
State Water Resources Control Board

NOTICE OF PETITION FOR TEMPORARY CHANGE INVOLVING THE TRANSFER OF UP TO 2,000 ACRE-FEET OF WATER FROM THE SOUTH SUTTER WATER DISTRICT TO WOODLAND-DAVIS CLEAN WATER AGENCY

Notice is hereby given that on August 14, 2024, the South Sutter Water District (SSWD or Petitioner), filed with the State Water Resources Control Board (State Water Board) a Petition for Temporary Change under Water Code section 1725, et seq. for water right License 11118 (Application 14804). The petition requests the transfer of up to a total of 2,000 acre-feet (af) of water for use within the Woodland-Davis Clean Water Agency (WDCWA). Temporary changes approved pursuant to Water Code section 1725 may be effective for up to one year.

DESCRIPTION OF THE TRANSFER

SSWD proposes to transfer water to provide an additional water supply to WDCWA. The total amount of water intended for transfer pursuant to the petition is up to 2,000 af. The transfer water would be made available at proposed additional point of diversion by reservoir release of previously stored water from Camp Far West Reservoir and Camp Far West Diversion Dam under SSWD's License 11118. SSWD proposes to transfer the water from approximately November 1, 2024 through March 31, 2025 to WDCWA.

PROPOSED CHANGES

SSWD requests the following temporary changes to water right License 11118.

1. Add WDCWA's Pumping Plant as a point of diversion;
2. Add WDCWA's service area as an additional place of use; and
3. Add Municipal and Industrial uses to the authorized purposes of use.

A copy of the notice is available on the State Water Board's website at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/petitions/transfers.html

ENVIRONMENTAL CONSIDERATIONS

Temporary changes petitioned pursuant to Water Code section 1725 are exempt from the requirements of the California Environmental Quality Act. However, the State Water Board must consider potential impacts to other legal users of the water and to fish, wildlife, or other instream beneficial uses.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

STATUTORY PROVISIONS

Pursuant to Water Code sections 1725, et seq., the State Water Board is authorized to issue temporary change orders, allowing the transfer or exchange of water or water rights after completing an evaluation and finding that the proposed temporary changes:

1. Involves only water that would otherwise have been consumptively used or stored by permittee or licensee;
2. Would not injure any legal user of the water;
3. Would not unreasonably affect fish, wildlife, or other instream beneficial uses; and
4. Any increase in groundwater pumping associated with this transfer (i.e., groundwater substitution) is performed in compliance with Water Code sections 1745.10 and 1745.11.

Water Code section 1728, subdivision (e) states in part that when evaluating transfers, "...the board shall not deny, or place conditions on, a temporary change to avoid or mitigate impacts that are not caused by the temporary change..." Additionally, Water Code section 1728, subdivision (d) states in part that "...the board shall not modify any term or condition of the petitioner's permit or license, including those terms that protect other legal users of water, fish, wildlife, and other instream beneficial uses, except as necessary to carry out the temporary change..."

OPPORTUNITY FOR COMMENTS

Pursuant to Water Code section 1726, subdivision (d), the State Water Board is providing notice of this petition and seeking information to assist in the evaluation of the proposed temporary changes. Comments should identify the application or license number being addressed. The comments must address one or more of the required findings described above; only comments related to effects caused by the temporary changes will be considered.

The petitioner has the burden of establishing that the proposed temporary changes will not injure any legal user of the water, or unreasonably affect fish, wildlife, or other instream beneficial uses. If the State Water Board determines that the petitioner has established a prima facie case, the burden of proof then shifts to the party that has filed comments (Water Code section 1728). Since at this time the State Water Board has not made a determination regarding whether the petition identified above presents a prima facie case, persons commenting on a petition should provide sufficient information to support claims of injury or effects on fish, wildlife, or other instream uses.

Pursuant to California Water Code section 1726, subdivision (f), any interested person may file a comment regarding the petition. **Comments filed in response to this notice must be received by the Division of Water Rights at WaterRightPetitions@waterboards.ca.gov by 4:30pm on September 13, 2024. A copy of the comments should also be sent to the persons below.**

Send comments to both:

Arvin Chi
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812
Arvin.Chi@waterboards.ca.gov

South Sutter Water District
c/o Kyle Knutson
MBK Engineers
455 University Avenue, Suite 100
Sacramento, CA 95825
knutson@mbkengineers.com

Copies of the petition and related documentation, including maps, are available upon request. Please direct all requests and questions regarding this notice to Arvin Chi at Arvin.Chi@waterboards.ca.gov.

Date of Notice: **August 15, 2024**