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CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 5, 2019

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Revocation Of San Pedro Creek Water Right

RECOMMENDATION:

That Council authorize staff to file a Request for Revocation of Water Right with the State Water Resources Control Board relating to License for Diversion and Use of Water No. 12609.

DISCUSSION:

In November 2018, the City's Water Resources Division was notified of an appropriative water right belonging to the City of Santa Barbara authorized under the License for Diversion and Use of Water No. 12609. Upon further investigation, it was determined that this water right authorized the City to divert 3.5 acre-feet per year (AFY) from San Pedro Creek, which runs adjacent to both the Twin Lakes Golf Course (Golf Course) and the Santa Barbara Airport (Airport). Historically, water was diverted through a gravity-fed diversion from San Pedro Creek to serve the two ponds at the Golf Course.

Between July 2015 and January 2016, the Santa Barbara County Flood Control and Water Conservation District (Flood Control District) completed a capacity enhancement project on San Pedro Creek. The project removed a drop structure located downstream of the Union Pacific Railroad bridge that crossed San Pedro Creek, adjacent to the northwest corner of the Golf Course. This, in turn, lowered the elevation of the base of San Pedro Creek near the bridge. The gravity-fed diversion could no longer serve the Golf Course as a result of the lowered creek bed elevation. The Flood Control District worked in partnership with Airport staff and the Golf Course during the completion of the San Pedro Creek capacity enhancement project. The Golf Course no longer wished to have ponds, and its other water needs are served by Airport water meters.

Staff recommends revoking the San Pedro Creek water right, License No. 12609, for the following reasons:

- The amount of water authorized for diversion under the water right (3.5 AFY) represents less than one percent of the City's total water demand, but the gravity-fed diversions are no longer possible from San Pedro Creek and the water cannot be beneficially used for other purposes; and

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- The Golf Course's water needs are satisfactorily met by Airport water meters.

As a water right holder, the City is responsible for paying an annual water right fee and completing annual water diversion reports to the California State Water Resources Control Board. Revocation of the water right would remove this obligation for the City for water that it cannot beneficially use for other purposes.

Environmental Review

The request for revocation is not a project as defined in the California Environmental Quality Act (CEQA) because it is not an activity that will result in a direct or indirect effect on the environment; to the extent that it is a project as defined in CEQA, it is exempt from CEQA under CEQA Guidelines § 15061(b)(3) because it can be seen with certainty that the revocation will not have any significant effect on the environment.

PREPARED BY: Kelley Dyer, Water Supply Manager/DC/js

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office