

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
<http://www.waterboards.ca.gov/waterrights>

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a 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, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

Insert the attachment number here, if applicable:

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Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

4/15/2014 (by copy of this petition)

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes No

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

[Empty text box for Date of Contact]

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted:

Date of Contact:

Department:

Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

- Grading Permit Use Permit Watercourse Obstruction Permit
- Change of Zoning General Plan Change Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

[Empty text box for additional information]

Insert the attachment number here, if applicable:

Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

For each agency from which a permit is required, provide the following information:

| Agency | Permit Type | Person(s) Contacted | Contact Date | Phone Number |
|--------|-------------|---------------------|--------------|--------------|
| RWQCB | NPDES | | | |
| USACE | 404 | | | |
| | | | | |

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

Cultural Resources are discussed in the Mitigated Negative Declaration prepared for this project.

Insert the attachment number here, if applicable:

Photographs

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used (See map with aerial image.)

Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated at .

Linda Ruffing

Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

Attachment 1
Petition for Change and Environmental Information for Petitions
City of Fort Bragg
License 12171 (Application 25418)

Description of Proposed Changes or Work Remaining to be Completed

The City of Fort Bragg (City) is seeking to change water right License 12171 to add diversion to storage as a method of diversion. Water will be stored in a proposed off-stream reservoir (Summers Lane Reservoir). The addition of diversion to off-stream storage as a method of diversion under the License will provide operational flexibility to the City for drought protection purposes. Water will continue to be diverted from the point of diversion authorized by License 12171. Currently, License 12171 authorizes year-round direct diversion from an unnamed stream (AKA Waterfall Gulch) at a maximum rate of 0.668 cubic feet per second (cfs). Newman Gulch Reservoir is also named as a point of redirection for water diverted from Waterfall Gulch. Newman Gulch Reservoir is an existing on-stream reservoir that stores water under a claim of pre-1914 right as documented in Statement of Water Diversion and Use S009340.

The License does not currently include the right to divert water to off-stream storage. The Petition requests that the maximum rate of diversion to off-stream storage would equal the 0.668 cfs rate currently authorized for direct diversion, and the maximum amount would continue to be 475 acre-feet per year, as now authorized by the License. No physical change to the diversion facilities would occur, and there would be no increase in the amount of water diverted from the existing point of diversion named in the License.

The change requested by the Petition would not increase the amount of water, the rate or season of diversion, nor change the location of the point of diversion. The Petition requests only that the City be allowed to store some of the water diverted pursuant to the existing terms and conditions of the License. Because the change requested in the Petition would not result in any change to the amount of water diverted, or the rate or season of diversion, fish and wildlife would not be affected by the requested change. Similarly, because there is no change to the flows in the stream below the City's existing point of diversion, the Petition would not injure any other legal user of water.

There are no new on-stream facilities or on-stream construction activities associated with the project named in this Petition. The proposed work consists of construction of the 45 acre-foot, off-stream Summers Lane Reservoir. Construction of an additional pipeline as shown on the accompanying maps will be required to connect the Summers Lane Reservoir to the existing gravity pipe that runs from the point of diversion at Waterfall Gulch to the existing City of Fort Bragg water treatment plant and Newman Gulch Reservoir.

Because the changes requested in this Petition do not have the potential to impair instream beneficial uses due to a decrease in flow, it is our understanding that this Petition is not subject to the *Policy for Maintaining Instream Flows in Northern California Coastal Streams*.

A Mitigated Negative Declaration (MND) is being prepared by the City in support of the Petition. The MND will be provided to the State Water Board upon completion.