



**Winston H. Hickox**  
*Secretary for  
Environmental  
Protection*

# State Water Resources Control Board

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**Division of Water Rights**  
1001 I Street, 14<sup>th</sup> Floor • Sacramento, California 95814 • (916) 341-5300  
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Division of Water Rights: <http://www.waterrights.ca.gov>



**Gray Davis**  
*Governor*

## **NOTICE OF PETITIONS BY THE CITY OF THOUSAND OAKS**

**PETITION WW-6(a) REQUESTING CHANGES IN THE PLACE OF USE  
AND PURPOSE OF USE OF TREATED WASTE WATER**

**AND**

**PETITION ON PERMIT 20952 (APPLICATION 29408) REQUESTING  
CHANGES IN THE POINT OF DIVERSION, PLACE OF USE, AND  
PURPOSE OF USE**

**COUNTY OF VENTURA**

**July 18, 2003**

### **PETITION WW-6(a)**

Notice is hereby given that on October 11, 2002

City of Thousand Oaks  
c/o Stuart L. Somach  
400 Capitol Mall, Suite 1900  
Sacramento, CA 95814

filed a petition to change the place of use of wastewater discharged by the City's Hill Canyon Waste Water Treatment Plant. The City of Thousand Oaks (City) proposes to use treated wastewater to irrigate 100 acres of land. The City also seeks to add a 6.7 acre Southwestern Pond Turtle mitigation wetland to the place of use. This notice provides a short summary of the petition and also provides instructions for filing protests to the requested changes. Public notices of the State Water Resources Control Board's (SWRCB) Division of Water Rights (Division) may be viewed and printed at the Division's website [www.waterrights.ca.gov](http://www.waterrights.ca.gov).

### **DESCRIPTION OF THE CHANGE IN PLACE OF USE AND PURPOSE OF USE**

#### **Point of Discharge**

Treated wastewater produced by the Hill Canyon Waste Water Treatment Plant located within California Coordinate System Zone 5, North 260,840', East 1,721,600' within the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of projected section 36, T2N, R20W, SBB&M

## **Receiving Watercourse**

Arroyo Conejo tributary to Conejo Creek

## **Amount of Annual Discharge**

Between 9,970 acre-feet (af) and 11,986 af (1991-1995 range)

## **Season of Discharge**

January 1 through December 31

## **EXISTING PROJECT**

The City owns and operates a wastewater treatment facility known as the Hill Canyon Treatment Plant located within projected section 36, T2N, R20W, SB&BM, of Ventura County. Under the prior petition for change in place of use of treated wastewater (WW-6), the City received approval from the SWRCB to (a) dedicate 2.0 cubic feet per second (cfs) to instream uses by the City and (b) divert the remainder of the treated wastewater discharged from the Hill Canyon Treatment Plant for the uses authorized by any water right permit or license issued on Application 29408 subject to the conditions stated in that permit or license.

## **PROPOSED CHANGE**

Water Code section 1211 (a) requires the owner of a wastewater treatment facility to receive approval from the SWRCB of any change in the purpose of use, place of use, and point of discharge of treated water. The City petitions to add a 100-acre parcel of land located within Camrosa Water District, within sections 24 and 25, T2N, R20W, SBB&M, as shown on map on file with the SWRCB (Drawing Number 204744 dated April 1995) to the authorized place of use. This project element is being pursued primarily pursuant to a change petition for Permit 20952 (Application 29408), and is described in the notice of change petition for that filing. If the change is approved for Permit 20952 and is also approved for WW-6, the City could divert treated wastewater to the new location described in the petitions for Permit 20952. The City plans to create and maintain a 6.7 acre Southwestern Pond Turtle wetland, known as the Confluence Wetland, as mitigation for wetlands displaced by the original project. To accomplish this, the City petitions to:

- Add Fish and Wildlife Preservation and Enhancement as a purpose of use.
- Add the Confluence Wetland as a place of use. The wetland is located within SE $\frac{1}{4}$ , NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , and NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of projected section 36, T2N, R20W, SBB&M, as shown on map filed with the SWRCB.

## **ENVIRONMENTAL DOCUMENTS**

1. Environmental Impact Report for City of Thousand Oaks' Water Rights Application 29408; State Clearinghouse Number 90010766; Notice of Determination filed January 21, 1992.
2. Subsequent Environmental Impact Report, Water Rights Application 29408 and Petition WW-6; State Clearinghouse Number 90010766; Notice of Determination filed May 7, 1996.

3. Mitigated Negative Declaration for City of Thousand Oaks Hill Canyon Wastewater Treatment Plan Expansion, State Clearinghouse Number 98081038; Notice of Determination filed July 27, 1999.
4. Addendum to the Hill Canyon Wastewater Treatment Plant Expansion Mitigated Negative Declaration; State Clearinghouse Number 98081038; Notice of Determination filed September 10, 2002.

The SWRCB, as responsible agency, will review these documents and prepare its own environment document specific to changes described in this notice.

### **CONTACT PERSONS**

SWRCB Staff:

Terry Snyder  
Division of Water Rights  
(916) 341-5385

Petitioner:

Dean Morales  
City of Thousand Oaks  
(805) 449-2462

### **PETITION ON PERMIT 20952**

Notice is hereby given that on October 11, 2002

City of Thousand Oaks  
c/o Stuart L. Somach  
400 Capitol Mall, Suite 1900  
Sacramento, CA 95814

filed a petition to change the point of diversion, place of use, and purpose of use for existing water right Permit 20952 (Application 29408). The City of Thousand Oaks (City) proposes to add a Point of Diversion on North Fork Arroyo Conejo. The City also seeks to add an additional 100 acres of land and a 6.7 acre Southwestern Pond Turtle mitigation wetland to the place of use; and add Fish and Wildlife Preservation and Enhancement as a purpose of use.

