

SMC/KMG
A012073A

STATE WATER RESOURCES CONTROL BOARD

2016 SEP 12 PM 2:13

DIVISION OF WATER RIGHTS SACRAMENTO

Please indicate County where your project is located here:

Yolo

MAIL FORM AND ATTACHMENTS TO:
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
http://www.waterboards.ca.gov/waterrights

PETITION FOR CHANGE

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion** Wat. Code, § 1701
 - Point of Rediversion** Cal. Code Regs., tit. 23, § 791(e)
 - Place of Use** Wat. Code, § 1701
 - Purpose of Use** Wat. Code, § 1701
 - Distribution of Storage** Cal. Code Regs., tit. 23, § 791(e)
 - Temporary Urgency** Wat. Code, § 1435
* **Renewal of TUCP Order**
 - Instream Flow Dedication** Wat. Code, § 1707
 - Waste Water** Wat. Code, § 1211
 - Split** Cal. Code Regs., tit. 23, § 836
 - Terms or Conditions** Cal. Code Regs., tit. 23, § 791(e)
 - Other**
- Application 12073A Permit License 5487A Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Present: See Attachment 1 (Existing and Proposed Points of Diversion or Rediversion).

Proposed: See Attachment 1 (Existing and Proposed Points of Diversion or Rediversion).

Place of Use – Identify area using Public Land Survey System descriptions to ¼-¼ level; for irrigation, list number of acres irrigated.

Present:

Proposed:

Purpose of Use

Present:

Proposed:

Split
Provide the names, addresses, and phone numbers for all proposed water right holders.

In addition, provide a separate sheet with a table describing how the water right will be split between the water right holders: for each party list amount by direct diversion and/or storage, season of diversion, maximum annual amount, maximum diversion to offstream storage, point(s) of diversion, place(s) of use, and purpose(s) of use. Maps showing the point(s) of diversion and place of use for each party should be provided.

Distribution of Storage

Present:

Proposed:

Temporary Urgency

This temporary urgency change will be effective from to

Include an attachment that describes the urgent need that is the basis of the temporary urgency change and whether the change will result in injury to any lawful user of water or have unreasonable effects on fish, wildlife or instream uses.

* See Attachments 2 (Temporary Urgency Changes) and 3 (Order Approving Temporary Urgency Changes).

Instream Flow Dedication – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Upstream Location:

Downstream Location:

List the quantities dedicated to instream flow in either: cubic feet per second or gallons per day:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No
If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

Waste Water

If applicable, provide the reduction in amount of treated waste water discharged in cubic feet per second.

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated waste water? Yes No

Will any legal user of the treated waste water discharged be affected? Yes No

General Information – For all Petitions, provide the following information, if applicable to your proposed change(s).

Will any current Point of Diversion, Point of Storage, or Place of Use be abandoned? Yes No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:
 ownership lease verbal agreement written agreement

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

All Right Holders Must Sign This Form: I (we) declare under penalty of perjury that this change does not involve an increase in the amount of the appropriation or the season of diversion, and that the above is true and correct to the best of my (our) knowledge and belief. Dated at

Dennis M. Steen

Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, including required attachments, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/docs/pet_info.pdf
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board 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.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for 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 March 2016 Order Approving Temporary Urgency Changes (Attachment 3) authorized WDCWA to use temporary pumps to divert Sacramento River water from the RD 2035 main canal until September 24, 2016. The Division determined in the March 2016 Order that these temporary urgency changes were covered by the Davis Woodland Water Supply Project EIR Addendum #8 (Addendum #8) (Attachment 4).

If this petition is granted, then WDCWA will temporarily continue to divert Sacramento River water from the RD 2035 main canal until the RD 2035 joint intake facility is completed. The current best estimate is that the joint intake facility will be completed some time in late 2016 or early 2017. Because WDCWA's request is only to temporarily continue the actions already authorized by the March 2016 Order and Addendum #8, and WDCWA's pumping would still be well below the permitted maximum diversion amount and within the range of the historical averages of water taken through the intake over the past five years, granting the petition will not cause any change in existing conditions and the mitigation measures described in Addendum #8 will continue to protect environmental resources. See Attachment 5 (ESA Memorandum).

Because WDCWA installed the temporary pumps in June 2016 and has been using them since that time, no new construction will occur as a result of an SWRCB order granting the petition.

Insert the attachment number here, if applicable:

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

Sept. 12, 2016

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

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

[Empty text box for Date of Contact]

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted:

Date of Contact:

Department:

Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

- Grading Permit
- Use Permit
- Watercourse
- Obstruction Permit
- Change of Zoning
- General Plan Change
- Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

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

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

WDCWA has obtained all necessary permits for the project and no additional permits are required for the activities associated with this change petition.

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Photographs

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion * See Attachment 6 (Photographs)
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated at .

Denise M. Stein

Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- Petitions for Change may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- Petitions for Temporary Transfer may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

**Petition for Renewal of Order Approving Temporary Urgency Changes
Woodland-Davis Clean Water Agency**

**Attachment 1
REVISED SEPT. 14, 2016
Currently Authorized and Proposed Additional Authorized
Points of Diversion and Rediversion**

Currently Authorized Points of Diversion

For Licenses 904A and 5487A only:

The existing Reclamation District 2035 intake facility on the Sacramento River located as follows: By California Coordinate System of 1983, Zone 2, North 2,008,400 feet and East 6,667,100 feet, being within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27, T10N, R3E, MDB&M.

For Permit 20281 and Licenses 904A and 5487A:

The location of the new Woodland-Davis Clean Water Agency/Reclamation District 2035 joint intake facility, which is currently under construction: By California Coordinate System of 1983, Zone 2, North 2,008,200 feet and East 6,667,300 feet, being within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 34, T10N, R3E, MDB&M.

Proposed Additional Authorized Point of Diversion

For Permit 20281:

The existing Reclamation District 2035 intake facility on the Sacramento River located as follows: By California Coordinate System of 1983, Zone 2, North 2,008,400 feet and East 6,667,100 feet, being within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27, T10N, R3E, MDB&M.

Proposed Additional Authorized Point of Rediversion

For Permit 20281 and Licenses 904A and 5487A:

The WDCWA temporary pumping station in RD 2035's Main Canal located as follows: California Coordinate System of 1983, Zone 2, North 2,008,160 feet and East 6,667,000 feet, being within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 34, T10N, R3E, MDB&M.

**Petition for Renewal of Order Approving Temporary Urgency Changes
Woodland-Davis Clean Water Agency**

**Attachment 2
Temporary Urgency Changes**

Need for Renewal of the March 2016 Order Approving Temporary Urgency Changes

Under Water Code section 1441, the Woodland-Davis Clean Water Agency (“WDCWA”) petitions for renewal of the Order Approving Temporary Urgency Changes, dated March 28, 2016 (“March 2016 Order”) that approved temporary urgency changes to WDCWA’s water right Permit 20281 (Application 30358) and Licenses 904A and 5487A (Applications 1199A and 12073A). A copy of the March 2016 Order is **Attachment 3**.

The temporary changes authorized by the March 2016 Order expire September 24, 2016. As described in this petition, WDCWA requests that the Division renew the March 2016 Order for an additional 180 days because the point of diversion authorized by WDCWA’s rights, the Davis-Woodland Water Supply Project (“DWWSP”) and Reclamation District 2035 (“RD 2035”) joint intake facility, is under construction and cannot be completed by September 24, 2016.

WDCWA would have to suspend all diversions of Sacramento River water on September 24, 2016 if this petition were not granted. This would require the Cities of Woodland and Davis to revert to 100% groundwater supplies, which would not meet the current hexavalent chromium drinking water criteria. Therefore, WDCWA requests the Division issue an order approving this petition at the earliest opportunity.

