

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

STATE WATER RESOURCES
CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
10 OCT 13 PM 1:08

PETITION FOR CHANGE (Amended)
(WATER CODE 1700)

____ Point of Diversion, ____ Point of Rediversion XX Place of Use XX Purpose of Use
Application A013322 Permit 00789 License 3800 Statement or Other _____
00789 Egg

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 South eleven degrees west seven hundred five feet from center of bridge of State Route 1 over Olema Creek being within SE ¼ NW ¼, projected Section 28, T2N, R8W, MDB&M (N 37° 59' 45.2" W 122° 45' 21.8")

Proposed NA.

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

Present SE ¼ of NW ¼ and NE ¼ of NW ¼, Projected Section 28, T2N, R8W, MDB&M.

Proposed Stream segment from point of diversion to confluence with Lagunitas Creek, as highlighted on attached map.

Purpose of Use

Present Domestic; Industrial

Proposed Preserve and enhance fish and wildlife resources; recreation

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)? Yes.

• GIVE REASON FOR PROPOSED CHANGE:

Amend licensed purpose to reflect NPS mission and use; enhance salmonid spawning habitat; recreation

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

• WATER WILL BE USED FOR Enhancement of instream flows for salmonid habitat purposes.
We seek to convert 0.0170 cfs, which represents the licensed limit less current consumptive use by lessee.

I(we) have access to the proposed point of diversion or control the proposed place of use by virtue of? Land ownership.

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? 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.

License 7411 (Application 18862), held by Fred Rodoni, authorizes diversion of 0.05 cfs from May 1 to September 30, and 2.2 acre-feet per year for storage to be drawn from October 1 through April 30. The points of diversion of this license are located approximately 6 miles downstream from the subject point of diversion. License 7411 is located within the reach we have proposed for protection. Mr. Rodoni's address P.O. Box 746, Point Reyes Station, CA 94956-0746.

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 October 4, 20 10 at Fort Collins, Colorado.



William R. Hansen
Acting Chief, Water Rights Branch
Water Resources Division
National Park Service
(970) 225-3506

NOTE: A \$1,000 fee, for each Application listed, made payable to the State Water Resources Control Board and an \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

California Environmental Protection Agency

State Water Resources Control Board

DIVISION OF WATER RIGHTS

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ENVIRONMENTAL INFORMATION
FOR PETITIONS

Petition for Change

Application No. 13322

Permit No. ⁷⁸⁸⁹7989

License No. 3800

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB 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.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to 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.

License No. 3800 authorizes direct diversion of up to 13,000 gpd from Olema Creek. This petition seeks to return water to the stream pursuant to Section 1707 to enhance fish and wildlife habitat. No construction or building is planned; no grading or excavating; and no land use changes are planned. Some physical changes are possible, as incidental to the possible removal of water diversion facilities.

See Attachment No. ____

2. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

Person contacted: Front Desk (Mary) Date of contact: February 21, 2007
Department: Marin County Planning Telephone: (415) 499-6528
County Zoning Designation: Open Area

Are any county permits required for your project? NO. (Liz Lewis, Marin County Public Works, 415-499-7226).

If YES, check appropriate box below:

Grading permit Use permit Watercourse Obstruction permit Change of zoning
General plan change Other (explain):

b. Have you obtained any of the required permits described above? NA

If YES, provide a complete copy of each permit obtained.

See Attachment No.

3. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project: NONE
Federal Energy Regulatory Commission U.S. Forest Service Bureau of Land
Management
Soil Conservation Service Dept. of Water Resources (Div. of Safety of Dams)
Reclamation Board
Coastal Commission State Lands Commission Other (specify)

Contacted California Coastal Commission (Mark Delaplaine, 415 904-5289) on March 14, 2007. The point of diversion is not located within CCC jurisdiction.

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

AGENCY PERMIT TYPE PERSON(S) CONTACTED CONTACT DATE TELEPHONE NO.

See Attachment No.

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake?

NO

If YES, explain:

See Attachment No. _____

d. Have you contacted the California Department of Fish and Game concerning your project? YES

If YES, name and telephone number of contact: Linda Hanson (retired); Greg Martinelli (707) 944-5570.

4. ENVIRONMENTAL DOCUMENTS

a. Has any California public agency prepared an environmental document for your project?

NO

If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: _____

If NO, check the appropriate box and explain below, if necessary:

This change is exempt from CEQA pursuant to 14 Cal. Code Regs. 15301(i), 15307, 15308, and In the Matter of Licenses 465, 466, and 4822, and Permit 854, 1995 WL 59093 (Cal. St. Wat. Res. Bd.). This change is also exempt from NEPA pursuant to NEPA Guidelines, Section 3.4, E.(2) and (4).

See Attachment No. _____

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

5. WASTE/WASTEWATER

a. 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?

NO. Minor temporary turbidity incidental to removal of diversion facilities may occur.

If YES, or you are unsure of your answer, explain below and contact your local Regional Water

Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. _____

b. Will a waste discharge permit be required for your project? NO
Person contacted: _____ Date of contact: _____

c. What method of treatment and disposal will be used?

See Attachment No. _____

6. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project? NO
- b. Will you be preparing an archeological report to satisfy another public agency? NO
- c. Do you know of any archeological or historic sites located within the general project area? NO

If YES, explain:

See Attachment No. _____

7. ENVIRONMENTAL SETTING

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

Along the stream channel immediately downstream from the proposed point(s) of diversion.

Along the stream channel immediately upstream from the proposed point(s) of diversion.

At the place(s) where the water is to be used.

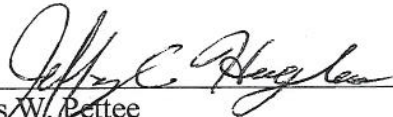
8. CERTIFICATION

I hereby certify that the statements I have furnished above and in the attachments 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: October 16, 2009

Signature: _____

for


Charles W. Pettie
Chief, Water Rights Branch
Water Resources Division
National Park Service
(970) 225-3506

License 3800
Olema Creek

Looking upstream from
Point of Diversion



September 2003

License 3800
Olema Creek

Looking downstream from
Point of Diversion



September 2003

