

California Environmental Protection Agency

State Water Resources Control Board  
DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

ENVIRONMENTAL INFORMATION  
FOR PETITIONS

Petition for Change

Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

\_\_\_\_\_  
Please see attached document.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See Attachment No. 1

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**2. COUNTY PERMITS**

a. Contact your county planning or public works department and provide the following information:

Person contacted: \_\_\_\_\_ Date of contact: \_\_\_\_\_

Department: N/A Telephone: (\_\_\_\_) \_\_\_\_\_

County Zoning Designation: \_\_\_\_\_

Are any county permits required for your project?  YES  NO If YES, check appropriate box below:

Grading permit  Use permit  Watercourse  Obstruction permit  Change of zoning

General plan change  Other (explain): \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

b. Have you obtained any of the required permits described above?  YES  NO

If YES, provide a complete copy of each permit obtained.

See Attachment No. \_\_\_\_\_

**3. STATE/FEDERAL PERMITS AND REQUIREMENTS**

a. Check any additional state or federal permits required for your project:

- Federal Energy Regulatory Commission  U.S. Forest Service  Bureau of Land Management
- Soil Conservation Service  Dept. of Water Resources (Div. of Safety of Dams)  Reclamation Board
- Coastal Commission  State Lands Commission  Other (specify) \_\_\_\_\_

b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.
<u>N/A</u>				

See Attachment No. \_\_\_\_\_

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake?  YES  NO

If YES, explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

See Attachment No. \_\_\_\_\_

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- d. Have you contacted the California Department of Fish and Game concerning your project?  YES  NO  
If YES, name and telephone number of contact: Steve Parmenter, 760-872-1171

**4. ENVIRONMENTAL DOCUMENTS**

- a. Has any California public agency prepared an environmental document for your project?  YES  NO  
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: \_\_\_\_\_
- b. If NO, check the appropriate box and explain below, if necessary:
- The petitioner is a California public agency and will be preparing the environmental document.\*
  - I expect that the SWRCB will be preparing the environmental document.\*\*
  - I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.\* Public agency: \_\_\_\_\_

See Attachment No. NOE attached

\* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

\*\* Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

**5. WASTE/WASTEWATER**

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?  
 YES  NO  
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. \_\_\_\_\_

- b. Will a waste discharge permit be required for your project?  YES  NO  
Person contacted: \_\_\_\_\_ Date of contact: \_\_\_\_\_
- c. What method of treatment and disposal will be used? \_\_\_\_\_

See Attachment No. \_\_\_\_\_

**6. ARCHEOLOGY**

- a. Have any archeological reports been prepared on this project?  YES  NO
- b. Will you be preparing an archeological report to satisfy another public agency?  YES  NO
- c. Do you know of any archeological or historic sites located within the general project area?  YES  NO

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If YES, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See Attachment No. \_\_\_\_\_

**7. ENVIRONMENTAL SETTING**

Attach three complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

- Along the stream channel immediately downstream from the proposed point(s) of diversion.
- Along the stream channel immediately upstream from the proposed point(s) of diversion.
- At the place(s) where the water is to be used.

**8. CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attachments are complete to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date: 3/16/09

Signature: Bruce Moyer

**The reasons for this temporary urgent change petition**

(1) The Los Angeles Department of Water and Power (LADWP) requests that the State Water Resource Control Board (SWRCB) approve the petition for temporary urgent change in required dry year minimum base flow releases to Rush Creek contained in Decision 1631:

- Lower the required base flows by 14 cubic feet per second (cfs) from 36 cfs to 22 cfs from March 16 through May 15, 2009. If warmer conditions are anticipated such that it could affect water temperatures and/or other ecosystems attributes, then the 22 cfs will be until April 30, 2009 and flow will be ramped up back to Decision 1631 baseflows.
- Increase the ramping rate from the 10-percent daily change or 10 cfs, whichever is greater.

LADWP is requesting this reduction in base flows on behalf of the Board appointed stream scientists, Department of Fish and Game, Caltrout, and Mono Lake Committee who have collectively recommended this petition in order to help LADWP's Grant Lake Reservoir gain some storage for the upcoming runoff year and adaptively manage stream releases in order to minimize the impact of high temperatures and turbidity from negatively impacting Rush Creek's fishery.

