

State Water Resources Control Board
Division of Drinking Water

September 27, 2021

Mr. Roger Lee
Director of Public Works
City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014

Dear Mr. Lee:

**DOMESTIC WATER SUPPLY PERMIT 68-43
PERMIT AMENDMENT 03
CITY OF CUPERTINO, WATER SYSTEM NO. 4310018**

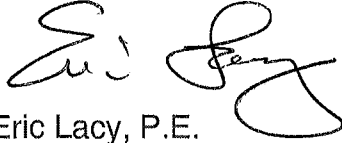
Enclosed is the Domestic Water Supply Permit Amendment issued to City of Cupertino by the State Water Resources Control Board Division of Drinking Water to extend the expiration of Amendment 01 to Domestic Water Supply Permit 68-43 by 9 months, subject to the conditions mentioned in the permit.

A public water system may file with the State Water Resources Control Board (State Water Board) a petition for reconsideration of a decision by the Deputy Director to issue, deny, or amend a permit. Petitions must be received by the State Water Board within 30 calendar days of the issuance of the permit, permit amendment, or decision. The date of issuance is the date when the Division of Drinking Water mails or serves a copy of the permit, permit amendment, or decision, whichever comes first. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at: http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this permit, please contact me at (510) 620-3453 or Dr. Rory Klinger, Water Resource Control Engineer at (510) 412-4685.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Sincerely,

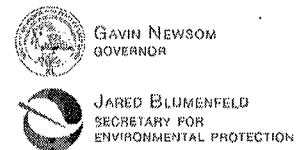


Eric Lacy, P.E.
District Engineer
Santa Clara District
Division of Drinking Water
State Water Resources Control Board

Enclosures:

Domestic Water Supply Permit

- cc: 1) Santa Clara County Department of Environmental Health (via email: dehdrinkingwater@cep.sccgov.org)
2) Roger Lee, City of Cupertino (via email: rogerl@cupertino.org)



State Water Resources Control Board
Division of Drinking Water

ENGINEERING REPORT

In the Matter of the Permit Issuance

For

City of Cupertino
Water System No. 4310018

Report Prepared By

Rory Klinger, Ph.D., P.E.
Water Resource Control Engineer

Approved By
Eric Lacy, P.E.
District Engineer
Santa Clara District

Amended Domestic Water Supply Permit
September 27, 2021

Division of Drinking Water
Drinking Water Field Operations Branch

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

STATE OF CALIFORNIA

AMENDMENT TO THE

DOMESTIC WATER SUPPLY PERMIT

Issued To

City of Cupertino

Public Water System No. 4310018

By The

State Water Resources Control Board

Division of Drinking Water



ORIGINAL PERMIT: 68-43
PERMIT AMENDMENT: 03

DATE OF ISSUE: June 14, 1968
EFFECTIVE DATE: September 27, 2021

WHEREAS:

1. City of Cupertino (hereinafter Cupertino) submitted an application to the State Water Resources Control Board Division of Drinking Water (Division) dated September 16, 2021, for an amendment to its Domestic Water Supply Permit issued on June 14, 1968, seeking an extension of the expiration of Permit Amendment 01.
2. The purpose of the amendment is to allow San Jose Water Company (hereinafter San Jose Water) to continue operating the City of Cupertino public water system, Water System No. 4310018, under an existing lease agreement that will expire on October 1, 2022.
3. The existing Permit Amendment 01 approving the physical and managerial consolidation of Cupertino with San Jose Water will expire on October 1, 2021.
4. Cupertino has submitted the supporting information required to evaluate the application.
5. The Division has evaluated the application and the supporting material and has determined that the proposed modifications comply with all applicable State drinking water requirements.

THEREFORE:

***THE DOMESTIC WATER SUPPLY PERMIT ISSUED TO CUPERTINO
JUNE 14, 1968 IS HEREBY AMENDED AS FOLLOWS:***

- The expiration date of Permit Amendment 01 is extended from October 1, 2021 to July 1, 2022.

The provisions of Domestic Water Supply Permit No. 68-43 and its subsequent permit amendments remain in force and full effect.

