

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

In the Matter of Permit 11358 (Application 12140)
City of Sacramento
ORDER APPROVING EXTENSION OF TIME
AND AMENDING THE PERMIT

SOURCE: American River

COUNTY: Sacramento

WHEREAS:

1. Permit 11358 was issued to the City of Sacramento (City) on May 7, 1958.
2. A petition for an extension of time to complete construction of additional works, upgrade the fish screens at the point of diversion for the Fairbairn Water Treatment Plant to meet current federal and state criteria, and to enable beneficial use of the full authorized amount of water was filed with the State Water Resources Control Board (SWRCB) on March 6, 2001.
3. The permittee has proceeded with diligence, and good cause has been shown for extension of time. Public notice of the request for extension of time was issued on April 20, 2001, and no protests were received.
4. The SWRCB has determined that the petition for extension of time does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. The City has requested that this permit be amended to include the American River diversion condition contained in the Water Forum Agreement of 2000. This condition limits the City's diversion from the American River (River) when flows in the River are below the "Hodge" flows, and becomes operative when the expanded water treatment capacity to be provided by the City's Water Facilities Expansion Project is available for use by the City.

NOW, THEREFORE, IT IS ORDERED THAT PERMIT 11358 BE AMENDED TO READ AS FOLLOWS:

1. Condition 5 of Permit 11358 is deleted and condition 6 is amended to read:

Construction work and complete application of the water to the authorized use shall be prosecuted with reasonable diligence and completed by December 31, 2030.

(0000009)

2. The following term, excerpted from the Water Forum Agreement of 2000, is added to Permit 11358 at the request of Permittee:

At such time as the additional water treatment capacity to be provided by the City's Water Facility Expansion Project (as described in the final Environmental Impact Report, SCH # 1998032046) is available for use by the City, the following terms shall go into effect.

In extremely dry years (i.e., years in which the State of California Department of Water Resources [DWR] annual projected unimpaired inflow into Folsom Reservoir would be 550,000 acre-feet annually [afa] or less; also referenced as the March through November projected unimpaired flow into Folsom Reservoir being less than 400,000 acre-feet [af]) the City would limit its diversions of City water (i.e., water diverted pursuant to the City's water rights and entitlements) at the Fairbairn Water Treatment Plant (FWTP) to not greater than 155 cubic feet per second (cfs) and not greater than 50,000 afa. Any additional water needs would be met by diversions at other locations and/or other sources.

In all other years (i.e., when the DWR annual projected unimpaired runoff into Folsom Reservoir is greater than 550,000 afa, or the March through November projected unimpaired inflow into Folsom Reservoir is greater than 400,000 af) the City may divert City water at the FWTP in accordance with the following criteria:

- (a) Diversion up to 310 cfs (200 million gallons per day [mgd]) so long as the flow bypassing the diversion at the FWTP is greater than the Hodge Flow Criteria. (The Hodge Flow Criteria refers to the following minimum Lower American River flows established by Judge Hodge in the *EDF v. EBMUD* case: October 15 through February – 2,000 cfs; March through June – 3,000 cfs; July through October 15 – 1,750 cfs.)
- (b) Whenever flow bypassing the diversion at the FWTP is less than the Hodge Flow Criteria, City of Sacramento diversions at the FWTP may not be greater than the following: January through May – 120 cfs; June through August – 155 cfs; September – 120 cfs; October through December – 100 cfs.

3. All other terms and conditions of Permit 11358 are still applicable.

Dated: **AUG 24 2001**

STATE WATER RESOURCES CONTROL BOARD

David R. Buring
for Chief, Division of Water Rights

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

In the Matter of Permit 11359 (Application 12321)
City of Sacramento
ORDER APPROVING EXTENSION OF TIME
AND AMENDING THE PERMIT

SOURCE: American River

COUNTY: Sacramento

WHEREAS:

1. Permit 11359 was issued to the City of Sacramento (City) on May 7, 1958.
2. A petition for an extension of time to complete construction of additional works, upgrade the fish screens at the point of diversion for the Fairbairn Water Treatment Plant to meet current federal and state criteria, and to enable beneficial use of the full authorized amount of water was filed with the State Water Resources Control Board (SWRCB) on March 6, 2001.
3. The permittee has proceeded with diligence, and good cause has been shown for extension of time. Public notice of the request for extension of time was issued on April 20, 2001, and no protests were received.
4. The SWRCB has determined that the petition for extension of time does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. The City has requested that this permit be amended to include the American River diversion condition contained in the Water Forum Agreement of 2000. This condition limits the City's diversion from the American River (River) when flows in the River are below the "Hodge" flows, and becomes operative when the expanded water treatment capacity to be provided by the City's Water Facilities Expansion Project is available for use by the City.

