

Reclamation's Petition for Extension of Time  
Supplement to Petitions

**Water Right Holder:**

Bureau of Reclamation  
Mid-Pacific Region, MP-460  
2800 Cottage Way  
Sacramento, CA 95825

**Point of Contact for Petition:**

Bureau of Reclamation  
Mid-Pacific Region, MP-460  
Attention: Mr. Bob Colella  
2800 Cottage Way  
Sacramento, CA 95825

Phone: (916) 978-5256  
Email: [rcolella@usbr.gov](mailto:rcolella@usbr.gov)

**Permits:** See the attached Table of Permits For Which Time Extension is Requested, Central Valley Project (CVP).

4. On September 19, 1985, Reclamation filed a timely petition, along with its accompanying request for partial amendment dated June 26, 1996, for an extension of time to the year 2030 in order to put water to beneficial use under the subject CVP permits. This petition supersedes Reclamation's September 19, 1985, petition with no lapse in filing.

Reclamation seeks an extension of time to the year 2030 for each of the subject permits. The year 2030 represents a 40 year extension of time for all permits listed in the attached table, except for permit 20246 for which a 33-year extension is requested.

5. See Progress Reports by Permittee for these permits on file with the Division of Water Rights.

The water operation and use information provided to the Division in compliance with Reclamation's obligation to furnish Progress Reports by Permittee (Permittee Reports) provides the most accurate accounting of water diversion and use possible. The Reservoir Operational Summary that Reclamation submits provides, on a water year and calendar year basis, monthly reservoir data regarding end-of-month storage, changes in storage, releases, spills, and evaporation, as well as total diversion to storage. The Summary of CVP Operations by Calendar Year provides data on reservoir evaporation, irrigation deliveries, municipal and industrial deliveries, power use, river releases, and acres irrigated all on a source-of-supply basis, i.e., Trinity River, Clear Creek, Sacramento River, American River, Stanislaus River, Delta and Westside of San Joaquin Valley, and San Joaquin River. Reclamation has been as diligent as possible in providing reports of its complex, integrated operations that are on record with the Division.

**Reclamation's Petition for Extension of Time**  
**Supplement to Petitions**

For Application 18115 (Permit 13776), for Black Butte Dam on Stony Creek, Progress Reports by Permittee do report storage quantities, canal diversions, and stream releases. Reports are on file with the State Water Board regarding rediversion at the Constant Head Orifice.

Reclamation's notes that the information provided in Reclamation's Permittee Reports for CVP water rights is consistent with: the nature of CVP operations including the consolidated purposes and places of use; the State Water Board staff's understanding of CVP operations, and; agreed-upon accounting procedures between Reclamation and the State Water Board staff for CVP operations.

The reason that Reclamation can not provide any more specific data is that Reclamation operates the CVP in an integrated fashion where water is diverted under a variety of CVP permits and is commingled to meet project purposes. Reclamation's CVP operations are extremely complex and involve a dynamic operating environment in which compliance with Bay-Delta water quality control standards is integrated.

Reclamation has further determined that it is not possible at this time to accurately predict future operations and diversion levels at specific times during the extension period. Major uncertainties that include possible future State Water Board actions involving additional conditions to CVP permits, outcome of the Bay Delta Conservation Program (BDCP) process, as well as any other future actions necessary for compliance with the Federal Endangered Species Act, frustrate any attempt to make such predictions at this time. As a result, Reclamation is unable to determine what the ultimate diversions under its CVP permits will be. Reclamation will continue to put water diverted under its CVP permits to beneficial use, including consumptive uses, as well as for environmental and fisheries purposes. Reclamation will also continue to divert to storage in CVP reservoirs in accordance with its permits. However, Reclamation is unable at this time to provide any recommendation on permits that are ready for licensing, but may do so in the future.

6. See Progress Reports by Permittee for these permits on file with the Division of Water Rights.
7. See Progress Reports by Permittee for these permits on file with the Division of Water Rights.
8. See Progress Reports by Permittee for these permits on file with the Division of Water Rights.
9. This petition requests the first extension. Reclamation has not requested nor been granted a prior extension period.
10. Reclamation has not been granted a prior extension.

**Reclamation's Petition for Extension of Time  
Supplement to Petitions**

11. Construction of works necessary to put the full permitted quantities of water to beneficial use has been completed.
13. Reclamation estimates full beneficial use of water under these permits will not occur prior to year 2030 which is the projected period when pay out of the CVP is anticipated to occur under existing and renewed long-term CVP water service contracts. In addition, Reclamation anticipates that future increased municipal and industrial demands within the CVP service area as well as increased irrigation demands within the Corning Canal service area, all within the existing authorized CVP places of use, will necessitate additional time in which to fully develop the beneficial use of the water appropriated under the permits for various units of the CVP.