Background

WDCWA originally planned to complete the DWWSP and to begin diverting water from the Sacramento River after completion of the new joint intake facility that is being constructed by RD 2035. RD 2035 and WDCWA have been working diligently to complete the DWWSP and have acquired all necessary approvals and funding. However, the RD 2035 joint intake facility has experienced construction delays, including issues that have delayed rigorous testing of the new pump facilities for several months. Until August 2016, it appeared the joint intake facility would be operational by October 1, 2016. However, additional delays have occurred and the current best estimate is that the new joint intake facility is expected to be completed in late 2016 or early 2017.

WDCWA previously filed temporary urgency change petitions (“TUCPs”) on February 12, 2016. The TUCPs requested approval of temporary changes to authorize WDCWA to divert water from a temporary pump station in RD 2035’s Main Canal and deliver that water into the DWWSP. Consistent with discussions between WDCWA representatives and California Department of Fish and Wildlife (“CDFW”) staff, the TUCPs requested that the temporary urgency changes authorizing diversions through RD 2035’s existing facilities take effect on June 1, 2016 in order to protect winter-run and spring-run Chinook salmon. The March 18, 2016 Order approved the requested temporary urgency changes.

Petition for Renewal of Order Approving Temporary Urgency Changes Woodland-Davis Clean Water Agency

As authorized by Water Code section 1441, WDCWA is now submitting petitions to renew the March 18, 2016 Order, but is not resubmitting the maps and other data submitted in support of WDCWA's previous TUCPs.

Urgency of the Proposed Change

Since June 2016, WDCWA has been diverting Sacramento River water from its temporary pump station in RD 2035's Main Canal, treating this water at WDCWA's new water treatment plant, blending the treated water with pumped groundwater, and delivering this water to customers in the Cities of Woodland and Davis. The cities currently are monitoring the blend of newly-introduced treated surface water with existing groundwater supplies within their respective distribution systems. As the distribution system adjusts to the new blended water supply, it is important that the current blend of supplies remain consistent and predictable for the cities to maintain compliance with water quality requirements.

If the temporary urgency changes in the March 18, 2016 Order are not renewed, then WDCWA's Sacramento River diversions would have to be suspended on September 24, 2016. The Cities of Woodland and Davis would have to revert to 100% groundwater supplies, which could disrupt the operation of the DWWSP and the surface-groundwater blending operations that have been occurring since June 2016, including causing water chemistry issues for both cities. There could also be water quality impacts to water discharged into the Delta watershed, because the groundwater wells that the Cities of Woodland and Davis would have to revert to using water supplies that are high in boron, selenium and dissolved solids. (See Water Right Decision 1650, p. 8, ¶ 29.)

Furthermore, because the joint intake facility is not completed, the urgent needs described on page 4 of the March 2016 Order continue to exist: 1) some of the customers in Davis and Woodland who have funded the DWWSP through water rates would receive drinking water from wells that would not meet the current hexavalent chromium drinking water criteria; 2) Davis and Woodland both currently have hard water supplies that corrode appliances and plumbing, leading to expensive maintenance or replacements; 3) the use of water softeners to deal with the hard water are costly to operate and maintain and the byproducts of the water softeners add more salt to the cities' wastewater, which is already high in salinity; 4) the high mineral content of the well water causes customer dissatisfaction with the taste of the water; and 5) the delay would impose additional financial hardship on WDCWA to pay the Design-Build Operator for continued mobilization of staff and temporary construction facilities while the delay is in effect.

No Injury to Any Other Lawful User of Water

As the March 2016 Order found, there are no other diversions between the present point of diversion and the proposed temporary point of rediversion, so the temporary change will not result in injury to any other legal user of water.

**Petition for Renewal of Order Approving Temporary Urgency Changes
Woodland-Davis Clean Water Agency**

No Unreasonable Effect upon Fish, Wildlife, or Other Instream Beneficial Uses

WDCWA prepared a CEQA Addendum No. 8 to the DWWSP Environmental Impact Report (“EIR”). (See **Attachment 4**.) The March 2016 order found this addendum covered the changes proposed by the TUCPs.

The addendum covered potential impacts as a result of the use of the existing RD 2035 intake on the Sacramento River to deliver sufficient quantities of water into the Main Canal, which would then be rediverted from the temporary pump station through a newly constructed pipeline. WDCWA determined that the amount of water required for testing and initial operations, plus RD 2035’s average diversions for the past five years, will be well below WDCWA’s current diversion limitations. As a result, WDCWA determined that there will not be any changes in the environmental setting or project characteristics that would raise important new biological resources issues related to using RD 2035’s existing intake structure on the Sacramento River.

The addendum also covers the requested renewal of the temporary urgency for an additional 180 days. If this petition is granted, then WDCWA will continue to temporarily divert Sacramento River water from the RD 2035 main canal until the RD 2035 joint intake facility is completed. The current best estimate is that the joint intake facility will be completed in late 2016 or early 2017. Because WDCWA’s request is only to temporarily continue the actions already authorized by the March 2016 Order and described in Addendum #8, granting the petition will not cause any change in existing conditions, and the mitigation measures described in the EIR and Addendum #8 would continue to protect environmental resources. See **Attachment 5** (ESA Memorandum).

Because WDCWA already has constructed the temporary pumping facilities at RD 2035’s main canal, approving WDCWA’s request will not result in any new construction.

The Proposed Change Is In the Public Interest

As the March 2016 Order concluded, use of the temporary point of diversion at the RD 2035 main canal is in the public interest as it will allow RD 2035 to complete the new joint intake while continuing to provide a necessary and high quality surface water supply to the Cities of Woodland and Davis. Renewal of the temporary change order also will avoid the adverse water customer consequences described on page 2-2.

**Petition for Renewal of Order Approving Temporary Urgency Changes
Woodland-Davis Clean Water Agency**

**Attachment 3
Order Approving Temporary Urgency Changes dated March 28, 2016**

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

**In the Matter of Permit 20281 (Application 30358)
and Licenses 904A and 5487A (Applications 1199A and 12073A)**

Woodland-Davis Clean Water Agency

ORDER APPROVING TEMPORARY URGENCY CHANGES

SOURCE: Sacramento River

COUNTY: Yolo County

BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

1.0 SUBSTANCE OF TEMPORARY URGENCY CHANGE PETITION

On February 12, 2016, the Woodland-Davis Clean Water Agency (WDCWA or Petitioner) filed temporary urgency change petitions (TUCPs) with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) requesting approval of temporary changes to water right Permit 20281 (Application 30358) and Licenses 904A and 5487A (Applications 1199A and 12073A) pursuant to Chapter 6.6 of Part 2 of Division 2 of the Water Code. With the TUCPs, WDCWA seeks authorization to divert water from a temporary pump station in Reclamation District 2035's (RD 2035) Main Canal and deliver that water to the Davis Woodland Water Supply Project's (DWWSP) new Regional Water Treatment Facility (RWTF).

The TUCPs were filed because construction of WDCWA's and RD 2035's new permanent screened joint intake facility on the Sacramento River is behind schedule and will not be completed and ready for use until possibly late October 2016. In the interim, WDCWA has proposed using a temporary pump station on RD 2035's Main Canal to allow WDCWA to test and begin to utilize the DWWSP conveyance facilities and RWTF until the new permanent joint intake facility is on-line. In order to be able to utilize the temporary pump station, WDCWA filed the TUCPs to add a new point of redirection¹ (which reflects the location of the pump station on the RD 2035 Main Canal) to Permit 20281 and Licenses 904A and 5487A. WDCWA also requested to temporarily add the RD 2035 point of diversion on the Sacramento River to Permit 20281 to enable use of the point of redirection for that permit. With the TUCPs, WDCWA also requested a temporary suspension of a term included in both Licenses 904A and 5487A requiring all diversions after January 1, 2016 to occur through a fish screened intake structure.