### **Permittee**

City of Thousand Oaks  
c/o Stuart L. Somach  
400 Capitol Mall, Suite 1900  
Sacramento, CA 95814

### **Source**

Conejo Creek tributary to Calleguas Creek thence Mugu Lagoon

**Point of Diversion**

SE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of projected section 32, T2N, R20W, SDB&M

**Purpose of Use**

Irrigation

**Direct Diversion Rate and Season of Diversion**

21.7 cfs from January 1 to December 31 of each year

**Max Annual Amount**

15,683 af per year

**Place of Use**

The Camrosa Water District (CWD) located within T2N, R18W to R20W, SBB&M and the Pleasant Valley County Water District (PVCWD) located within T1N to T2N, R21W, SBB&M as shown on map dated April, 1995 on file with the SWRCB.

**EXISTING PROJECT**

Permit 20952 authorizes the direct diversion of up to 21.7 cfs from Conejo Creek for irrigation within CWD and PVCWD. Flow in Conejo Creek at the location of the point of diversion consists of discharge from the City Wastewater Treatment Plant commingled with a smaller amount of runoff and natural flow.

Prior to the permitting of this project, the City planned to construct a recreational facility on approximately 100 acres of its property located in a portion of CWD. The 100 acres was excluded from the place of use because the California Environmental Quality Act (CEQA) review for the recreational facility had yet to be completed. The City has abandoned plans to construct the recreational facility and intends to maintain these lands in their current use.

**PETITION FOR CHANGES**

Permittee petitions to add 100 acres to the authorized place of use under Permit 20952. The description of the place of use would then read as follows: All lands within PVCWD and CWD as shown on map dated April 1995.

Additionally, the City petitions to delete term 16 from Permit 20952. Term 16 specifically excludes the aforementioned 100 acres from the authorized place of use.

The City plans to create and maintain a 6.7 acre Southwestern Pond Turtle wetland, known as the Confluence Wetland, as mitigation for wetlands displaced by the original project. To accomplish this, the City petitions to:

- Add a Point of Diversion on North Fork Arroyo Conejo, by California Coordinates, Zone 5, North 261,000' and East 1,720,600' within NE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of projected section 36, T2N, R20W, SBB&M.

- Add the Confluence Wetland as a place of use. The wetland is located within SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, and NW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of projected section 36, T2N, R20W, SBB&M, as shown on map filed with the SWRCB.
- Add Fish and Wildlife Preservation and Enhancement as a purpose of use.

## ENVIRONMENTAL DOCUMENTS

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The SWRCB, as responsible agency, will review these documents and prepare its own environment document specific to changes described in this notice.

## CONTACT PERSON

Terry Snyder at (916) 341-5385  
[tsnyder@waterrights.swrcb.ca.gov](mailto:tsnyder@waterrights.swrcb.ca.gov)

**PROCEDURES FOR FILING PROTESTS:** Any person may file a protest against the changes proposed in a petition. However, protests filed in response to this notice must be received in the office of the Division of the SWRCB at the address listed below by **4:00 p.m. on the 30<sup>th</sup> day after the date of this notice**. A protest should be submitted on a standard protest form available from the Division, but can be submitted in letter form. Due to the constraints of the noticing period, protestants may file protests by FAX at (916) 341-5400 or email at [tsnyder@waterrights.swrcb.ca.gov](mailto:tsnyder@waterrights.swrcb.ca.gov). However, an original copy of all materials must be received for the SWRCB to consider your protest. The protest should be submitted to:

Terry Snyder  
 State Water Resources Control Board  
 Division of Water Rights  
 P.O. Box 2000  
 Sacramento, CA 95812-2000

**In addition, a copy of the protest must be sent to the petitioner.**

Protests may be based on any of the factors listed below:

- Injury to existing water rights.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.
- Not within the jurisdiction of the SWRCB.

All protests must clearly describe the objections to approval of the petition and the factual basis for those objections. For example, if the objection is based on injury to existing water rights, the protest must describe the specific injury to the existing water right that would result from approval of the changes proposed by the petition. In addition, the party claiming injury to prior water rights must provide specific information that describes the basis of the existing right, the date the use began, the quantity of water use, the purpose of use, and the place of use. Protests based on environmental impacts, public interest, legality, or jurisdictional issues must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the SWRCB may reject the protest or request that the protestant submit additional information. The Division will not accept protests that are directed against the underlying water right, rather than the change proposed by the petition.

The SWRCB may grant an extension of time to file a protest, for good cause. A request for an extension of time must be submitted in a timely manner, must specify the additional time required, and must state why additional time is needed to file the protest. A pamphlet is available that provides additional information relating to water rights and the procedure for filing protests.

**RESOLUTION OF PROTESTS:** The protestant is encouraged to meet with the petitioner to discuss methods that could be used to resolve the protest. If the protest can not be resolved, SWRCB staff may conduct a field investigation with all interested parties or may hold a water right hearing.

**CONTACT PERSON:** Please contact the staff person designated above if you would like information regarding protests, copies of pamphlets, protest forms, or need to request an extension of time to file a protest. Protest forms and other water right information are now also available on the web at [www.waterrights.ca.gov](http://www.waterrights.ca.gov).