

**CALIFORNIA PUBLIC UTILITIES COMMISSION
DIVISION OF WATER AND AUDITS**

Advice Letter Cover Sheet

Utility Name: THE SEA RANCH WATER COMPANY, INC. **Date Mailed to Service List:** 09/24/21
District:
CPUC Utility #: WTC - 126 **Protest Deadline (20th Day):** 10/14/21
Advice Letter #: 110 **Review Deadline (30th Day):** 10/24/21
Tier 1 2 3 Compliance **Requested Effective Date:** 09/24/21
Authorization D. 21-08-007 **Rate Impact:** \$0
Description: Emergency water agreement with Kashia Utility District 0%

The protest or response deadline for this advice letter is 20 days from the date that this advice letter was mailed to the service list. Please see the "Response or Protest" section in the advice letter for more information.

Utility Contact: Ellen Buechner **Utility Contact:** Marino Rodriguez
Phone: (707) 785-2444 **Phone:** (831) 809-2074
Email: ebuechner@tsra.org **Email:** marinorod@aol.com

DWA Contact: Tariff Unit
Phone: (415) 703-1133
Email: Water.Division@cpuc.ca.gov

DWA USE ONLY		
DATE	STAFF	COMMENTS

APPROVED WITHDRAWN REJECTED

Signature: _____ **Comments:** _____
Date: _____ _____

THE SEA RANCH WATER COMPANY, INC.
Sonoma County

September 24, 2021

ADVICE LETTER No. 110

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

THE SEA RANCH WATER COMPANY hereby transmits for filing one original and one copy each of the following tariffs schedules which are attached hereto:

Summary

This advice letter is filed to respectfully notify the CPUC of a temporary change to allow the sale of unmetered water to Kashia Rancheria in an agreement for Emergency Water Service between The Sea Ranch Water Company (TSRWC) and the Kashaya Utility District (KUD).

Background

The Kashia Band of Pomo Indians, located at Stewarts Point on the Sonoma Coast is projected to have a dry well by early to mid-September. TSRWC Board of Directors has approved the sale of unmetered water to Kashia Rancheria, under its standard hydrant contract for trucked water. TSRWC can provide hauled water in the interim, but the tribe is located outside of the place of use authorized under Sea Ranch's water rights.

Enclosed is The State Water Resources Control Board order approving a minor temporary change to Permit 20751 (Application 29466) which would add a temporary place of use at the Stewarts Point Indian Rancheria and Public School (Tribe). Up to three (3) acre-feet of previously stored water will be moved to the temporary place of use via water trucks. The temporary place of use will be served by the KUD with the transferred water through March 31, 2022, for basic health and safety needs. Under the authority of the Tribe, the KUD operates the public water system that provides domestic water to Stewarts Point Rancheria residents.

TSRWC has already carefully checked and projected sufficient supply of water for its own customers before going forward with this request. As of the date of this Advice Letter Kashi Rancheria has not requested any water from TSRWC yet. Through Advice Letter No. 110, TSRWC respectfully notifies the CPUC of this temporary change to allow the sale of unmetered water to Kashia Rancheria in an agreement for Emergency Water Service.

Requested Effective Date

This filing is a Tier 1 advice letter and is effective the date of filing. TSRWC respectfully requests approval of AL - 110 be September 22, 2021.

Notice

In compliance with Section 4.3 of General Order No. 96-B, a copy of this advice letter has been mailed to all parties listed on the enclosed service list. In conformance with Ordering Paragraph No. 3 of Resolution No. W-4664, TSRWC will provide notice to its customers of the increase in dollar and percentage terms with the first bill that includes the increase.

This filing is made under the provisions of General Order No. 96-B.

This filing will not cause withdrawal of service nor conflict with any other schedule or rule.

Response or Protest

Anyone may respond to or protest this advice letter. A response supports the filing and may contain information that proves useful to the Commission in evaluating the advice letter. A protest objects to the advice letter in whole or in part and must set forth the specific grounds on which it is based. These grounds are:

- (1) The utility did not properly serve or give notice of the advice letter;
- (2) The relief requested in the advice letter would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies;
- (3) The analysis, calculations, or data in the advice letter contain material error or omissions;
- (4) The relief requested in the advice letter is pending before the Commission in a formal proceeding; or
- (5) The relief requested in the advice letter requires consideration in a formal hearing, or is otherwise inappropriate for the advice letter process; or
- (6) The relief requested in the advice letter is unjust, unreasonable, or discriminatory (provided that such a protest may not be made where it would require relitigating a Prior order of the Commission).

A protest shall provide citations or proofs where available to allow staff to properly consider the protest.