2.0 BACKGROUND

Water Right Permit 20281

¹ WDCWA filed the TUCPs requesting use of the temporary pumping facilities on RD 2035's Main Canal as an added point of diversion. However, after discussion with Division staff, WDCWA agreed that the temporary pumping facilities should be defined as a point of redirection in their water rights as referenced and approved in this Order rather than an additional point of diversion as originally requested.

Permit 20281 was approved on April 14, 2011, pursuant to water right Application 30358, which was originally filed on April 19, 1994. Permit 20281 allows a 30-day average diversion rate of 80.1 cubic feet per second (cfs) and an instantaneous diversion rate of 100 cfs, to be diverted from January 1 to December 31 of each year from the Sacramento River in Yolo County. The maximum amount that can be diverted under the permit is 45,000 acre-feet annually (afa). The water may be used for municipal, irrigation, and fisheries and aquaculture research purposes within the City of Davis, the University of California, Davis, and the City of Woodland.

Water Right License 904A

License 904 was originally approved on April 18, 1930, pursuant to Application 1199, which was filed on March 1, 1919. License 904 was subsequently split into two licenses, 904A and 904B, which were approved on December 21, 2012. License 904A allows for an average direct diversion rate of 80 cfs with a maximum instantaneous direct diversion rate of 100 cfs from the Sacramento River in Yolo County from about April 1 through about September 30 of each year, with a total maximum diversion not to exceed 7,500 afa from July 1 through September 30 of each year. The maximum quantity that can be diverted under the license cannot exceed 10,000 afa; the maximum combined diversion under License 904A and License 5487A cannot exceed 10,000 afa. The water can be used for municipal, industrial, irrigation, fisheries and aquaculture research, and incidental fish and wildlife enhancement within the City of Woodland, the City of Davis, and the University of California, Davis.

Water Right License 5487A

License 5487 was originally approved on March 24, 1959, pursuant to Application 12073, which was filed on September 8, 1947. License 5487 was subsequently split into two licenses, 5487A and 5487B, which were approved on December 21, 2012. License 5487A allows for an average direct diversion rate of 80 cfs, with a maximum instantaneous direct diversion rate of 100 cfs, from the Sacramento River in Yolo County, with a total maximum diversion not to exceed 4,919 afa from about October 1 to about October 31 of each year. The maximum combined diversion under License 5487A and License 904A cannot exceed 10,000 afa. The water can be used for municipal, industrial, irrigation, fisheries and aquaculture research, and incidental fish and wildlife enhancement within the City of Woodland, the City of Davis, and the University of California, Davis.

Davis Woodland Water Supply Project (DWWSP)

The DWWSP involves the development of a new surface water supply for the Cities of Woodland and Davis and the University of California, Davis (collectively referred to as the Project Partners). The DWWSP consists of an intake/diversion structure on the Sacramento River and a raw water conveyance pipeline between the intake/diversion structure to a new RWTF. The RWTF will convey treated surface water to the service areas of the three Project Partners.

3.0 COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The City of Davis, as the lead agency, along with the City of Woodland and the University of California, Davis, prepared an Environmental Impact Report (EIR) for the DWWSP. On October 16, 2007, the City of Davis, as acting CEQA lead agency, adopted Resolution No. 07-168, Series 2007, which certified the final EIR, adopted CEQA findings, a statement of overriding considerations and a mitigation monitoring and reporting program, and approved the DWWSP. On November 6, 2007, the City of Woodland, acting as a CEQA responsible agency, adopted Resolution No. 4878, which adopted CEQA findings and the mitigation monitoring and reporting program and approved the DWWSP.

Since the certification of the EIR, the Cities of Woodland and Davis have formed the WDCWA, a joint powers authority to implement the DWWSP. In November 2015, the WDCWA prepared Addendum No. 8 to the 2007 EIR covering potential environmental impacts from the installation and operation of the temporary pump station, which is the subject of the TUCPs. In Addendum No. 8, WDCWA evaluated all resource topics addressed in the original EIR as they related to the installation and operation of the temporary pump station. WDCWA concluded that the proposed temporary pump station would not result in any new or more severe impacts than those discussed in the 2007 EIR, as updated by Addendum No. 5. None of the conditions or circumstances that would require preparation of a subsequent or supplemental EIR pursuant to Public Resources Code Section 21166 exists for the Project with these changes. On November 24, 2015, the Board of Directors of the WDCWA adopted Resolution No. 2015-05 which approved Addendum No. 8 to the 2007 EIR and authorized and directed the General Manager to prepare and file a CEQA Notice of Determination (NOD) reflecting approval of Addendum No. 8.

The State Water Board has reviewed the information submitted by WDCWA and has considered the 2007 EIR and Addendum No. 8 in approving the TUCPs. The State Water Board will issue a NOD for the TUCPs within five days of approval of this Order.

4.0 PUBLIC NOTICE OF TEMPORARY URGENCY CHANGE PETITION

The State Water Board issued public notice of the TUCP on March 7, 2016, pursuant to Water Code section 1438(a). The public notice was published for one day in the Daily Democrat on March 16, 2016. The State Water Board posted the notice of the temporary urgency changes and the TUCPs (and accompanying materials) on its website. The State Water Board also distributed the notice through an electronic notification system. Pursuant to Water Code section 1438(a), the State Water Board may issue a temporary urgency change order in advance of the required notice.

5.0 COMMENTS ON THE TUCPs

By letter dated March 7, 2016, Mr. Richard Morat commented on the TUCPs. Mr. Morat indicated that he objected to the suspension of the license terms requiring all diversions after January 1, 2016 occur through a fish-screened intake structure. He expressed his concern regarding the need to protect out-migrating salmon past RD 2035's Main Canal. He further asked whether parties responsible for state and federal endangered species acts approved of the proposed temporary diversion. He also asked whether there is an alternative supply available, including continuing on wells.

State Water Board Response:

As noted in Section 6.3 of this Order, WDCWA representatives met with California Department of Fish and Wildlife (CDFW) regarding the TUCPs at the proposed location of the temporary pumping facility on the RD 2035 Main Canal. Based on the CDFW site visit, a term is being included in this approval order regarding protection of fisheries. Also, regarding the continuation of use of groundwater for water supply instead of this temporary surface water diversion, the current groundwater supply for both Davis and Woodland does not meet hexavalent chromium drinking water standards. The objective of the temporary changes proposed with the TUCPs is to provide drinking water that meets water quality standards as soon as possible for the municipalities of Davis and Woodland.

6.0 CRITERIA FOR APPROVING THE PROPOSED TEMPORARY URGENCY CHANGE

Water Code section 1435 provides that a permittee or licensee who has an urgent need to change the point of diversion, place of use, or purpose of use from that specified in the permit or license may petition for a conditional temporary change order.

The State Water Board's regulations set forth the filing and other procedural requirements applicable to TUCPs. (Cal. Code Regs., tit. 23, §§ 805, 806.) The State Water Board's regulations also clarify that requests for changes to permits or licenses other than changes in point of diversion, place of use, or purpose of use may be filed, subject to the same filing and procedural requirements that apply to changes in point of diversion, place of use, or purpose of use. (*Id.*, § 791, subd. (e).)

