Chapter 5
Consultation and Coordination

This section presents the agencies and parties that were consulted during the environmental review process, the distribution list for the document, public involvement, and will include responses to comments received on the Draft EA.

5.1 Consultation and Coordination

Several agencies and parties were consulted during the development of this document, including:

- USFWS- Reclamation USFWS Reclamation's Endangered Species Act Determination.
- SWRCB- PCWA filed a petition with the State Water Resources Control Board on May 6, 2009 for a change in place of use (POU). PCWA also filed a petition for temporary transfer of water/water rights on May 6, 2009.
- NMFS- Reclamation NMFS Reclamation's Endangered Species Act Determination.
- SDCWA- SDCWA sent a letter to Reclamation on March 30, 2009 requesting a water transfer from PCWA to SDCWA.

These consultation and coordination documents appear at the end of Chapter 5.

5.2 Distribution List

This document is also available online at: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=3972. This document is available to the public upon request.

5.3 Public Involvement

Reclamation is releasing the Draft EA for 15 day public comment period. A press release was issued by Reclamation to alert the public and other interested parties of the review period for the document.

DRAFT

United States Department of the Interior

BUREAU OF RECLAMATION
Central California Area Office
7794 Folsom Dam Road
Folsom, California 95630-1799

IN REPLY REFER TO:

CC-407
ENV-6.00

JUN 1 7 2009

MEMORANDUM

To: U.S. Fish and Wildlife Service, 2800 Cottage Way, Room W-2605, Sacramento, CA 95825-1888
Attn: Susan Moore,

From: Michael R. Finnegan,
Area Manager MICHAEL R. FINNEGAN

Subject: Endangered Species Act (ESA) Determination for the Execution of a Temporary Warren Act (WA) Contract for a Water Transfer of up to 20,000 Acre Feet (AF) from Placer County Water Agency (PCWA) to San Diego County Water Authority (SDCWA)

This memorandum describes the rationale for the Bureau of Reclamation's determinations pursuant to the ESA for the proposed water transfer from PCWA to SDCWA (Proposed Action).

Proposed Action and Action Area

The action area includes movement of up to 20,000 AF of PCWA water rights water (i.e., PCWA water transfer) from the Middle Fork Project (Middle Fork of the American River) through Folsom Reservoir, the lower American River, and the Sacramento-San Joaquin Delta (Attachments 3 and 4). The transferred water would then be available for export at the State Water Project's (SWP) Harvey O. Banks pumping plant (Banks pumping plant) and delivery to SDCWA's service area, which is included in the SWP place of use. Due to the additional amount of export pumping associated with this State transfer, additional Delta inflow will be required to maintain water quality objectives within the Delta. The water for use in SDCWA's service area will be moved through the SWP to its final disposition in the service area (Attachments 4 and 5).

Reclamation's federal action is to facilitate the proposed water transfer from PCWA to SDCWA by moving the additional PCWA water rights water through Folsom Reservoir during July, August and September 2009. A portion of the water may need to be stored in Folsom Reservoir, temporarily, hence the need for the WA contract. A second action by Reclamation is to execute an appropriate refill agreement with PCWA in order to ensure that future refill of water transferred from storage does not adversely impact Central Valley Project (CVP) water deliveries.

PCWA diverts water to storage in its Hell Hole and French Meadows reservoirs and this water will be released from storage as part of the water transfer. In the absence of the Proposed Action, the water would remain in the reservoirs.

The proposed water transfer is intended to replace water supplies that have been depleted from the SDCWA service area due to drought conditions and regulatory constraints. Metropolitan Water District (a SWP contractor) recently cut SDCWA supplies by approximately 13 percent as a result of drought restrictions. The proposed water transfer of up to 20,000 AF would restore SDCWA's water supply and enable them to meet the mandatory restrictions and lessen the reduction in supply passed on to its member agencies (by approximately 8 percent). This water is not new water and will only be replacing the supplies that were lost. Therefore, there is no growth inducing effect associated with the Proposed Action.

The forecasted 90 percent exceedence for Lower American River releases (below Nimbus Dam) during the time frame of the Proposed Action, with and without releases related to project are contained in the following table. Average monthly releases (with and without project) are based on forecasted values and are only an outlook of the potential and actual daily values; i.e., flows may be higher or lower than the estimated values appearing in the table. The transfer water (up to 20 Thousand Acre Feet (TAF) is distributed evenly over the three months (6.67 TAF). The actual monthly amounts may be higher or lower, provided the total amount does not exceed 20 TAF. The carriage loss amount is 20 percent and will be accounted for at the end by Department of Water Resources and SDCWA as part of deliveries.

	July	August	September
	cfs/TAF	cfs/TAF	cfs/TAF
Avg. Monthly Releases without Project	4383/269	3085/190	1260/75
Avg. Monthly Releases **with Project**	4489/276	3204/197	1378/82

Determinations

After consulting the available species data on the U.S. Fish and Wildlife Service's (Service) website and discussing this proposed temporary action with a member of your staff, Reclamation has determined that executing the temporary WA contract would result in no effect to the species listed under Service jurisdiction contained in the table above, and no adverse modification of designated or proposed critical habitat in the action area (Attachment 1). The basis for making this determination is that there will be no changes in land use or construction related activities included as part of the proposed temporary WA contract.

There are other reasonably foreseeable water transfer actions that may be occurring at or around the time of Proposed Action (Attachment 2). These may include three sales of water to the Drought Water Bank (DWB) for use in groundwater substitution; i.e., proponents will forgo the specified increment of surface water diversions by pumping additional groundwater. The

forgone surface water diversions resulting from these transfers will have no effects beyond those that were analyzed in the Environmental Assessment for the DWB. The cumulative effects of these actions on the potentially effected resources in combination with the proposed action are expected to be minimal.

Delta smelt determination

Reclamation completed reinitiation of consultation with Service on the continued long-term operations of the CVP and SWP; i.e., the CVP Operations Criteria and Plan (OCAP) Biological Opinion (BO) dated December 15, 2008 (2008 OCAP BO). Due to the additional amount of export pumping associated with the proposed water transfer, additional inflow will be required to maintain water quality objectives within the Delta. Accordingly, a portion of water proposed for transfer to SDCWA will be used for salinity control and water quality control. The aquatic effects of delivering the water rights water to the SDCWA service area (i.e., changes in flow and water temperature), are expected to be minimal in the Sacramento-San Joaquin Delta (Delta) during the identified time frame. After discussions with a member of your staff and our review of the 2008 OCAP consultation we have determined that the proposed action would result in no affects to Delta smelt.

Reclamation is committed to meeting its statutory obligations under the ESA. We appreciate your time in reviewing these determinations. Given the time frame under which the water must move in the Delta, as per pumping capacity constraints, we intend to execute the WA and facilitate the proposed water transfer by no later than July 1, 2009.

Attachments - 5

cc: U.S. Fish and Wildlife Service, 2800 Cottage Way, Room W-2605,
Sacramento, CA 95825-1888
Attn: Michael Welsh

bc: CC-400

WBR:BVPelt:Sanchez:5/9/09:916-989-7127
R:\Public\TYPING\Van Pelt, Bonnie\Effects determination memo 060909_Final

Attachment 1.

FISH AND WILDLIFE SERVICE SPECIES
IN PROPOSED ACTION AREA

SPECIES	COMMON NAME	FEDERAL STATUS	LOCATION FOUND
FISH			
Eucyclogobius newberryi	Tidewater Goby	E	Mendocino, San Diego, Del Norte, Humboldt and Orange Counties
Thaleichthys pacificus	Pacific Eulachon/Smelt	T(P)	Sacramento, Klamath and Russian Rivers and Humboldt Bay
Hypomesus transpacificus	Delta Smelt	T	Sacramento River and San Joaquin Delta
PLANTS			
Orcuttia californica	California Orcutt Grass	E	East Sacramento County Vernal Pools
Baccharis vanessae	Encinitas Baccharis	T	Central San Diego County
Fremontodendron mexicanum	Mexican Flannelbush	E	Riverside and San Diego Counties
Pogogyne nudiuscula	Ota Mesa-mint	E	Southern California Vernal Pools
Deinandra conjugens	Ota Tarplant	T	San Diego County
Ambrosia pumila	San Diego Ambrosia	E	Riverside and San Diego Counties
Eryngium aristulatum	San Diego Button-Celery	E	Ramona Grasslands, San Diego County
Acanthomintha ilicifolia	San Diego Thornmint	T	San Diego County
Navarretia fossalis	Spreading Navarretia	T	Statewide California
Monardella linoides	Willowy Monardella	E	Statewide California
INVERTEBRATES			
Streptocephalus woottoni	Riverside Fairy Shrimp	E	Riverside Vernal Pools
Branchinecta sandiegonensis	San Diego Fairy Shrimp	E	San Diego Vernal Pools
Euphydryas editha	Quino Checkerspot Butterfly	E	Riverside County
Desmocerus californicus dimoorphus	Valley Elderberry Longhorn Beetle	T	Elderberry along rivers from South Shasta County through Central Valley into Kern County
	Shasta Crayfish	E	Shasta County

Pacifastacus fortis

SPECIES	COMMON NAME	FEDERAL STATUS	LOCATION FOUND
AMPHIBIANS			
Bufo californicus	Arroyo Toad	E	Monterey, Los Angeles and San Bernardino Counties
Rana aurora	California Red-Legged Frog	T	Costal Drainages Central California
Rana muscosa	Mountain Yellow-Legged Frog	E, C	South Plumas to South Tulare Counties and East to Nevada County
BIRDS			
Polioptila californica	Coastal California Gnatcatcher	T	Sage Scrub Southern California
Vireo bellii	Least Bell's Vireo	E	Southern California, Santa Ana River Basin
Empidonax traillii	Southwestern Willow Flycatcher	E	Southern California
Charadrius alexandrinus	Western Snowy Plower	T	Southern California
Coccyzus americanus occidentalis	Western Yellow-Billed Cuckoo	E	Kern County
Falco peregrinus anatum	American Peregrine Falcon	DM	Statewide California
Haliaeetus leucocephalus	Bald Eagle	T, DM	Costal California
MAMMALS			
Ovis canadensis	Peninsular Bighorn Sheep	E	Riverside, San Diego and Imperial Counties
REPTILES			
Thamnophis gigas	Giant Garter Snake	T	Statewide California

1. E=Endangered; T=Threatened; C=Candidate; DM=Delisted Taxon Recovered, ongoing five year survey to ensure numbers continue to increase.

