

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Temporary )  
Permit 20566 (Application 30016) )  
of )  
CHEVRON U.S.A., Permittee )

ORDER: WR 91-08  
SOURCE: Unnamed Spring  
Tributary to  
Hot Springs Creek

COUNTY: Santa Barbara

FINDINGS AND ORDER VALIDATING THE  
ISSUANCE OF TEMPORARY PERMIT

Chevron U.S.A, hereinafter referred to as Chevron, having filed Application 30016 for a temporary permit to divert and use water pursuant to Chapter 6.5 (commencing with Section 1425), Part 2, Division 2 of the Water Code; the State Water Resources Control Board (State Board) having consulted with the California Department of Fish and Game and the only other known diverter of water, the California Department of Parks and Recreation (DPR); Executive Director Walter G. Pettit having reviewed available information, authorized issuance of a temporary permit to divert and use water, subject to review and validation by the State Board as provided by Water Code Section 1425(d); a temporary permit having been issued on October 23, 1991; the State Board finds as follows:

## Issuance of Temporary Permit

1.0 Water Code Section 1425(d) provides for delegation of the authority to issue temporary permits. The State Board has delegated this authority to Walter G. Pettit. When this authority is exercised, Water Code Section 1425(d) further requires that the State Board review and validate any temporary permit so issued within 30 days of issuance. On October 23, 1991, Executive Director Walter G. Pettit authorized issuance of the temporary permit, and on the same date the Chief of the Division of Water Rights issued Temporary Permit 20566. The matter is before the State Board for review and validation.

## Substance of the Application and Project

- 2.0 Temporary Permit 20566 (Application 30016) is for direct diversion and use of water from an Unnamed Spring tributary to Hot Springs Creek in Santa Barbara County for fire protection, dust control and industrial uses at the Vista Del Mar Union School District construction site at Las Cruces within the NE1/4 of the NE1/4 of projected Section 21, T5N, R32W, SBB&M. The season of diversion is from October 23, 1991 to April 17, 1992.
- 3.0 Temporary Permit 20566 authorizes diversion of 1,000 gallons per day (gpd) from a point of diversion within the SE1/4 of the NW1/4 of projected Section 22, T5N, R32W, SBB&M. Water is diverted via an existing 8-inch diameter pipeline which is part of an existing water supply system operated by the DPR.

## Urgent Need of Permittee to Divert and Use Water

4.0 Chevron has begun construction of the school, but did not anticipate the need to file for a water right permit. The DPR's water supply system has capacity available for Chevron's use, however, DPR requires that Chevron have a valid right to divert the water. Prior to issuance of the Temporary Permit, Chevron hauled water to the construction site for fire protection and construction purposes from a desalinization plant since the permanent water supply system for the school has not yet been constructed. Consequently, the State Board finds that Chevron has an urgent need to divert and use water under the temporary permit.

## Notice of the Temporary Permit

5.0 Public notice of the application for temporary permit was issued on October 23, 1991. In accordance with Water Code Section 1428, copies of the notice were posted and mailed to all known interested parties and diverters from the source stream system.

## Objections

6.0 No objections against the temporary permit were received.

## Effect of the Diversion on Other Lawful Users of Water

7.0 Based upon the facts described above, the State Board finds that water may be diverted and used under Temporary Permit 20566 without injury to any lawful user of water.

Effects of the Proposed Diversion on Fish, Wildlife, and Other Instream Uses

8.0 The California Department of Fish and Game does not anticipate any adverse effects from the temporary diversion and use of water. The State Board, therefore, finds that water may be diverted and used without unreasonable effect upon fish, wildlife or other instream beneficial uses.

Findings Concerning the California Environmental Quality Act

9.0 Vista Del Mar Union School District prepared an Environmental Impact Report (EIR) and a subsequent EIR that addressed the construction of the proposed new school and a permanent water supply line. These documents did not address the temporary water use for construction as proposed in this application. The State Board is lead agency under the California Environmental Quality Act (CEQA) for the temporary application by Chevron.

State Board staff conducted an environmental review of the proposed temporary diversion and determined that the project consists of only minor alterations in the conditions of land, water and vegetation and will not cause a significant environmental impact. The State Board finds that the project qualifies for a Class 4 categorical exemption from CEQA in accordance with Title 14, California Code of Regulations, Section 15304.

Public Interest

10.0 Diversion and use of water by Chevron under Temporary Permit 20566 is in the public interest and in accordance with the constitutional policy that the water resources of the State be put to beneficial use to the fullest extent of which they are capable.

NOW, THEREFORE, IT IS ORDERED that the issuance of Temporary Permit 20566 is validated subject to the conditions specified in the permit.

CERTIFICATION

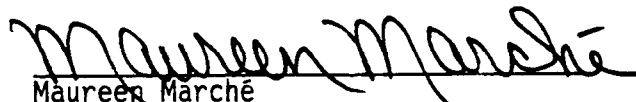
The undersigned, Administrative Assistant to the State Board, does hereby certify that the forgoing is a full, true and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 19, 1991.

AYE: W. Don Maughan  
Edwin H. Finster  
Eliseo M. Samaniego  
John Caffrey

NO: None

ABSENT: None

ABSTAIN: None

  
Maureen Marché  
Administrative Assistant to the Board

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