Before approving a temporary urgency change, the State Water Board must make the following findings:

1. the permittee or licensee has an urgent need to make the proposed change;
2. the proposed change may be made without injury to any other lawful user of water;
3. the proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses; and
4. the proposed change is in the public interest.
(Wat. Code, § 1435, subd. (b)(1-4).)

6.1 Urgency of the Proposed Change

Under Water Code section 1435, subdivision (c), an "urgent need" means "the existence of circumstances from which the board may in its judgment conclude that the proposed temporary change is necessary to further the constitutional policy that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that waste of water be prevented" However, the State Water Board shall not find the need urgent if it concludes that the petitioner has failed to exercise due diligence in petitioning for a change pursuant to other appropriate provisions of the Water Code.

In this case, there is an urgent need for the proposed change since the WDCWA originally planned on completing the new screened intake prior to completion of the RWTF to enable testing of the facility that is necessary before commencement of delivery of potable water to the Project Partners. The RWTF is slated for completion by June 1, 2016; however construction of the new screened joint intake is behind schedule and may not be completed until November 2016. WDCWA has indicated that if the testing and startup of the RWTF were to be delayed, the following adverse consequences could occur: 1) some of the customers in Davis and Woodland who have funded the DWWSP through water rates would receive drinking water from wells that would not meet the current hexavalent chromium drinking water standard; 2) Davis and Woodland both currently have hard water supplies that corrode appliances and plumbing, leading to expensive maintenance or replacements; 3) the use of water softeners to deal with the hard water are costly to operate and maintain and the byproducts of the water softeners add more salt to the cities' wastewater, which is already high in salinity; 4) the high mineral content of the well water causes customer dissatisfaction with the taste of the water; and 5) the delay would impose additional financial hardship on WDCWA to pay the Design-Build Operator for continued mobilization of staff and temporary construction facilities while the delay is in effect. Therefore, in order to perform necessary tests to the RWTF and be able to supply treated surface water to the customers in Davis, Woodland and UC Davis in an expeditious manner, WDCWA filed the TUCPs requesting to red divert water at a temporary pumping facility located on RD 2035's Main Canal.

6.2 No Injury to Any Other Lawful User of Water

There are no other diversions between the present point of diversion and the proposed temporary point of rediversion, so the temporary change will not result in the injury to any other legal user of water.

Accordingly, granting these TUCPs will not result in injury to any other lawful user of water. Pursuant to Water Code section 1439, the State Water Board shall supervise diversion and use of water under this temporary change order for the protection of all other lawful users of water and instream beneficial uses.

6.3 No Unreasonable Effect upon Fish, Wildlife, or Other Instream Beneficial Uses

WDCWA prepared DWWSP EIR Addendum No. 8 to cover the changes proposed with the TUCPs.

The addendum covered potential impacts as a result of the use of the existing RD 2035 intake on the Sacramento River to deliver sufficient quantities of water into the Main Canal, which would then be rediverted from the temporary pump station through the newly constructed pipeline to the RWTF. WDCWA determined that the amount of water required for testing and initial operations, and delivery of water thereafter to the RWTF, plus RD 2035's average diversions for the past five years, will be well below WDCWA's current diversion limitations. As a result, WDCWA found that there are no changes in the environmental setting or project characteristics that would raise important new biological resources issues related to using RD 2035's existing intake structure on the Sacramento River.

WDCWA also concluded in Addendum No. 8 that construction of the temporary pumping facilities could result in similar, but less severe construction-related impacts to species and habitat identified within the 2007 DWWSP EIR because the temporary pumps would be located on the newly completed gravel ramp at the outlet structure to the Main Canal and would not require construction equipment other than trucks to bring them in on the skids. Implementation of the applicable 2007 DWWSP EIR Mitigation Measures 3.6-7n through 3.6-7x, which include measures for all phases of project construction to address impacts to sensitive species and consultation with state and federal wildlife agencies, as necessary, would still be implemented by the Cities of Davis and Woodland. As a result, there are no changes in the environmental setting or project characteristics that would raise important new biological resources issues.

Further, on November 16, 2015, WDCWA representatives met with CDFW staff regarding the project proposed with the TUCPs. CDFW staff advised WDCWA representatives that CDFW would not oppose the TUCPs if the State Water Board's approval only allows diversions from RD 2035's point of rediversion on or after June 1, 2016, in order to protect winter-run and spring-run Chinook salmon. The State Water Board will condition this approval order that temporary use of the RD 2035 point of rediversion cannot begin until June 1, 2016.

Therefore, based on the above information, the State Water Board finds that the proposed changes may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses.

6.4 The Proposed Change is in the Public Interest

As described in Section 6.1, use of the temporary point of rediversion is in the public interest as it will allow WDCWA to complete the DWWSP which will provide a necessary and high quality surface water supply to the Cities of Woodland, Davis, and the University of California, Davis.

7.0 CONCLUSIONS

The State Water Board has adequate information in its files to make the evaluation required by Water Code section 1435.

I conclude that, based on the available evidence:

1. The right holder has an urgent need to make the proposed change;
2. The proposed change will not operate to the injury of any other lawful user of water;
3. The proposed change will not have an unreasonable effect upon fish, wildlife, or other instream beneficial uses; and,
4. The proposed change is in the public interest.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT the TUCPs filed by the Woodland-Davis Clean Water Agency for temporary urgency changes in Permit 20281 (Application 30358) and Licenses 904A and 5487A (Applications 1199A and 12073A) are approved and effective until 180 days from the date of this Order.

All existing terms and conditions of the subject permit and licenses remain in effect, except as temporarily amended by the following terms.

1. The following point of diversion from the Sacramento River will be added to Permit 20281:

The existing Reclamation District 2035 intake facility on the Sacramento River located as follows: California Coordinate System of 1983, Zone 2, North 2,008,400 feet and East 6,667,100 feet, being within the SE¼ of SW¼ of projected Section 27, T10N, R3E, MDB&M.
2. The following point of redirection will be added to Permit 20281 and Licenses 904A and 5487A:

The WDCWA temporary pumping station in RD 2035's Main Canal located as follows: California Coordinate System of 1983, Zone 2, North 2,008,160 feet and East 6,667,000 feet, being within NE¼ of NW¼ of projected Section 34, T10N, R3E, MDB&M.
3. Diversions from the temporary pumping station or the Reclamation District 2035 intake facility pursuant to this Order shall not commence until June 1, 2016.
4. During the effective date of this Order, the following term in both Licenses 904A and 5487A is suspended:

After January 1, 2016, no water shall be diverted under this license except through a fish screen on the intake to the diversion structure, satisfactory to meet the physical and operational specifications of the Department of Fish and Game, U.S. Fish and Wildlife Service and National Marine Fisheries Service, as specified at the time the last permit for construction is issued, to protect species of fish listed as endangered or threatened under the California Endangered Species Act (Fish and Game Code sections 2050 to 2098) or the federal Endangered Species Act (16 U.S.C. sections 1531 to 1544). Construction, operation, and maintenance costs of the required facility are the responsibility of the Licensee.
5. WDCWA shall submit to the Deputy Director for Water Rights on a monthly basis a written report that summarizes all activities conducted to ensure compliance with the requirements of this Order. The first monthly report is due at the end of the first complete month of this Order. WDCWA shall submit a final report summarizing overall compliance with this Order no later than December 1, 2016.
6. This Order does not authorize any act that results in the taking of a threatened or endangered species, or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this Order, the licensee shall obtain authorization for an incidental take permit prior to construction or operation. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the temporary urgency changes authorized under this Order.
7. The State Water Board shall supervise the diversion and use of water under this Order for the protection of legal users of water and instream beneficial uses and for compliance with the conditions. Petitioner shall allow representatives of the State Water Board reasonable access to the project works to determine compliance with the terms of this Order.