A response or protest must be made in writing or by electronic mail and must be received by the Water Division within 20 days of the date this advice letter is filed. The address for mailing or delivering a protest is:

Tariff Unit, Water Division, 3rd Floor
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
E-Mail: water_division@cpuc.ca.gov

On the same day the response or protest is submitted to the Water Division, the respondent or protestant shall send a copy of the protest by mail or e-mail to us, addressed to:

The Sea Ranch Water Company, Inc.
P.O. Box 16
The Sea Ranch, CA 95497
Phone No. (707) 785-2444

Cities and counties that need Board of Supervisors or Board of Commissioners approval to protest should inform the Water Division, within the 20 day protest period, so that a late filed protest can be entertained. The informing document should include an estimate of the date the proposed protest might be voted on.

Replies: The utility shall reply to each protest and may reply to any response. Each reply must be received by the Division of Water and Audits within five business days after the end of the protest period, and shall be served on the same day to the person who filed the protest or response.

The Sea Ranch Water Company, Inc.

By 
Jennifer Merchant
Chief Executive Officer

Attachments

The Sea Ranch Water Company, Inc.
P.O. Box 16
The Sea Ranch, CA 95468

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy via and electronic mail of the following document, The Sea Ranch Water Company, Inc. Advice Letter No. 110, upon the California Public Utilities Commission as shown on the Service List attached hereto, a copy thereof properly addressed to each party. Additionally, I hereby certify that I have this day served a true copy via first class United States mail of the following document, The Sea Ranch Water Company, Inc. Advice Letter No. 110, upon all additional parties as shown on the Service List attached hereto, a copy thereof properly addressed to each party.

Executed in The Sea Ranch, California on the 24th day of September 2021.



Ellen Buechner
Chief Financial Officer

The Sea Ranch Water Company, Inc.

P.O. Box 16

The Sea Ranch, CA 95497

THE SEA RANCH WATER COMPANY, INC.

ADVICE LETTER No. 110

SERVICE LIST

(AS PER SECTIONS 4.3 AND 7.2 OF GENERAL ORDER No. 96-B)

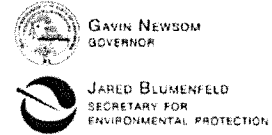
Via Email:

California Public Utilities Commission
Division of Water and Audits
Water.Division@cpuc.ca.gov

Via First Class United States Mail
Without Attachments

North Gualala Water Company
P.O. Box 1000
Gualala, CA 95445

Point Arena Water Works, Inc.
P.O. Box 205
Point Arena, CA 95468



State Water Resources Control Board

SEPT 10 2021

In Reply Refer to:
MAM: A029466

The Sea Ranch Water Company
Attn: Eric Schanz
P.O. Box 16
The Sea Ranch, CA 95497
eschanz@tsra.org

Dear Mr. Schanz:

ISSUANCE OF MINOR CHANGE TO WATER RIGHT PERMIT 20751
(APPLICATION 29466) IN SONOMA COUNTY

You have received this letter because you are the agent of a water right permit on file with the State Water Resources Control Board (State Water Board). The purpose of this letter is to inform you that the State Water Board has issued a temporary minor change to water right Permit 20751. You should carefully read the enclosed water right order to ensure that you understand and comply with any requirements for diversion of water and beneficial use of water.

Contact

If you have any questions, please contact Michael Meza at michael.meza@waterboards.ca.gov. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Michael Meza, P.O. Box 2000, Sacramento, CA, 95812-2000.

Sincerely,

ORIGINAL SIGNED BY:

Scott McFarland, Senior
Licensing and Petitions Unit
Division of Water Rights

Enclosure: Minor Change Order

ec (w/enclosure):

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

The Sea Ranch Water Company
Attn: Eric Schanz

SEPT 10 2021

Paul Chappell
Kashaya Utility District
Paul@stewartspoint.org

Jessica Maxfield
California Department of Fish and Wildlife
Bay Delta Region
Jessica.Maxfield@Wildlife.ca.gov

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Minor Change Request

The Sea Ranch Water Company

ORDER APPROVING A MINOR CHANGE TO PERMIT 20751 (APPLICATION 29466)

SOURCE: South Fork Gualala River (Underflow)

COUNTY: Sonoma

WHEREAS:

1. The Sea Ranch Water Company (Sea Ranch) filed a Minor Change Request with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) on August 26, 2021. Permit 20751 allows a maximum rate of diversion to offstream storage of two and four tenths (2.4) cubic feet per second and 225 acre-feet per year by storage to be collected from January 1 to December 31 of each year.
2. Sea Ranch requested a Minor Change to modify Permit 20751, adding a temporary place of use at the Stewarts Point Indian Rancheria and Public School (Tribe). Up to three (3) acre-feet of previously stored water will be moved to the temporary place of use via water trucks. This temporary place of use will be served by the Kashaya Utility District (KUD) with the transferred water through March 31, 2022 for basic health and safety needs. Under the authority of the Tribe, the KUD operates the public water system that provides domestic water to Stewarts Point Rancheria residents.
3. The Division noticed the Sea Ranch request on August 26, 2021 to the Division's website pursuant to Water Code section 1700.6, subdivision (b). The California Department of Fish and Wildlife – Bay Delta Region was also notified on August 26, 2021 via email. No comments were received from any parties in response to the notice.

