

## 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.

This is a change petition to expand the place of use for Big Sur Land Trust (BSLT) Water Right Permit #20905A, License 13888 (Attachment 1). Attachment 2 provides a map and illustration of the proposed place of use expansion area. In June 2016, BSLT received a donation of land from the adjacent property owners, Margaret Eastwood, as Trustee of the Margaret Eastwood Trust U/D/T dated August 21, 1990, and Clinton Eastwood, Jr., as Trustee of the 1988 Clinton Eastwood Trust U/D/T dated May 16, 1988 (Eastwood). The purpose of this change petition is to request an expansion of use of License 13888 to the land donated by Eastwood. No change in purpose of use (irrigation) is proposed.

Prior to donation of the land, Eastwood made a Grant of Water Rights and Easement in Gross to Malpaso Water Company, LLC for the following properties: (1) Adjusted Parcel O; (2) Well Parcel; and (3) a Portion of Adjusted Parcel A. This Grant assigned to Malpaso Water Company, LLC all pre-1914 appropriative rights, post-1914 appropriative water right confirmed by Water Right License 13868A, as well as any and all riparian rights and overlying groundwater rights appurtenant to the Subject Property (see Attachment 3). Subsequently, Eastwood donated Adjusted Parcel O and the Well Property to BSLT that (see Attachment 4, Grant Deed). The Grant Deed does not include any water rights, whether riparian, appropriative, overlying or otherwise, and the Grantor severed and terminated any riparian rights, overlying rights and other water rights appurtenant to the donated property.

Although BSLT is proposing a floodplain restoration project within the existing and proposed place of use for License 13888, this change petition is being submitted independently as there will be no change to the use of the water for irrigation. Pursuant to Eastwood Water Right License 13868A Term 21, the place of use for irrigation under that right "shall consist only of vegetation considered typical of the area and compatible with the operation of the floodplain." Given that all water rights have been severed from the land, the purpose of this change petition is to be able to utilize BSLT License 13888 for the purpose of irrigation to the expanded place of use to establish native vegetation.

No construction, structures, or increases in water diversion would result solely from the expanded place of use. The proposed floodplain restoration project, known as the Carmel River Floodplain and Environmental Enhancement Project (CRFREE), will be reviewed under CEQA this fall. Monterey County is the lead agency, as well as a co-sponsor of the CRFREE Project with BSLT.

Insert the attachment number here, if applicable:

**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](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

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:

Not applicable.

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

Not applicable

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:

No County permits are required for the proposed expansion of place of use.

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

If necessary, provide additional information below:

No permits are required for the expanded place of use for irrigation purposes.

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:

No grading or construction activity is involved with expanding the place of use for irrigation purposes.

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:

Archaeological report has been prepared for the CRFREE Project. No impacts to archaeological resources would result from the expanded place of use for irrigation purposes, as the expanded use area has been previously irrigated.

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

**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 redirection, 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 11/17/2016 at Monterey, CA.

Water Right Holder or Authorized Agent Signature

*Janeth Marshall Jones*  
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.)