8. The State Water Board reserves jurisdiction to supervise the temporary urgency changes under this Order, and to coordinate or modify terms and conditions, for the protection of vested rights, fish, wildlife, instream beneficial uses and the public interest as future conditions may warrant.
9. The temporary urgency changes authorized under this Order shall not result in creation of a vested right, even of a temporary nature, but shall be subject at all times to modification or revocation in the discretion of the State Water Board. The temporary urgency changes approved in this Order shall automatically expire 180 days from the date of approval of this Order, unless earlier revoked.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

*Barbara Evoy, Deputy Director
Division of Water Rights*

Dated: MAR 28 2016

**Petition for Renewal of Order Approving Temporary Urgency Changes
Woodland-Davis Clean Water Agency**

**Attachment 4
Davis Woodland Water Supply Project EIR Addendum #8**

DAVIS-WOODLAND WATER SUPPLY PROJECT

Environmental Impact Report Addendum No. 8
State Clearinghouse No. 2006042175

Prepared for
Woodland-Davis Clean Water Agency

November 2015



DAVIS-WOODLAND WATER SUPPLY PROJECT

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November 2015



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TABLE OF CONTENTS

Davis Woodland Water Supply Project EIR Addendum #8

	<u>Page</u>
1. Background and Purpose of this Addendum	1-1
1.1 Background	1-1
1.2 Purpose of the EIR Addendum	1-2
2. Description of Project Changes	2-1
2.1 Project Overview	2-1
2.2 Revised Project Description	2-1
3. Analysis of Potential Environmental Effects	3-1
3.1 Introduction	3-1
3.2 Effects Related to Changes in the Proposed Project	3-2
3.3 Conclusion	3-5
3.4 References	3-6
List of Tables	
1. Average Historical RD 2035 Diversions Plus Average Temporary Pump Station Diversions During May through September	2-2
List of Figures	
1. Temporary Pump Station Location	2-3
2. Temporary Intake Pumping Layout	2-5
3. Temporary Intake Pumping Typical Section	2-7

SECTION 1

Background and Purpose of this Addendum

1.1 Background

The Cities of Davis, Woodland, and the University of California, Davis (UC Davis) (Project Partners) propose to implement the Davis Woodland Water Supply Project (DWWSP or Project). The Project involves development of a new surface water supply for the Project Partners and consists of: an intake/diversion structure on the Sacramento River, a raw water conveyance pipeline between the intake/diversion structure to a new regional water treatment facility (RWTF), with distribution pipelines conveying treated surface water from the water treatment plant to each of the three Project Partners. Other local improvements such as local distribution pipelines and storage facilities will be constructed independently by each Project Partner. The Project also includes the acquisition of a new water right permit for the diversion and use of surface water from the Sacramento River, and the purchase from the Conaway Preservation Group and transfer of a portion of existing water right permits and contractual entitlements, and possibly one or more other water transfers, that will allow the DWWSP to divert water during periods when surface water diversions from the Sacramento River under the DWWSP's water right permit will be constrained.

With the City of Davis as the lead agency, the Project Partners prepared an Environmental Impact Report (EIR) on the Project (State Clearinghouse (SCH) # 2006042175) in accordance with the requirements of the California Environmental Quality Act (CEQA). The Notice of Preparation (NOP) for the EIR was published on April 28, 2006 and circulated to the public, local, state and federal agencies, and other interested parties. In addition to the 45-day public and agency comment period, public scoping sessions were held on May 18, 2006 in Woodland and May 22, 2006 in Davis. The Draft EIR was published on April 9, 2007 and circulated for public and agency review for a 76-day public review period ending June 25, 2007. Two public meetings on the Draft EIR were held by City of Davis on April 23 and May 2, 2007 and one public meeting was held by the City of Woodland on May 16, 2007. On October 16, 2007, the City of Davis, as acting CEQA lead agency, adopted Resolution No. 07-168, Series 2007, which certified the final EIR, adopted CEQA findings, a statement of overriding considerations and a mitigation monitoring and reporting program, and approved the DWWSP. On November 6, 2007, the City of Woodland, acting as a CEQA responsible agency, adopted Resolution No. 4878, which adopted CEQA findings and the mitigation monitoring and reporting program and approved the Project.

Since the certification of the EIR, the Cities of Woodland and Davis have formed the Woodland Davis Clean Water Agency (Agency), a joint powers authority (JPA), to implement the DWWSP. The Agency has proceeded with implementation of the Project, including additional project planning in support of the engineering design and project construction phases, financial planning, property

acquisition, and acquisition of project permits and approvals. On April 21, 2011, the Agency, acting as CEQA lead agency, approved an addendum (addendum #1) to the EIR for the DWWSP that the City of Davis (then acting as CEQA lead agency) certified on October 16, 2007. Addendum #1 provided an assessment of changes to Delta water and aquatic resources since the 2007 DWWSP EIR as well as minor refinements to an element of the DWWSP involving the proposed water transfer from the Conway Preservation Group (CPG) to the DWWSP. In its Resolution No. 2011-03, the Agency approved addendum #1 and found and determined that no subsequent EIR or further CEQA review was required. On June 21, 2012, the Agency approved addendum #2 with Resolution No. 2012-01, which provided an assessment of changes to the location of the proposed RWTF. On October 18, 2012, the Agency approved Addendum #3 with Resolution No. 2012-03, related to minor revisions to the project raw water and Woodland finished water pipeline alignments. On December 20, 2012, the Agency approved Addendum #4 with Resolution No. 2012-04, related to minor revisions to the Davis finished water pipeline alignment. On October 10, 2013, the Agency approved Addendum #5 with Resolution No. 2013-12, related to updated air quality emissions modeling. On January 16, 2014, the Agency approved Addendum #6 with Resolution No. 2014-05, related to the need for additional solids drying facilities to support operations at the RWTF and the preparation of an updated floodplain modeling assessment. On June 19, 2014, the Agency approved Addendum #7 with Resolution No. 2014-08, related to modifications to the Davis finished water transmission pipeline route to minimize the impact to traffic on County Road 102, and a change in construction hours in the City of Woodland and Yolo County to provide for flexibility to accommodate changes in weather conditions and daylight work hours.

Since certification of the Final DWWSP EIR in 2007, and approval of Addenda #1 through #7, it has been determined that a temporary pump station needs to be installed at the joint intake site to divert water from the RD 2035 Main Canal for delivery through the newly constructed raw water pipeline for testing and initial operation of the new RWTF. The installation and use of these temporary pumps is necessary because the test procedures in the 2007 DWWSP EIR assumed that the joint intake would be completed and available for use to divert water for testing the RWTF and the joint intake is not scheduled to be operational until early August 2016. As a result the Agency has prepared this addendum #8 to the 2007 DWWSP EIR.

1.2 Purpose of the EIR Addendum

According to Section 15164(a) of the CEQA Guidelines, the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 requiring preparation of a subsequent EIR have occurred. Section 15162 of the Guidelines lists the conditions that would require the preparation of a subsequent EIR rather than an addendum. These include the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
- a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the Project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Addendum documents that the Project changes do not trigger any of the Section 15162 conditions described above, and that the preparation of an addendum therefore is appropriate.

SECTION 2

Description of Project Changes

2.1 Project Overview

The DWWSP involves development of a new surface water supply for the Project Partners and consists of: an intake/diversion structure on the Sacramento River, a raw water conveyance pipeline between the intake/diversion structure and a new RWTF with distribution pipelines conveying treated surface water from the water treatment plant to each of the three Project Partners. Other local improvements such as local distribution pipelines and storage facilities within each of the Project Partners service area will be required by each Project Partner.

