

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 91-21

DELEGATION OF AUTHORITY TO WALTER G. PETTIT

WHEREAS:

1. California is in the fifth consecutive year of statewide drought, with water in short supply.
2. The Board expects that many water right holders will arrange transfers of water to users who need additional water temporarily during the drought, and will require temporary changes in their water right permits or licenses before they can complete the transfers.
3. Additionally, there may be some circumstances in which water will be available if the Board issues a temporary water right permit.
4. In order to expedite the processing of petitions for temporary changes in permits and licenses and applications for temporary water right permits, the Board's authority to act on these matters should be delegated to a member of the Board's staff.

THEREFORE BE IT RESOLVED:

1. That the State Board delegates authority to Walter G. Pettit, to carry out the following actions for the Board:
 - a. Authorize issuance or renewal of a temporary water right permit pursuant to Chapter 6.5 of Part 2 of Division 2 of the Water Code. This delegation includes the authority to:
 - (1) Make the findings which are required by Chapter 6.5 as conditions precedent to the issuance or renewal of a temporary permit.
 - (2) Make any findings required by the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) as conditions precedent to issuance or renewal of a temporary permit.

Any temporary permit so issued or renewed shall contain the following:

- (1) An express condition that the Board shall, at a meeting held not later than 30 days following issuance, review and validate the permit, including the findings upon which it was issued, and that should the Board fail or refuse to validate the permit it shall stand revoked and be of no further force or effect.
 - (2) Such other terms and conditions as are, in the judgment of Mr. Pettit, necessary to best conserve the public interest.
- b. Approve or renew a temporary urgency change pursuant to Chapter 6.6 of Part 2 of Division 2 of the Water Code. This delegation includes the authority to:
- (1) Make the findings which are required by Chapter 6.6 as conditions precedent to the issuance or renewal of a temporary urgency change.
 - (2) Make any findings required by the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) as conditions precedent to issuance or renewal of a temporary urgency change.

Any temporary urgency change so issued or renewed shall contain the following:

- (1) An express condition that the Board shall, at a meeting held not later than 30 days following issuance, review and validate the temporary urgency change, including the findings upon which it was issued, and that should the Board fail or refuse to validate the temporary urgency change, it shall stand revoked and be of no further force or effect.
 - (2) Such other terms and conditions as are, in the judgment of Mr. Pettit, necessary to best conserve the public interest.
- c. Approve proposed temporary changes due to a transfer of water or water rights pursuant to Article 1 of Chapter 10.5 of Part 2 of Division 2 of the Water Code (Sections 1725 through 1732) after evaluating the proposed change, making the necessary findings, and determining that all the requirements of this article will be met. If the requirements of Section 1727(a) cannot be satisfied within 60 days after receiving notification of the

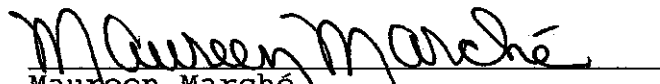
proposed change, Mr. Pettit shall, after bringing the matter to the attention of the Board in accordance with subparagraph j. below, fix a time and place for the Board to hear the issues set forth in Section 1727(a).

- d. Prepare, sign, and file all notices, certifications, and environmental documents prepared pursuant to the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), with the Secretary of the Resources Agency, the State Clearinghouse, and other agencies, as appropriate, for all temporary water right permits under Chapter 6.5 and temporary urgency changes in water right permits and licenses under Chapter 6.6. This authority shall be exercised in conformity with regulations of the Secretary of the Resources Agency and of the Board. This authority may be redelegated to any member of the Board's staff.
- e. Except as otherwise authorized herein, Mr. Pettit may delegate any or all of the authorities delegated herein to a senior member of the Board's staff; provided that such redelegated authorities are to be exercised only in Mr. Pettit's absence.
- f. Prepare and sign all correspondence pertaining to temporary permits and temporary changes. This authority may be redelegated to any member of the Board's staff.
- g. Issue subpoenas for the attendance of witnesses and the production of evidence before the Board with respect to temporary changes and temporary permits.
- h. The authority herein delegated to prepare a document includes the authority to direct preparation thereof. This authority may be redelegated.
- i. Enumeration of delegated authorities in this document shall not be interpreted as revoking authorities delegated or hereafter delegated to Mr. Pettit individually, by reason of the position he holds, or by Board decision, order, or resolution, arising from a specific proceeding.
- j. In exercising the authority herein delegated, Mr. Pettit is directed, without restricting the authority specified, to bring the following matters to the attention of the Board at workshop or through a 7-day review procedure:
 - (1) Matters of a unique or unusual nature;

- (2) Matters which appear to depart from the policies of the Board;
 - (3) Matters involving significant policy questions;
 - (4) Highly controversial matters;
 - (5) Matters which involve a substantial risk of litigation;
 - (6) Any matter which a Board Member requests to be brought to the attention of the Board; and
 - (7) Any matter which, in the judgment of Mr. Pettit, should be brought to the attention of the Board.
2. While they remain in effect, the delegations of authority set forth in this resolution shall supersede all existing delegations of authority to the extent of any inconsistency.
 3. The delegations of authority set forth in this resolution will remain in effect until such time as they are revoked by the Board.
 4. Mr. Pettit shall report orally to the Board at each regularly scheduled Board workshop and meeting on his activities under the delegations of authority set forth in this resolution.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 6, 1991.


Maureen Marché
Administrative Assistant to
the Board