NOW, THEREFORE, IT IS ORDERED THAT PERMIT 11359 BE AMENDED TO READ AS FOLLOWS:

1. Condition 5 of Permit 11359 is deleted and condition 6 is amended to read:

Construction work and complete application of the water to the authorized use shall be prosecuted with reasonable diligence and completed by December 31, 2030.

(0000009)

2. The following term, excerpted from the Water Forum Agreement of 2000, is added to Permit 11359 at the request of Permittee:

At such time as the additional water treatment capacity to be provided by the City's Water Facility Expansion Project (as described in the final Environmental Impact Report, SCH # 1998032046) is available for use by the City, the following terms shall go into effect.

In extremely dry years (i.e., years in which the State of California Department of Water Resources [DWR] annual projected unimpaired inflow into Folsom Reservoir would be 550,000 acre-feet annually [afa] or less; also referenced as the March through November projected unimpaired flow into Folsom Reservoir being less than 400,000 acre-feet [af]) the City would limit its diversions of City water (i.e., water diverted pursuant to the City's water rights and entitlements) at the Fairbairn Water Treatment Plant (FWTP) to not greater than 155 cubic feet per second (cfs) and not greater than 50,000 afa. Any additional water needs would be met by diversions at other locations and/or other sources.

In all other years (i.e., when the DWR annual projected unimpaired runoff into Folsom Reservoir is greater than 550,000 afa, or the March through November projected unimpaired inflow into Folsom Reservoir is greater than 400,000 af) the City may divert City water at the FWTP in accordance with the following criteria:

- (a) Diversion up to 310 cfs (200 million gallons per day [mgd]) so long as the flow bypassing the diversion at the FWTP is greater than the Hodge Flow Criteria. (The Hodge Flow Criteria refers to the following minimum Lower American River flows established by Judge Hodge in the *EDF v. EBMUD* case: October 15 through February – 2,000 cfs; March through June – 3,000 cfs; July through October 15 – 1,750 cfs.)
- (b) Whenever flow bypassing the diversion at the FWTP is less than the Hodge Flow Criteria, City of Sacramento diversions at the FWTP may not be greater than the following: January through May – 120 cfs; June through August – 155 cfs; September – 120 cfs; October through December – 100 cfs.

3. All other terms and conditions of Permit 11359 are still applicable.

Dated: **AUG 24 2001**

STATE WATER RESOURCES CONTROL BOARD

David R. Bevinger
for Chief, Division of Water Rights

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

In the Matter of Permit 11360 (Application 12622)

City of Sacramento

ORDER APPROVING EXTENSION OF TIME
AND AMENDING THE PERMIT

SOURCE: American River

COUNTY: Sacramento

WHEREAS:

1. Permit 11360 was issued to the City of Sacramento (City) on May 7, 1958.
2. A petition for an extension of time to complete construction of additional works, upgrade the fish screens at the point of diversion for the Fairbairn Water Treatment Plant to meet current federal and state criteria, and to enable beneficial use of the full authorized amount of water was filed with the State Water Resources Control Board (SWRCB) on March 6, 2001.
3. The permittee has proceeded with diligence, and good cause has been shown for extension of time. Public notice of the request for extension of time was issued on April 20, 2001, and no protests were received.
4. The SWRCB has determined that the petition for extension of time does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. The City has requested that this permit be amended to include the American River diversion condition contained in the Water Forum Agreement of 2000. This condition limits the City's diversion from the American River (River) when flows in the River are below the "Hodge" flows, and becomes operative when the expanded water treatment capacity to be provided by the City's Water Facilities Expansion Project is available for use by the City.

NOW, THEREFORE, IT IS ORDERED THAT PERMIT 11360 BE AMENDED TO READ AS FOLLOWS:

1. Condition 5 of Permit 11360 is deleted and condition 6 is amended to read:

Construction work and complete application of the water to the authorized use shall be prosecuted with reasonable diligence and completed by December 31, 2030.

(0000009)

2. The following term, excerpted from the Water Forum Agreement of 2000, is added to Permit 11360 at the request of Permittee:

At such time as the additional water treatment capacity to be provided by the City's Water Facility Expansion Project (as described in the final Environmental Impact Report, SCH # 1998032046) is available for use by the City, the following terms shall go into effect.

In extremely dry years (i.e., years in which the State of California Department of Water Resources [DWR] annual projected unimpaired inflow into Folsom Reservoir would be 550,000 acre-feet annually [afa] or less; also referenced as the March through November projected unimpaired flow into Folsom Reservoir being less than 400,000 acre-feet [af]) the City would limit its diversions of City water (i.e., water diverted pursuant to the City's water rights and entitlements) at the Fairbairn Water Treatment Plant (FWTP) to not greater than 155 cubic feet per second (cfs) and not greater than 50,000 afa. Any additional water needs would be met by diversions at other locations and/or other sources.