2.2 Revised Project Description

2.2.1 Startup and Testing

Section 2.5 (Project Construction) of the 2007 DWWSP EIR describes the startup and testing procedures for the proposed project, including the procedures for the intake (Table 2-19) and the RWTF (Table 2-20). These testing procedures assumed that the new joint intake would be completed and be used to divert water from the Sacramento River for testing the RWTF.

The current construction schedule now requires that the RWTF be tested ahead of the new intake being completed. The joint intake is currently scheduled to be fully operational on August 2, 2016. However, testing of the new RWTF needs to commence on May 12, 2016. This difference in schedules has resulted in the requirement to use an alternate diversion to retrieve the water for testing and initial operations of the new pipelines and RWTF.

Based on this need, the Agency would install a temporary pump station at the joint intake site to divert water from the RD 2035 Main Canal and deliver it to the newly constructed raw water pipeline (**Figure 1**), which would be used to deliver water to the RWTF. Water would be diverted from the Sacramento River through the existing RD 2035 intake and conveyed to the RD 2035 Main Canal through an existing culvert. The acceptance test for the new facilities would require up to 30 million gallons per day (mgd) for at least 14 days, or as long as is necessary to successfully pass the acceptance test. The acceptance test is scheduled to begin in late-May. Following the acceptance test, an average of 15 mgd would be diverted from successful completion of the acceptance test (currently scheduled for May 26, 2016) through completion of the joint intake (currently scheduled for August 2, 2016). As shown in the table below, the diversion of water required for this temporary pump station in addition to RD 2035's average diversions for the past five years shows that total diversion of water would be well below the permitted maximum diversion amount of 400 cubic feet per second (cfs), requiring no additional

entitlements or water rights diversion permits. A Temporary Urgency Change Petition (TUCP) would be filed with the State Water Resources Control Board to allow the Agency's water to be diverted through the existing RD2035 intake until water could be diverted through the new Joint Intake. The additional diversions by the Agency would add approximately six percent to the historical diversions by RD 2035 and would be well below the permitted 400 cfs diversion capacity of the existing intake (**Table 1**).

TABLE 1
AVERAGE HISTORICAL RD 2035 DIVERSIONS PLUS AVERAGE TEMPORARY PUMP STATION
DIVERSION DURING MAY THROUGH SEPTEMBER

Year	Total Average Diversion (cfs)	% of Permitted 400 cfs Diversion
2011	122	30%
2012	142	36%
2013	133	33%
2014	47	12%
2015	55	14%

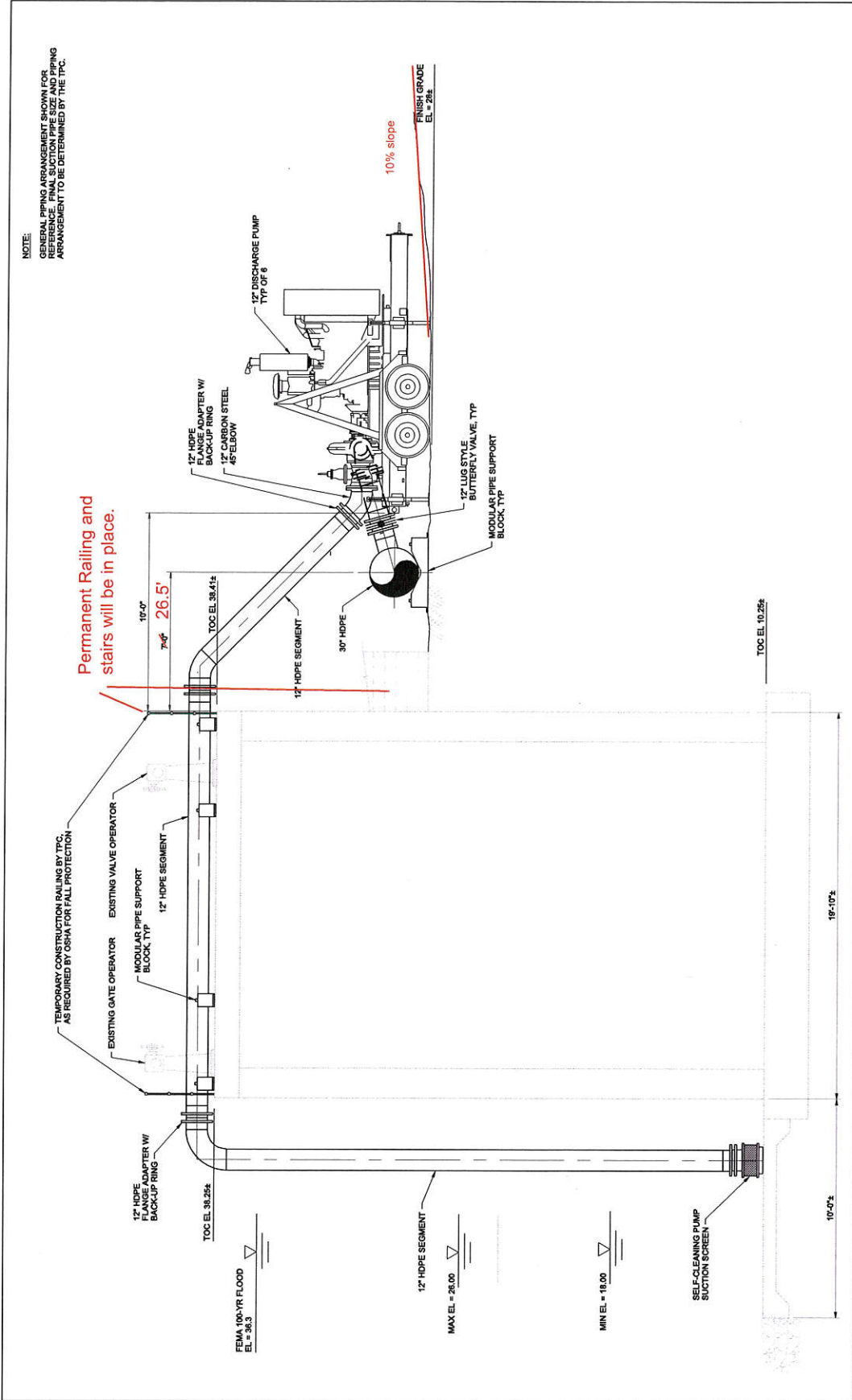
It is anticipated that the temporary pump station would consist of six 250-horsepower diesel-engine-driven pumps (each with a capacity to pump up to 6 mgd) one of which would be a standby pump (**Figure 2**). Each of the pumps would be placed on a skid (a mobile trailer unit with a single pump engine and all appurtenances mounted on board) near the outlet structure for the new intake in the RD 2035 Main Canal encompassing an area of approximately 65 feet by 40 feet (**Figure 3**). It is anticipated that the pumps would divert water from the Main Canal using six 12-inch diameter suction lines. Pumped water would then be discharged via a 30-inch diameter discharge header into one of the new 36-inch diameter raw water pipelines (**Figure 2**). The pumps would be compliant with all applicable regulatory air quality requirements.



