

## STATE WATER RESOURCES CONTROL BOARD

PAUL R. BONDERSON BUILDING  
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SACRAMENTO, CALIFORNIA 95814916/ 657-2199  
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Mailing Address

## DIVISION OF WATER RIGHTS

P.O. BOX 2000, Sacramento, CA 95812-2000



APRIL 15 1996

In Reply Refer  
to: 316:RAS:553

553

Ferydoun and Doris Ahadpour  
c/o Mr. Mozafar Behzad  
BEK Consulting Engineers  
411 West State Street, Suite A  
Redlands, CA 92373

Dear Mr. Behzad:

CHANGE PETITION FOR LICENSE 659 (APPLICATION 553) OF FERYDOUN AND DORIS  
AHADPOUR TO APPROPRIATE WATER FROM MILLARD CANYON TRIBUTARY TO SAN GORGONIO  
RIVER THENCE WHITEWATER RIVER IN RIVERSIDE COUNTY.

You have filed a petition with the State Water Resources Control Board (SWRCB) to change the purpose of use in your water right license from irrigation of 13 acres to industrial use (commercial bottled water). The California Environmental Quality Act (CEQA), requires that the SWRCB conduct an environmental review of your change petition before it can be approved. The SWRCB staff has reviewed your petition and has determined that the proposed changes could potentially affect sensitive plants and animals within the 13 acre project site, depending upon the specific water diversion facilities you intend to install and operate and depending upon how you intend to transport the water diverted to an offsite commercial water bottling facility.

The California Natural Diversity Database has revealed that several sensitive plant and animal species may occur in the project area as follows:

The plant species, status, and flowering periods are:

- 1) Los Angeles Sunflower (Helianthus nuttallii ssp. parishii)  
Federal Status: Category 2  
Blooming Period: August-October
- 2) Payson's Jewelflower (Caulanthus simulans)  
Federal Status: Category 2  
Blooming Period: March-June
- 3) Parry's Spineflower (Chorizanthe parryi var. parryi)  
Federal Status: Category 2  
Blooming Period: April-June
- 4) Triple-Ribbed Milk-Vetch (Astragalus pachypus var. jaegeri)  
Federal Status: Endangered  
Blooming Period: December-June

MORONGO Exh. No. 13

APRIL 15 1996

-2-

- 5) **Mojave Tarplant** (Hemizonia mohavensis)  
Federal Status: Category 2, State Status: Endangered  
Blooming Period: July-September
- 6) **Jaeger's Milk-Vetch** (Astragalus pachypus var. jaegeri)  
Federal Status: Category 2  
Blooming Period: December-June
- 7) **Plummer's Mariposa Lily** (Calochortus plummerae)  
Federal Status: Category 2  
Blooming Period: May-July

The animal species and status are:

- 1) **Le Contes Thrasher** (Toxostoma lecontei)  
CDFG: Special Concern
- 2) **Palm Springs Ground Squirrel** (Spermophilus tereticaudus chlorus)  
Federal Status: Category 2, CDFG: Special Concern
- 3) **Los Angeles Pocket Mouse** (Perognathus longimembris brevinasus)  
Federal Status: Category 2, CDFG: Special Concern
- 4) **San Diego Horned Lizard** (Phrynosoma coronatum blainvillei)  
Federal Status: Category 2, CDFG: Special Concern
- 5) **California Tiger Salamander** (Ambystoma californiense)  
Federal Status: Category 1
- 6) **Least Bells Vireo** (Vireo bellii pusillus)  
Federal Status: Endangered, State Status: Endangered

In view of this, assessment of the potential impacts of your project changes on these sensitive plant and animal species and their habitat is pertinent to the continued processing of the subject petition under CEQA. Therefore a rare plant survey and a rare animal survey are required for these species and their habitat by qualified biologist(s) acceptable to the Department of Fish and Game (DFG), Kevin Brennan (909) 659-2641. The surveys should cover the point of diversion, the area of Millard Canyon downstream of the point of diversion along your property, and the 13 acre project site. Survey report(s) must be based on a thorough field inspection in which all species encountered and identified are listed.

The plant surveys should adhere to the attached guidelines (Attachment 1) developed by the DFG. Plant surveys must be conducted at that time of the year when the target species are both evident and identifiable, and they must be floristic in nature.

Ferydoun and Doris Adpour  
c/o Mr. Mozafar Behzad

-3-

APRIL 15 1996

Your change petition has also been reviewed by SWRCB staff under the guidelines of the CEQA (Appendix K) that addresses effects to cultural resources. An archeological survey of the project area needs to be completed before staff can effectively evaluate the project's potential impacts to cultural resources. A preliminary review indicated that the proposed project is in an area of high archeological sensitivity.

The archeological survey should be completed as soon as possible so as to avoid unnecessary delays in processing this petition. The survey should include the same areas identified above for the sensitive plant and animal surveys.

A copy of the final sensitive species and archeological survey reports, including recommended mitigation measures, will need to be forwarded to the SWRCB. Copies of the rare plant and rare animal surveys should also be sent to the DFG at the address given below. Approval of your change petition cannot be made until the above requested information has been received, evaluated and the CEQA process has been completed.

If you have any questions, please contact me at (916) 657-2199.

Sincerely,

ORIGINAL SIGNED BY:

Ross Swenerton, Chief  
Environmental Review Unit 2

Attachments (1)

cc: Kevin Brennan  
Department of Fish and Game  
330 Golden Shore, Suite 50  
Long Beach, CA 90802

Mr. Richard Cross  
Alexander and Karshmer  
Attorneys at Law  
2150 Shattuck Ave., Suite 725  
Berkeley, CA 94704

bcc:RAS