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## State Water Resources Control Board

### **NOTICE OF PETITIONS FOR CHANGE AND TIME EXTENSION FOR WATER RIGHT PERMITS 16123 AND 16601 (APPLICATIONS 22318 AND 23710) AND PETITIONS FOR CHANGE FOR LICENSES 1553, 7200 AND 9847 (APPLICATIONS 4017, 5215, AND 17913) OF CITY OF SANTA CRUZ**

COUNTY: Santa Cruz

STREAM SYSTEMS: San Lorenzo River

City of Santa Cruz (City or Petitioner) filed petitions on January 29, 2019 (amended on August 5, 2020 and then on January 6, 2021), to change their collective water right Permits 16123 and 16601 (Applications 22318 and 23710) and water right Licenses 1553, 7200, and 9847 (Applications 4017, 5215, and 17913) with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division). Following is a summary of the Permits and Licenses and the changes requested with the petitions.

#### **Summary of Permit 16123 and Proposed Changes:**

Source:

San Lorenzo River

Points of Diversion:

***Existing:***

Felton Diversion Facility – point of diversion to offstream storage at Loch Lomond Reservoir: within NE1/4 of SW1/4 of Section 22, T10S, R2W, MDB&M

***Proposed:***

Felton Diversion Facility – point of direct diversion, point of diversion to underground storage, and point of diversion to offstream storage at Loch Lomond Reservoir: within NE1/4 of SW1/4 of Section 22, T10S, R2W, MDB&M

Tait Diversion – points of direct diversion and diversion to underground storage  
Diversion Dam: within SE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M  
Well No. 1 within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M  
Well No. 2: within NE1/4 of NW1/4 of projected Section 12, T11 S, R 2 W, MDB&M  
Well No. 3: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MD13&M  
Well No .4: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Beltz Injection Wells – points of redirection to underground storage  
Well No. 8 within SE1/4 of SE1/4 of projected Section 16, T11S, R1W, MDB&M  
Well No. 9 within SW1/4 of NE1/4 of projected Section 21, T11S, R1W, MDB&M  
Well No. 10 within SW1/4 of SE1/4 of projected Section 16, T11S, R1W, MDB&M  
Well No. 12 within SE1/4 of SE1/4 of projected Section 9, T11S, R1W, MDB&M

Season of Diversion:

September 1 to June 1 of the next year

Methods of Diversion:

**Existing:** Diversion to offstream storage

**Proposed:** Addition of direct diversion, diversion to underground storage, and redirection to underground storage

Diversion Rate and Amount:

**Existing:** Maximum rate of diversion to offstream storage not to exceed 3,500 gallons per minute and an annual total not to exceed 3,000 acre-feet (af)

**Proposed:** The combined rate of direct diversion, diversion to offstream storage and diversion to underground storage under Permit 16123 at the Felton and Tait diversion facilities may be up to 3,500 gallons per minute. The combined rate of direct diversion, diversion to offstream storage, and diversion to underground storage under Permits 16123 and 16601 at the Felton and Tait diversion facilities may be up to 20 cfs. The combined annual total diversion shall not exceed 3,000 af under Permits 16123 and 16601.

Purposes of Use:

**Existing:** Municipal

**Proposed:** Addition of domestic, industrial, recreation, fire protection, and protection of water quality

Places of Use:

**Existing:** The City of Santa Cruz Water Service Area within Townships 10S, 11S, Range 1W, 2W and 3W, MDB&M

**Proposed:** At Loch Lomond Reservoir; in the City of Santa Cruz Water Department's service area and its North Coast service area; the service areas of Central Water District, San Lorenzo Valley Water District, Scotts Valley Water District, and Soquel Creek Water District; the Santa Cruz Mid-County Groundwater Basin (DWR Bulletin 118 Basin No. 3-001) and Santa Margarita Groundwater Basin (DWR Bulletin 118 Basin No. 3-027); all as shown on a map filed with State Water Board.

Terms and Conditions:

**Existing:** Permittee shall bypass 10 cfs or the natural flow, whichever is less, from September 1 through September 30; and bypass 20 cfs or the natural flow, whichever is less from October 1 through May 31 for the preservation of fish and wildlife.

