



**Terry Tamminen**  
*Secretary for  
Environmental  
Protection*

# State Water Resources Control Board

## Division of Water Rights

1001 I Street, 14<sup>th</sup> Floor ♦ Sacramento, California 95814 ♦ 916.341.5300  
Mailing Address: P.O. Box 2000 ♦ Sacramento, California 95812-2000  
FAX: 916.341.5400 ♦ [www.waterrights.ca.gov](http://www.waterrights.ca.gov)



**Arnold Schwarzenegger**  
*Governor*

## NOTICE OF APPLICATION T031531 REQUESTING TEMPORARY PERMIT TO DIVERT FROM THE CARMEL RIVER

Notice is hereby given that on August 20, 2004

Monterey Peninsula Water Management District  
c/o Andrew Bell  
P.O. Box 85  
Monterey, CA 93942

filed with the State Water Resources Control Board (SWRCB), Application T031531 for a Temporary Permit under Water Code sections 1425 through 1431.

### DESCRIPTION OF THE PROJECT:

Monterey Peninsula Water Management District (MPWMD) proposes to directly divert water at a maximum rate of 3.5 cubic feet per second, with an annual limit of 350 acre feet from the Carmel River in Monterey County. MPWMD plans to divert water using 19 wells, owned by California-American Water Company (Cal-Am), which are located within the four sub-aquifers of the Carmel River. San Clemente Dam is an additional proposed point of diversion. The water will be treated to meet drinking water quality standards then transported via an existing Cal-Am pipeline for injection into the Seaside groundwater basin using any of three identified injection wells.

The project is the continuation of a planning and feasibility study of the groundwater injection-recovery concept in the Seaside groundwater basin. Testing will be performed to determine rate of injection, fate of injected water, water quality characteristics, and recovery efficiency. The water will be used for groundwater recharge and municipal purposes. The requested diversion season is from December 1, 2004 to May 31, 2005. MPWMD has obtained temporary permits annually for its groundwater injection project from 1998 through the present. For a complete description of the proposed project, see [www.waterrights.ca.gov/application/tempurgnotices.htm](http://www.waterrights.ca.gov/application/tempurgnotices.htm)

Diversion will only occur when the minimum instream flows identified in the report titled [Instream Flow Needs for Steelhead in the Carmel River, Bypass Flow Recommendations for Water Supply Projects using Carmel River Waters](#) (National Marine Fisheries Service, Southwest Region, Santa Rosa Field Office, June 3, 2002) are present.

### COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The MPWMD determined that the project was exempt from the California Environmental Quality Act and has submitted a Notice of Exemption dated August 18, 2004 to the State Office of Planning and Research for Water Year 2005 Seaside Basin Test Injection Well Project. The

SWRCB will consider this document during the environmental review of the application. If you have any information which indicates that the proposed project will have a significant effect upon the environment please send this information to MPWMD. Copies of this information should also be sent to Ms. Megan Sheely, Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000.

### **SWRCB'S STATUTORY PROVISIONS**

Pursuant to Water Code section 1425, the SWRCB may issue a conditional, temporary permit if the following findings regarding that permit can be made:

1. The applicant has an urgent need for the water proposed to be diverted and used;
2. The water may be diverted and used without injury to any other lawful user of water;
3. The water may be diverted and used without unreasonable effect upon fish, wildlife, or other instream beneficial uses; and
4. The proposed diversion and use are in the public interest, including findings to support permit conditions imposed to assure that water is diverted and used in the public interest, and may be made without injury to any other lawful user of the water, and without unreasonable effect upon fish, wildlife, or other instream beneficial uses.

If the SWRCB cannot satisfy, in a timely manner, the provisions of Water Code section 1425, then the SWRCB may cancel the application or schedule and notice a hearing regarding the proposed temporary permit.

### **OPPORTUNITY FOR COMMENTS**

Pursuant to the requirements outlined above, the SWRCB is seeking information to assist in the evaluation of the proposed temporary permit. Any person may file comments, objections and/or recommendations concerning the application. The materials must address the issues that the SWRCB must evaluate, as set forth above. Although the applicant has the initial burden of establishing an urgent need for the water proposed to be diverted and used, and that the application for temporary permit is in the public interest and will not injure any legal user of water, or unreasonably affect fish, wildlife, or instream beneficial uses; the objector must file, or be prepared to file, sufficient evidence to prove that the proposed temporary permit would not comply with Water Code section 1425.

Materials filed in response to this notice must be received in the office of the SWRCB's Division of Water Rights, at the address listed below by **4:00 p.m. on October 18, 2004**. Additionally, **the response must be accompanied by proof of service of a separate copy of the materials on the applicant**, at the address listed below. Interested parties are encouraged to file comments, etc., by FAX and to notify the following contact persons by telephone of any materials that will be submitted. However, an original copy of all materials must be received for the SWRCB to consider your concerns.

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Monterey Peninsula Water  
Management District  
c/o Andy Bell  
P.O. Box 85  
Monterey, CA 93942-0085

Phone: (831) 658-5620  
FAX: (831) 644-9560

Division of Water Rights  
c/o Megan Sheely  
P.O. Box 2000  
Sacramento, CA 95812-2000

Phone: (916) 341-5438  
FAX: (916) 341-5400

Please address questions about this notice to the contact people listed above.

VICTORIA A. WHITNEY  
Division Chief

Date: **September 17, 2004**