

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permit 16656 }
Issued on Application 24490 }
OWENS-ILLINOIS, INC. }
Permittee

Order: WR 75-6
Source: Trampas Canyon and
 Unnamed Stream
County: Orange

ORDER AMENDING PERMIT

BY BOARD MEMBER MAUGHAN:

1. Permit 16656 issued to Owens-Illinois, Inc. on August 6 1974 authorizes storage of 575 acre-feet per annum in a reservoir of 5,700 acre-feet capacity under construction on Trampas Canyon primarily for retention of waste slurry from a silica sand mining operation.

2. To provide mitigation for adverse effects of the project on wildlife and vegetation, the permit requires permittee to develop and implement a program of vegetation management, revegetation and other measures to preserve, restore and improve wildlife habitat and other natural values on the lands involved in the mining operation. The permit further requires that permittee submit a preliminary conceptual plan including a time schedule for this program to Orange County, the State Department of Fish and Game, and the Board by January 15, 1975.

3. On January 3, 1975 permittee requested an extension of time to March 14, 1975 to submit the preliminary conceptual plan. A hearing was held on February 20, 1975 to allow permittee to show cause wherefore the permit should not be revoked and to consider permittee's request for extension of time.

4. Testimony at the hearing established that the required preliminary conceptual plan is being developed "in-house", that the employee charged with the responsibility of the plan's preparation also serves as project engineer for construction of the project dam and reservoir, and that permittee's noncompliance with the January 15, 1975 date for plan submittal resulted from permittee's failure to assign the task of plan development and submittal a sufficient priority relative to other tasks associated with the project.

5. Testimony also established that the preliminary conceptual plan being developed by permittee will for the most part be based, insofar as technical data and knowledge is concerned, upon the environmental impact report previously prepared for the project.

6. Although permit term 19 should be amended to grant the extension requested by permittee, terms 18 and 19 should also be amended to provide a time limit for submission of a revised preliminary conceptual plan, should such revision be required by the Board, and to make clear that progress in implementing the approved mitigation program must be reported as part of permittee's annual progress reports required by other permit provisions.

NOW, THEREFORE, IT IS ORDERED that Permit 16656 be amended as follows:

1. Term 18 is amended to read:

In order to mitigate adverse impacts on wildlife and vegetation from its project, permittee shall develop and implement a program, as approved by the Board in consultation with the State Department of Fish and Game and Orange County, of vegetation management, revegetation, and other measures to preserve, restore, and

improve wildlife habitat and other natural values on the 1,172-acre parcel presently zoned for sand and gravel operation. Any such program approved by the Board shall be consistent with any revegetation plan required by Orange County. The status of the implementation of each program event scheduled in the approved conceptual plan required by term 19 next below shall be submitted to the Board as part of permittee's annual progress reports.

2. Term 19 is amended to read:

A preliminary conceptual plan including a time schedule for such program shall be submitted by permittee to Orange County, the State Department of Fish and Game, and the Board by March 14, 1975. The Board shall review the conceptual plan and time schedule and advise the permittee whether the program is satisfactory or must be revised. A satisfactory revised plan shall be submitted not later than 60 days following the date of notification to permittee of deficiencies in the conceptual plan.

Dated: March 20, 1975

We Concur:

W. DON MAUGHAN
W. Don Maughan, Vice Chairman

W.W. ADAMS
W. W. Adams, Chairman

ROY E. DODSON
Roy E. Dodson, Member

MRS. CARL H. (JEAN) AUER
Mrs. Carl H. (Jean) Auer, Member