



State Water Resources Control Board

NOTICE OF APPLICATION 32000

COUNTY: SONOMA

STREAM SYSTEM: PETALUMA RIVER

Jackson Family Investments has filed an application to appropriate water by permit with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division). Any correspondence directed to the Applicant should be sent to the following contact: Napa Valley Vineyard Engineer, 176 Main Street, Suite B, St. Helena, CA, 94574 or nvvedla@covad.net.

Summary of Application

Table with 2 columns: Field Name and Description. Fields include Source, Point of Diversion, Amount, Season, Purpose of Use, and Place of Use.

More information regarding this application, including a draft permit, is available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/appropriations/

The project is an existing onstream reservoir with a capacity of 17.22 acre-feet. Water stored in the reservoir will only be used for fish and wildlife preservation and enhancement. Diversion will be to offset evaporative losses, and the applicant seeks a year round diversion season to avoid potential changes to the habitat.

To comply with the State Water Board independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible (National Audubon Society v. Superior Court (1983) 33 Cal.3d 419 [189 Cal.Rptr. 346, 658 P.2d 709]), Division staff has reviewed and evaluated environmental and public trust resource information developed for this project. In addition, Division staff consulted with the California Department of Fish and Wildlife (CDFW) regarding potential habitat for special status aquatic species within the project area. CDFW identified the onstream reservoir as habitat for the western pond turtle and California red-legged frog and recommends that the reservoir remain intact. In addition, CDFW recommends a 100-foot wide buffer along the Unnamed Stream within the property boundary and around the reservoir. Recommendations provided by CDFW have been incorporated into the draft permit which includes terms and conditions that: (1) avoid injury to any lawful user of water; (2) avoid and/or minimize effects to the environment and public trust resources; and (3) ensure consistency with the Water Code and the California Code of

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

Regulations. Copies of the evaluation and supporting documents are included in the project file and are available upon request.

Any interested person may file a written protest against the approval of this application (Wat. Code § 1330). Protest submittal information is available at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/docs/protestsubmittalinfo.pdf

Protests must be received by the Division of Water Rights by **4:30 p.m.** on December 4, 2013.

Jennifer Dick-McFadden is the staff person presently assigned to this matter, and she can be reached at (916) 322-8568 or jdick-mcfadden@waterboards.ca.gov. Written correspondences or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Jennifer Dick-McFadden, P.O. Box 2000, Sacramento, CA, 95812-2000.

Date of Notice: October 24, 2013