

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 11043
and 11044, Issued on Applica-
tions 13225 and 13226, MONTEREY
COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT,
Permittee.

Order : ^{WR} 176-12

Source: Salinas River

County: Monterey

ORDER GRANTING EXTENSION OF TIME

BY BOARD MEMBER DODSON:

A hearing having been held pursuant to Section 1410 of the Water Code before the State Water Resources Control Board on the eighth day of July, 1975, in the Resources Building, 1416 Ninth Street, Sacramento, California, for the purpose of allowing Monterey County Flood Control and Water Conservation District, hereinafter called the permittee, to show cause why Permits 11043 and 11044 should not be revoked pursuant to Water Code Section 1410; due notice of the time, place, and nature of said hearing having been given by certified mail to said permittee; said notice having been received, as is evidenced by signed return receipt; said permittee having appeared at said hearing; the Department of Water Resources having appeared as an interested party; evidence having been presented and received at said hearing and having been duly considered, the Board finds as follows:

1. On November 20, 1957, Permit 11043 was issued to Monterey County Flood Control and Water Conservation District on Application 13225. The permit authorized appropriation of 400 cubic feet per second (cfs)* from January 1 to December 31 at two points of diversion on the Salinas River in Monterey County for municipal purposes. At the same time, Permit 11044 was issued, which is identical to Permit 11043 except that it authorizes irrigation and domestic use of the same water.

2. The time authorized in said permit for application of water to beneficial use expired on December 1, 1973, after three extensions of time. A petition for extension of said time for a period of three years was filed on January 24, 1974.

3. The project originally envisioned by the permittee has changed since issuance of the permits. At the time of hearing, only that portion of the original project known as the Castroville Irrigation Project, which will divert water for irrigation purposes from one of the permitted points of diversion, was being actively pursued (RT 6). However, permittee has not abandoned the other portion of the project, known as the East Side Canal Project, and hopes to develop it in the future (RT 6, 24, 25).

4. Permittee has applied for a federal loan pursuant to Public Law 984 to finance the Castroville Irrigation Project and is very confident that necessary financing will be forthcoming (RT 6, 8, 36). Additionally, permittee has prepared and circulated through the State Clearinghouse an environmental impact report

*Total amount to be diverted under either or both permits.

disclosing the impacts of that project (RT 6). Permittee has not applied for financing for the East Side Canal Project, but may finance that project through a Public Law 984 loan as well (RT 24).

5. Permittee has exercised due diligence in its efforts to obtain financing for the Castroville Irrigation Project portion of its original project and has indicated that the East Side Canal Project remains a sufficiently viable project to justify an extension of time.

6. The Department of Water Resources has found the Castroville area of Monterey County to be "potentially one of the best sites for waste water reclamation in California...". That Department has urged that the Board compel the permittee and the Monterey Peninsula Water Pollution Control Agency (which has applied to the Board for a Clean Water Grant for a regional wastewater treatment facility) to examine more fully the possibility of substituting reclaimed wastewater for the proposed water supply for the Castroville Irrigation Project.

7. The record does not show that permittee has adequately considered the substitution of reclaimed wastewater as suggested by the Department of Water Resources. Failure to make this showing is not considered entirely the fault of the permittee since it does not have comprehensive control over the water resources planning process in Monterey County. However, because the water resources of the State must be put to use to the fullest extent of which they are capable, it is in the public interest to require

permittee to consider further the use of reclaimed wastewater as a supply for the Castroville Irrigation Project. Therefore, construction of the Castroville Irrigation Project or any project utilizing water covered by Permits 11043 and 11044 should not commence until further order of the Board, preceded by a hearing at which permittee demonstrates that all practicable alternatives, including use of reclaimed wastewater, have been fully considered and that permittee has made all reasonable effort to coordinate its water supply decisions with local water pollution control agencies.

8. Permittee also holds Permit 12261 (A16761) which allows rediversion of stored San Antonio River water (tributary to the Salinas River) at the same two points of diversion specified in Permits 11043 and 11044. The development period for Permit 12261 expired on December 1, 1975. Permittee has requested an extension of time for development under Permit 12261, and the Board shall consider conditioning any extension which may be granted to provide for a joint hearing on all three permits.

It is concluded from the foregoing findings that further extension of time until December 1, 1979, is justified.

NOW THEREFORE IT IS ORDERED:

1. Time to commence construction under Permits 11043 and 11044 is extended to December 1, 1979.

2. Construction shall not commence until further order of the Board upon a hearing and a showing by the permittee that the use of all practicable alternative water supplies, including

the use of reclaimed wastewater, have been adequately considered and that permittee has made all reasonable effort to coordinate its water supply decisions with local water pollution control agencies. If authorization to commence construction is given, the further Board order will include appropriate standard and special permit terms, including terms concerning the time allowed for completion of construction and for application of water to beneficial use. Jurisdiction to so condition these permits is reserved.

3. In addition, the Board specifically reserves jurisdiction to impose further terms and conditions on Permits 11043 and 11044 requiring permittee to use reclaimed wastewater to satisfy all or some of its water needs should the public interest so require.

Dated: September 16, 1976

ROY E. DODSON
Roy E. Dodson, Member

JOHN E. BRYSON
John E. Bryson, Chairman

W. DON MAUGHAN
W. Don Maughan, Vice Chairman

W. W. ADAMS
W. W. Adams, Member

JEAN AUER
Jean Auer, Member