SOURCE: Woodland-Davis Clean Water Agency

Davis Woodland Water Supply Project . 210676

Figure 1
Temporary Pump Station Location



Davis Woodland Water Supply Project . 210676
Figure 3
 Temporary Intake Pumping Typical Section

SECTION 3

Analysis of Potential Environmental Effects

3.1 Introduction

The 2007 DWWSP EIR evaluated the following environmental issues: surface and groundwater resources, hydrology and water quality, land use and agriculture, geology, soils, and seismicity, air quality, noise, hazards and hazardous materials, public health, transportation, public services and utilities, cultural resources, recreation, aesthetics, growth inducing effects, and cumulative effects. These issues are re-evaluated in this addendum in light of the proposed changes to the project description. This evaluation determines whether, with these changes, implementation of the proposed project will result in any new significant impacts or substantially more severe impacts than identified in the 2007 DWWSP EIR. The 2007 DWWSP EIR (Section 3.0, Environmental Analysis) describes the criteria that were used to determine the significance of environmental impacts. All mitigation measures identified in the 2007 DWWSP were subsequently adopted by the DWWSP Partners as conditions of project approval. All applicable measures also will apply to the project changes described in this addendum.

The analysis contained in this addendum is focused only on the proposed changes to install a temporary pump station at the joint intake site to divert water from the RD 2035 Main Canal and deliver it to the newly constructed raw water pipeline, which would be used to deliver water to the RWTF for testing and initial RWTF operations. Because the primary changes to the proposed project are limited to the installation and operation of a temporary pump station, operation of the proposed project would remain unchanged from the analysis contained within the 2007 DWWSP EIR. Specifically, impacts associated with construction and operation of other project facilities, including the proposed intake and RWTF would not be affected by the proposed minor changes in installation and operation of the temporary pump station. Impacts related to Public Health, specifically related to substituting existing groundwater supplies with Sacramento River water, would also not be affected by the proposed change. The analysis related to the proposed changes will focus solely on biological resources, air quality, noise, and hazards and hazardous materials. Therefore, the changes associated with the use of temporary pump station for testing and initial operation of the RWTF are limited to the site-specific construction impact issue areas and the testing phase for the RWTF addressed in the 2007 DWWSP EIR. For this reason, all other DWWSP facilities, including the joint intake and associated discussion of surface water, public health, the proposed RWTF, storage tanks and other ancillary facilities, remain unchanged from the 2007 DWWSP EIR and therefore are not discussed further in this addendum.

3.2 Effects Related to Changes in the Proposed Project

There were no unmitigated significant impacts identified in the 2007 DWWSP EIR for any of the CEQA resource topics with the exception of construction related air quality emissions. However, each CEQA resource topic is re-evaluated below to determine whether the proposed modifications to the proposed project temporary pump station will result in any new significant impacts or substantially more severe impacts than those described in the 2007 DWWSP EIR.

3.2.1 Biological Resources

Section 3.6 of the 2007 DWWSP EIR concluded that construction of project intake facilities had a less than significant impact on fisheries within the Sacramento River, requiring no mitigation measures. The proposed changes in this addendum would result in the use of RD 2035's existing intake to deliver sufficient quantities of water into the Main Canal, which would then be pumped to the newly construction pipeline using the proposed temporary pump station. The amount of water required for testing and initial operations, and delivery of water thereafter to the RWTF, plus RD 2035's average diversions for the past five years would be well below the permitted maximum diversion amount. As a result, there are no changes in the environmental setting or project characteristics that would raise important new biological resources issues related to using RD 2035's existing intake structure. Therefore, proposed project changes would not alter the conclusions of the 2007 DWWSP EIR, result in any new significant impacts, or substantially increase the severity of the previously identified biological resources impacts.

The 2007 DWWSP EIR concluded that construction activities within the joint intake area would result in direct impacts to special status species and habitat including giant garter snake, Swainson's hawk, Cooper's hawk, white-tailed kite, yellow-billed cuckoo, yellow warbler, loggerhead shrike, northern harrier, short-eared owl, burrowing owl, Tricolored blackbird, White-faced ibis, western snowy plover, mountain plover, and bank swallow. These impacts were determined to be less than significant with the incorporation of 2007 DWWSP EIR Mitigation Measures 3.6-7n through 3.6-7x, which generally requires consultation with state and federal wildlife agencies, acquisition of regulatory permits for impacts to wildlife and habitat, and implementation of specific measures for species and habitat that could be affected during construction, such as pre-construction surveys and construction monitoring.

Impacts associated with installation and operation of the temporary pump station could result in similar, but less severe construction related impacts to species and habitat identified within the 2007 DWWSP EIR because the temporary pumps would be located on the newly completed gravel ramp at the outlet structure to the Main Canal and would not require construction equipment other than trucks to bring them in on the skids. Implementation of the applicable 2007 DWWSP EIR Mitigation Measures 3.6-7n through 3.6-7x, which include measures for all phases of project construction to address impacts to sensitive habitats and species and consultation with state and federal wildlife agencies, as necessary, would still be implemented by the Project Partners. As a result, there are no changes in the environmental setting or project

characteristics that would raise important new biological resources issues. Therefore, proposed project changes would not alter the conclusions of the 2007 DWWSP EIR, result in any new significant impacts, or substantially increase the severity of the previously identified biological resources impacts.

3.2.2 Air Quality

Section 3.8 of the 2007 DWWSP EIR concluded that project construction activities would result in potentially significant unavoidable construction-related air emissions consisting of exhaust emissions from vehicles and other equipment, and fugitive dust emissions associated with trenching, excavation, and grading. Air quality emissions associated with construction activities would be reduced, but not to less than significant, with the incorporation of 2007 DWWSP EIR Mitigation Measure 3.8-1a through 3.8-1d which includes measures to reduce construction related exhaust and particulate emissions consistent with the Yolo-Solano Air Quality Management District (YSAQMD). Impacts related to odor were determined to be less than significant given that water supply facilities are not a typical odor generating use.

Impacts associated with installation and operation of the temporary pump station would result in similar significant and unavoidable construction air quality impacts as those described in the 2007 DWWSP EIR, as updated in the Addendum #5. Emissions would consist of exhaust emissions from vehicles and operation of the pumps during the test and initial operations period. The pumps would be compliant with all applicable regulatory air quality requirements. Therefore, the amount of emissions from the temporary pumps and appurtenant connected pipes would be less than emissions modeled for project construction activities during 2015, these emissions are expected to be less than those described in the 2007 DWWSP EIR, as updated by Addendum #7, and below the YSAQMD's construction emissions thresholds. Further, implementation of 2007 DWWSP EIR Mitigation Measure 3.8-1a through 3.8-1d, as updated in Addendum #7, would be implemented to reduce potential construction emissions impacts. As a result, there are no changes in the environmental setting or project characteristics that would raise important new air quality issues. Therefore, changes to the proposed project would not alter the conclusions of the 2007 DWWSP EIR, result in any new significant impacts, or substantially increase the severity of the previously identified air quality impacts.

3.2.3 Noise

Section 3.9 of the 2007 DWWSP EIR concluded that potentially significant impacts would be limited to nighttime noise impacts during construction of project facilities that may exceed local noise ordinance standards and existing ambient noise levels. However, construction noise would be mitigated to less than significant with the incorporation of Mitigation Measure 3.9-1a through 3.9-1g, which include measures to address potential nuisance noise impacts associated with the all construction phases of the proposed project, including from stationary sources of equipment such as diesel-generated pumps. All other construction noise related impacts were determined to be less than significant.

Generally, installation and operation of the proposed temporary pump station would result in similar construction noise impacts and require the implementation of Mitigation Measure 3.9-1a through 3.9-1g to reduce temporary significant construction noise impacts to less than significant. However, overall the modified project would fall outside the construction hours as prescribed in Mitigation Measure 3.9-1a.

