



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board



Arnold Schwarzenegger
Governor

Division of Water Rights

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NOTICE OF PROPOSED MITIGATED NEGATIVE DECLARATION Pursuant to Section 21092– Public Resources Code

The staff of the State Water Resources Control Board has prepared a Mitigated Negative Declaration setting forth the findings that the following proposed action will have a less than significant effect on the environment.

PROJECT TITLE: Clear Ridge Mutual Water Association

APPLICANT: C/o Carolyn Shearer
P.O. Box 63
Big Sur, CA 93920

PROJECT LOCATION:

The POD (point of diversion) will continue to be located North 353,729N and 1,172,065 East feet by the California Coordinate System of 1927, within the NW ¼ of NW ¼, Section 24, T19S, R1E, MDB&M. The place of use will be within the service area of Clear Ridge Mutual Water Company, containing approximately 835 acres within Sections 23, 24, 25, 26, 35 and 36 and located within the County of Monterey.

PROJECT DESCRIPTION:

Clear Ridge Mutual Water Association, Inc., (Association) serves 42 properties located on Pfeiffer Ridge and Clear Ridge in the Big Sur area of Monterey County. The Association's source of water is a 36-foot deep well situated approximately 35 feet from the southwest bank and 80 feet from the center line of the Big Sur River in Monterey County. From the time the well was originally developed in 1972, the Association's right to divert water was based on the theory that the water appropriated was percolating groundwater such that, under California law, a water right permit was not required. On March 9, 1999, the (State Water Resources Control Board (State Water Board), Division of Water Rights (Division) determined that the Association's well was extracting underflow of the Big Sur River and that a water right permit was in fact required.

As a consequence, on July 5, 1999, the Association filed water right Application 30946 with the Division. The Application, as amended, requests the right to appropriate up to a total of 42 acre feet per annum (afa) at a rate not to exceed 0.058 cubic feet per second (cfs), during the season from January 1 through December 31, from Big Sur Underflow, tributary to the Pacific Ocean. Prior to amendment, the Application had requested a total of 140 afa. The proposed purposes of use are domestic and fire protection.

The Association service area is both within and outside the watershed area of the Big Sur River. Residences west of Pfeiffer Ridge and along Clear Ridge are in drainage basins that empty into Sycamore Canyon or drain directly to the Pacific Ocean. Seven Association properties east of Pfeiffer Ridge are within the Big Sur River watershed. No new water facility construction is proposed as part of this project. The application seeks to recognize a water

California Environmental Protection Agency

appropriation system in operation since 1972 which now serves 38 residences. Four additional parcels within the service area are vacant although three have existing water meters. Up to 4 new residences could be added, and the system could serve property upgrades (caretaker units, vacation homes converted to full time residences).

DETERMINATION:

The State Water Resources Control Board has determined that the above-described project will have a less than significant effect on the environment for the reasons specified in the Initial Study prepared for this project.

The Proposed Mitigated Negative Declaration and the Initial Study in support of the proposed Mitigated Negative Declaration are available on the Division of Water Rights website at http://www.waterboards.ca.gov/waterrights/water_issues/programs/ceqa/index.shtml. A hard copy of these documents or additional information concerning the proposed action may be obtained by writing to Matthew McCarthy, Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000, by email at MMcCarthy@waterboards.ca.gov or by phone at (916) 341-5310.

Persons who disagree with the conclusions set forth in the Mitigated Negative Declaration or who disagree with the information contained therein are invited to furnish written comments to Mr. McCarthy at the above address. The comments should summarize the specific substantive and factual basis for disagreement. The final date for submitting comments is 30 days from the date of this notice.



Victoria A. Whitney, Chief
Deputy Director for Water Rights

Dated: **JUN 17 2010**