Attachment 2.

Other potential reasonably foreseeable actions that may correspond in time with the Proposed Action, include:

1. Sacramento Suburban Water District (SSWD), 12,000 AF of their Placer County Water Agency (PCWA) water going to the Drought Water Bank (DWB). SSWD proposes to forgo diversion of 12,000 Acre Feet of surface water it anticipates would be available during May – October for diversion from Folsom Reservoir pursuant to its contract with PCWA. SSWD would then pump groundwater in an amount equivalent to that which it would otherwise receive pursuant to the contract. Under the contract, PCWA makes Middle Fork American River Project water available to SSWD in Folsom Reservoir consistent with the State Water Resources Control Board's "Change of Place of Use" decision allowing PCWA water to be used in Sacramento County. Production data indicates that SSWD has the capability of supplying the North Service Area with more than 18,000 AF of groundwater from May through October. Therefore, SSWD can physically pump groundwater to meet its projected May through October North Service Area demand of 13,950 AF.

2. SSWD; 5,000 AF of their City of Sacramento water rights water going to the DWB. SSWD proposes to forgo diversion of surface water and instead pump groundwater. SSWD has a contract for surface water with the City of Sacramento (City) that would otherwise entitle it to divert 5,000 AF during the months of June through September. Receipt of 5,000 AF surface water would be available during June-September 2009 pursuant to the *Wholesale Water Supply Agreement Between the City of Sacramento and Sacramento Suburban Water District* (Wholesale Agreement), and would pump groundwater in an amount equivalent to that which it would otherwise receive through the Wholesale Agreement. By forgoing diversion, SSWD would make water available to the Bureau of Reclamation in Folsom Reservoir for delivery to the DWB.

3. City of Sacramento; 1,000 AF of their own American River water rights water going to the DWB. The City proposes to provide up to 1,000 AF to the DWB this year. The City will accomplish by extracting additional groundwater in excess of 1,000 AF (to account for losses) to meet City water supply demands and making a like amount of surface water available to the DWB. The City proposes to forgo an increment of surface water diversions by pumping additional groundwater. The City's proposal is to sell the forgone surface water to the DWB.

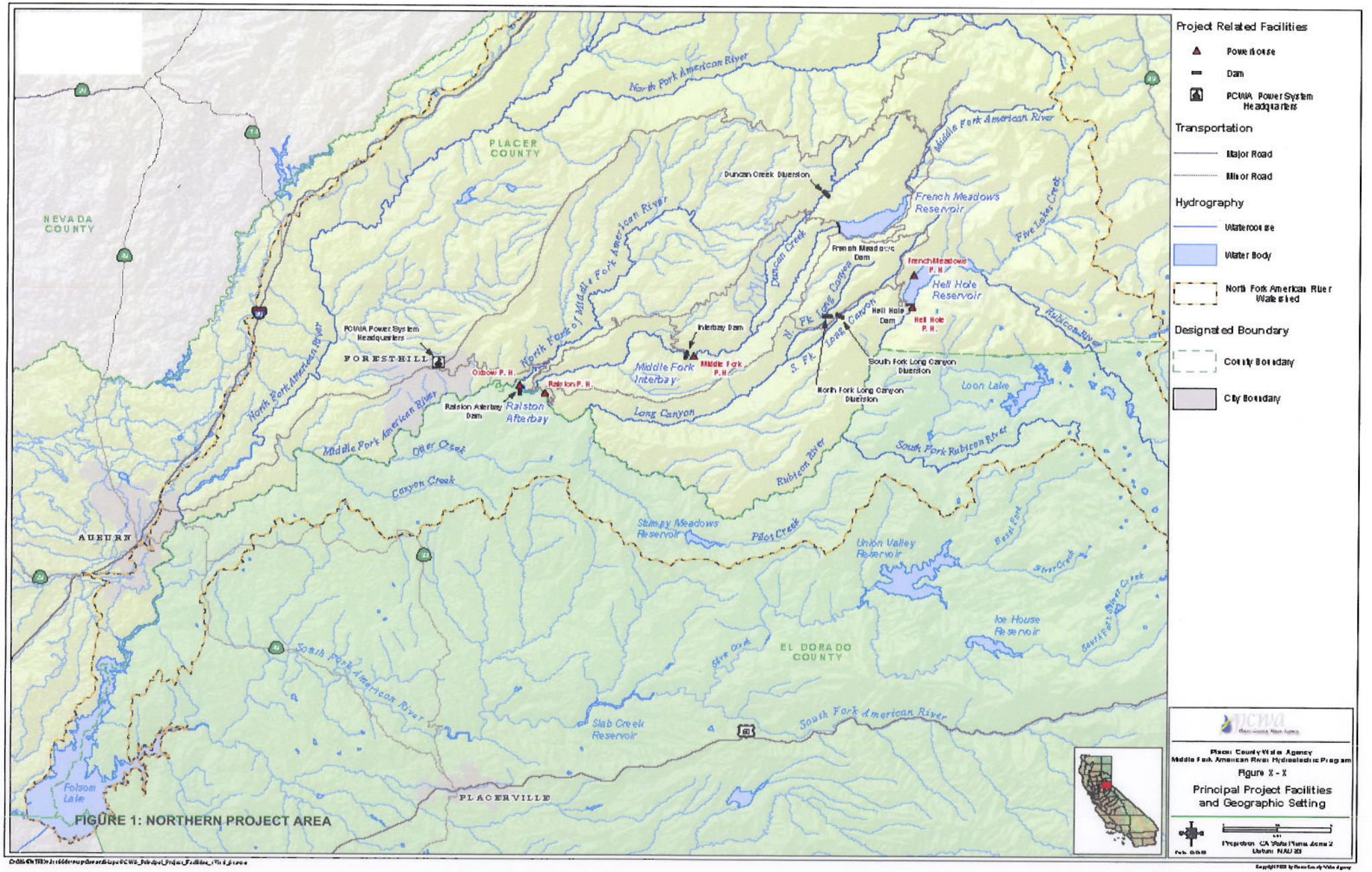


FIGURE 1: NORTHERN PROJECT AREA

Water Imports to Southern California

FIGURE 2: CENTRAL PROJECT AREA

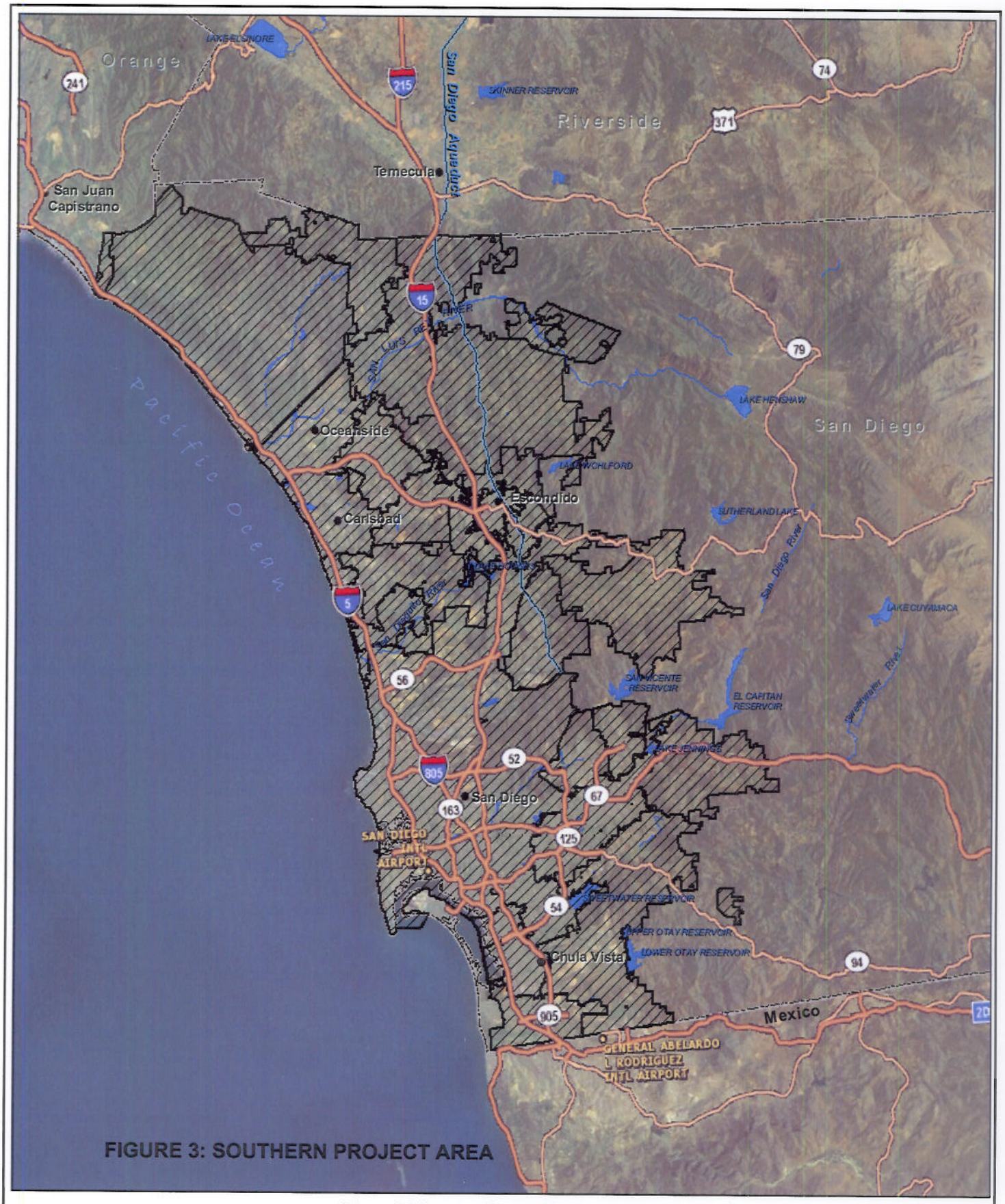


FIGURE 3: SOUTHERN PROJECT AREA

Contractor's Service Area

San Diego Co. Water Authority

Exhibit A

Contract No. 09-WC-20-3899

Date: May 28, 2009
File Name: N:\Districts\Contracts\SanDiegoCoWA\SanDiegoCoWA.mxd

0 12.5 25 Miles

1752-202-1

State Water Resources Control Board

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterboards.ca.gov/waterrights.ca.gov

Linda S. Adams
Secretary for Environmental Protection

Arnold Schwarzenegger
Governor

NOTICE OF PETITIONS FOR TEMPORARY CHANGE INVOLVING THE TRANSFER OF UP TO 20,000 ACRE FEET OF WATER FROM THE PLACER COUNTY WATER AGENCY TO THE SAN DIEGO COUNTY WATER AUTHORITY UNDER PERMITS 13856 & 13858 (APPLICATIONS 18085 & 18087)

Notice is hereby given that on May 6, 2009,

Placer County Water Agency
c/o Hanspeter Walter
Kronick, Moskovitz, Tiedemann & Girard
400 Capitol Mall, 27th Floor
Sacramento, CA 95814

filed with the State Water Resources Control Board (State Water Board) two Petitions for Temporary Change under Water Code section 1725, et seq. Pursuant to the petitions, Placer County Water Agency (PCWA) seeks to transfer up to 20,000 acre-feet (af) of water to the San Diego County Water Authority (SDCWA). Temporary changes approved pursuant to Water Code section 1725 may be effective for up to one year from the date of approval.

