

PETITION FOR EXTENSION OF TIME

WATER USERS:

Application 17514A Permit 16483

Water Code section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board (SWRCB), in considering requests for extension of time, will review the facts presented to determine whether there is good cause for granting an extension of time to complete the project. Where diligence in completing the project is not fully substantiated, the SWRCB may set the matter for hearing to determine the facts upon which to base formal action relating to the permit. Formal action may involve:

1. Revoking the permit for failure to proceed with due diligence in completing the project.
2. Issuing a license for the amount of water heretofore placed to beneficial use under the terms of the permit.
3. Granting a reasonable extension of time to complete construction work and/or full beneficial use of water.

The time previously allowed in your permit within which to complete construction work and/or use of water has either expired or will expire shortly.

Please check below the action you wish taken on this permit.

- The project has been abandoned and I request revocation of the permit.

Signature
- Full use of water has been made, both as to amount and season, and I request license be issued.

Signature
- The project is not yet complete. I request the SWRCB's consideration of the following petition for an extension of time.

**PETITION FOR EXTENSION OF TIME
If START of construction has been delayed**

Complete items 1, 2, and 3.

1. What has been done since permit was issued toward commencing construction?

2. Estimate date construction work will begin. _____
3. Reasons why construction work was not begun within the time allowed by the permit. _____

8/24/05
\$1,000.00
\$50.00
8/16/05
\$ DC

PETITION FOR EXTENSION OF TIME
If construction work is proceeding

If construction work and/or use of water is proceeding but is not complete, an extension of time may be petitioned by completing items 4 through 16. Statements must be restricted to construction or use of water only under this permit.

4. A 20 - year extension of time is requested to complete construction work and/or beneficial use of water.
(Indicate a period of time less than or equal to 10 years. Must be consistent with the time frame allowed in (California Code of Regulations sections 840 through 844)
5. How much water has been used? 36,468 acre-feet/year 135 cfs
6. How many acres have been irrigated? There is currently some limited use for vineyard irrigation; additional projects with an irrigation component is currently being evaluated
7. How many houses or people have been served water? Approximately 395,000 people
8. Extent of past use of water for any other purpose. Municipal and industrial use within Napa and Solano Counties
9. What construction work has been completed during the last extension? Construction completed 1988
10. Approximate amount spent on project during last extension period. \$ 83 million
11. Estimate date construction work will be completed. _____
12. Estimated year in which water will be fully used. 2020
13. Reasons why construction and/or use of water were not completed within time previously allowed.
The SWP North Bay Aqueduct pumping provides water to developed areas within Napa and Solano Counties. It is used to supplement other existing sources of water. The area is expected to experience significant growth in the future. Maximum direct diversion rate authorized in the permit has been reached, however maximum annual diversion is expected to increase as the area continues to develop.

If the use of water is for municipal (including industrial) and irrigation supplies and is provided or regulated by public agencies and use of the water has commenced, but additional time is needed to reach full use contemplated, the following information must be provided.

14. What water conservation measures are in effect or feasible within the place of use?
The Department's Office of Water Use Efficiency provides expertise to local agencies and individuals regarding agricultural and urban water and energy conservation, reclamation and reuse of water, land and water use, and drainage management. In addition to DWR's efforts, the agencies receiving SWP water implement local water conservation programs.
15. How much water is being conserved or is it feasible to conserve using these conservation measures?
_____ acre-feet per annum.
16. How much water per capita is used during the maximum 30-day period? _____ gpd.

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

Dated: August 10, 2005, at Sacramento, California

Nancy Quan Signature(s) 916-653-0190 Telephone No.

Nancy Quan, Dept of Water Resources, P.O. Box 942836, Sacramento 94236
PLEASE PRINT YOUR NAME AND ADDRESS

NOTE: A \$1,000 filing fee, for each Application listed, made payable to the State Water Resources Control Board must accompany a petition for an extension of time. An \$850 fee made payable to the Department of Fish and Game must accompany all but the first petition for an extension of time.

Supplement

Petition for Extension of Time Application 17514A (Permit 16483)

The Department of Water Resources (DWR) diverts water from Lindsey Slough at the Barker Slough Pumping under the provisions of water rights permit 16483. DWR delivers water through the North Bay Aqueduct (NBA) to the Napa County Flood Control and Water Conservation District (NCFCWCD) and Solano County Water Agency (SCWA) under long-term water supply contracts, and a long-term settlement contract with SCWA. The boundaries of the agencies encompass all of Napa and Solano Counties and a small portion of Yolo County. Both agencies deliver State Water Project Water (SWP) to cities and other water purveyors within their service areas. Neither agency is a direct retail supplier. The water is used primarily for municipal and industrial purposes. There is currently some limited use for vineyard irrigation; additional projects are currently being evaluated that would contain irrigation components. SWP water in the NBA service area is used in conjunction with other local sources of water including individual water rights, Solano Project Water, groundwater and recycled water.

The SWP long-term water supply contracts define the terms and conditions governing water delivery and cost repayment of the SWP. Each agency's SWP long-term contract contains a "Table A" which specifies the agencies' proportion of the available water supply, or Table A amounts. SWP allocations for any specific year are made based on a number of factors including existing storage, current regulatory constraints, projected hydrologic conditions, and desired carryover storage. The combined Table A amount for the two NBA SWP contractors is 76,781 acre-feet. DWR also delivers water to SCWA under a separate agreement for up to 31,620 acre-feet per year. Total annual pumping at NBA has steadily increased from 15,118 acre-feet in 1988 to 53,317 acre-feet in 2004. In addition to the water pumped under Permit 16483, total annual pumping at NBA includes water appropriated under Permits 16478 and 16479. DWR also pumps water at the Barker Slough Pumping Plant for the City of Vallejo under water rights License 7848. The maximum quantity diverted under Permit 16483 to date was 36,468 acre-feet in 1998.