In all other years (i.e., when the DWR annual projected unimpaired runoff into Folsom Reservoir is greater than 550,000 afa, or the March through November projected unimpaired inflow into Folsom Reservoir is greater than 400,000 af) the City may divert City water at the FWTP in accordance with the following criteria:

- (a) Diversion up to 310 cfs (200 million gallons per day [mgd]) so long as the flow bypassing the diversion at the FWTP is greater than the Hodge Flow Criteria. (The Hodge Flow Criteria refers to the following minimum Lower American River flows established by Judge Hodge in the *EDF v. EBMUD* case: October 15 through February – 2,000 cfs; March through June – 3,000 cfs; July through October 15 – 1,750 cfs.)
- (b) Whenever flow bypassing the diversion at the FWTP is less than the Hodge Flow Criteria, City of Sacramento diversions at the FWTP may not be greater than the following: January through May – 120 cfs; June through August – 155 cfs; September – 120 cfs; October through December – 100 cfs.

3. All other terms and conditions of Permit 11360 are still applicable.

Dated: AUG 24 2001

STATE WATER RESOURCES CONTROL BOARD


for Chief, Division of Water Rights

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

In the Matter of Permit 11361 (Application 16060)

City of Sacramento

**ORDER APPROVING EXTENSION OF TIME
AND AMENDING THE PERMIT**

SOURCE: American River

COUNTY: Sacramento

WHEREAS:

1. Permit 11361 was issued to the City of Sacramento (City) on May 7, 1958.
2. A petition for an extension of time to complete construction of additional works, upgrade the fish screens at the point of diversion for the Fairbairn Water Treatment Plant to meet current federal and state criteria, and to enable beneficial use of the full authorized amount of water was filed with the State Water Resources Control Board (SWRCB) on March 6, 2001.
3. The permittee has proceeded with diligence, and good cause has been shown for extension of time. Public notice of the request for extension of time was issued on April 20, 2001 and no protests were received.
4. The SWRCB has determined that the petition for extension of time does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. The City has requested that this permit be amended to include the American River diversion condition contained in the Water Forum Agreement of 2000. This condition limits the City's diversion from the American River (River) when flows in the River are below the "Hodge" flows, and becomes operative when the expanded water treatment capacity to be provided by the City's Water Facilities Expansion Project is available for use by the City.

**NOW, THEREFORE, IT IS ORDERED THAT PERMIT 11361 BE AMENDED TO
READ AS FOLLOWS:**

1. Condition 5 of Permit 11361 is deleted and condition 6 is amended to read:

Construction work and complete application of the water to the authorized use shall be prosecuted with reasonable diligence and completed by December 31, 2030.

(0000009)

2. The following term, excerpted from the Water Forum Agreement of 2000, is added to Permit 11361 at the request of Permittee:

At such time as the additional water treatment capacity to be provided by the City's Water Facility Expansion Project (as described in the final Environmental Impact Report, SCH # 1998032046) is available for use by the City, the following terms shall go into effect.

In extremely dry years (i.e., years in which the State of California Department of Water Resources [DWR] annual projected unimpaired inflow into Folsom Reservoir would be 550,000 acre-feet annually [afa] or less; also referenced as the March through November projected unimpaired flow into Folsom Reservoir being less than 400,000 acre-feet [af]) the City would limit its diversions of City water (i.e., water diverted pursuant to the City's water rights and entitlements) at the Fairbairn Water Treatment Plant (FWTP) to not greater than 155 cubic feet per second (cfs) and not greater than 50,000 afa. Any additional water needs would be met by diversions at other locations and/or other sources.

In all other years (i.e., when the DWR annual projected unimpaired runoff into Folsom Reservoir is greater than 550,000 afa, or the March through November projected unimpaired inflow into Folsom Reservoir is greater than 400,000 af) the City may divert City water at the FWTP in accordance with the following criteria:

- (a) Diversion up to 310 cfs (200 million gallons per day [mgd]) so long as the flow bypassing the diversion at the FWTP is greater than the Hodge Flow Criteria. (The Hodge Flow Criteria refers to the following minimum Lower American River flows established by Judge Hodge in the *EDF v. EBMUD* case: October 15 through February – 2,000 cfs; March through June – 3,000 cfs; July through October 15 – 1,750 cfs.)
 - (b) Whenever flow bypassing the diversion at the FWTP is less than the Hodge Flow Criteria, City of Sacramento diversions at the FWTP may not be greater than the following: January through May – 120 cfs; June through August – 155 cfs; September – 120 cfs; October through December – 100 cfs.
3. All other terms and conditions of Permit 11361 are still applicable.

Dated: **AUG 24 2001**

STATE WATER RESOURCES CONTROL BOARD

David L. Buringa
for Chief, Division of Water Rights