

## Criteria for Prioritization of the Processing of Applications to Appropriate Water and Change Petitions

The Division of Water Rights will prioritize processing of applications and petitions for projects of regional or Statewide significance, and projects designed to minimize or avoid impacts to the environment, based on, but not limited to, consideration of the following conditions:

- The proposed application or petition is for a project of regional or Statewide significance;
- The proposed application or petition is for an unbuilt project and the applicant or petitioner is trying to abide by the law in developing the project;
- The proposed application or petition is consistent with the principles of the Policy for Maintaining Instream Flows in Northern California Coastal Streams<sup>1</sup>;
- The applicant or petitioner has consulted with DFG, NMFS, the Regional Water Quality Control Boards, and other agencies with permitting or jurisdictional authority, and the Division has documentation of the agencies' approval or support for the proposed application or petition;
- The applicant or petitioner has provided documentation showing the application or petition will enhance conditions for fish and wildlife. This may include reductions in riparian use and/or diversions under another valid basis of right as a result of application/petition approval, if relevant;
- Review under the California Environmental Quality Act is substantially completed and applicant or petition has agreed to proposed mitigation measures or project modifications;
- Protests have been resolved or negotiations are substantially underway.

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<sup>1</sup> Applies to water right **applications** when the Division has approved a water availability analysis pursuant to Water Code section 1375, subdivision (d) that takes into account the face value demand of all known senior diversions, including senior pending water rights and is consistent with the Policy for Maintaining Instream Flows in Northern California Coastal Streams.

Applies to water right **petitions** when the petitioner has requested changes including enhancements for fish and wildlife such as 1) removal of an artificial barrier to the migration of anadromous fish; 2) replacement of onstream storage with offstream storage; 3) relocation of a point of diversion to reduce impacts to aquatic resources; 4) changes to frost protection practices undertaken pursuant to an existing water right that improve habitat for aquatic resources (which could include moving a point of diversion, adding or expanding storage in order to reduce instantaneous demand during frost events, improving efficiency, or implementing alternative frost protection techniques); and 5) other activities that have the effect of creating fish and wildlife habitat with improved streamflows.