DESCRIPTION OF THE TRANSFER

PCWA proposes to transfer up to 20,000 af of water currently stored in French Meadows Reservoir and Hell Hole Reservoir (the major storage facilities of its Middle Fork Project) under Permits 13856 and 13858 (Applications 18085 and 18087) to SDCWA. The petitions request that transfer be authorized for release from the effective date of this order through December 31, 2009, however, the water is most likely to be released during the months of July, August, and September, 2009. Water will be released to the Rubicon River thence the Middle Fork American River and temporarily stored in Folsom Reservoir. The transfer water would then be available for release to the Lower American River thence the Sacramento River to the Delta for export at the Banks Pumping Plant and delivery to SDCWA. Due to the additional amount of export pumping associated with this transfer, additional Delta inflow will be required to maintain water quality objectives within the Delta. Accordingly, a portion of the transfer water (typically referred to as “carriage water”) will be used for salinity control, fish and wildlife enhancement, and water quality control.

PCWA states that the proposed transfer of up to 20,000 af of water will not impact its ability to provide domestic deliveries to its customers. Additionally, PCWA's petition indicates that it intends to enter into an agreement with the U.S. Bureau of Reclamation (Reclamation) to ensure that future refill of water transferred from storage does not adversely impact the American River watershed. If necessary, SDCWA plans to execute a wheeling/storage agreement with Reclamation in order to provide operational flexibility to first store the transfer water in Folsom Reservoir before its conveyance through the Delta.

In the absence of this transfer, up to 20,000 af of the subject water would remain in storage in French Meadows Reservoir and Hell Hole Reservoir.

PROPOSED TEMPORARY CHANGE

The proposed transfer would temporarily add the service areas of SDCWA (as shown on map submitted with the petitions) to the authorized place of use under Permits 13856 and 13858. The State Water Project (SWP)'s Banks Pumping Plant would be temporarily added as a point of rediversion under Permits 13856 and 13858. Folsom Reservoir would be added as an alternate point of rediversion. In addition, salinity control, fish and wildlife enhancement, and water quality control should be temporarily added as purposes of use under Permits 13856 and 13858 consistent with carriage water requirements described above.

PETITIONER'S WATER RIGHTS

Permits 13856 and 13858 (Applications 18085 and 18087), issued on January 10, 1963, authorize PCWA to divert to storage up to a maximum of 133,700 af per year (afa) in French Meadows Reservoir and up to 208,400 afa in Hell Hole Reservoir. These permits also authorize the direct diversion of up to a total of 2,025 cfs between November 1 and July 1 of each year. The authorized purposes of use under Permits 13856 and 13858 are irrigation, municipal, industrial, recreation and incidental domestic and the place of use is shown on PCWA's map set dated July 31, 1996.

PCWA also holds Permits 13855 and 13857 (Applications 18084 and 18086), issued on January 10, 1963. These permits authorize similar direct diversion and storage totals and locations as Permits 13856 and 13858, however, these permits are for non-consumptive uses (i.e., power generation and recreation) and are not included in this petition for temporary change.

PCWA owns and operates the Middle Fork Project (located within the upper American River watershed) which consists of the French Meadows and Hell Hole reservoirs, with combined storage capacity of approximately 342,000 af, and associated canals, pipelines, powerhouses and regulating reservoirs. French Meadows Reservoir is located on the Middle Fork American River and Hell Hole Reservoir is located on the Rubicon River (which is tributary to the Middle Fork American River). PCWA's Federal Energy Regulatory Commission (FERC) licenses require PCWA to maintain minimum

instream flows in the Middle Fork American River and Rubicon River (below both reservoirs) based on the season and water year type. Water stored in French Meadows Reservoir may be pumped via underground pipeline to Hell Hole Reservoir and, during normal operations, PCWA uses Hell Hole Reservoir as the release point for most of the water it uses for power generation and its authorized consumptive uses.

COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

Temporary changes involving the transfer of water that was previously stored are exempt from the requirements of the California Environmental Quality Act (CEQA). 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.

STATE WATER RESOURCES CONTROL BOARD'S 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. Involve only water that would otherwise have been consumptively used, stored, or conserved pursuant to Water Code section 1011, by Permittee;

2. Would not injure any legal user of the water; and

3. Would not unreasonably affect fish, wildlife, or other instream beneficial uses.

If the State Water Board cannot satisfy, in a timely manner, the provisions of Water Code section 1725, et. seq., then the State Water Board may deny the petition or schedule and notice a hearing regarding the proposed transfer or exchange of water.

OPPORTUNITY FOR COMMENT

Pursuant to the requirements outlined above, the State Water Board is seeking information to assist in the evaluation of the proposed temporary change of water rights. Any person may file comments concerning the petition for temporary change. The comments must address the required findings set forth above. The petitioner has the burden of establishing that the proposed temporary change will not injure any legal user of water, or unreasonably affect fish, wildlife, or 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 1727). While such a determination has not been made in this case, commenters should provide sufficient information to support claims of injury or effects on fish, wildlife, or other instream uses.

Due to the relative brevity of the temporary transfer process, the Division (if necessary) may request that the petitioner submit additional information during the comment

period. Any such requests and any additional information submitted by the petitioner regarding this proposed temporary change **during the comment period** will be posted with this notice on the Division of Water Rights' website at: www.waterboards.ca.gov/waterrights/water_issues/programs/applications/transfers_tu_notices/. Potential commenters are strongly urged to check the website for such information prior to filing a comment.

Comments filed in response to this notice must be received in the office of the State Water Board's Division of Water Rights, at the first address listed below by **2:00 p.m. on June 15, 2009.** Additionally, a copy of the comments must be filed with PCWA. **Comments must be accompanied by proof of service of a separate copy of the materials on the petitioner.** Interested parties are encouraged to file comments by FAX and to notify the following contact persons by telephone of any materials that will be submitted. An original copy of all materials, however, must be received for the State Water Board to consider your comments.

Division of Water Rights
c/o Greg Wilson
P.O. Box 2000
Sacramento, CA 95812-2000
FAX: (916) 341-5400

Placer County Water Agency
c/o Hanspeter Walter
Kronick, Moskovitz, Tiedemann & Girard
400 Capitol Mall, 27th Floor
Sacramento, CA 95814
FAX: (916) 321-4555

Please address questions about this notice to Greg Wilson at (916) 341-5427. Questions regarding the petitioner or transferee should be addressed as follows:

PCWA (petitioner): Hanspeter Walter (916) 321-4500
FAX: (916) 321-4555

SDCWA (transferee): Meena Westford (858) 522-6716
FAX: (858) 522-6568

ORIGINAL SIGNED BY
Leslie F. Grober, Manager
Hearings and Special Programs Section

Dated: May 14, 2009

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 958 12-2000
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). 18085 Permit No. 13856 License No. _____
Statement or Other No. _____

Present Holder and User of Water Right

Placer County Water Agency	Hanspeter Walter	(916) 321-4500
Person or Company name	Contact person	Telephone No.

Kronick, Moskovitz, Tiedemann & Girard

400 Capitol Mall, 27th Floor	Sacramento	CA	95814
Address	City	State	Zip Code

hwalter@kmtg.com
E-MAIL (For noticing purposes)

Proposed New User

San Diego County Water Authority	Meena Westford	(858) 522-6716
Person or Company name	Contact person	Telephone No.

4677 Overland Ave.	San Diego	CA	92123
Address	City	State	Zip Code

mwestford@sdcwa.org
E-MAIL (For noticing purposes)

Placer County Water Agency ("PCWA") hereby petitions the State Water Resources Control Board ("SWRCB") under the provisions of Water Code section 1725 et seq. and in conformance with the specific requirements of California Code of Regulations section 794 et seq. for

Rec'd $9,997.00 5/6/09 MS

temporary changes to the water right application noted above for the purpose of transferring water. The changes are shown on the accompanying maps and described as follows:

Executive Summary

Placer County Water Agency proposes to transfer 20,000 acre-feet ("AF") of water currently stored in its Middle Fork Project ("MFP") reservoirs on the Rubicon and American Rivers to the San Diego County Water Authority ("SDCWA") for domestic, municipal and industrial use within the service area of SDCWA. To accomplish this transfer, the following temporary changes in the place of use and points of rediversion under PCWA's MFP water right permit are needed:

1) Allow temporary storage of transfer water in Folsom Reservoir.

2) Allow re-diversion of transfer water at the State Water Project's Clifton Court Forebay and Harvey O. Banks Pumping Plant.

3) Allow use of transfer water within the SDCWA service area.

Placer County Water Agency

Placer County Water Agency is a public agency created and existing pursuant to the provisions of the Placer County Water Agency Act. (Water Code Appx. Ch. 81.) PCWA owns and operates the Middle Fork Project and holds water rights for that project pursuant to Permits 13856 and 13858, issued on Applications 18085 and 18087, by the State Water Rights Board, predecessor to the State Water Resources Control Board.

