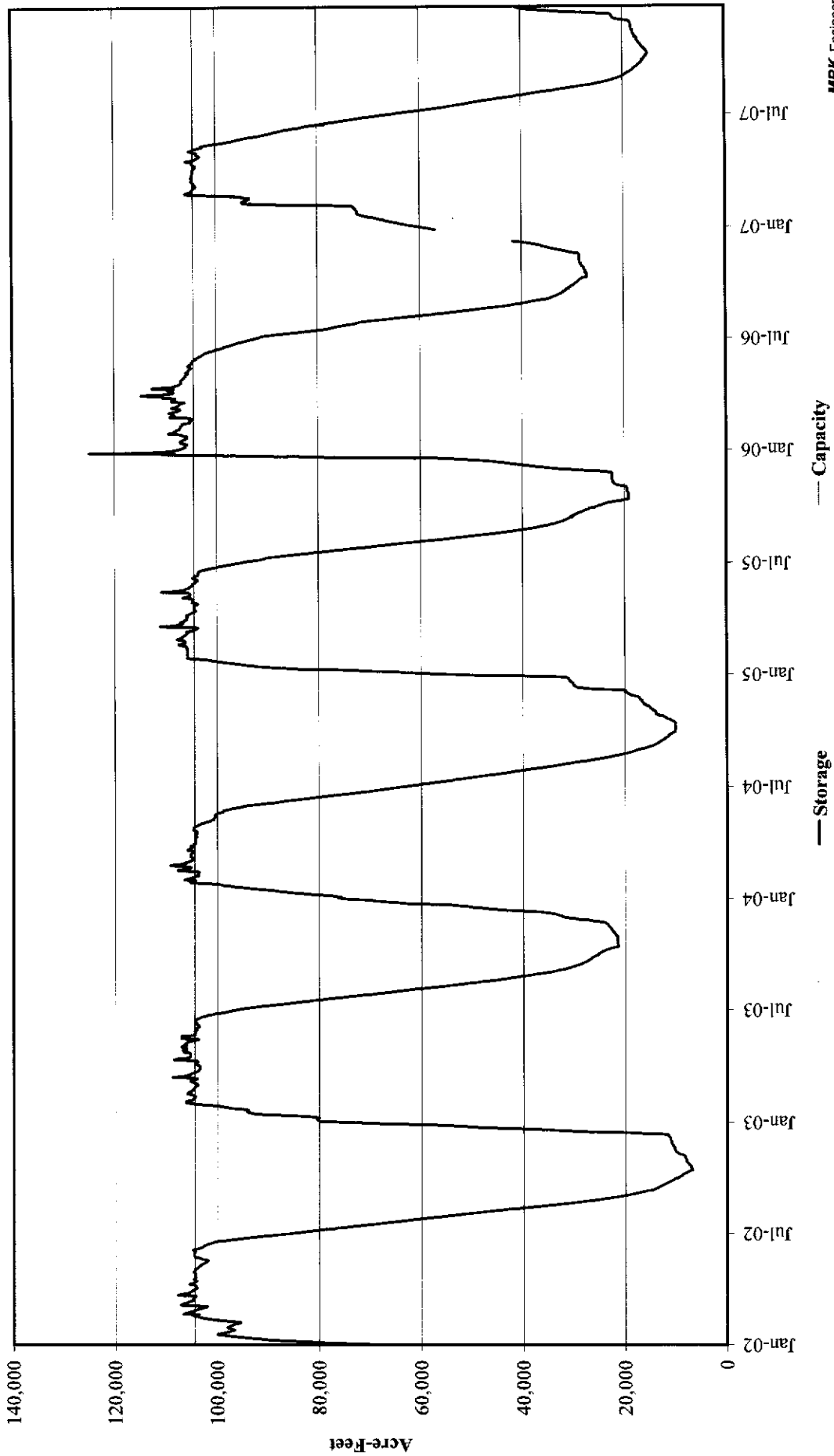
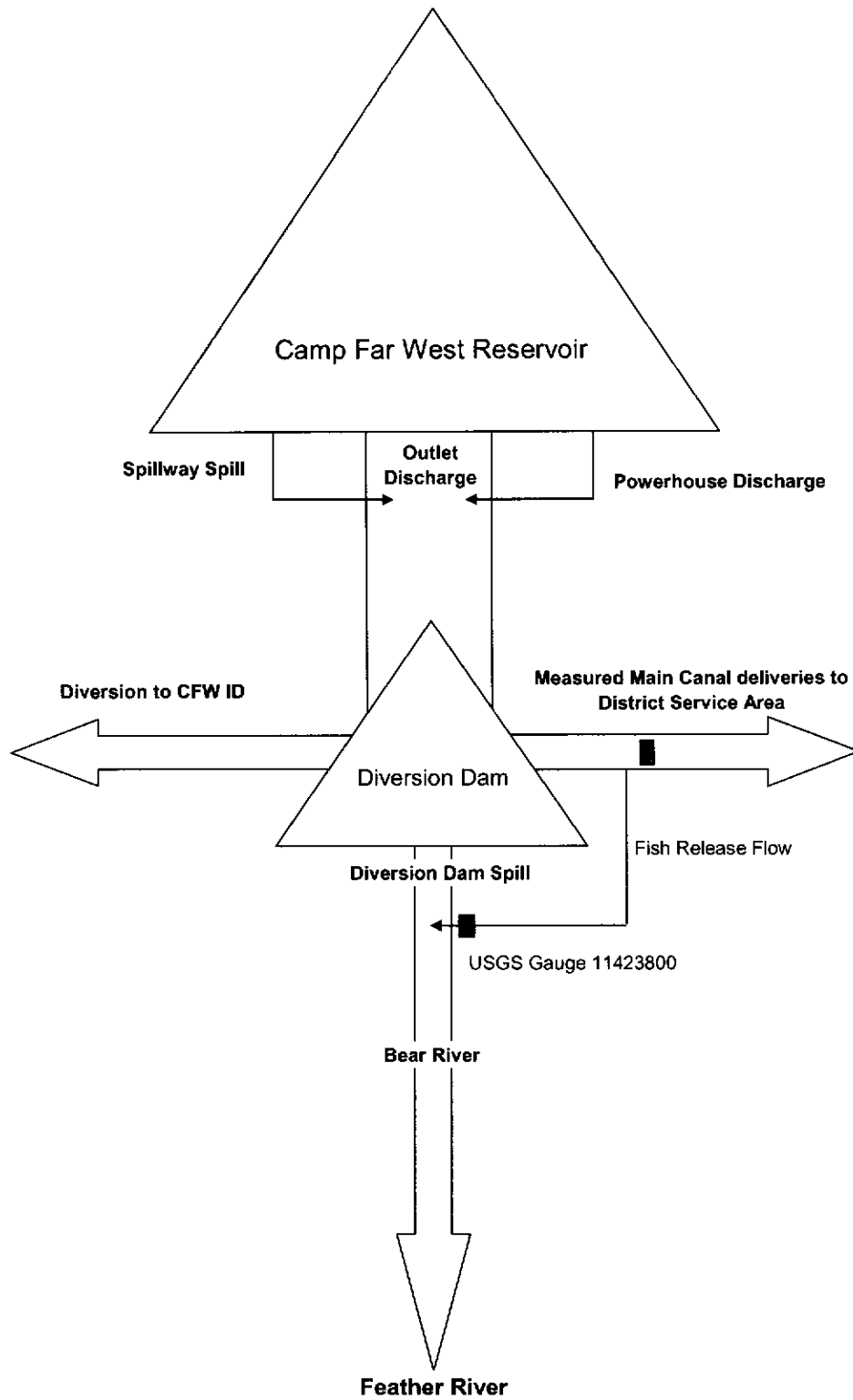