**Proposed:**

- 1) Petitioner shall bypass water at both the Felton and Tait Street Diversion Facilities according to the minimum streamflow schedule agreed by the City, the National Marine Fisheries Service (NMFS), and the California Department of Fish & Wildlife (CDFW) (attached to the petition, available upon request). To improve fish passage at the Felton Diversion Facility, Petitioner shall complete improvements to that facility consistent with any habitat conservation plan or incidental take permit issued by NMFS or CDFW for the operation of the facility. Petitioner shall complete those improvements in the time provided by that plan or permit.
- 2) No diversions under this right for rediversion to underground storage shall occur during Hydrologic Condition 5, defined in the Exceedance Category Limits Table (attached to the petition, available upon request).
- 3) No delivery of water diverted under this right for use by a water supplier other than the City of Santa Cruz Water Department shall occur during Hydrologic Conditions 4 and 5, as defined in the Exceedance Category Limits Table (attached to the petition, available upon request).

Underground Storage:

**Existing:** None

**Proposed:** addition of underground storage at the Santa Cruz Mid-County Groundwater Basin; Injection and subsequent recovery of surface water at the Beltz Injection Wells.

Time to Complete Beneficial Use:

**Existing:** December 31, 2006

**Extension Requested with Petition:** December 31, 2043

**Summary of Permit 16601 and Proposed Changes:**

Source:

San Lorenzo River

Points of Diversion:

**Existing:** Felton Diversion Facility – point of diversion to offstream storage at Loch Lomond Reservoir: within NE1/4 of SW1/4 of Section 22, T10S, R2W, MDB&M

***Proposed:***

Felton Diversion Facility – point of direct diversion, point of diversion to underground storage, and point of diversion to offstream storage at Loch Lomond Reservoir: within NE1/4 of SW1/4 of Section 22, T10S, R2W, MDB&M

Tait Diversion – points of direct diversion and diversion to underground storage  
Diversion Dam: within SE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M  
Well No. 1 within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M  
Well No. 2: within NE1/4 of NW1/4 of projected Section 12, T11 S, R 2 W, MDB&M  
Well No. 3: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MD13&M  
Well No .4: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Beltz Injection Wells – points of redirection to underground storage  
Well No. 8 within SE1/4 of SE1/4 of projected Section 16, T11S, R1W, MDB&M  
Well No. 9 within SW1/4 of NE1/4 of projected Section 21, T11S, R1W, MDB&M  
Well No. 10 within SW1/4 of SE1/4 of projected Section 16, T11S, R1W, MDB&M  
Well No. 12 within SE1/4 of SE1/4 of projected Section 9, T11S, R1W, MDB&M

Season of Diversion:

October 1 to June 1 of the next year

Methods of Diversion:

***Existing:*** Diversion to offstream storage

***Proposed:*** Addition of direct diversion, diversion to underground storage, and redirection to underground storage

Diversion Rate and Amount:

***Existing:*** Combined rate of diversion to offstream storage under Permits 16123 and 16601 not to exceed 20 cfs; the total annual diversion under Permit 16123 and 16601 not to exceed 3,000 af.

***Proposed:*** The combined rate of direct diversion, diversion to offstream storage, and diversion to underground storage under Permits 16123 and 16601 at the Felton and Tait diversion facilities may be up to 20 cfs. The combined annual total diversion shall not exceed 3,000 af under Permits 16123 and 16601.

Purposes of Use:

***Existing:*** Municipal

***Proposed:*** Addition of domestic, industrial, recreation, fire protection, and protection of water quality

Places of Use:

**Existing:** The City of Santa Cruz Water Service Area within Townships 10S, 11S, Range 1W, 2W and 3W, MDB&M

**Proposed:** Same as listed under Permit 16123

Terms and Conditions:

**Existing:** For the protection of fish, no diversion shall be made during the month of October which depletes the flow of the stream to less than 25 cfs nor to less than 20 cfs during the period November 1 to the succeeding May 31. No water shall be diverted until permittee has installed in the stream immediately below its point of diversion a staff gage, or other device satisfactory to the State Water Board, showing the water levels which correspond to the above-mentioned flows in cubic feet per second. As a condition of continuing diversion, said measuring device shall be properly maintained.