San Diego County Water Authority

San Diego County Water Authority is a public agency created, formed and operating under the County Water Authority Act (Stats. 1943, Ch. 545, as amended; West's Cal. Water Code Appx. Ch. 45). SDCWA delivers water at wholesale to its member public agencies for beneficial municipal, industrial, and agricultural uses in its territory. SDCWA is a member agency of the Metropolitan Water District of Southern California ("Metropolitan"), which is a State Water Project ("SWP") Contractor. SDCWA is interested in augmenting its water supply and water storage portfolio to implement its adopted drought management and other water supply plans. Transfer water that PCWA provides to SDCWA will be used entirely within the SDCWA service area.

Description of Proposed Transfer

PCWA proposes to release up to 20,000 acre-feet of water stored in its Middle Fork Project for transfer to the SDCWA ("Transfer Water"). The Transfer Water will be released from PCWA's Ralston Afterbay Reservoir on the Middle Fork of the American River, and is planned to be routed through Folsom Reservoir to points of rediversion at the State Water Project's Clifton Court Forebay and Harvey O. Banks pumping plant. The Transfer Water will be scheduled in cooperation with the Department of Water Resources ("DWR") and the U.S. Bureau of

Reclamation ("Reclamation") such that it will use available surplus release, pumping and transmission capacity and will not disrupt normal Central Valley Project ("CVP") or SWP operations.

PCWA has determined that it has at least 20,000 AF of surplus water stored in the Middle Fork Project. PCWA reached this conclusion by reviewing projected MFP inflow, storage, and operations data. Specifically, PCWA had approximately 222,200 AF of water in storage in its Middle Fork Project reservoirs as of 4/21/2009 (French Meadows and Hell Hole Reservoirs) and the projected runoff from 4/21/09 through the end of June is another 120,000 AF. This water is stored pursuant to a Federal Energy Regulatory Commission license (Project No. 2079) and water right permits nos. 13855, 13856, 13857, and 13858. The estimated total MFP water supply in 2009 is therefore about 342,200 AF. PCWA anticipates supplying the following quantities of water to its MFP customers in 2009: City of Roseville – 15,000 AF; San Juan Water District – 13,000 AF; and, Sacramento Suburban Water District – 13,000 AF. In addition, PCWA anticipates diverting 10,000 AF for its own retail customers in 2009. Deducting from this total MFP supply the estimated 51,000 AF of consumptive demands within PCWA's MFP service area, and FERC's 50,000 AF required minimum combined reservoir carryover, from the total supply leaves 241,200 AF available to be used for power generation or reserved as additional carryover storage for 2010, which is well above the proposed transfer amount of 20,000 AF.

PG&E has contract rights to operate the MFP for power generation after all of the consumptive water demands of the MFP service area are met. Outflow from the MFP for the rest of the year is anticipated to be approximately 190,000 AF for PG&E power generation, existing water deliveries and other requirements. Under the proposed transfer, PCWA, in collaboration with PG&E, would release a total of 20,000 AF of additional water from the MFP at Ralston Afterbay Reservoir on the Middle Fork of the American River in 2009, predominantly in the months of July, August, and September. At the end of the year, MFP combined carryover storage would be 20,000 AF less than without the transfer. The 20,000 AF of new water, released from MFP storage, which would have otherwise remained in storage in the absence of this transfer, is the water that is proposed to be transferred (i.e., "Transfer Water").

After release from the MFP, the Transfer Water would flow into Folsom Reservoir. The Transfer Water will be scheduled in cooperation with DWR and Reclamation such that this transfer will take advantage of available release, pumping, and transmission capacity. Use of this available capacity will not disrupt normal CVP or SWP operations. SDCWA would receive the Transfer Water after its rediversion at the State Water Project's ("SWP") Clifton Court Forebay and Harvey O. Banks Pumping Plant.

The amount of Transfer Water delivered under this Agreement will be measured as releases are made from Ralston Power Plant, and will be the difference between releases from the Middle Fork Project with and without the transfer described herein, which PCWA will report to Reclamation, DWR, and SDCWA in monthly reports. Reclamation will verify the total amount delivered based upon the actual MFP December storage low point.

Amount of Water to be Transferred

20,000 acre-feet.

Period of Transfer/Exchange

Physical transfer / rediversion of Transfer Water may occur between May 1, 2009 to December 31, 2009, but most likely during June, July, August, and September. Transfer Water will be used in the SDCWA service area within one year from approval of the transfer pursuant to Water Code § 1728.

Place of Use of Transfer Water

The 20,000 AF of Transfer Water, less conveyance losses, will be put to reasonable and beneficial use within the SDCWA service area. (See related Environmental Information Form for map.)

Agency Coordination

As a requirement of this transfer, PCWA will enter into a refill agreement with Reclamation. The refill agreement will ensure that other legal users of water with vested rights to water from the American River watershed are not unreasonably affected or negatively impacted by the proposed transfer. The refill agreement will affect future year(s) operations of the MFP by requiring PCWA to refrain from storing runoff in the MFP, or alternatively to re-release an amount of water equivalent to the amount of Transfer Water released, if refilling the additional storage space in MFP reservoirs created by this transfer would result in an equivalent decrease in the amount of water stored in Folsom Reservoir.

Furthermore, to accomplish this transfer, it may be necessary for SDCWA to execute a Warren Act contract or other wheeling/storage agreement with Reclamation in order to provide operational flexibility to first store the Transfer Water in Folsom Lake before its conveyance through the Delta. Additionally, DWR and Reclamation will coordinate SWP and CVP operations to convey the Transfer Water through the Delta. The SWP will divert the Transfer Water from the Delta.

The Metropolitan Water District of Southern California ("Metropolitan") will assist SDCWA in wheeling the Transfer Water to the SDCWA service area, subject to available capacity, consistent with Articles 55 and 56 of Metropolitan's State Water Project Long Term Water Supply Contract. Metropolitan's policy with regard to the wheeling of water not owned or controlled by Metropolitan is set forth in its Administrative Code, Sections 4119 and 4405. These Code provisions implement Metropolitan board policy, which is to support its member agencies' purchase and transportation of water not owned or controlled by Metropolitan, provided that all of the conditions of the Administrative Code are satisfied, which include full cost recovery. The wheeling service policy states that member agencies have the right to utilize Metropolitan's rights to State Water Project facilities. Accordingly, the rediversion and conveyance of this Transfer Water is very similar to DWR's and Metropolitan's other drought year transfers in 2009.

Point of Diversion or Rediversion

Current:

A. PCWA's current points of diversion are located at California Grid Coordinates, Zone II, Mount Diablo B&M:

		N	E	Quart.	Sec.	T-N	R-E
Duncan Creek	Duncan Creek	538,130	2,431,040	NW SW	24	15	13
M.F. American River	French Meadows	530,100	2,434,250	NW NE	36	15	13
Rubicon River	Hell Hole	510,750	2,452,000	SW SE	16	14	14
M.F. American River	Ralston Interbay	498,137	2,397,300	NW NE	35	14	12
M.F. American River	Ralston Afterbay	490,160	2,357,100	NW NW	3	13	11
N.F. American River	Auburn	444,400	2,267,400	NE SW	23	12	8

B. PCWA's current points of rediversion are located at California Grid Coordinates, Zone II, Mount Diablo B&M:

		N	E	Quart.	Sec.	T-N	R-E
M.F. American River	French Meadows	530,100	2,434,250	NW NE	36	15	13
Rubicon River	Hell Hole	510,750	2,452,000	SW SE	16	14	14
M.F. American River	Ralston Interbay	498,137	2,397,300	NW NE	35	14	12
M.F. American River	Ralston Afterbay	490,160	2,357,100	NW NW	3	13	11
N.F. American River	Auburn	444,400	2,267,400	NE SW	23	12	8
American River	Folsom Dam	380,461	2,240,626	SW NE	24	10	7

Proposed:

C. Under the proposed transfer, the Transfer Water would be rediverted, possibly after temporary storage in Folsom Reservoir within the NW ¼ of the SW 1.4 of Sec. 10, T10N R8E, MDBM, or California Coordinates W 121°05'534 N38°44'20.

After release from Folsom Reservoir, the Transfer Water would flow down the lower American and Sacramento Rivers and be rediverted at the SWP's Clifton Court Forebay and Banks Pumping Plant situated in the southwest Sacramento-San Joaquin Delta. After such rediversion, Transfer Water would be conveyed to SDCWA using SWP and Metropolitan facilities.

Place of Use

Current: Western Placer County and northern Sacramento County.

Proposed: SDCWA service area.

Purpose of Use

Current: Domestic, Municipal & Industrial, Recreational, Irrigation.

Proposed: Domestic, Municipal and Industrial.

	Season of Use	*Direct Use (cfs)*	*Storage (ac-ft)*
Current:	See project description and water rights permit.		

Proposed: Water would be used within the SDCWA service area within one year after approval of the transfer pursuant to Water Code § 1728.

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

Placer and Sacramento Counties.

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

San Diego County.

1a. Would the transfer/exchange water have been consumptively used or stored in the absence of the proposed temporary change (See WC 1725)?

Yes. The 20,000 AF of proposed Transfer Water is currently in storage in PCWA's Middle Fork Project reservoirs and would remain in storage absent this transfer.

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.

To provide the 20,000 acre-feet of Transfer Water under this application, PCWA proposes to transfer 20,000 AF of MFP storage surplus. The release of this surplus water would be accomplished in accordance with PCWA's power sale contract with Pacific Gas & Electric ("PG&E").

PCWA had approximately 222,200 AF of water in storage in its Middle Fork Project reservoirs as of 4/21/2009 (French Meadows and Hell Hole Reservoirs) and the projected runoff from 4/21/09 through the end of June is another 120,000 AF. This water is stored pursuant to a Federal Energy Regulatory Commission license (Project No. 2079) and water right permits nos. 13855, 13856, 13857, and 13858. The estimated total MFP water supply in 2009 is therefore about 342,200 AF. PCWA anticipates supplying the following quantities to its MFP customers in 2009: City of Roseville – 15,000 AF; San Juan Water District – 13,000 AF; and, Sacramento Suburban Water District – 13,000 AF. In addition, PCWA anticipates diverting 10,000 AF for its own retail customers in 2009. Deducting the estimated 51,000 AF of consumptive demands within PCWA's MFP service area, and the 50,000 AF FERC-required minimum combined reservoir carryover, from the total supply leaves 241,200 AF available to be used for power generation or reserved as additional carryover storage for 2010, which is well above the proposed transfer amount of 20,000 AF.