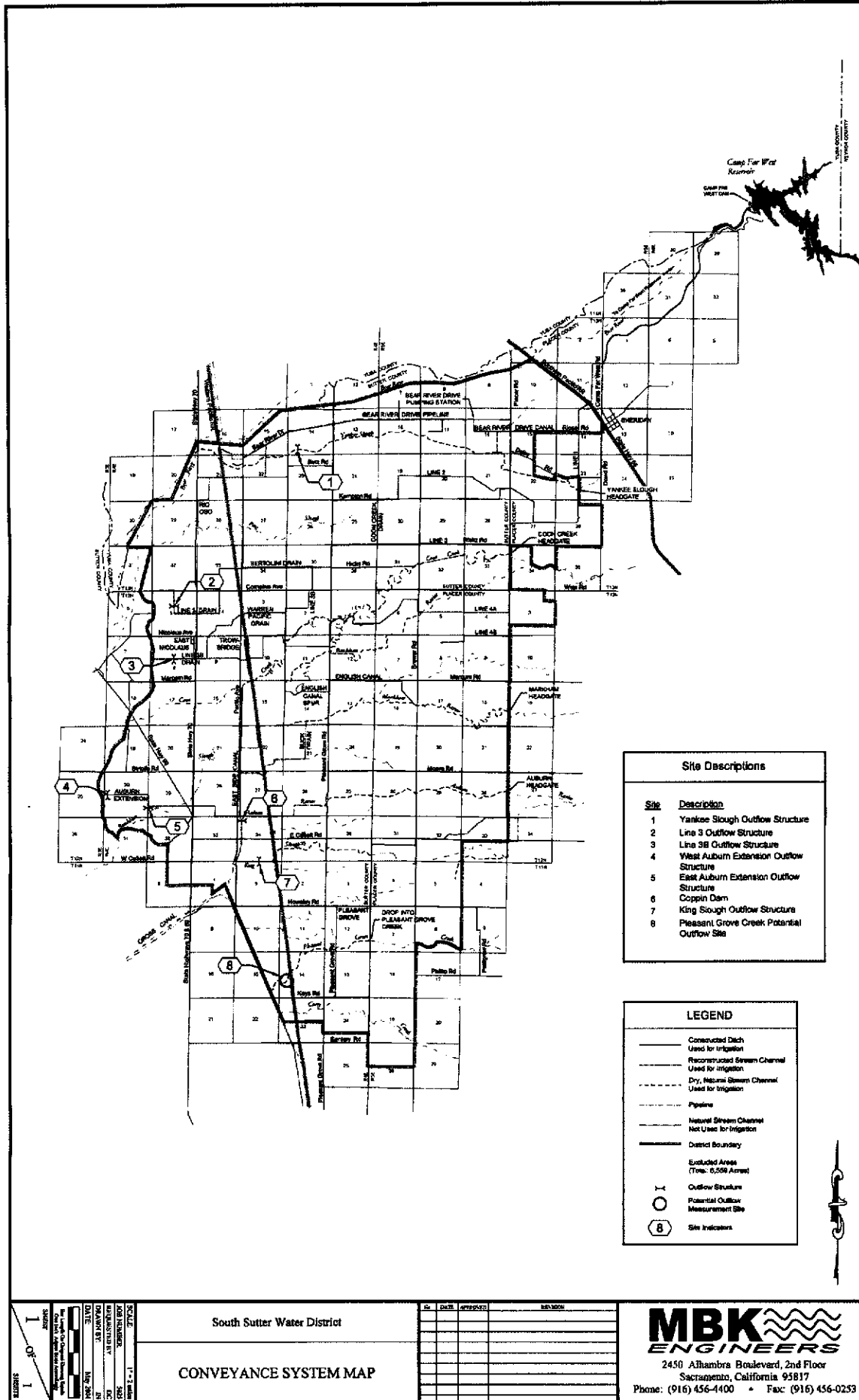