This permit amendment is subject to the following conditions:

1. Cupertino must comply with all applicable requirements set forth in the California Safe Drinking Water Act, California Health and Safety Code and any regulations, standards or orders adopted thereunder.
2. Cupertino must use only its approved sources. No other sources may be used and no changes, modifications, or additions may be made without prior approval from the Division.
3. The nature of the services to be provided by San Jose Water during the last 3 months of the lease term might depend on how Cupertino chooses to manage its water system after expiration of the current lease term. Cupertino must apply for another permit amendment extension to cover the remainder of the existing lease term to ensure appropriate continuity of water service and management and operational transitions, as agreed between San Jose Water and Cupertino. This application and all supporting documentation substantiating the terms and legally binding nature of any continuing relationship between Cupertino and San Jose Water must be submitted to the Division by June 1, 2022.

This amendment shall be appended to and shall be considered to be an integral part of the Domestic Water Supply Permit issued to Cupertino on June 14, 1968.

This permit amendment, with the original permit, supersedes all previous domestic water supply permits issued for this public water system and shall together remain in effect unless and until they are further amended, revised, reissued, or declared to be null and void by the Division. This permit and its permit amendments are non-transferable. Should the San Jose Water public water system undergo a change of ownership, the new owner must apply for and receive a new domestic water supply permit.

Any change in the source of water for the water system, any modification of the method of treatment, or any addition of distribution system storage reservoirs shall not be made unless an application for such change is submitted to the Division.

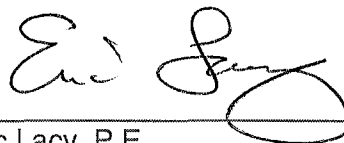
This permit shall be effective as of the date shown below.

FOR THE STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

September 27, 2021

Date



Eric Lacy, P.E.
District Engineer
Santa Clara District
Division of Drinking Water
State Water Resources Control Board

APPENDIX

Appendix A. Permit Amendment Application

A

Permit Amendment Application

STATE OF CALIFORNIA
APPLICATION
FOR
DOMESTIC WATER SUPPLY PERMIT AMENDMENT
FROM

Applicant: City of Cupertino
(Enter the name of legal owner, person(s) or organization)

Address: 10300 Torre Avenue, Cupertino, CA 95014

System Name: City of Cupertino Water System

System Number: Cupertino 4310018 & San Jose Water 4310011

TO: Eric Lacy, P.E.
District Engineer
State Water Resources Control Board
Division of Drinking Water
850 Marina Bay Parkway, Building P, 2nd Floor
Richmond, CA 94804



Pursuant and subject to the requirements of the California Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), Article 7, Section 116550, relating to changes requiring an amended permit, application is hereby made to amend an existing water supply permit to _____

Regarding existing provisions 8, 9 & 10:

1) Revise to extend permit duration to October 1, 2025; and 2) Update to acknowledge that the 1997 lease was amended and restated on December 17, 2019; and 3) If there is a change in responsibilities between the City and SJWC prior to October 1, 2025 the City of Cupertino will contact the Division of Drinking Water in advance and a new Permit amendment application will be completed.

FOR OFFICIAL USE

Date Received:

I (We) declare under penalty of perjury that the statements on this application and on the accompanying attachments are correct to my (our) knowledge and that I (we) are acting under authority and direction of the responsible legal entity under whose name this application is made.

Signed By: *Ronald Lee*

Title: City of Cupertino, Director of Public Works

Address: 10300 Torre Avenue, Cupertino Ca 95014

Telephone: (408) 777-3354

Dated: 09/16/2021






Permit Amendment Application

Final Audit Report

2021-09-16

Created:	2021-09-16
By:	kiml@cupertino.org
Status:	Signed
Transaction ID:	CBJCHBCAABAA4S4-wk2KUIDxCXTUYumNG3cs01Spktk5

"Permit Amendment Application" History

-  Document created by kiml@cupertino.org
2021-09-16 - 4:51:10 PM GMT- IP address: 73.231.190.39
-  Document emailed to Roger Lee (rogerl@cupertino.org) for signature
2021-09-16 - 4:52:11 PM GMT
-  Email viewed by Roger Lee (rogerl@cupertino.org)
2021-09-16 - 4:52:36 PM GMT- IP address: 104.47.44.254
-  Document e-signed by Roger Lee (rogerl@cupertino.org)
Signature Date: 2021-09-16 - 4:53:12 PM GMT - Time Source: server- IP address: 64.165.34.3
-  Agreement completed.
2021-09-16 - 4:53:12 PM GMT



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