2a. If the point of diversion/rediversion is being changed, are there any person(s) taking water from the stream between the present point of diversion/rediversion and the proposed point?

Yes.

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?

Yes.

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.

PCWA does not know the identities of the other legal users of water between its present point of diversion and storage at its MFP reservoirs and the proposed point of rediversion at Folsom Lake and the SWP's Clifton Court Forebay and Banks Pumping Plant. Also, because of the geographic scope of this water transfer, it is impractical to list all other legal users of water between the MFP and the proposed points of rediversion. Furthermore, as explained in response to Question 3.a, flows downstream of PCWA points of diversion (i.e., MFP Reservoirs) and above points of rediversion will be minimally or negligibly increased by the release of Transfer Water. Therefore, there will be no adverse effects on legal users of water between existing points of diversion and proposed points of rediversion.

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.

The amount of change in streamflow, water quality, timing of diversion or use, return flows, and effect on legal users of water will be minimal and will cause no adverse economic, physical, or environmental effects. PCWA's release of an additional 20,000 AF from the MFP is a small increment of the water that will be released from the MFP into Folsom Lake this year. Approximately 190,000 AF will be released from the MFP during the transfer period; therefore, the release of Transfer Water will increase the normal quantity released by about 10%. After release, this additional 20,000 AF will flow first to Folsom Lake and then to points of rediversion in the south Delta at the SWP pumping facilities. Once leaving Folsom Lake, the 20,000 AF of Transfer Water will comprise an increasingly miniscule increment of water when compared to the average flows in the lower American and Sacramento Rivers, and the Delta.

Although water may be released and transferred as late as December 31, 2009, in general May through October is the relevant time period because water flows during this period are the most susceptible to operational changes from water transfers. This is largely due to the fact that the normal winter storms that alter and often dominate the hydrology of the Delta and its tributaries do not usually occur until November and later.

Upper American River

This transfer will not significantly affect flows, water quality, or legal users of water on the upper American River. During the transfer period, PG&E generates power using the MFP. When PG&E requires peak power generation, PG&E uses the full 1,000 cfs of MFP release capacity. Release of Transfer Water will occur at times when PG&E is not using the full 1,000 cfs of MFP release capacity. PCWA's release of Transfer Water will therefore have the effect of dampening the fluctuations in the upper American River caused by PG&E's summer power generation activities. Instead of river flows abruptly decreasing when power generation demands are reduced, flows will remain more stable and will not decrease when compared to baseline conditions.

Lower American River, Sacramento River, and Delta

As explained below, this transfer involves a very small quantity of water compared to the volumes of water moving through these river systems. The following table is derived from data in Attachment 8 of the related Environmental Information Form submitted with this petition. The table presents the average daily Delta outflow, river flows, and SWP and CVP pumping rates in acre-feet during the period May through October, which will likely constitute the primary portion of the proposed transfer period.

The May – October data provided in this application are the most recent data for the relevant months provided by Reclamation's Central Valley Operations Office in its monthly reports (available at http://www.usbr.gov/mp/cvo/pub_rpts.html). Furthermore, these data are considered representative of likely conditions in 2009 because both 2007 and 2008 were also dry hydrological years. Also, 2007 and 2008 were years in which the SWP and CVP were subject to restrictions on allowable reverse flows in Old and Middle Rivers, which restricted SWP and CVP Delta pumping in order to prevent "take" of the Delta smelt under the U.S. Endangered Species Act. Similar restrictions on reverse flows and related pumping constraints, imposed by the U.S. Fish and Wildlife Service, will likely apply in 2009 as well. Thus, these data provide the Board with information to review the proposed transfer in light of the potential hydrologic conditions likely to occur during the proposed transfer as required by Water Code § 1727(b)(1).

2007-2008 Average Daily Delta Outflow and Combined SWP/CVP Pumping in Acre-Feet per Day.*

	May	June	July	August	September	October
Lower American River (cfs)	2,592	6,795	7,464	5,631	3,431	2,636
Sacramento River at Freeport (cfs)	17,077	21,996	37,753	34,016	31,023	21,253
Delta Inflow (cfs)	25,614	26,976	41,983	38,261	34,793	25,479
Combined SWP/CVP Pumping (cfs)	3,945	4,344	22,575	22,298	19,507	14,953
Delta Outflow (cfs)	17,093	15,300	11,466	8,051	10,726	8,011

* Data from Reclamation operations reports (see text above and Environmental Information Form for explanation).

The 20,000 AF of Transfer Water will not be transferred all at once, but will be released from the MFP and conveyed across the Delta to the SWP pumping facilities over a period of time during the remainder of 2009, all within existing pumping and other regulatory constraints. As indicated from the table above, in comparison to the amount proposed for transfer, much larger volumes of water are expected to move through the American and Sacramento Rivers and the Delta. Thus, the transfer of an additional 20,000 AF would increase flows by only a very small amount of the total in any of the water bodies listed and would also cause only a very small increase to SWP Delta pumping. Thus, while the exact operations required to implement the proposed transfer cannot be stated with precision at this time, it is clear that the transfer will only negligibly affect streamflows, water quality, timing of diversion or use, return flows, and effect on legal users of water.

The hydrologic systems and project operations affected by this transfer experience wide fluctuations in river stages and pumping operations due to natural events and because of other water project operations such as compliance with D-1641. The data presented represent the low flow and low pumping circumstances that are likely to occur in 2009,

but the fact that the river flows and pumping rates are greater in average and wetter years also supports the conclusion that slightly increased flows, with a concomitant increase in SWP pumping rates, will not significantly or unreasonably affect streamflow, water quality, timing of diversion or use, return flows, or other legal users of water.

Because of the minimal changes in existing conditions, other legal users of water will not be adversely affected by this transfer project. The only effects of this transfer on other legal users of water will be a very slight increase in river flows from PCWA's MFP to the proposed points of rediversion at the SWP delta pumping facilities. Furthermore, when the Transfer Water is diverted by the SWP south Delta pumping facilities, all existing state and federal regulations will be complied with, including Decision 1641, State and Federal endangered species acts, and all biological opinions and take permits.

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).

No legal user of water will be injured because PCWA's transfer of water will only slightly increase, not decrease, streamflows below PCWA's MFP reservoirs. Any such increase will be minor and will not cause any water flows to increase above normal seasonal levels, or to violate any regulatory requirements. The 20,000 AF of proposed Transfer Water is currently in storage in accordance with PCWA's water rights and, with or without this proposed transfer, would not be available to any other legal user of water. Additionally, PCWA will enter into a reservoir refill agreement with Reclamation, ensuring that future refill of any storage space in PCWA's MFP reservoirs created by the transfer will not reduce the amount of water Reclamation could otherwise divert under its water rights.

A recent DWR analysis shows the availability of pumping capacity at the SWP's Banks Pumping Plant given various hydrological conditions. (Exhibit 1.) According to this data, the SWP has ample conveyance capacity to pump the proposed Transfer Water. Specifically, given DWR's current 2009 SWP allocation of 30% and even with the most restrictive limitations on negative flows in Old and Middle Rivers to protect Delta smelt, DWR's analysis shows that the SWP has capacity to convey up to 500,000 acre-feet of non-project water such as PCWA's proposed Transfer Water. Also, existing agreements between SDCWA, DWR and Metropolitan will ensure that this transfer does not affect other SWP contractors.

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.

PCWA has not contacted the Regional Board staff, but intends to do so during the review process if Division of Water Rights staff requests it. PCWA has executed similar transfers in the past without any adverse change in water quality. The MFP water proposed for transfer is very high quality runoff derived predominantly from snowmelt and rains falling in largely undeveloped higher elevation portions of Placer County in the

Sierra Nevada. If anything, the slight increase in flows in downstream reaches that could result from this transfer should improve water quality by increasing dissolved oxygen levels and decreasing the concentration of dissolved solids and other constituents of concern in downstream waters.

5a. Consult with the California Department of Fish and Game pursuant to 14 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.

A copy of this petition was sent to the DFG North Central Regional Manager Sandra Morey at 1701 Nimbus Road, Rancho Cordova, CA 95670 Phone: (916) 358-2899, FAX: (916) 358-2899. PCWA has not received DFG's opinion regarding the project, but will provide this information to the appropriate SWRCB staff when available. PCWA expects DFG to indicate that the transfer will not unreasonably affect fish or wildlife resources because very similar transfers have been done in the past with no adverse impacts identified by DFG. In fact, in the past DFG has advocated such transfers as part of the transfer of water to the CAL-FED Environmental Water Account ("EWA"). DFG also reviewed a similar transfer from PCWA to Westlands Water District in 2008, and did not indicate that instream beneficial uses would be adversely affected.

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)?

Generally no. The Transfer Water will be consumptively used within the SDCWA service area, most likely for municipal and industrial use. However, the release of Transfer Water from PCWA's MFP reservoirs will provide up to 20,000 AF to support additional flows in the Middle and North Fork American Rivers. These increased flows may enhance some biological resources in those reaches of river given the drought conditions affecting California. Additionally, the addition of the Transfer Water into the SWP system may incrementally improve wetlands, fish and wildlife habitat, or recreational opportunities or aesthetics in San Luis Reservoir or other particular SWP terminal reservoirs.

5c. Provide an analysis of potential effect(s) on fish, wildlife, or other instream beneficial uses which may arise from the proposed change.

As explained in response to Question 5a, the proposed transfer may improve water quality and thereby benefit instream beneficial uses including fish and wildlife resources. There is no evidence that the proposed transfer will negatively affect fish and wildlife or other beneficial instream uses in any unreasonable, significant, or measurable way.

When the Transfer Water is diverted at the SWP south Delta pumping facilities, all existing state and federal regulations will be complied with, including Decision 1641, State and Federal endangered species acts and all biological opinions and take permits. Reclamation has agreed to implement all reasonable and prudent alternatives that will be

triggered in 2009 contained in the U.S. Fish and Wildlife Service's 2008 Biological Opinion on effects of combined SWP and CVP operations on the Delta smelt. Additionally, there is close monitoring and coordination between DWR, Reclamation, USFWS, and the National Marine Fisheries Service ("NMFS"), and the California Department of Fish and Game ("DFG") regarding the effects of combined project operations on the host of species inhabiting the Delta. This allows the relevant agencies to quickly deal with circumstances as they arise, and to avoid significant impacts to species of special concern (i.e., listed and protected under state or federal laws).