Changes in possible water use under the subject permits due to future State Water Board actions involving additional conditions to CVP permits, any future actions necessary for compliance with the Federal Endangered Species Act, as well as actions resulting from the BDCP process, are possible. During the requested extension period, Reclamation will continue to put water diverted under its CVP permits to beneficial use, including consumptive uses, as well as for environmental and fisheries purposes. Also, Reclamation will also continue to divert to storage water in CVP reservoirs in accordance with its permits and will continue to make power and other releases.
- Therefore, Reclamation believes it is in the public interest for the State Water Board to grant the requested extension of time until the year 2030 to fully develop the beneficial uses of the waters appropriated under the subject permits.
14. Pursuant to §210 of the Reclamation Reform Act of 1982, the United States requires that each water user that has entered into a repayment contract or water service contract pursuant to Federal reclamation law or the Water Supply Act of 1958, as amended (43 U.S.C. 390(b)), develop a water conservation plan which shall contain definite goals, appropriate water conservation measures, and a time schedule for meeting water conservation objectives. Section 3405(e) of the Central Valley Project Improvement Act (CVPIA) of 1992 requires development of criteria for evaluation of the adequacy of water management plans for applicable CVP water service contracts, settlement contracts, or any contracts that specifically invoke the Standard Criteria for Evaluating Water Management Plans. Section 3405(b) of the CVPIA requires metering of water used by a CVP contract district or agency for new, renewed, or amended water service or repayment contracts.
15. The quantity of water conserved or feasible to conserve is integrated into the Water Needs Assessment criteria and the needs calculations developed individually for each specific CVP water service contractor.
16. See Progress Reports by Permittee for these permits on file with the Division of Water Rights.

**Table of Permits For Which Time Extension is Requested,  
Central Valley Project**

Application	Permit
5625	12720
5626	12721
5627	11966
5628	11967
9363	12722
9364	12723
9365	12724
9366	12725
9367	12726
9368	12727
13370	11315
13371	11316
13372	11317
14662	11318
14858A	16597
14858B	20245
14859	16598
15374	11968
15375	11969
15376	11970
15764	12860
16767	11971
16768	11972
17374	11973
17375	12365
17376	12364
18115	13776
19303	16599
19304	16600
21542	15149
22316	15735
27319	20246

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

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.

See Attachment No. 1

## ENVIRONMENTAL INFORMATION FOR PETITIONS

### 2. COUNTY PERMITS

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. 1

### 3. STATE/FEDERAL PERMITS AND REQUIREMENTS

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. 1

## 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: \_\_\_\_\_

### 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:

The petitioner is a California public agency and will be preparing the environmental document.\*  
 I expect that the SWRCB will be preparing the environmental document.\*\*  
 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. 1*

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? \_\_\_\_\_

---

*See Attachment No. 1*

### 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. 1*

### 7. ENVIRONMENTAL SETTING

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: 6/23/2009

Signature: 

### **1. Description of Proposed Changes**

See Table of Permits For Which Time Extension is Requested, Central Valley Project (CVP), attached to the Petition for Extension of Time.

Reclamation seeks an extension of time to the year 2030 for each of the subject permits. The year 2030 represents a 40 year extension of time for all permits listed in the attached table, except for permit 20246 for which a 33-year extension is requested.

### **2. County Permits**

There are no county permit requirements specifically required for this project. No construction or grading related activities are involved for this project.

### **3. State/Federal Permits and Requirements**

There are no state or federal permit requirements specifically required for this project. No construction or grading-related activities are involved in this project.

### **4. Environmental Documents**

Reclamation understands that completion of any necessary environmental documentation for this project could be completed by the State Water Board as Lead Agency under the California Environmental Quality Act (CEQA), and under the direction of the State Water Board and at Reclamation's expense.

However, Reclamation would like to eventually refer the State Water Board to information to be presented in the Environmental Impact Report/Environmental Impact Statement currently being prepared for the Bay Delta Conservation Plan (BDCP EIR/EIS). The California Department of Water Resources is the Lead Agency for that document under CEQA. Reclamation understands that the State Water Board is participating in the BDCP planning process in an advisory capacity. The State Water Board, as an advisory member of the BDCP Steering Committee, has recommended in public scoping comments on the BDCP EIS/EIR (Preliminary Scoping Report, BDCP EIR/EIS, February 2009) that the BDCP environmental documentation analyze water quality activities and projects initiated by the State Water Board and Regional Water Quality Boards but not yet completed. In addition, various other parties have recommended in public scoping comments that the BDCP EIS/EIR reach beyond the legal Delta to include all the CVP and State Water Project including upstream and downstream facilities, including upstream reservoirs. These recommendations are consistent with Reclamation's response to question number 13 of the petition regarding justification for an extension of time, and they further support the need for completion of the BDCP EIR/EIS process as part of the environmental documentation necessary for approving these petitions for extension of time.

The public draft BDCP EIR/EIS is expected to be available late 2009 or early 2010. The BDCP EIR/EIS is not being prepared specifically for this project, and, as indicated in Reclamation's Progress Reports by Permittee submitted to the State Water Board for the subject permits, construction of works necessary to put the full permitted quantities of water to beneficial use has already been completed. However, Reclamation believes that the final BDCP EIR/EIS will describe and evaluate Central Valley Project operations and future water use during the term of the extension requested for the subject permits. Therefore, the BDCP EIR/EIS could potentially function as the environmental document for this project, or alternatively, could develop the information necessary for the State Water Board to prepare any necessary documentation as Lead Agency.

Reclamation will work with the State Water Board in ensuring that adequate environmental documentation is efficiently in place to support the requested time extension.

### **5. Waste/Waste Water**

The generation of wastewater from within the service areas of entities receiving water as a result of this project would be an issue between the entity and the Regional Water Quality Control Board (RWQCB).

6. This project does not propose the expansion of the authorized place of use in which CVP water may be beneficially used. There are cultural resources within the reservoir pools of CVP reservoirs, but the proposed action has no potential to affect historic properties. Depending upon the particular reservoir, CVP reservoirs have filled and drained for more than approximately 30 to 60 years since their completion, and the retention of this water mimics the natural cycle.

### **7. Environmental Setting**

This petition for extension of time covers a large number of permits required for the integrated operation of a large and complex water project. Reclamation will provide at a later date the specific photographs requested by the State Water Board to approve these petitions for extension of time.