



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Water Rights
901 P Street • Sacramento, California 95814 • (916) 657-0765
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 657-1485 • Web Site Address <http://www.swrcb.ca.gov>
Division of Water Rights: <http://www.waterrights.ca.gov>

Gray Davis
Governor

PETITION FOR CHANGE (WATER CODE 1700)

Application X Point of Diversion, Point of Rediversion, X Place of Use, Purpose of Use
30505 Permit 21096 License Statement or Other

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attachment
Proposed

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment
Proposed

Purpose of Use

Present Irrigation
Proposed Irrigation, recreation, stockwatering, & fire protection

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)?

JL
see email
2/15/08

• GIVE REASON FOR PROPOSED CHANGE: See Attachment

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? Yes

• WATER WILL BE USED FOR Irrigation, Recreation, Stockwatering, and Fire Protection PURPOSES.

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

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow?
(yes/no)

If by lease or agreement, state the name and address of party(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.

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated 11-20-03, 19 at Sacramento, California

Gauley Wheeler (916) 441-6850

Wagner & Bonsignore, Signature(s) Consulting Civil Engineers, Telephone No. A Corp.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

11/26/03
15100.5
DC

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
1001 I Street, Sacramento
P. O. Box 2000, Sacramento, CA 95814

**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 30505 PERMIT NO. 21096 LICENSE NO. _____

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DESCRIPTION OF CHANGES TO PROJECT

1. Provide a brief 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, changes in land use, and project operational changes, including changes in how the water will be used.

The Petitioner proposes to move the Permit's current Point of Diversion #1 downstream, approximately 450 feet, on the same Unnamed Stream, to an existing reservoir covered under License 10537 (Application 23397). The existing reservoir will be enlarged from its present licensed capacity of 3.2 acre-feet to 15 acre-feet, as provided in Permit 21096. In addition, the Petitioner proposes to develop an additional 5.5 acres, thereby increasing the place of use under the Permit to a total of 138 acres (see attachment and map for location and corrections). The undeveloped land around the existing reservoir will be planted to vineyard. Other construction work will include grading for the installation of a drip irrigation and frost protection system.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

(a) Person contacted Susie Date of contact 8/1/03

Department Napa Co. Conserv., Dev. & Planning Dept. Telephone (707) 253-4416

(b) Assessor's Parcel No. 043-004-26 and 27, 043-006-22, 047-003-08, and 047-004-24

(c) County Zoning Designation AW Agricultural Watershed (all parcels)

(d) Are any county permits required for your proposed changes? Yes If you answered yes, check appropriate spaces below:

X Grading Permit, _____ Use Permit, _____ Watercourse Obstruction Permit, _____
_____ Change of Zoning, _____ General Plan Change, _____ Other explain: _____

(e) Have you obtained any of the required permits described above? N/A If you answered yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? No [i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.] For each agency from which a permit is required provide the following information:

Permit type _____

Person contacted _____ Agency _____

Date on Contract _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your proposed changes?

Yes

If so, please submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the public agency.

If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition: Petitioner believes the change required is de minimus and should be determined to be exempt from CEQA. The SWRCB prepared and adopted a Mitigated Negative Declaration for Application 30505, which covers 132.5 acres of the proposed place of use.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If you answered yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition?

Person contacted _____ Date of Contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? See item #4 above

Do you know of any archeological or historical sites located within the general project area? No

If so, explain:

ENVIRONMENTAL SETTING

*See SWRCB files for License 10537

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- (a) Along the stream channel immediately downstream from the proposed point(s) of diversion
 - (b) Along the stream channel immediately upstream from the proposed point(s) of diversion
 - (c) At the place(s) where the water is to be used

Note: It is very important that you submit no less than *three complete sets* of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
 Red Fir
 Lodgepole Pine
 Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
 Douglas-Fir
 Jeffrey Pine
 Ponderosa Pine
 Eastside Pine
 Redwood
 Pinyon-Juniper
 Juniper
 Aspen
 Closed-Cone Pine-Cypress
 Montane Hardwood-Conifer
 Montane Hardwood
 Valley Foothill Hardwood
 Blue Oak Woodland
 ✓ Valley Oak Woodland
 Coastal Oak Woodland
 Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
 Eucalyptus
 Montane Riparian
 Valley Foothill Riparian
 Desert Riparian
 Palm Oasis
 Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
 Low Sage
 Bitterbrush
 Sagebrush
 Montane Chaparral
 Mixed Chaparral
 Chamise-Redshank Chaparral
 Coastal Scrub
 Desert Succulent Shrub
 Desert Wash
 Desert Scrub
 Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
 Perennial Grassland
 Wet Meadow
 Fresh Emergent Wetland
 Saline Emergent Wetland
 Pasture

Aquatic Communities

Riverine
 Lacustrine
 Estuarine
 Marine

Developed Communities

Cropland
 ✓ Orchard-Vineyard
 Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program, at (916) 653-7203.)

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the places of use due to additional water development.