Given the small amount of water involved in this transfer relative to the amount of water in the system and pumped by the projects, it is not expected that any fish species will be adversely affected by the proposed additional releases from PCWA's reservoirs. Almost identical change petitions and transfers have been granted by the SWRCB in the past to support acquisition of water assets by the EWA. For instance, in 2001 the SWRCB issued Order WR 2001-18-DWR, which approved the transfer of 20,000 AF from PCWA's Middle Fork Project reservoirs to the California Department of Water Resources to support the EWA. A copy of this order is attached to the Environmental Information Form submitted with this petition. Notably, that order found that because "the water proposed for transfer would temporarily benefit fishery resources by providing increased flows and decreased water temperatures in a critically dry year there is no apparent reason why increased flows during the summer would harm fishery resources." Similar circumstances exist this year, and if the proposed transfer causes any effect on fish, the effect should be the same beneficial effect noted by the SWRCB in Order 2001-18-DWR approving the 2001 transfer.

The transfer period at issue here occurs during a time when delta smelt and longfin smelt are not at high risk of entrainment at the SWP pumps because during the July to September period when a majority of the Transfer Water is likely to be conveyed through the Delta, the majority of the populations of both species are further downstream at the confluence of the Sacramento and San Joaquin Rivers or in the Suisun Marsh or Napa River areas, all of which are beyond the zone of influence of the SWP pumps. This means that slightly increased SWP pumping will not have a meaningful effect of populations of these species.

Additionally, salmonid entrainment by the SWP is generally low or absent during the summer and early fall months during which time the majority of Transfer Water will be conveyed through the Delta and diverted for export to SDCWA. This is partially due to the fact that outmigrating smolts have already left the freshwater system by this time, and the projects do not entrain a high number of adult salmonids because they are strong swimmers able to avoid entrainment influences of SWP pumping. This fact, coupled with the fact that any SWP pumping will only be slightly increased and well within the range of current and past pumping rates, leads to a conclusion that salmonids will not be unreasonably or significantly affected by the proposed transfer.

Other wildlife and plant species in the project area should not be affected by the slight changes in streamflows caused by this transfer.

(See Environmental Information Form for more details.)

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 response to Question 5c above. (See Environmental Information Form for more details.)

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. PCWA has independent legal authority for this transfer under its organic act. (See Water Code Appx. Ch. 81.)

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.

N/A.

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.

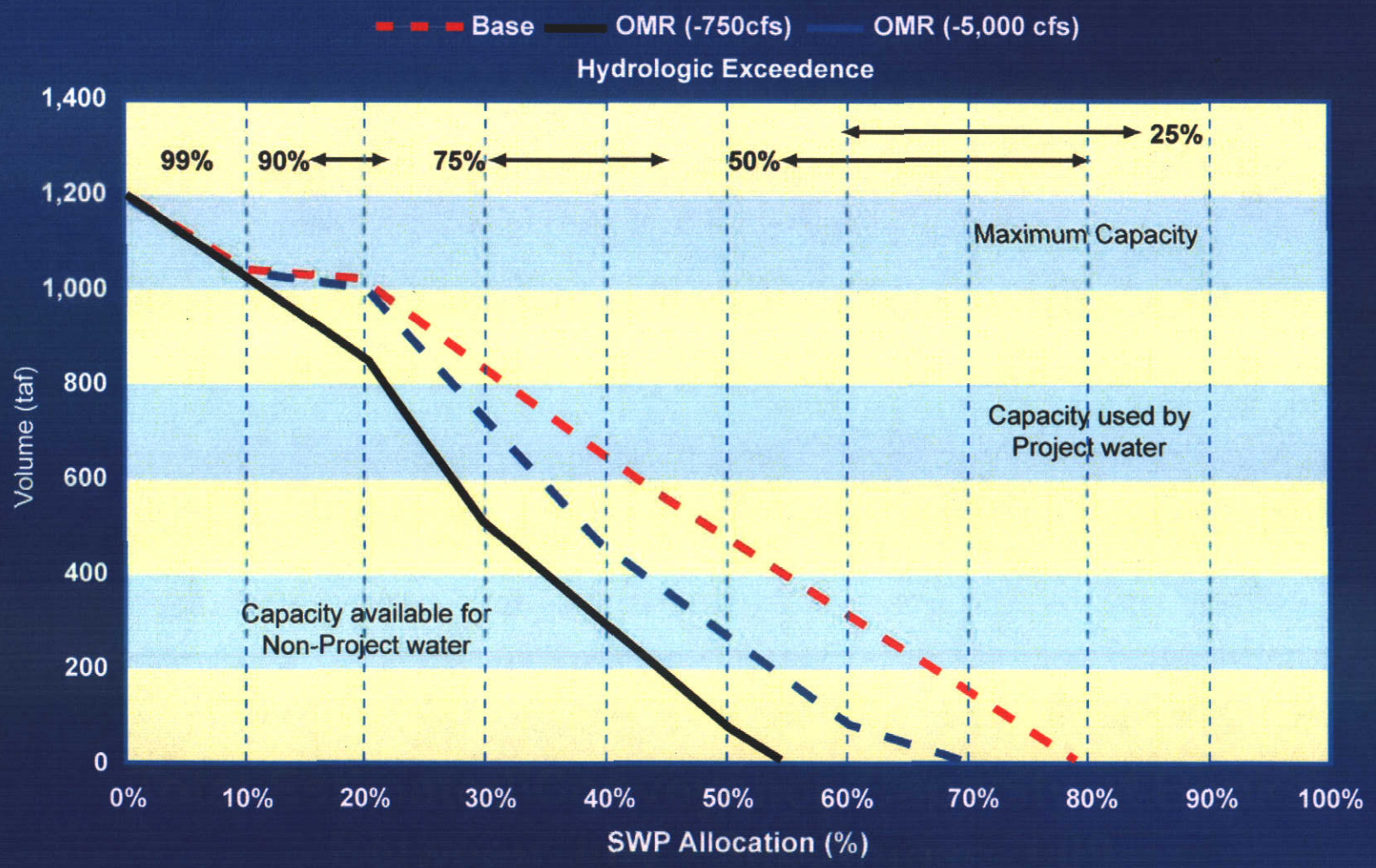
Dated: May 6, 2009, at Sacramento, California.

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD,
Attorneys for Placer County Water Agency

By: _____
Hanspeter Walter

400 Capitol Mall, 27th Floor
Sacramento, CA 95814
Telephone No.: (916) 321-4500

Total Estimated Conveyance Capacity at Banks Between July - September 2009



* Based on September's Allocation Analysis for 2009 (dated 9/16/2008)

** Assumed maximum capacity of 6,680 cfs at Clifton Court Forebay

*** Capacity may be further reduced up to a maximum of 128 TAF for the CVC Contractors

PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in Sacramento County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 400 Capitol Mall, 27th Floor, Sacramento, California 95814. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On May 6, 2009, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

PETITION FOR TEMPORARY TRANSFER OF WATER/WATER RIGHTS and **ENVIRONMENTAL INFORMATION FOR PETITIONS**

in a sealed envelope, postage fully paid, addressed as follows:

Sandra Morey, Manager
North Central Region
California Department of Fish and Game
1701 Nimbus Road
Rancho Cordova, CA 95670

Clerk of the Board of Supervisors
County of Placer
175 Fulweiler Avenue
Auburn, CA 95603

Clerk of the Board of Supervisors
County of San Diego
1600 Pacific Highway
San Diego, CA 92101
(619) 236-3771

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 6, 2009, at Sacramento, California.

Do Gentry

Do Gentry

CC-407
ENV-6.00

MEMORANDUM

From: Michael Finnegan,
Area Manager, Bureau of Reclamation, Central California Area Office, Folsom,

To: Maria Rea,
Sacramento Area Supervisor, National Marine Fisheries Service (NMFS),
Sacramento Area Office

Subject: Endangered Species Act (ESA) Determination for the Execution of a Temporary Warren Act (WA) Contract for a water sale of up to 20,000 acre feet (AF) from Placer County Water Agency (PCWA) to San Diego County Water Authority (SDCWA)

This memorandum describes the rationale for Reclamation's determinations pursuant to the ESA for the proposed water transfer from PCWA to SDCWA (Proposed Action).

Proposed Action and Action Area

The action area includes movement of up to 20,000 AF of PCWA water rights water (i.e., PCWA water transfer) from the Middle Fork Project (Middle Fork of the American River) through Folsom Reservoir, the lower American River, and the Sacramento-San Joaquin Delta (Figure 1). The transferred water would then be available for export at the State Water Project's (SWP) Harvey O. Banks pumping plant (Banks pumping plant) and delivery to SDCWA's service area. Due to the additional amount of export pumping associated with this State transfer, additional Delta inflow will be required to maintain water quality objectives within the Delta. The water for use in SDCWA's service area will be moved through the SWP to its final disposition in the service area (Figure 1).

Reclamation's federal action is to facilitate the proposed water sale from PCWA to SDCWA by moving the additional PCWA water rights water through Folsom Reservoir during July, August and September, 2009. A portion of the water may need to be stored in Folsom Reservoir, temporarily, hence the need for the WA contract. A second action by Reclamation is to execute an appropriate refill agreement with PCWA in order to ensure that future refill of water transferred from storage does not adversely impact the water deliveries associated with the Central Valley Project (CVP).

PCWA diverts water to storage in its Hell Hole and French Meadows reservoirs. Stored water will be released from storage as part of the water transfer. In the absence of the Proposed Action, the water would remain in the reservoirs.

The proposed water transfer is intended to replenish water supplies that have been depleted from the SDCWA service area due to drought conditions and regulatory

constraints. Metropolitan Water District (a SWP contractor) recently cut SDCWA supplies by approximately 13 percent due to drought restrictions. The proposed water transfer of up to 20,000 AF would replace SDCWA's water supply and enable them to meet the mandatory restrictions and lessen the reduction passed on to its member agencies (by approximately 8 percent). This water is not new water and will only be replacing the supplies that were lost. Therefore, there is no growth inducing effect associated with the Proposed Action.

