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State Water Resources Control Board

Division of Water Rights

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Arnold Schwarzenegger
Governor

NOTICE OF PETITION BY THE SOUTHERN CALIFORNIA WATER COMPANY REQUESTING APPROVAL OF A TEMPORARY URGENCY CHANGE IN A POINT OF DIVERSION UNDER WATER RIGHT PERMIT 20827 (APPLICATION 30159)

July 2, 2004

Notice is hereby given that on May 28, 2004, the Southern California Water Company (SCWC) petitioned the State Water Resources Control Board's (SWRCB) Division of Water Rights (Division) for a temporary urgency change pursuant to Water Code section 1435. The petition requests an additional point of diversion (POD) that would be added to the existing seven authorized PODs under SCWC's Permit 20827 (Application 30159).

BACKGROUND

SCWC holds Permit 20827 (issued on February 23, 1996) that authorizes the direct diversion of up to 2.17 cubic feet per second (cfs) between January 1 and December 31 of each year, up to a maximum of 631 acre-feet per annum (afa). Water is diverted from seven wells that appropriate water from subterranean streams located in Buford Canyon, Flume Canyon, Acorn Canyon, Heath Canyon, and Sheep Canyon. Water is used for municipal purposes within the SCWC franchise area in the community of Wrightwood and surrounding areas.

The Petition states because of limited precipitation, SCWC has experienced severe water shortages in recent years. SCWC's current production capacity has been unable to divert sufficient amounts of water to meet the additional municipal demand within the authorized service area. This petition requests the temporary addition of an eighth point of diversion to improve the capacity of their diversion facilities to meet this demand.

SCWC plans to drill the new well at the POD within a residential development located at the cross section of Acorn and Evergreen Streets in the NE¹/₄ of SW¹/₄ of Section 8, T3N, R7W, SBB&M. Additionally, a transmission line to the nearest street location of SCWC's existing water supply system would be installed.

The rate of diversion and total amount of water diverted from the eighth well in combination with the existing seven wells will not exceed the quantities specified in Permit 20827.

CEQA COMPLIANCE

This project involves minor alterations in the condition of land, water, and /or vegetation, which do not result in significant loss of mature natural vegetation (e.g. unique habitat, mature scenic trees, riparian vegetation, or marshlands). There is no grading proposed on land with a slope of more than 10 percent, in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard. This project will not cause significant adverse impacts on any sensitive environment and will not result in significant cumulative impacts. Pursuant to the provisions of the California Environmental Quality Act (CEQA), the SWRCB proposes to issue a Notice of Exemption for the requested temporary urgency change. (Categorical Exemption Class 4, Title 14, California Code of Regulations, Section 15304).

California Environmental Protection Agency

SWRCB'S STATUTORY PROVISIONS

Pursuant to Water Code section 1435, the SWRCB is authorized to issue temporary urgency change orders, that allows the change of a point of diversion, the place of use, purpose of use of the water, or change in the conditions of the permit. The SWRCB may issue a conditional order after completing an evaluation sufficient to determine that the proposed temporary urgency change that complies with the following:

1. The petitioner has an urgent need to make the proposed change;
2. The proposed change may be made without injury to any other lawful user of water;
3. The proposed change may be made without unreasonable effect upon fish, wildlife or other instream beneficial uses; and
4. The proposed change is in the public interest, including findings to support change order conditions imposed to ensure that the change is in the public interest, and may be made without injury to any other lawful user of the water, and without unreasonable effect upon fish, wildlife, or other instream beneficial uses.

Pursuant to the requirements of section 1435 above, the SWRCB is seeking information to assist in the evaluation of the proposed temporary urgency change. Any person may file comments concerning SCWC's petition to change the point of diversion. The materials must address the issues that the SWRCB will evaluate, as set forth above. Based on the information currently available, the SWRCB proposes to issue an order approving the temporary urgency change petition submitted by SCWC. However, any order issued may be revised or withdrawn if good cause is shown.

Materials filed in response to this notice **shall be mailed to both parties at the addresses listed below**. The response must be received in the office of the SWRCB's Division of Water Rights, at the address listed below by **4:00 p.m. on July 19, 2004**. Interested parties are encouraged to file comments, etc., by FAX and to notify the following contact persons by telephone of any materials that will be submitted. However, an original copy of all materials **must** be received for the SWRCB to consider your concerns.

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Division Chief

Dated: **July 2, 2004**