Proposed vineyard will be planted in currently cleared areas. The existing reservoir will be enlarged, but no trees will be impacted by the enlargement.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes (Note: See footnote denoted by * under Question 11 below):

The unnamed stream is ephemeral and does not support fishery habitat. The location of the existing onstream reservoir is in accordance with SWRCB policy, which sets forth that storage reservoirs shall not be located on any watercourse which has fishery habitat value.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use (Note: See footnote denoted by * below):

The proposed place of use will be planted in currently cleared areas. As a result, impacts to riparian and terrestrial wildlife will be minimal regarding changes identified in this Petition.

*Note: The purposes of Questions 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the project area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (see attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under **Environmental and Ecological Services**, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program at (916) 324-6881 or the University of California, Cooperative Extension Service (see your local telephone directory white pages).

12. Does your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 11-20-03 Signature 

Wagner & Bonsignore
Consulting Civil Engineers

**Attachments to Accompany
Petition for Change Permit 21096 (App. 30505)
Truchard Vineyards**

- Give Reason for Proposed Change: Permittee has recently purchased property downstream from Point of Diversion #1, and seeks to move existing Point of Diversion #1 downstream to the existing reservoir on that property.

Points of Diversion

Existing Points of Diversion and Rediversion:

<u>Map Point</u>	<u>Description</u>
1	<u>Point of Diversion by Collection to Storage in Proposed Reservoir #1:</u> Located N.223,100 and E.1,908,250, California Coordinate System, Zone 2. Being within the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Projected Section 17, T5N, R4W, MDB&M.
2	<u>Point of Rediversion for Water Diverted at Point of Divesion #1:</u> Located N.223,050 and E.1,908,450, California Coordinate System, Zone 2. Being within the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Projected Section 17, T5N, R4W, MDB&M.

Proposed Points of Diversion and Rediversion:

<u>Map Point</u>	<u>Description</u>
1	<u>Point of Diversion by Collection to Storage in Existing Reservoir #1:</u> Located N.222,800 and E.1,906,650, California Coordinate System, Zone 2. Being within the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Projected Section 17, T5N, R4W, MDB&M, also North 1,950 feet and West 2,500 feet from SE corner of said Projected Section 17.
2	<u>Point of Rediversion for Water Diverted at Point of Divesion #1:</u> Located N.223,050 and E.1,908,450, California Coordinate System, Zone 2. Being within the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Projected Section 17, T5N, R4W, MDB&M.

**Attachments to Accompany
Petition for Change Permit 21096 (App. 30505)
Truchard Vineyards**

Place of Use

Present:

<u>Use Within</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B. & M.</u>	<u>Acres</u>	<u>Previously Cultivated</u>
SW ¼ of NW ¼	16	T5N	R4W	M.D.	14	Yes
SE ¼ of NW ¼	16	T5N	R4W	M.D.	5	Yes
NW ¼ of SW ¼	16	T5N	R4W	M.D.	20	Yes
NE ¼ of SW ¼	16	T5N	R4W	M.D.	10	Yes
SE ¼ of SW ¼	16	T5N	R4W	M.D.	5	Yes
SW ¼ of SW ¼	16	T5N	R4W	M.D.	10	Yes
SW ¼ of NE ¼	17	T5N	R4W	M.D.	1	Yes
SE ¼ of NE ¼	17	T5N	R4W	M.D.	14	Yes
NE ¼ of SE ¼	17	T5N	R4W	M.D.	25	Yes
SE ¼ of SE ¼	17	T5N	R4W	M.D.	6	Yes
NW ¼ of SE ¼	17	T5N	R4W	M.D.	11.5	Yes
SE ¼ of NW ¼	17	T5N	R4W	M.D.	4	Yes
NE ¼ of SW ¼	17	T5N	R4W	M.D.	7	Yes
Total					132.5 Acres*	

***As corrected by letter to SWRCB dated August 22, 2003.**

Proposed:

<u>Use Within</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B. & M.</u>	<u>Acres</u>	<u>Previously Cultivated</u>
SW ¼ of NW ¼	16	T5N	R4W	M.D.	14	Yes
SE ¼ of NW ¼	16	T5N	R4W	M.D.	5	Yes
NW ¼ of SW ¼	16	T5N	R4W	M.D.	20	Yes
NE ¼ of SW ¼	16	T5N	R4W	M.D.	10	Yes
SE ¼ of SW ¼	16	T5N	R4W	M.D.	5	Yes
SW ¼ of SW ¼	16	T5N	R4W	M.D.	10	Yes
SW ¼ of NE ¼	17	T5N	R4W	M.D.	1	Yes
SE ¼ of NE ¼	17	T5N	R4W	M.D.	14	Yes
NE ¼ of SE ¼	17	T5N	R4W	M.D.	25	Yes
SE ¼ of SE ¼	17	T5N	R4W	M.D.	6	Yes
NW ¼ of SE ¼	17	T5N	R4W	M.D.	16.5	Yes
SE ¼ of NW ¼	17	T5N	R4W	M.D.	4	Yes
NE ¼ of SW ¼	17	T5N	R4W	M.D.	7.5	Yes
Total					138 Acres	