(2) LADWP is also requesting a temporary urgent change on Lee Vining Creek baseflow and ramping requirements as outlined in Decision 1631. The reason for this request is so that the SWRCB-appointed Stream and Fisheries Scientists, Dr. Bill Trush and Mr. Chris Hunter, can conduct instream flow habitat mapping studies on Lee Vining Creek.

Mr. Chris Hunter, the Fisheries Scientist, is the lead for the instream flow studies, and has requested the following flows for Lee Vining Creek:

Thursday April 30, 2009 - 12 cfs  
Friday May 1, 2009 - 20 cfs  
Saturday May 2, 2009 - 28 cfs  
Sunday May 3, 2009 - 37 cfs (rest day)  
Monday May 4, 2009 - 37 cfs  
Tuesday May 5, 2009 - 54 cfs

To accomplish this, and depending on the available flow above the Lee Vining diversion facility, LADWP will ramp the flow so that 12 cfs passes below the diversion facility on April 30. LADWP will follow the above flow schedule and will allow the requested flow to pass through the diversion facility and divert excess water into the conduit to go into the Grant Lake Reservoir. The flow change ramping rates before the beginning and between the requested flows may be

higher than the prescribed 20-percent daily change during ascending and 15-percent during descending limbs, or 10-cfs, whichever is greater, depending on the available flow coming down above the diversion facility.

Starting May 6, 2009, LADWP will resume its required baseflow releases down Lee Vining Creek per Decision 1631. If the peak flow occurs during the above study dates, LADWP will plan on passing the next highest peak which may require a higher ramping rate again.

LADWP has been informed by Southern California Edison (SCE), which operates reservoirs upstream, that they have insufficient storage in their reservoirs and so will not be able to accommodate the requested flows. Since SCE has indicated that their releases will be natural flows (flowing through their Poole Power Plant), and the fact that flows can be unpredictable, LADWP is also requesting some flexibility in possibly conducting the study starting from the higher flow (54 cfs) to the lower flow (12 cfs).

Mr. Hunter and his team will work closely with Dr. Trush and his team to develop an instream flow study plan and its implementation as they did on Rush Creek study in August 2008. The main objective of the instream flow study is to make flow recommendations that should improve habitat conditions to grow older and larger trouts, i.e., fish large enough to meet specific termination criteria. These habitat-flow relationships will be used to evaluate the present baseflow requirements in the SWRCB Decision 1631 and Order No. 98-05, and to recommend modifications (if needed) in prescribed baseflow releases.

Notice of Exemption

Form D

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Los Angeles
Department of Water and Power
111 N. Hope St., Room 1468, Los Angeles, CA 90012
(Address)

County Clerk
County of Mono
P.O.Box 237
Bridgeport, CA 93517

Project Title: Temporary Urgency Flow Changes - Mono Basin

Project Location - Specific:

- 1) Rush Creek - Mono Basin, Mono County, CA
2) Lee Vining Creek, Mono Basin, Mono County, CA

Project Location - City: Mono Basin Project Location - County: Mono

Description of Nature, Purpose and Beneficiaries of Project:

Minimum baseflow requirements from the State Water Resources Control Boards's Decision 1631 in the Mono Basin are being modified temporarily to: 1)help store water in Grant Reservoir so that cooler water will be available for the benefit of trout fishery in Rush Creek; 2)allow the Water Board appointed stream scientists to conduct habitat mapping in Lee Vining Creek

Name of Public Agency Approving Project: City of Los Angeles, Department of Water and Power

Name of Person or Agency Carrying Out Project: City of Los Angeles, Department of Water and Power

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Section 15301 (i)
Statutory Exemptions. State code number:

Reasons why project is exempt:

1)Lowering baseflow in Rush Creek from 36-cfs to 22-cfs will store more water in Grant Reservoir which in turn will help ensure cooler water temperatures will be available in August and September for trout fishery, 2)Department of Fish and Game also support this petition, 3)Water Board appointed scientist have requested the flow change for their habitat mapping study on Lee Vining Creek.

Lead Agency
Contact Person: Bruk Moges Area Code/Telephone/Extension: 213-367-1792

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [X] Yes [ ] No

Signature: [Signature] Date: 3/16/09 Title: Civil Engineering Associate

- [ ] Signed by Lead Agency
[ ] Signed by Applicant
Date received for filing at OPR:

Revised 2005