

LJM/PGM

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6-9-03

Attn: Paul Murphey
State Water Resources Control Board
PO Box 2000
Sacramento, Ca. 95812

NOTICE OF INTENT TO APPEAR – SANTA CLARA RIVER HEARING**PENDING WATER RIGHT HEARING ON APPLICATIONS 30942 AND 31023 IN THE
SANTA CLARA RIVER VALLEY EAST SUB BASIN**

Dear Mr. Murphey:

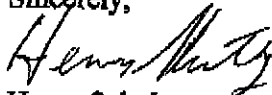
This is to notify you that the Sierra Club Plans to appear at the above stated hearing scheduled for July 29th-30th, 2003. We expect to have no more than two witnesses whom we are unable to identify at this time. The length of their testimony will not exceed 20 minutes. We do not agree to accept electronic service.

Our testimony will consist of maps, pictures and data indicating that the wells operated by the above entities are drawing from the underflow of the Santa Clara River.

Please direct all correspondence to:
Johanna Zetterberg
at the above address.

Thank-you for your time

Sincerely,


Henry Schultz



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Arthur Baggett, Chair
State Water Resources Control Board
PO Box 100
Sacramento, Ca. 95812

PENDING WATER RIGHT HEARING ON APPLICATIONS 30942 AND 31023 IN THE SANTA CLARA RIVER VALLEY EAST SUB BASIN

Dear Chairman Baggett:

In correspondence dated May 27th, 2003, you requested the Newhall County Water District and Robinson Ranch to provide a written response regarding their interpretation of AB 134. You stated that "If necessary, I will make a written ruling on this matter prior to the pre-hearing conference."


The Sierra Club commented in its previous correspondence to you that this legislation was not meant to replace the SWRCB's specific legislated duty to over-see matters related to the Public Trust. The Castaic Lake Water Agency has failed to include any environmental interest on its advisory panel, nor has it included the Public Trust in its issues of discussion. Also, the CLWA did not commence or complete any AB3030 Water Management Plan in the time frame allotted to avoid SWRCB oversight.

AB134 does not state that SWRCB jurisdiction may be avoided by completion of a ground water management plan concluded by order of this legislation. It merely outlines dates by which such a plan must commence and be completed, and states that the Plan will be formed under the guidelines for water management plans found in the water code section 10750, Div. 6.

Further, AB134 specifically pertains to the Santa Clarita Water Co. and carefully defines said agency's boundaries. It does not order other retail water agencies outside its borders to participate in a water management plan.

The Sierra Club disagrees that AB134 precludes jurisdiction by the SWRCB over ground water pumped from the Santa Clara River. We request that you enter this correspondence into the record and that you consider the above in any ruling you may make on this matter.

Sincerely,


Henry Schultz
Chair, Santa Clarita Group

Cc: Mailing List