4. The proposed change meets the requirements provided by Water Code section 1700.6.

The change is a temporary change to the place of use and will not result in an increase in consumptive use. The three acre-feet of water transferred from Sea Ranch is water previously stored under Permit 20751 and will assist the Tribe with water supply challenges they have experienced due to drought.

The temporary place of use is a minor change because it is in close proximity to the permitted place of use, will be limited to the specific boundaries of the Tribe, and will only be transported as needed through March 31, 2022. No new development or construction is needed to facilitate the movement and use of water under this change, nor will there be an expansion in use of water due to this change.

Because all of the transferred water is water previously stored in an offstream pond, the change does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.

4. The Stewarts Point Indian Rancheria and Public School are typically served under their Water Right, License 12874 (Application 22972). The point of diversion for License 12874 is underflow from the Wheatfield Fork of the Gualala River. Due to drought, the diversion under License 12874 is projected to be disconnected in early to mid-September and an alternative source of water is needed to ensure the health and safety needs of the Tribe are met.
5. On May 10, 2021, Governor Gavin Newsom issued a proclamation of a State of Emergency for 41 Counties due to drought. The signed proclamation directs State agencies to work with local agencies in implementing solutions to acute drinking water shortages. The proclamation also suspends Public Resources Code, Division 13 (commencing with Section 21000) and related regulations to the extent necessary to address the impacts of the drought. This order is an action to address an acute drinking water shortage potentially faced by the Tribe.

In combination with the Governor's suspension of Public Resources Code, Division 13, this order is exempt from the California Environmental Quality Act (CEQA) as it is an emergency project under Public Resources Code Section 21080, subdivision (b)(4), as the action is required to implement a project that mitigates a drought emergency related to drinking water supply shortages. The proposed action also consists of the operation of existing facilities involving negligible or no expansion of use beyond that existing, and accordingly is categorically exempt from CEQA under a Class 1 exemption pursuant to California Code of Regulations, title 14, section 15301.

6. Pursuant to Resolution No. 2012-0029, the State Water Board has delegated authority to the Deputy Director for Water Rights to issue change orders under specific circumstances. (Resolution No. 2012-0029, section 4.2.9.) Resolution No. 2012-0029 authorizes the Deputy Director to redelegate this authority, and this authority has been so redelegated by memorandum dated November 18, 2020.
7. Because the changes authorized by this Order are temporary in nature, the amount of water that serves Stewarts Point Indian Rancheria and Public School will not be considered during licensing of Permit 20751.

THEREFORE, THE REQUEST TO MAKE A MINOR CHANGE TO PERMIT 20751 IS APPROVED AND PERMIT 20751 IS AMENDED AS FOLLOWS:

Current Water Right Conditions:

Points of Diversion to Offstream Storage:

- 1) Well A: By California Coordinate System of 1983, Zone 2, North 2,022,450 feet, and East 6,155,530 feet, being within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16, T10N, R14W, MDB&M.
- 2) Well B: By California Coordinate System of 1983, Zone 2, North 2,022,450 feet, and East 6,155,610 feet, being within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16, T10N, R14W, MDB&M.

Place of Offstream Storage:

At Pond No. 9 within NE $\frac{1}{4}$ of projected Section 35, T11N, R15W, MDB&M.

Purpose and Place of Use:

The authorized use of water under Permit 20751 is Municipal use within 4,219 acres, as show on map filed with the State Water Resources Control Board and as follows:

1. 2,598 acres within Sections 7, 8, 16, 17, 18, 20, 21, 27, 28, 29, 33 and 34, T10N, R14W, MDB&M.
2. 1,048 acres within Sections 1, 2, 3, 11 and 12, T10N, R15W, MDB&M.
3. 573 acres within Sections 27, 34 and 35, T11N, R15W, MDB&M.

New Water Right Conditions:

Point of Diversion:

No changes.

Place of Use:

Add a temporary place of use within the Stewarts Point Indian Rancheria and Public School (Sonoma Co. APN's 123-160-003 and 123-160-011) located within SW¼ of NW¼ of Section 5 and SE¼ of NE¼ of Section 6, all within T9N, R13W, MDB&M.

The temporary addition of Stewarts Point Indian Rancheria and Public School will be applicable through March 31, 2022.

Up to three (3) acre-feet of previously stored water is authorized to be moved to the temporary place of use.

Purpose of Use:

No changes.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

Erik Ekdahl, Deputy Director
Division of Water Rights

Dated: SEPT 10 2021