

California Environmental Protection Agency

State Water Resources Control Board

DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000

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STATE WATER RESOURCES CONTROL BOARD
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DIV. OF WATER RIGHTS
SACRAMENTO

ENVIRONMENTAL INFORMATION FOR PETITIONS

Petition for Change

Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachments 1 and 3.

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

See Attachment No. 1 & 3

ENVIRONMENTAL INFORMATION FOR PETITIONS

2. COUNTY PERMITS

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

Person contacted: Summer Burlison Date of contact: 11/21/08
 Department: County Planning Telephone: (650) 363-1825
 County Zoning Designation: RM - Resource Management Zone

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):

A Resource Management Permit will be required for this project.

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) See Attachment No. 3

b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.
<u>See Attachment No. 3</u>				

See Attachment No. 3

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake? YES NO

If YES, explain: See Attachment No. 1

See Attachment No. 1

ENVIRONMENTAL INFORMATION FOR PETITIONS

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO
If YES, name and telephone number of contact: Jeremy Sarrow (707) 944-5573

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: _____
- b. If NO, check the appropriate box and explain below, if necessary:
- The petitioner is a California public agency and will be preparing the environmental document.*
 - I expect that the SWRCB will be preparing the environmental document.**
 - I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.* Public agency: A notice of exemption will be completed
by the California Department of Fish and Game.
 - See Attachment No. _____

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

5. WASTE/WASTEWATER

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?
 YES NO
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. 1

- b. Will a waste discharge permit be required for your project? YES NO

Person contacted: Habtemariam Kifle Date of contact: April, 2007

- c. What method of treatment and disposal will be used? _____

See Attachment No. 1

6. ARCHEOLOGY

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

ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain: _____

See Attachment No. _____

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.
- * See Attachment No. 4

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: Dec. 1, 2008

Signature: *Michael J. Rossi*

Michael J. Rossi

Vice President of Engineering and

Water Quality

JAR

Attachment No. 1: Explanation of Numbered Questions

1. Please see the Petition for Extension of Time for Permit 8816 for a full list of infrastructure improvements that have been completed and are planned for Cal Water's diversion facilities on Bear Gulch Creek. Email correspondence from Dana Jacobson to Antonio Barrales on November 13, 2008 is also included for reference as Attachment No.

2. Cal Water is in the process of constructing a fish passage facility at the point of diversion described in Permit 8816. A fish screen will also be constructed on the intake structure for the diversion. These two structures are in the planning design phase and construction is expected to be complete in the summer of 2010. Operation of the diversion will occur in coordination with Cal Water's second diversion point at Station 3 (License 005441) and according to the bypass flow regime agreed to by CDFG and NMFS.

3.c. The fish passage structure will be constructed within the stream bed and will extend into the bank. A Streambed Alteration Agreement will be obtained from the California Department of Fish and Game after design of the fish passage structure is complete.

5.a. Construction will proceed according to a California Department of Fish and Game Streambed Alteration Agreement and will cause temporary and minimal erosion and turbidity in Bear Gulch Creek. Construction will occur during summertime when flow in the Creek is negligible.

5.b. The Waste Discharge Permit requirement will be waived by the Regional Water Quality Control Board as part of the 401 Water Quality Certification.

Attachment No. 3

Project: BG Diversion Dam Permit Tracking

Agency	Permit name	Progress	Contact	date application submitted	date permit will be issued	Notes
Fish and Game	Streambed Alteration Agreement	Application submittal scheduled for 2009.	Jeremy Sarrow (707) 944-5573	TBD		
Fish and Game	CEQA Notice of Exemption	Application submittal scheduled for 2009.	Jeremy Sarrow (707) 944-5573	TBD		
Army Corps of Eng.	Nationwide 33 dewatering and 25 structural discharges	Application submittal scheduled for 2009.	Paula Gill (415) 503-6776. Mark D'Avignon 415-503-6773 Section Chief	TBD		Permit is contingent on section 7 consultations (Biological Opinions).
National Marine Fisheries Service (NOAA)	section 7 consultation - steelhead	Application submittal scheduled for 2009.	Gary Stern 707-575-6060 Dan Logan (707) 575-6053 Joshua Fuller 707-540-1778	TBD		
US Fish and Wildlife Service	section 7 consultation - red legged frog	Application submittal scheduled for 2009.	Chris Nogano	TBD		Chris took over for Lucy Triffleman.
Regional Water Quality Control Board	401 Water Quality Certification and waiver of Waste Discharge Requirements	Application submittal scheduled for 2009.	Habtemariam Kifle (510) 622-2371	TBD		Permit is contingent on completion of CEQA Notice of Exemption
Town of Woodside	Building Permit & Possibly a Conditional Use permit	Application submittal scheduled for 2009.	Deborah Mallison (650) 851-6796	TBD		
San Mateo County	Resource Management Permit	Application submittal scheduled for 2009.	Summer Burlison (650) 363-1825	TBD		