Construction activities within the unincorporated areas of Yolo County are not governed by a noise ordinance or construction noise standards. As a result 2007 DWWSP EIR Mitigation Measure 3.9-1a was implemented to reduce impacts to sensitive receptors potentially affected by temporary construction activities. Generally, construction activities associated with proposed project facilities would be located away from sensitive receptors within rural agricultural areas of unincorporated Yolo County. Approximately nine residential sensitive receptors are located within a quarter of a mile of the proposed temporary pump station east of the Joint Intake across the Sacramento River. However, operation of the temporary pump station would be similar to construction activities for the intake structure and would affect these receptors for a period of up to five months. Therefore, the Agency proposes to revise mitigation measure 3.9-1a to allow flexibility to accommodate the proposed operation of the temporary pump station hours.

Revised Mitigation Measure 3.9-1a: In order to avoid noise-sensitive hours of the day and night, construction contractors shall comply with the following measures (revisions underlined):

- Construction activities within the City of Woodland jurisdiction, including the proposed RWTF site, and a portion of the treated water transmission pipeline, shall be limited to between 7 a.m. to 6 p.m. Monday through Saturday, and between the hours of 9 a.m. and 6 p.m. on Sunday. Work outside of these hours may be allowed by a variance from the City of Woodland.
- Construction activities within the City of Davis jurisdiction (i.e., a portion of the treated water transmission pipeline) shall be limited to between the hours of 7 a.m. and 7 p.m. Monday through Friday, and between the hours of 8 a.m. and 8 p.m. on Saturdays and Sundays.
- Construction activities in the County of Yolo jurisdiction, including the RWTF site, the intake facility, and water pipeline segments, shall be limited to the hours between 5:00 a.m. and 6:00 p.m. Monday through Saturday, and between the hours of 8:00 a.m. to 6:00 p.m. on Sunday to avoid noise-sensitive hours of the day¹. Work outside the stipulated construction window may be allowed along Road 22 though the Yolo Bypass for approximately 60 calendar days, along County Road 28H between County Road 102 and County Road 103 for 14 Calendar days and in the vicinity of all five trenchless crossings, and at the joint intake facility for operation of the temporary pump station for an estimated period of 5 months.
- Pile-driving shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday, with no pile-driving permitted between 12:30 p.m. and 1:30 p.m.

¹ Although the County of Yolo does not have established time limitations for construction activities, these specified hours are typically used during construction (Morrison, 2006).

Because there is no construction noise standard for Yolo County and because construction noise would be temporary and for a short duration, the proposed modified hours above would still result in less-than-significant noise impacts with the incorporation of revised Mitigation Measure 3.9-1a and the incorporation of Mitigation Measures 3.9-1b through 3.9-1g. Therefore, the proposed modifications to the project and mitigation measures would not alter the conclusions of the 2007 DWWSP EIR, result in any new significant impacts, or substantially increase the severity of the previously identified noise impact conclusions.

3.2.4 Hazards and Hazardous Materials

Section 3.10 of the 2007 DWWSP EIR identified potentially significant hazards and hazardous materials impacts during construction of the joint intake, including the transport of hazardous materials, potential for an accidental spill, and the increased risk of wildland fire. All potentially significant hazards and hazardous materials impacts would be mitigated to less than significant with the incorporation of 2007 DWWSP EIR Mitigation Measures 3.10-1a through 3.10-1d and 3.10-6a through 3.10-6b, which include measures related to the storage, transport and handling of fuel and oil for the pumps, the preparation and application of a Hazardous Materials Management Plan, and fire suppression and prevention measures.

Fuel would be stored on-site for the operation of the temporary pump station; however, it would not result in a change to the type or quantities of fuel stored to accommodate construction of the joint intake. Therefore, because installation and operation of the proposed temporary pump station would not result in a change to general construction or operation activities and would be located in close proximity to the areas described in the 2007 DWWSP EIR, it would also result in a less than significant impact in regards to the use, and transport of existing hazardous materials and wild land fires with the incorporation of 2007 DWWSP EIR Mitigation Measures 3.10-1a through 3.10-1d and 3.10-6a through 3.10-6b. As a result, there are no changes in the environmental setting or project characteristics that would raise important new hazards and hazardous materials issues. Therefore, changes to the Project would not alter the conclusions of the 2007 DWWSP EIR, result in any new significant impacts, or substantially increase the severity of the previously identified hazards and hazardous materials impacts.

3.2.6 Cumulative and Growth Inducing Effects

The changes to the Project do not alter the underlying impact conclusions or growth assumptions of the 2007 DWWSP EIR. Therefore, there would be no change in the cumulative or growth inducing effects of the Project. None of the significance conclusions or findings in the Final EIR would be altered, no new significant impact would occur, and none of the previously identified significant impacts would be substantially worsened.

3.3 Conclusion

This addendum documents that the proposed temporary pump station would not result in any new or more severe impacts than those discussed in the 2007 DWWSP EIR, as updated by Addendum

#5. None of the conditions or circumstances that would require preparation of a subsequent or supplemental EIR pursuant to Public Resources Code Section 21166 exists for the Project with these changes.

3.4 References

Environmental Science Associates (ESA). 2007a. Davis Woodland Water Supply Project Draft Environmental Impact Report. Prepared for the City of Davis, U.C. Davis and the City of Woodland, April 2007.

Environmental Science Associates (ESA). 2007b. Davis Woodland Water Supply Project Final Environmental Impact Report. Prepared for the City of Davis, U.C. Davis and the City of Woodland, October 2007.

Environmental Science Associates (ESA). 2013. Davis Woodland Water Supply Project Addendum #5. Prepared for the Woodland Davis Clean Water Agency, October 2013.

**Petition for Renewal of Order Approving Temporary Urgency Changes
Woodland-Davis Clean Water Agency**

**Attachment 5
Memorandum from ESA**



2600 Capitol Avenue
Suite 200
Sacramento, CA 95816
916.564.4500 phone
916.564.4501 fax

www.esassoc.com

memorandum

date September 9, 2016

to Richard P. Shanahan
 Bartkiewicz, Kronick & Shanahan

from Erich Fischer
 Senior Vice President

subject DWWSP Temporary Pump Station 180-Day Extension

This memorandum documents the potential environmental effects of continuing the operation of a temporary pump station at the joint intake site to divert water from the RD 2035 Main Canal for delivery through the newly constructed raw water pipeline for testing and initial operation of the new Raw Water Treatment Facility for the Davis-Woodland Water Supply Project (DWWSP). The installation and use of these temporary pumps is necessary because the test procedures in the 2007 DWWSP EIR assumed that the joint intake would be completed and available for use to divert water for testing the RWTF and the joint intake is not scheduled to be operational for several more months. The potential effects of operating the pumps were addressed in addendum #8 to the 2007 DWWSP EIR.

As described in addendum #8, the diversion of water required for this temporary pump station in addition to RD 2035's average diversions for the past five years shows that total diversion of water would be well below the permitted maximum diversion amount of 400 cubic feet per second (cfs). The extended use of the temporary pumps would still be well below the permitted maximum diversion amount and within the range of the historical averages of water taken through the intake over the past five years. Furthermore, as described in addendum #8, existing mitigation measures for biological resources, air quality, noise (as revised) and hazardous materials would continue to protect environmental resources throughout the 180-day extension, resulting in no change in existing conditions.

Based on the factors, granting the 180-day extension to operate the temporary pump station would not result in any new or changed environmental impacts for the project.

**Petition for Renewal of Order Approving Temporary Urgency Changes
Woodland-Davis Clean Water Agency**

**Attachment 6
Photographs**



View of the new joint intake facility facing south (downstream) from the existing RD 2035 intake (June 28, 2016)



View of the existing RD 2035 intake facing north (upstream) from the joint intake facility (July 12, 2016)

**Petition for Renewal of Order Approving Temporary Urgency Changes
Woodland-Davis Clean Water Agency**



City of Woodland (representative)



City of Davis (representative)