**Proposed:** Same as listed under Permit 16123

Underground Storage:

**Existing:** None

**Proposed:** Same as listed under Permit 16123

Time to Complete Beneficial Use:

**Existing:** December 31, 2006

**Extension Requested with Petition:** December 31, 2043

**Summary of License 1553 and Proposed Changes:**

Source:

San Lorenzo River

Points of Diversion:

**Existing:** Points of direct diversion at Tait Diversion

Diversion Dam: within SE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Well No. 1 within SE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Well No. 2: within NE1/4 of NW1/4 of projected Section 12, T11 S, R 2 W, MDB&M

Well No. 3: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MD13&M

Well No .4: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

**Proposed:**

Tait Diversion – points of direct diversion and diversion to underground storage

Diversion Dam: within SE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Well No. 1 within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Well No. 2: within NE1/4 of NW1/4 of projected Section 12, T11 S, R 2 W, MDB&M

Well No. 3: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MD13&M

Well No. 4: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Beltz Injection Wells – points of redirection to underground storage

Well No. 8 within SE1/4 of SE1/4 of projected Section 16, T11S, R1W, MDB&M

Well No. 9 within SW1/4 of NE1/4 of projected Section 21, T11S, R1W, MDB&M

Well No. 10 within SW1/4 of SE1/4 of projected Section 16, T11S, R1W, MDB&M

Well No. 12 within SE1/4 of SE1/4 of projected Section 9, T11S, R1W, MDB&M

Season of Diversion:

January 1 to December 31

Methods of Diversion:

**Existing:** Direct diversion

**Proposed:** Addition of diversion to underground storage and redirection to underground storage

Diversion Rate:

**Existing:** Maximum rate of diversion shall not exceed 6.2 cfs.

**Proposed:** The maximum combined rate of direct diversion and diversion to underground storage may be up to 6.2 cfs.

Purposes of Use:

**Existing:** Municipal and domestic

**Proposed:** Addition of industrial, recreation, fire protection, and protection of water quality

Places of Use:

**Existing:** The City of Santa Cruz, and that area east of the City of Santa Cruz, bounded on the west by the eastern boundary of the City of Santa Cruz, on the south by the Bay of Monterey, on the east by the eastern line of 41st Avenue and a line from the intersection of the eastern line of 41st Avenue with the southern line of the Santa Cruz-Watsonville Highway at a right angle to said southern line of Santa Cruz-Watsonville Highway extending to the north boundary of Section 9, T11S, R1W, MDB&M; and bounded on the north by the north boundary of Sections 8 and 9, T11S, R1W, MDB&M; as shown on a map filed with State Water Board.

**Proposed:** Same as listed under Permit 16123

Terms and Conditions:

**Existing:** None

**Proposed:**

- 1) Petitioner shall provide bypass at Tait Diversion Facilities according to the minimum streamflow schedule agreed by the City, NMFS, and CDFW (attached to the petition, available upon request).
- 2) No diversions under this right for rediversion to underground storage shall occur during Hydrologic Condition 5, defined in the Exceedance Category Limits Table (attached to the petition, available upon request).
- 3) No delivery of water diverted under this right for use by a water supplier other than the City of Santa Cruz Water Department shall occur during Hydrologic Conditions 4 and 5 of the Exceedance Category Limits Table (attached to the petition, available upon request).

Underground Storage:

**Existing:** None

**Proposed:** Same as listed under Permit 16123

**Summary of License 7200 and Proposed Changes:**

Source:

San Lorenzo River

Points of Diversion:

**Existing:** Points of direct diversion at Tait Diversion

Diversion Dam: within SE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Well No. 2: within NE1/4 of NW1/4 of projected Section 12, T11 S, R 2 W, MDB&M

Well No. 3: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MD13&M

Well No .4: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

**Proposed:**

Tait Diversion – points of direct diversion and diversion to underground storage

Diversion Dam: within SE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Well No. 1 within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Well No. 2: within NE1/4 of NW1/4 of projected Section 12, T11 S, R 2 W, MDB&M

Well No. 3: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MD13&M

Well No .4: within NE1/4 of NW1/4 of projected Section 12, T11S, R2W, MDB&M

Beltz Injection Wells – points of rediversion to underground storage

Well No. 8 within SE1/4 of SE1/4 of projected Section 16, T11S, R1W, MDB&M

Well No. 9 within SW1/4 of NE1/4 of projected Section 21, T11S, R1W, MDB&M

Well No. 10 within SW1/4 of SE1/4 of projected Section 16, T11S, R1W, MDB&M

Well No. 12 within SE1/4 of SE1/4 of projected Section 9, T11S, R1W, MDB&M

Season of Diversion:

