From:	Julian Fulwiler
To:	Sonal Aggarwal
Cc:	Allan Richards; Camille Leung; Summer Burlison
Subject:	Re: Question for San Gregorio Watershed Water Right - 350 Madera Lane (PLN2023-00112)
Date:	Tuesday, February 18, 2025 1:40:49 PM
Attachments:	image001.png

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Hi Sonal,
I'm not familiar with any previous water right applications for rainwater harvesting within San Gregorio. Also, the watermaster (Stetson) for the San Gregorio Creek Stream System does not issue water rights or permits. The 1993 Decree identifies the adjudicated water rights within the basin. New applications for unappropriated water (e.g. winter diversions and storage) must be filed with the SWRCB.

Based on Water Code Section 10570-10574 (Rainwater Capture Act of 2012) and SWRCB guidance, it is my understanding that the proposed project at 350 Madera Ln does not require a water right for rainwater harvesting from the structure roof.

Julian

Julian Fulwiler, P.E.
Stetson Engineers Inc.
San Gregorio Watermaster
2171 E. Francisco Blvd, Suite K
San Rafael, CA 94901
Ph: (415) 457-0701 x 35
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www.sangregoriowatermaster.com

From: Sonal Aggarwal <saggarwal@smcgov.org>
Sent: Wednesday, February 12, 2025 2:39 PM
To: Julian Fulwiler <JulianF@stetsonengineers.com>
Cc: Allan Richards <allanr@stetsonengineers.com>; Camille Leung <cleung@smcgov.org>; Summer Burlison <sburlison@smcgov.org>
Subject: RE: Question for San Gregorio Watershed Water Right - 350 Madera Lane (PLN2023-00112)

Hello Julian,

Thanks for answering my previous questions. It was told to us today by the AAC Committee Member Crystal Chaix that certain property owners were asked to obtain Water Rights from the San Gregorio Water Master and denied permits for harvesting rainwater. Is this true?
Also, can you please review the attached plan and let me know if this project will require a Water

Permit for harvesting rainwater and collecting it in the existing pond? I forgot to include the plans last time, hence, sending them again here for your reference.

Thanks!

Regards,

Sonal Aggarwal (she/her)
Planner III

County of San Mateo
Planning & Building Department
455 County Center 2nd Floor
Redwood City, CA 94063
www.smcgov.org/planning

From: Julian Fulwiler <JulianF@stetsonengineers.com>
Sent: Thursday, January 16, 2025 3:25 PM
To: Sonal Aggarwal <saggarwal@smcgov.org>
Cc: Allan Richards <allanr@stetsonengineers.com>; Camille Leung <cleung@smcgov.org>; Summer Burlison <sburlison@smcgov.org>
Subject: Re: Question for San Gregorio Watershed Water Right - 350 Madera Lane (PLN2023-00112)

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Sonal,
The San Gregorio Creek Adjudication only addressed surface water rights and did not address rights to percolating groundwater. So, if the well is pumping percolating groundwater a water right is not required. If the well is pumping from a subterranean stream flowing through a known and definite channel, it would be considered part of the surface water system and require a water right. I'm not an attorney, but my understanding under California law is that groundwater is presumed to be "percolating groundwater" unless a determination is made that the source is a subterranean stream.

Julian

From: Sonal Aggarwal <saggarwal@smcgov.org>
Sent: Thursday, January 16, 2025 2:49 PM
To: Julian Fulwiler <JulianF@stetsonengineers.com>
Cc: Allan Richards <allanr@stetsonengineers.com>; Camille Leung <cleung@smcgov.org>; Summer Burlison <sburlison@smcgov.org>
Subject: RE: Question for San Gregorio Watershed Water Right - 350 Madera Lane (PLN2023-00112)

Hi Julian,

Thanks for your reply. So, if I understood correctly the existing well on this property would have also not needed a permit since it is not diverting water from any surface water system.

Thanks again.

Regards,

Sonal Aggarwal (she/her)
Planner III

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455 County Center 2nd Floor
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www.smcgov.org/planning

From: Julian Fulwiler <JulianF@stetsonengineers.com>
Sent: Thursday, January 16, 2025 2:37 PM
To: Sonal Aggarwal <saggarwal@smcgov.org>
Cc: Allan Richards <allanr@stetsonengineers.com>; Camille Leung <cleung@smcgov.org>; Summer Burlison <sburlison@smcgov.org>
Subject: Re: Question for San Gregorio Watershed Water Right - 350 Madera Lane (PLN2023-00112)

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Hi Sonal,
California Water Code section 10574, part of the Rainwater Capture Act of 2012, allows rainwater harvesting from rooftops without a water right permit. Therefore, my understanding is that the parcel owner at 350 Madera Lane does not need a water right for the rainwater capture system as long as no other sources of runoff (i.e. from a stream channel) are being diverted or impounded.

The San Gregorio Creek System is an adjudicated system and existing water rights are identified in the 1993 Decree (No. 355792). Anybody diverting water from the surface water system is required to have a water right.

Julian

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From: Allan Richards <allanr@stetsonengineers.com>
Sent: Wednesday, January 15, 2025 7:49 AM
To: 'saggarwal@smcgov.org' <saggarwal@smcgov.org>; 'cleung@smcgov.org' <cleung@smcgov.org>; Julian Fulwiler <JulianF@stetsonengineers.com>; 'sburlison@smcgov.org' <sburlison@smcgov.org>
Subject: FW: Question for San Gregorio Watershed Water Right - 350 Madera Lane (PLN2023-00112)

Good morning, Sonal.
I am forwarding your email questions and attachments to Julian Fulwiler here, as he would be the best person to help with your questions.
Thank you.
Allan

From: Sonal Aggarwal <saggarwal@smcgov.org>
Sent: Tuesday, January 14, 2025 1:40 PM
To: Allan Richards <allanr@stetsonengineers.com>; Dean Curtis <deanc@stetsonengineers.com>
Cc: Camille Leung <cleung@smcgov.org>; Summer Burlison <sburlison@smcgov.org>
Subject: Question for San Gregorio Watershed Water Right - 350 Madera Lane (PLN2023-00112)

Hello Allan,

I'm writing to inquire about the water rights for a property in San Gregorio – **350 Madera Lane, San Gregorio, Unincorporated County of San Mateo**. The County is currently processing a Planned Agricultural District (PAD) Permit for a storage building that collects water from the rooftop gutters and transfers it into a man-made pond and plastic tanks at the site. This site also already contains an agricultural well. I'm attaching the picture of the well, pond, and plans for your reference.

Please let us know if this property requires water right from San Gregorio Watermaster to fill the man-made pond and plastic water tanks using rainwater from the rooftop gutters. Also, can you please also clarify which all properties should apply for water rights from the San Gregorio Creek Watershed Watermaster?

Any information that you can provide will be greatly appreciated. Thanks for your time and response in advance.

Regards,

Sonal Aggarwal (she/her)
Planner III

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nd

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