



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

FEB 07 2013

In Reply Refer to:
EM:A011331&A011332

VIA ELECTRONIC MAIL

Michael Jackson, P.E.
Area Manager
South Central California Area Office
U.S. Bureau of Reclamation
1243 N Street
Fresno, CA 93721
MJackson@usbr.gov

John McInnes, General Manager
Goleta Water District
4699 Hollister Avenue
Goleta, CA 93110-1199
JMcnnes@goletawater.com

Dear Mr. Jackson and Mr. McInnes:

1999 CHANGE PETITION BY THE U.S. BUREAU OF RECLAMATION TO ADD THE DOS PUEBLOS GOLF LINKS PROJECT TO PLACE OF USE UNDER PERMITS 11308 AND 11310

This letter is in regard to the U.S. Bureau of Reclamation's (Reclamation) November 6, 2012 submittal to the State Water Resources Control Board (State Water Board) of a November 6, 2012 letter from Goleta Water District (GWD) regarding the current status of Reclamation's 1999 Petition for Change to add 130 acres of the "Dos Pueblos Golf Links Project" site within the GWD, to Reclamation's place of use under water right Permits 11308 and 11310.¹ A copy of GWD's letter is enclosed.

GWD's letter indicates that the original "Dos Pueblos Golf Links Project" described in the 1999 petition for change will not be developed as originally proposed. GWD's letter states:

"The land owner has proceeded to apply for an alternative project with the County of Santa Barbara (County). Rather than moving forward with the golf course, this new project would construct two single family residences, accessory structures, and guesthouses on two separate adjacent parcels. The County anticipates considering the environmental impact report for this new project in [] late February 2013."

Based on this new information, the State Water Board cannot process Reclamation's 1999 petition as part of the current proceeding to consider modifications to Permits 11308 and 11310 to protect public trust resources and downstream water rights. The project description in the 1999 petition for change is no longer accurate and the California Environmental Quality Act

¹ On February 17, 1999, Reclamation filed the change petition at the request of the Goleta Water District. The golf course project covers 208 acres, including 78 acres that are within the area covered by Reclamation's separate change petition originally filed in 1983, requesting expansion of the permitted place of use and consolidation of the purposes of use for Permits 11308 and 11310 (Applications 11331 and 11332).

(CEQA) documents originally prepared for the project that are included as part of the hearing record for the current proceeding are now inadequate to cover the changes described in the November 6, 2012 letter from GWD.² Consequently, in order to proceed with the changes proposed in the November 6, 2012 GWD letter, Reclamation's 1999 petition for change must be amended to reflect the alternative project described in GWD's letter, and new or updated CEQA documentation that analyzes the current proposed project must be submitted to the State Water Board. However, because the hearing record is closed, the amended petition for change will require separate processing, pursuant to California Code of Regulations, title 23, section 791 et seq.

If you have any questions regarding current requirements for filing and processing an amended petition, please contact Matt McCarthy, Chief of the State Water Board's, Division of Water Rights, Coastal Stream Unit at (916) 341-5310 (mmccarthy@waterboards.ca.gov). If you have any questions regarding this letter, please contact Ernest Mona at (916) 341-5359 (emona@waterboards.ca.gov). Written correspondence should be addressed as follows:

State Water Resources Control Board
Division of Water Rights
P.O. Box 200
Sacramento, CA 95812

Sincerely,



Michael Buckman, Chief
Hearing Unit
Hearings & Special Programs Section

Enclosure: GWD Letter

cc: Enclosed Cachuma Service List

² The potential impacts of the Dos Pueblos Golf Links Project are evaluated in an Addendum to the Final Environmental Impact Report for the project, dated July 1998, prepared by Goleta Water District and County of Santa Barbara, on construction and development of the golf course project. (Phase 1: DOI-2c; SWRCB Staff Ex. 4.)