The forecasted 90% exceedence for Lower American River releases (below Nimbus Dam) during the time frame of the Proposed Action, with and without releases related to project are contained in the following table. Average monthly releases (with and without project) are based on forecasted values and are only an outlook of the potential and actual daily values; i.e., flows may be higher or lower than the estimated values appearing in the table. The 20 TAF of transfer water is distributed evenly over the three months (6.67 TAF). The actual monthly amounts may be higher or lower, provided the total amount does not exceed 20 TAF. The carriage loss amount is 20% and will be accounted for at the end by Department of Water Resources (DWR) and SDCWA as part of deliveries.

	July	August	September
	cfs/TAF	cfs/TAF	cfs/TAF
Avg. Monthly Releases without Project	4383/269	3085/190	1260/75
Avg. Monthly Releases **with Project**	4489/276	3204/197	1378/82

Species Determinations

The Proposed Action is not anticipated to result in effects to listed species or their designated critical habitat beyond those already analyzed in recent Biological Opinions (see "OCAP consultation" section below). The NMFS species that occur in the Action Area are contained in the attached Table (Attachment 1). The basis of this determination is as follows. During the period of the proposed action (July – September) juvenile steelhead would be present in the lower American River and adult fall-run would be entering the river in preparation for spawning. Cool water temperatures during the summer in the lower American River are needed to maintain suitable steelhead rearing conditions. The action is not expected to change water temperature from that predicted in the water temperature plan submitted to NMFS in May. Adult fall-run Chinook salmon would be the primary anadromous species inhabiting the lower Sacramento (below the American River confluence). They will be migrating upstream from the Sacramento River at the time of the transfer. The increased flows (see Table above) downstream of the American River would provide an additional flow cue, particularly for American River bound fish, but the difference in flows would not appreciably change conditions in the lower Sacramento River for salmonids. There wouldn't be an opportunity for redd dewatering to occur, because the proposed action takes place before any Chinook spawning occurs (approximately mid-October). Also, the favorable storage conditions in

Folsom Reservoir (i.e., an end-of-May storage of 933,000 acre-feet, and an estimated end-of-September storage of 500,000 acre-feet) are an indication that the proposed temperature management objectives are likely to be met throughout the season. Reclamation coordinates Folsom Reservoir releases associated with CVP operations, based on information and meetings with DWR, state and federal fishery management agencies, the American River Operations Group, and other local agencies to ensure that any change in flow are accomplished using the best available data to avoid any significant adverse environmental effects or effects to other legal users of water. In addition, if releases of the transfer water should result in Lower American River flow fluctuations above and below the threshold flow of 4,000 cfs, Reclamation will coordinate with the Department of Fish and Game (DFG), U.S. Fish and Wildlife Service (FWS) and NMFS to implement the Interagency Fishery Rescue Strategy prepared by DFG, NMFS, and FWS. During the July through September period juvenile steelhead utilize primarily areas of higher water velocity and are not vulnerable to stranding unless very large fluctuations occur.

There are other reasonably foreseeable water transfer actions that may be occurring at or around the time of Proposed Action (Attachment 2). These may include three sales of water to the Drought Water Bank (DWB) for use in groundwater substitution; i.e., proponents will forgo the specified increment of surface water diversions by pumping additional groundwater. The forgone surface water diversions resulting from these transfers will have no effects beyond those that were analyzed in the EA for the DWB. The cumulative effects of these actions on the potentially effected resources in combination with the proposed action are expected to be minimal.

Essential Fish Habitat (EFH)

The 1996 amendments to the MSFCMA (16 USC 1801 et seq.) require the identification of EFH for federally managed fishery species and the implementation of measures to conserve and enhance this habitat. EFH includes specifically identified waters and substrate necessary for fish spawning, breeding, feeding, or growth to maturity and covers a species' full life cycle (16 USC 1802(10)). Because the action alternatives do not involve construction projects on land or in the water, Reclamation has determined that EFH would not be affected.

OCAP consultation

Reclamation completed reinitiation of consultation with NMFS on the continued long-term operations of the CVP and SWP; i.e., the CVP Operations Criteria and Plan Biological Opinion dated June 4, 2008 (2008 OCAP BO). Due to the additional amount of export pumping associated with the proposed water transfer, additional inflow will be required to maintain water quality objectives within the Delta. Accordingly, a portion of water proposed for transfer to SDCWA will be used for salinity control and water quality control. The PCWA water rights water is being delivered to the SDCWA service area, and is being moved across the Sacramento-San Joaquin Delta (Delta) during the transfer window and within the transfer quantities analyzed in the 2008 OCAP BO—i.e., the transfer through the Delta occurs at a time when anadromous salmonids are not vulnerable to the export pumps. Therefore, no additional adverse effects, resulting from

changes in flow and water temperature, to the Delta species listed in the attached table would occur beyond those included in the OCAP BO as a result of the proposed action.

Reclamation is committed to meeting its statutory obligations under the ESA. We appreciate your time in reviewing these determinations. Given the time frame under which the water must move in the Delta, as per pumping capacity constraints, we intend to execute the WA contract and facilitate the water transfer no later than July 1, 2009.

cc: Brian Ellrott, Fisheries Biologist
CC-400

Enclosures:

Figure 1. Overall project area map

PCWA Transfer to SDCWA

Attachment 1.

FISH SPECIES IN ACTION AREA

SPECIES	**COMMON NAME**	**FEDERAL STATUS**	**LOCATION FOUND**
Oncorhynchus tshawytscha	Chinook Salmon – California Costal	T	Klamath and Russian River
Oncorhynchus tshawytscha	Chinook Salmon – Sacramento River Winter-Run	E	Sacramento River from Keswick Dam to Chips Island in the Sacramento-San Joaquin Delta
Oncorhynchus tshawytscha	Chinook Salmon - Central Valley Spring-Run	T	Lower American River, Sacramento River and the San Joaquin Delta
Oncorhynchus tshawytscha	Chinook Salmon - Central Valley Fall/Late Fall- Run	T	Lower American River, Sacramento River and the San Joaquin Delta
Oncorhynchus kisutch	Coho Salmon – Central California Coast	E	Delta and San Lorenzo River
Oncorhynchus kisutch	Coho Salmon – Northern California Costal Range	T	Trinity River to Punta Gorda
Acipenser medirostris	Green Sturgeon	T(P)	Statewide California
Oncorhynchus mykiss	Steelhead Trout – Central California Coastal	T	Lower American River, Sacramento River and the San Joaquin Delta
Oncorhynchus mykiss	Steelhead Trout – Southern California	E	San Luis Obispo County to Mexico
Oncorhynchus mykiss	Steelhead Trout – South Central California	T	Pajaro River
Oncorhynchus mykiss	Steelhead Trout – Central Valley	T	Sacramento, San Joaquin and Feather Rivers
Totaba macdonaldi	Totaba	E	Southern California waterways to Mexico
Pogonichthys macrolepidotus	Sacramento Splittail	NA	Sacramento River, its major tributaries, San Joaquin River and the San Joaquin Delta
Mylopharodon conocephalus	Hardhead	NA	Sacramento-San Joaquin River system, absent from valley reaches
Spirinchus thaleichthys	Longfin Smelt	NA	San Pablo, San Francisco and Suisun bays
Lampetra ayresi	River Lamprey	NA	Coastal streams from San

			Francisco Bay to Alaska
SPECIES	**COMMON NAME**	**FEDERAL STATUS**	**LOCATION FOUND**
Archoplites interruptus	Sacramento Perch	NA	Clear Lake and Alameda Creek.
Alosa sapidissima	American Shad	NA	Sacramento River, its major tributaries, the San Joaquin River and the San Joaquin Delta
Morone saxatilis	Striped Bass	NA	Sacramento River, its major tributaries, and the San Joaquin Delta.
Hesperoleucus symmetricus	California Roach	NA	Sacramento-San Joaquin and Pajaro-Salinas River drainages
1. NA=Not Applicable, E=Endangered; T=Threatened; C=Candidate; DM=Delisted Taxon Recovered, ongoing five year survey to ensure numbers continue to increase.			

Attachment 2.

Other potential reasonably foreseeable actions that may correspond in time with the Proposed Action, include:

1. Sacramento Suburban Water District (SSWD), 12,000 AF of their Placer County Water Agency (PCWA) water going to the Drought Water Bank (DWB). SSWD proposes to forgo diversion of 12,000 AF of surface water it anticipates would be available during May – October for diversion from Folsom Reservoir pursuant to its contract with PCWA. SSWD would then pump groundwater in an amount equivalent to that which it would otherwise receive pursuant to the contract. Under the contract, PCWA makes Middle Fork American River Project water available to SSWD in Folsom Reservoir consistent with the State Water Resources Control Board's "Change of Place of Use" decision allowing PCWA water to be used in Sacramento County. Production data indicates that SSWD has the capability of supplying the North Service Area with more than 18,000 AF of groundwater from May through October. Therefore, SSWD can physically pump groundwater to meet its projected May through October North Service Area demand of 13,950 AF.

2. SSWD; 5,000 AF of their City of Sacramento water rights water going to the DWB. SSWD proposes to forgo diversion of surface water and instead pump groundwater. SSWD has a contract for surface water with the City of Sacramento that would otherwise entitle it to divert 5,000 AF during the months of June through September. Receipt of 5,000 AF surface water would be available during June-September 2009 pursuant to the *Wholesale Water Supply Agreement Between the City of Sacramento and Sacramento Suburban Water District* (Wholesale Agreement), and would pump groundwater in an amount equivalent to that which it would otherwise receive through the Wholesale Agreement. By forgoing diversion, SSWD would make water available to the Bureau of Reclamation in Folsom Reservoir for delivery to the DWB.

3. City of Sacramento; 1,000 AF of their own American River water rights water going to the DWB. The City proposes to provide up to 1,000 AF to the DWB this year. The City will accomplish by extracting additional groundwater in excess of 1,000 AF (to account for losses) to meet City water supply demands and making a like amount of surface water available to the DWB. The City proposes to forgo an increment of surface water diversions by pumping additional groundwater. The City's proposal is to sell the forgone surface water to the DWB.

