



State Water Resources Control Board



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Agency Secretary

Division of Water Rights
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Arnold Schwarzenegger
Governor

NOTICE OF PETITION FOR CHANGE IN POINT OF DIVERSION

PERMIT 20387 (APPLICATION 28158) **PETITION FILED:** February 19, 2002

STREAM SYSTEM: Santa Rosa Creek tributary to the Pacific Ocean

COUNTY: San Luis Obispo

Notice is hereby given that the Cambria Community Service District (CCSD) filed a petition for change in the point of diversion for Permit 20387 (Application 28158) to prevent contamination of the CCSD's wells. The State Water Resources Control Board (State Water Board) will determine whether an order approving the change in the point of diversion should be issued for permitted Application 28158, if so, whether conditions are needed in the permit to protect the environment, the public interest, and downstream water users. This notice provides a description of the project and also describes the procedure and time frame for submittal of protests against the petition. This notice may be viewed at the Division of Water Rights' (Division) website at www.waterboards.ca.gov. Any correspondence directed to the petitioners should be mailed to:

Cambria Community Service District
c/o Ken Topping, General Manager
P.O. Box 65
Cambria, CA 93428

Description of Project: The Petitioner filed a petition for change in the point of diversion for Permit 20387 to add Well SR4 at the Coast Union High School property to the permit.

Summary of PERMIT 20387 (APPLICATION 28158):

County: San Luis Obispo.
Source: Santa Rosa Creek tributary to the Pacific Ocean.
Point of
Diversion: Well SR1: SW¹/₄ of NW¹/₄ of section 26 T27S R8E, MDB&M
Well SR3: NE¹/₄ of NW¹/₄ of section 26 T27S R8E, MDB&M
Amount: 2.67 cubic feet per second, with a maximum annual diversion of
518 acre-feet per year
Season: January 1 to December 31.
Purpose: Municipal.
Place of Use: Within the boundaries of the CCSD within T27S, R8E and T28S, R8E as shown on
maps on file with the SWRCB.

California Environmental Protection Agency



Petition Summary for Permit 20387.

The CCSD use of wells SR1 and SR3 was suspended in 2000 in order to prevent contamination of these wells, and the municipal water supply, with methyl-tertiary-butyl ether (MtBE). Since the contaminated wells supply the area with municipal water, an alternate well site located upstream of the contaminated area was proposed to fulfill the municipal requirements. On August 16, 2001, the Division signed a Temporary Urgency Change (TUC) Order WR 2001-21-DWR approving temporary use of the new well on the Coast Union High School (CUHS) property. CCSD was granted authorization to continue its temporary use of the new well in WR Order 2002-0001-DWR. CCSD now needs an approved long-term alternative point of diversion to provide a safe supply of water for municipal uses, during the next few years while Chevron, under Cleanup and Abatement Order Number 00-28 from the Regional Water Quality Control Board, addresses the cleanup and abatement of the basin. Permittee petitioned to change Point of Diversion under Permit 20387. Well SR4 at the Coast Union High School will be added to the permit.

Environmental Information

The lead agency will prepare the appropriate environmental documents for the project according to the California Environmental Quality Act (CEQA) and its guidelines, and will determine whether or not the project will cause a significant effect on the environment. If you are not filing a protest, but wish to submit information that indicates the project may cause a significant effect on the environment, please send this information to Steven Herrera; SWRCB, Division of Water Rights; P.O. Box 2000; Sacramento, CA 95812-2000. This information will be reviewed in accordance with CEQA.

PROTEST SUBMITTAL INFORMATION**Protest Requirements**

A person may file a protest based on any of the following factors:

- Interference with prior water rights.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.
- Not within the jurisdiction of the SWRCB.

All protests must clearly describe the objections to approval of the petition, and the factual basis for those objections. For example, if the objection is based on injury to existing water rights, the protest must describe the specific injury to the existing water right that would result from approval of the changes proposed by the petition. In addition, the party claiming injury to prior water rights must provide specific information that describes the basis of the existing right, the date the use began, the quantity of water use, the purpose of use, and the place of use. Protests based on environmental impacts, public interest, legality, or jurisdictional issues must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the SWRCB may reject the protest or request that the protestant submit additional information.

Protests of a general nature (not project specific) or protests that are inconsistent with constitutional or legislated state policy will not be accepted. A request for information or a request that studies be conducted does not constitute a protest. **The Division will not accept protests that are directed against the underlying water right, rather than the change proposed by the petition.**

Procedure for Submitting Protests

Protests should be submitted on standard protest forms available from the Division of Water Rights' website at www.waterboards.ca.gov/forms/ or upon request from the Division of Water Rights. A pamphlet that provides additional information relating to water rights and the procedure for filing protests is also available on the website or by mail. Any requests or the submittal of the completed protest form should be directed to the engineer listed as the contact person at the end of this notice. **A copy of the completed protest form must also be mailed to the petitioner and should include a description of any measures that could be taken to resolve the protest.**

Protest Submittal Deadline

Protests submitted in response to this notice must be received by the Division by 3:00 p.m. on the **30th** day after the date of this notice (the close of the protest period). Protests may be submitted by any of the following methods:

1. Mailed to Division of Water Rights; P. O. Box 2000; Sacramento, CA 95812-2000
2. Faxed to the Division at (916) 341-5400
3. E-mailed to the engineer listed below under the heading "Contact Person"
4. Hand-delivered to the Division office located at 1001 "I" Street, 14th Floor, Sacramento, CA

If you choose to fax or e-mail the protest due to the constraints of the noticing period, the fax or e-mail must be followed by timely delivery of an original signed copy, either personally or by mail, to the Division of Water Rights in order for the protest to be accepted. The SWRCB will respond to all protests within 60 days of the final day to file a protest. **Protests not submitted by the close of the protest period will be subject to rejection.**

For good cause, the SWRCB may grant an extension of time to file a protest. It is the protestant's responsibility to contact the engineer listed below as "Contact Person" to request the extension prior to the end of the protest period.

Resolution of Protests

The petitioners will have 30 days to respond to a protest once it is accepted by the Division of Water Rights. The protestant and the applicant are expected to make a good faith effort to resolve the protest within 180 days from the close of the protest period.

CONTACT PERSON

To obtain additional information regarding this project, or to obtain copies of protest forms, or general information pamphlets, please contact Patricia Miner by phone at (916) 341-5314 or by electronic mail at pminer@waterboards.ca.gov. Information and protest forms are also available at the Division's website: www.waterboards.ca.gov/forms/.

Date of Notice: **April 8, 2005**

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