Although the maximum permitted diversion rate specified in the permit, 135 cfs, has been reached, maximum annual quantities have not. Total diversions under Permit 16483 are dependent on municipal development within the counties, annual hydrologic conditions in the Sacramento/San Joaquin Delta and the availability of water from the agencies' supplemental sources. DWR is requesting an extension of time from the SWRCB in which to fully develop the water supply available under permit 16483. SWP water is a crucial component of the agencies' overall water supply. Regional planning documents project significant growth in the service areas through 2020. There will be no change in SWP NBA operations and no new construction is required as a result of the request for a time extension.

Water Conservation Efforts

Since 1979, DWR has provided information and assistance to water users. DWR's Office of Water Use Efficiency provides expertise to local agencies and individuals regarding agricultural and urban water and energy conservation, reclamation and reuse of water, land and water use, and drainage management. The office also manages the California Irrigation Management Information System (CIMIS), assists in establishing mobile laboratories that conduct irrigation system evaluations, carries out data analysis, demonstration projects, and research to achieve energy and water use efficiency, and provides loans and grants to make more efficient use of water and energy resources.

In addition to DWR's efforts, the agencies receiving SWP water implement local water conservation programs. The area is expected to experience significant growth over the next twenty years. Drought year water supply reliability continues to be a major challenge in the entire North Bay region. Water conservation programs are a key element in the water management strategies for all the agencies within the NBA service area. Both NCFWCWD and SCWA wholesale water to individual retailers within Napa and Solano Counties. SCWA is a member of the California Urban Water Conservation Council (CUWCC) and has signed the Memo of Understanding to implement best management practices for urban agencies at the wholesale level. The majority of the cities receiving SWP supplies are also members of CUWCC and are signatory to the MOU. Some of the smaller communities that are not members of CUWCC have implemented their own aggressive water conservation programs. The cities within Solano County receiving water from the Solano Project must also meet the water conservation requirements of the Central Valley Project Improvement Act.

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.

The Department of Water Resources diverts water from the northern Sacramento/San Joaquin Delta at the Barker Slough Pumping under the provisions of water rights permit 16483. DWR delivers water through the North Bay Aqueduct to agencies within Napa and Solano Counties under long-term water supply contracts. The water is used for Municipal and Industrial purposes. Although the maximum permitted diversion rate specified in the permit has been reached, maximum annual quantities have not. Total diversions are dependent on municipal development within the counties and the availability of water from the agencies' supplemental sources. DWR is requesting an extension of time from the SWRCB in which to fully develop the water supply available under permit 16483. SWP water is a crucial component of the agencies' overall water supply. There will be no change in SWP NBA operations and no new construction is required as a result of the request for a time extension.

See Attachment No. 1

ENVIRONMENTAL INFORMATION FOR PERMITS

2. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

Person contacted: N/A Date of contact: _____

Department: _____ Telephone: (_____) _____

County Zoning Designation: _____

Are any county permits required for your project? YES NO If YES, check appropriate box below:

Grading permit Use permit Watercourse Obstruction permit Change of zoning

General plan change Other (explain): _____

b. Have you obtained any of the required permits described above? YES NO

If YES, provide a complete copy of each permit obtained.

See Attachment No. _____

3. STATE/FEDERAL PERMITS AND REQUIREMENTS

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. _____

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
- a. 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: Dept of Water Resources
- 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.):
No construction will be required as a result of the change petition

See Attachment No. _____

- b. Will a waste discharge permit be required for your project? YES NO
 Person contacted: _____ Date of contact: _____
- c. What method of treatment and disposal will be used? _____

See Attachment No. _____

6. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project? YES NO
- b. Will you be preparing an archeological report to satisfy another public agency? YES NO
- c. Do you know of any archeological or historic sites located within the general project area? YES NO
 If YES, explain: _____

See Attachment No. _____

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.

There will be no impacts to vegetation; no construction is required as a result of the requested change.

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: August 10, 2005 Signature: Marcy Dwa

Attachment 1
Environmental information form

4. Environmental Documents

The North Bay Aqueduct and related State Water Project facilities were completed in 1988. The Department of Water Resources delivers SWP water through the NBA to two agencies under long-term water supply contracts, Napa County Flood Control and Water Conservation District and the Solano County Water Agency. Water diverted through the NBA is diverted under Permit 16483 at times when there is water available for appropriation from the Sacramento/San Joaquin Delta. Water delivered at the NBA during Term 91 conditions is water previously stored by DWR at Lake Oroville under permits 16478 and 16479 and rediverted at NBA. Although the maximum permitted diversion rate specified in the permit has been reached, maximum annual quantities have not. Total diversions are dependent on municipal development within the agencies' service areas and the availability of water from supplemental sources. Total annual use is expected to increase as the area continues to develop. DWR is requesting an extension of time from the SWRCB in which to fully develop the water supply available under permit 16483. SWP water is a crucial component of the agencies' overall water supply. There will be no change in the permitted place of use, and no new construction is required as a result of the request for a time extension.

There will be no change in SWP NBA operations as a result of the requested time extension. DWR will file a notice of Exemption under Section 15301, Title 14 of the California Code of Regulations.