San Diego County Water Authority
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March 30, 2009

Robert Schroeder
United States Bureau of Reclamation
Central California Area Office
7794 Folsom Dam Road
Folsom, CA 95630-1799

MEMBER AGENCIES

Carlsbad Municipal Water District
City of Del Mar
City of Escondido
City of National City
City of Oceanside
City of Poway
City of San Diego
Fallbrook Public Utility District
Helix Water District
Lakeside Water District
Olivenhain Municipal Water District
Otay Water District
Padre Dam Municipal Water District
Camp Pendleton Marine Corps Base
Rainbow Municipal Water District
Ramona Municipal Water District
Rincon del Diablo Municipal Water District
San Dieguito Water District
Santa Fe Irrigation District
South Bay Irrigation District
Vallecitos Water District
Valley Center Municipal Water District
Vista Irrigation District
Yuima Municipal Water District

OTHER REPRESENTATIVE

County of San Diego

Subject: Request to Transfer Water from Placer County Water Agency to San Diego County Water Authority

Dear Mr. Schroeder:

The San Diego County Water Authority (Water Authority) requests Reclamation's assistance in facilitating a 2009 dry-year water supply transfer from Placer County Water Agency (PCWA) to the Water Authority.

PCWA proposes to transfer up to 20,000 acre-foot of water stored in its Middle Fork Project through Folsom Reservoir to points of rediversion at the State Water Project's Harvey O. Banks pumping plant between the months of July and September 2009, or as capacity becomes available. The proposed transfer should not interfere with Reclamation's scheduled operations.

We will be coordinating conveyance and transfer agreements with the Department of Water Resources and the Metropolitan Water District of Southern California (MWD) in order to move the transferred water through the State Water Project facilities. As an MWD member agency, the Water Authority is able to utilize these facilities through a wheeling agreement with MWD.

We appreciate your time and effort in facilitating this transfer and look forward to a long-term cooperative partnership with your office. If you have any questions or require more information regarding this transfer, please call Meena Westford of my staff at (858)522-6716 or by email at mwestford@sdcwa.org. Thank you.

Sincerely,

Dennis A. Cushman
Assistant General Manager

Cc: Einar Maisch, Placer County Water Agency

6.0 List of Preparers

Table 6-1. List of Preparers

Name	Qualifications	Expertise	Years of Experience	Participation
U.S. Bureau of Reclamation				
Robert Schroeder	B.S. Environmental Resources	Environmental Manager	40	Resource Advisor
Bonnie Van Pelt	B.S. Biology M.S. Environmental Sciences	Environmental Resources	15	Preparer/ Writer/ Lead
Laura Caballero	M.A. Urban Planning B.S. Environmental Planning	Environmental Planning	20	Writer/Editor
Emmett Cartier	B.A. Public Administration and Recreation Administration, M.S. Recreation Administration	Repayment Specialist	25	Water Contract Preparation
John Hannon	B.S. Aquatic Ecology	Fisheries Biologist	19	Review/ Verify
Eileen Jones	B.S. Business Management	Repayment Specialist	11	Review/ Verify
Paul Fujitani				Review/ Verify
Chelsea Stewart	B.A. Nature and Culture	Environmental Planning	1	ESA/ Preparer
Carol Nicolos	A.S. Math	Maps	2	Figures/ Preparer
PCWA				
Einar Maisch	B.S. Civil Engineering	Civil Engineeering	31	Review/Verify EA
SDCWA				
Meena Westford	B.S. Resources Economics	Water Policy	19	Review/Verify EA

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Chapter 7

References Cited

Administrative Code, Sections 4119 and 4405. Implement Board Policy to support member agencies' purchase and transportation of water not owned or controlled by MWD.

Anderson, J. 1998. American River Recreation Plan Technical Memorandum No. 9. Recreation Plan. Prepared for Montgomery Watson Harza. January 1998.

Applications for Water Rights. Water Rights applications for Middle Fork Project; numbers, 18084, 18085, 18086, and 18087 issued by State Water Rights Board.

Archaeological Resources Protection Act, 1979 (16 USC 470aa), as amended, and implementing regulation 43 CFR 7. Protects archaeological resources on Federal Land.

Brian Ellrott, NMFS. Email June 2009. Target temperature.

CALFED. 1998. CALFED Bay-Delta Program. Programmatic Environmental Impact Statement/Environmental Impact Report. Draft. 1998.

CALFED. 2000a. CALFED Bay-Delta Program Multi-Species Conservation Strategy Final Programmatic EIS/EIR Technical Appendix.

CALFED. 2000b. Final Programmatic EIS/EIR for CALFED Bay-Delta Program.

California Data Exchange Center (CDEC). DWR website: http://cded.water.ca.gov/.

California Water Code (CWC), section 1725 et seq. Petition requesting temporary changes in the point of rediversion and place of use of up to 20,000 AF of water acquired.

Castleberry, D., T., J. J. Cech, Jr., M. K. Saiki, and B. A. Martin, 1991. Growth, Condition, and Physiological Performance of Juvenile Salmonids from the Lower American River: February through June, 1991.

City of Sacramento. 1993. Notice of Preparation for Central Valley Project Water Supply Contracts.

Central Valley Project Improvement Act (CVPIA) (106 Stat. 4728) Section 3408(c). "Contracts for additional storage and delivery of water".

Clean Water Act (CWA), section 303. Requires states to adopt water quality standards.

CORPS 1981. Diversions may be increased according to criteria set forth in document.

County Water Authority Act. Part of the California State Water Code.

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CVPIA 3406(b)(1). Jointly imparted the responsibilities of implementing the CVPIA to the USFWS and Reclamation.

CVPIA 3406(b)(2). Nimbus Dam release controls.

CWC, Section 13050. Basin Plans consist of a designation or establishment of beneficial uses to be protected for the waters.

Drought Water Bank (DWB). Operation years, 1991, 1992, and 2009. Nearly 800,000 AF of water for the year 1991.

Dry Year Programs. Operation years, 2001, 2002, 2003 and 2004.

DWR and Reclamation. 1996a. Interim South Delta Program - Draft Environmental Impact Environmental Impact Statement. July 1996.

Emergency Drought Relief Act of 1991 (106 Stat. 59). "Excess Storage and Carrying Capacity-Contracts".

Endangered Species Act (ESA). Section 9. Makes it illegal to "take" (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in such conduct) any endangered species of fish or wildlife.

ESA, Section 4. Areas essential for the conservation of a listed species.

ESA, Section 7. Requires all Federal agencies to ensure that no action will jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat.

Executive Order S-06-08 (EO). Proclaimed a statewide drought condition.

Federal Energy Regulatory Commission (FERC), Article 37. minimum fish flow release numbers.

Gislason, J. C. 1985. Aquatic Insect Abundance in a Regulated Stream under Fluctuating and Stable Diel Flow Patterns. North American Journal of Fisheries Management 5: 39-46.

Jones and Stokes. 2001. Environmental Report for the 2001 Water Purchase by California Department of Water Resources for the Benefit of the CALFED Environmental Water Account. Prepared for Placer County Water Agency. June 2001.

Lee, D. P. 1999. Water Level Fluctuation Criteria for Black Bass in California Reservoirs. Reservoir Research and Management Project: Information Leaflet No. 12.

Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), Section 305(b)(2), 1996 Reauthorization. Added a provision for Federal Agencies to consult with National Marine Fisheries Service (NMFS) on impacts to EFH.

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Moyle, P. B. 2002. Inland Fishes of California. Berkeley, CA: University of California Press.

MWD's SWP Long Term Water Supply Contract, Articles 55 & 56.

National Historic Preservation Act (NHPA), 1966, as amended, (16 USC 470 et seq.). The primary Federal legislation that outlines the Federal Governments' responsibility to consider the affects of their actions on historic properties. The 36 CFR Part 800 regulations that implement Section 106 - addresses the effects. Also 36 CFR Part 800.3(a)(1) under Section 106.

National Register of Historic Places. Criteria is outlines at 36 CFR Part 60.4.

Native American Graves Protection and Repatriation Act, 1990, (25) USC 32) and implementing regulation 43 CFR Part 10. Protects the human remains, cultural objects, and objects of cultural patrimony of Native American peoples.

Placer County Water Agency Act (PCWA). 2001. (California Statutes 1957, Chapter 1234, as amended) Environmental Report for the 2001 Water Purchase by California Department of Water Resources for the Benefit of the CALFED Environmental Water Account. Prepared by Jones & Stokes. June 2001.

Porter-Cologne Water Quality Control Act of 1970. Established the SWRCB and nine RWQCBs with the State of California.

Public Law 90-542; 16 U. S. C. 1271 et seq, 1968. Created the National Wild and Scenic Rivers System. (http://www.rivers.gov/wsr-american-lower.html)

Public Resources Code sections 21080(b)(3) and 21172. "Governor's order that the emergency exemptions in the sections shall apply to all activities and projects ordered and directed under this proclamation, to the fullest extent allowed by law".

Reclamation 2004. Lower American River annual flows (volume) downstream of Folsom Dam at Fair Oaks.

Reclamation. Long-Term Metropolitan Water District and State Water Project, Article 55 & 56, Water Supply Contract.

Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law (PL) 102-575). Includes Title, 34 of the CVPIA. Dedicated 800,000 AF annually to fish, wildlife, and habitat restoration, as amended.

Snider, B., and R. G. Titus. 2000b. Lower American River Emigration Survey: October 1996-September 1997. Stream Evaluation Program Technical Report No. 00-2. California Department of Fish and Game.

State Government Code Section 8558. Defines the term "state of emergency".

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SWRCB. 1998. Decision 893 (D-893). The Water Quality Control Plan for the California Regional Water Quality Control Board Central Valley Region, Fourth Edition.

SWRCB 1998. Decision 1641. Requirements in the Delta and CVP water supply objectives. (Reclamation 2004).

SWRI. 2003. Middle Fork American River Project River Hydrology and Water Temperature Monitoring Program. Prepared for Placer County Water Agency. March 3, 2003.

U.S.C National Environmental Policy Act, 1969 as amended. CEQ Guidelines 40 CFR, 1500-1508

USFWS (16 USC 1532). Defines a "threatened species".

USFWS (16 USC 1538). Provisions for the protection of most threatened species of fish and wildlife.

Warren Act (WA) (36 Stat. 925) of 1911. Provides authorization for the Secretary of the Interior to enter into WA contracts with water purveyors to carry non-CVP water.

Water Supply Allocation Plan. "Condition 2 - Water Supply Alert" changed to "Condition 3 - Implement Water Supply Allocation," effective July, 2009, at a Regional Shortage Level 2.

Wholesale Water Supply Agreement Between the City of Sacramento and Sacramento Suburban Water District.

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