January 1 to December 31

Methods of Diversion:

**Existing:** Direct diversion

**Proposed:** Addition of diversion to underground storage and redirection to underground storage

Diversion Rate:

**Existing:** Maximum rate of diversion shall not exceed 6 cfs.

**Proposed:** The maximum combined rate of direct diversion and diversion to underground storage may be up to 6 cfs.

Purposes of Use:

**Existing:** Municipal and domestic

**Proposed:** Addition of industrial, recreation, fire protection and protection of water quality

Places of Use:

**Existing:** Within the boundaries of the City of Santa Cruz as shown on map filed with State Water Board, being within portions of Sections 29, 31, and 32, T10S, R1W, MDB&M. Sections 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, and 21, T11S, R1W, MDB&M. Sections 35 and 36, T10S, R2W, MDB&M. Sections 1, 2, 10, 11, 12, 13, 14, 15, 22, 23, 24, 26, and 27, T11S, R2W, MDB&M.

**Proposed:** Same as listed under Permit 16123

Terms and Conditions:

**Existing:** None

**Proposed:** Same as listed under License 1553

Underground Storage:

**Existing:** None

**Proposed:** Same as listed under Permit 16123

**Summary of License 9847 and Proposed Changes:**

Source:

Newell Creek tributary to San Lorenzo River



Point of Diversion:

Newell Creek Dam within NW1/4 of SW1/4 of Section 34, T9S, R2W, MDB&M

Season of Diversion:

September 1 to July 1 of the next year

Methods of Diversion:

**Existing:** Diversion to storage in Loch Lomond Reservoir

**Proposed:** Addition of direct diversion at Newell Creek Dam

Diversion Rate and Amount:

**Existing:** 5,600 acre-feet per annum max diversion to storage at Loch Lomond Reservoir; maximum annual withdrawal not to exceed 3,200 acre-feet; maximum amount stored in Loch Lomond Reservoir not to exceed 8,624 acre-feet

**Proposed:** Addition of maximum rate of direct diversion of up to 31 cfs

Purposes of Use:

**Existing:** Municipal, domestic, industrial, recreational and fire protection

**Proposed:** Addition of protection of water quality

Places of Use:

**Existing:** At Loch Lomond Reservoir and in the San Lorenzo Basin, including Upper San Lorenzo Valley, Scotts Valley, and Santa Cruz, being within portions of Townships 8S, 9S, 10S, and 11S, Ranges 1W, 2W, and 3W, MDB&M, as shown on map filed with the State Water Board

**Proposed:** Same as listed under Permit 16123

Terms and Conditions:

**Existing:** None

**Proposed:**

- 1) The City shall release water from Loch Lomond Reservoir to Newell Creek according to the minimum streamflow schedule agreed by the City, NMFS, and CDFW (attached to the petition, available upon request).
- 2) No delivery of water diverted under this right for use by a water supplier other than the City of Santa Cruz Water Department shall occur during Hydrologic Conditions 4 and 5, as defined in the Exceedance Category Limits Table (attached to the petition, available upon request).

Pursuant to California Water Code section 1703.1, any interested person may file a protest to the proposed changes. Protests filed in response to this notice should be submitted to the persons listed below and must be received by the Division by **4:30 p.m. on March 12, 2021**. Protests may be provided via email prior to the deadline; however, a copy of the original signed letter of protest must be subsequently filed with the Division. [Protest requirements and submittal information](#) can be found here:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/applications/docs/protestsubmittalinfo.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/docs/protestsubmittalinfo.pdf)

Send protest to both:

Jane Ling  
State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, CA 95812-2000  
[jane.ling@waterboards.ca.gov](mailto:jane.ling@waterboards.ca.gov)

Rosemary Menard  
City of Santa Cruz  
212 Locust Street, STE A  
Santa Cruz, CA 95060  
[RMenard@cityofsantacruz.com](mailto:RMenard@cityofsantacruz.com)

To request copies of the petitions or for more information regarding this matter please contact Jane Ling by email at [jane.ling@waterboards.ca.gov](mailto:jane.ling@waterboards.ca.gov).

Date of Notice: **February 10, 2021**