Cachuma Project Phase 2 Hearing
Final Service List
(updated 03/28/2012)

(Based on 01/05/2004 list, updated 07/26/2007, updated 06/08/2010, updated 01/20/2011, updated 05/13/2011, updated 07/29/2011, updated 01/05/2012, updated 01/30/2012, updated 03/28/2012,

<p>Cachuma Conservation Release Board Mr. Kevin O'Brien Downey Brand LLP 621 Capitol Mall, Floor 18 Sacramento, CA 95814 kobrien@downeybrand.com bcougar@downeybrand.com <i>updated 01/05/2012</i></p>	<p>City of Solvang Mr. Christopher L. Campbell Baker, Manock & Jensen 5260 N. Palm Avenue, Suite 421 Fresno, CA 93704 ccampbell@bakermanock.com <i>updated 07/29/2011</i></p>
<p>Santa Ynez River Water Conservation District, Improvement District No. 1 Mr. Gregory K. Wilkinson Best, Best & Krieger, LLP 3750 University Avenue, Suite 400 Riverside, CA 92501 Gregory.Wilkinson@Bbklaw.com <i>updated 01/30/2012</i></p>	<p>City of Lompoc Ms. Sandra K. Dunn Somach, Simmons & Dunn 500 Capitol Mall Suite 1000 Sacramento CA 95814 sdunn@somachlaw.com <i>updated 06/08/2010)</i></p>
<p>Santa Ynez River Water Conservation District Mr. Ernest A. Conant Law Offices of Young Wooldridge 1800 – 30th Street, Fourth Floor Barkersfield, CA 93301 econant@youngwooldridge.com</p>	<p>California Trout, Inc. c/o Ms. Karen Kraus Environmental Defense Center 906 Garden Street Santa Barbara, CA 93101 kkraus@environmentaldefensecenter.org <i>updated 03/28/2012</i></p>
<p>U.S Bureau of Reclamation Ms. Amy Aufdemberg 2800 Cottage Way, Room E-1712 Sacramento, CA 95825 Fax (916) 978-5694 AMY.AUFDEMBERGE@sol.doi.gov</p>	<p>Ms. Terri Maus-Nisich, Assistant CEO Santa Barbara County CEO's Office 105 E. Anapuma Street, 4th Floor Santa Barbara, CA 93101 tmaus@co.santa-barbara.ca.us <i>updated 01/05/2012</i></p>
<p>Dan Hytrek NOAA Office of General Counsel Southwest Region 501 West Ocean Blvd., Suite 4470 Long Beach, CA 90802-4213 Dan.Hytrek@noaa.gov <i>updated 05/13/2011</i></p>	<p>Department of Fish and Wildlife Office of General Counsel Nancee Murray 1416 Ninth Street, 12th Floor Sacramento, CA 95814 Nmurray@dfg.ca.gov</p>

<p>County of Santa Barbara Mr. Dennis Marshall, County Counsel 105 E. Anapamu Street Santa Barbara, CA 93101 dmarshall@co.santa-barbara.ca.us</p>	
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4699 HOLLISTER AVENUE
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TELEPHONE 805/964-6761
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November 6, 2012

Mr. Michael Jackson, P.E.
US Department of the Interior
Bureau of Reclamation
South Central California Area Office
1243 N Street
Fresno, CA 93721

Subject: Cachuma Project Change in Place of Use Petition for Dos Pueblos Golf Links Project

Dear Mr. Jackson,

This letter is in response to your July 25, 2012 letter and November 5, 2012 email regarding the petition Reclamation filed in May 1999 to add the Dos Pueblos Golf Links Project to Reclamation's place of use under Permits 11308 and 11310. Please proceed with completing any place of use petition or other actions necessary for the District to provide service within this new portion of our service area.

As you may be aware, the original Dos Pueblos Golf Links Project proposed to construct a golf course requiring potable and recycled water service, as well as an annexation into the Goleta Water District (District) service area. A Local Agency Formation Commission (LAFCO) annexation was approved, bringing the land into the Goleta Water District's service area. That LAFCO decision was challenged, and litigation concluded in August 2010 with the annexation being upheld. The land owner has proceeded to apply for an alternative project with the County of Santa Barbara (County). Rather than moving forward with the golf course, this new project would construct two single family residences, accessory structures, and guesthouses on two separate adjacent parcels. The County anticipates considering the environmental impact report for this new project in the late February 2013.

Notably, the area is not currently served with District water meters; however, the District has entered into an agreement for service with the property owner, should the County of Santa Barbara ultimately approve the project. At that time, the project would complete the District's application process and receive meters for water service. Once meters are in place, the District would serve the land with water from its supply portfolio, including water from the Cachuma project.

Should you have further questions, please do not hesitate to contact me at 805-879-4620. The District is grateful for your assistance in this matter.

Sincerely,

John McInnes
General Manager