

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 93-97

Adoption of Amendments to Section 793
Article 15, Chapter 2, Division 3, Title 23
of the California Code of Regulations

WHEREAS:

1. On June 17, 1993, the State Water Resources Control Board (State Water Board) adopted amendments to regulations Articles 15, 16, and 17, and added Article 16.5, of Chapter 2, Division 3, Title 23 of the California Code of Regulations regarding changes in point of diversion, place of use, or purpose of use.
2. On August 16, 1993, the Office of Administrative Law (OAL) disapproved the State Water Board's regulatory action. One of the reasons for disapproval was that the State Water Board had made what OAL deemed a substantial change to the text of Section 793 after the May 21, 1993 final notice of opportunity to comment on proposed revisions to the package of regulations.
3. The regulatory action can be resubmitted to OAL after Section 793 has been circulated again with the change and has been readopted.
4. On September 16, 1993, the State Water Board issued a notice of availability of modified text, showing the text of Section 793: (1) as proposed in the July 3, 1992 notice of proposed rulemaking, (2) as proposed on May 21, 1993, and (3) as adopted on June 17, 1993.
5. Section 793 is proposed to be amended to read as follows:

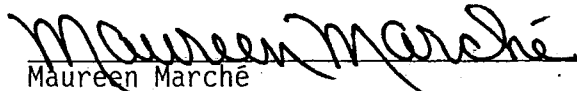
"With respect to a single application, permit, license, or other water right upon which a change petition is filed, a petition or petitions for more than one change shall be considered a single petition insofar as the filing fee is concerned, provided the changes are of such nature that action on all of them can be taken simultaneously. A petition involving changes to more than one application, permit, license, or other water right upon which a change petition is filed shall be deemed a separate petition for each and applicable fees will be required for each. Fees based on water quantity shall be calculated using the quantity of water or water rights subject to the petition."
6. The State Water Board has considered the testimony given at the public hearing and all written and oral comments received.

THEREFORE BE IT RESOLVED:

The State Water Board approves and adopts the proposed amendments to Section 793, Chapter 2, Division 3, Title 23, of the California Code of Regulations to read as specified above.

CERTIFICATION

The undersigned, Administrative Assistant to the State Water Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a Special Board Meeting of the State Water Resources Control Board held on October 6, 1993.



Maureen Marché
Administrative Assistant to the Board

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