Figure 3





LEGEND	
	Conveyed Ditch Used for irrigation
	Reconstructed Stream Channel Used for irrigation
	Dry, Natural Stream Channel Used for irrigation
	Pipeline
	Natural Stream Channel Not Used for irrigation
	District Boundary
	Excluded Area (Total: 6,500 Acres)
	Outflow Structure
	Potential Outflow Measurement Site
	Site Indicators

SCALE	1" = 1 MILE
DATE	Aug 2004
DESIGNED BY	AM
CHECKED BY	AM
APPROVED BY	AM
DATE	Aug 2004

South Sutter Water District	
CONVEYANCE SYSTEM MAP	

NO.	DATE	APPROVED	REVISION

MBK ENGINEERS
 2450 Alhambra Boulevard, 2nd Floor
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Table 1

Average Monthly Flow Rate at the Fish Flow Release Structure

Month	USGS Gage 11423800 Fish Flow Release (cfs)
Jul-03	11.2
Aug-03	11.4
Sep-03	11.2
Jul-04	12.2
Aug-04	11.1
Sep-04	11.1
Jul-05	13.9
Aug-05	13.3
Sep-05	13.0
Jul-06	14.9
Aug-06	13.7
Sep-06	14.0
Jul-07	10.0
Aug-07	10.0
Sep-07	11.0

Table 2

Average Monthly Flow Rate at the Bay-Delta
 Settlement Agreement Release Structure

Month	Bay-Delta Settlement Agreement Releases (cfs)
Jul-07	37.1
Aug-07	36.0
Sep-07	0.0

Table 3

South Sutter Water District Summary of Surface Water Deliveries

Year	Surface Water Deliveries Measured at the Main Canal (AF)
2008*	85,000
2007	70,700
2006	118,800
2005	125,900
2004	107,300
2003	113,100
2002	133,500
2001	63,600
2000	140,700
2000-2007 Average	109,200

* Projected 2008 deliveries assuming a proposed transfer.