STREAM DIVERSION WORKS PERMIT (SDWP) 174C & 13-168

PURPOSE	174C	13-168	
	2(c)	Silent	● Adequate provision for protection and procreation of fish & wildlife, the maintenance of proper ecological balance and scenic beauty (in Public Interest)
	2(c)	1	● Maximum beneficial use

EXEMPT — 174C 71(3)(A); 13-168

- ROUTINE STREAMBED MAINTENANCE ACTIVITIES & MAINTENANCE OF EXISTING FACILITIES

ANY PERSON — 174C 71(3)(A); 13-168 32

ABANDONMENT — 174C 95; 13-168 35

SDWP APPLICATION

174C	13-168	SHALL SUBMIT W/ APPLICATION
Silent	32 (a)	● on forms provided by CWRM
61	32 (a)	● $25.00 (except Government Agencies)
93	32 (b)	● Name and address of the applicant;
		● Name and address of the owner of the land upon which the works are to be constructed and a legal description of such land;
		● Location of the work;
		● Engineering drawings showing the detailed plans of construction;
		● Detailed specifications of construction;
		● Name and address of the person who prepared the plans and specifications for construction;
		● Name and address of the person who will construct the proposed work;
		● General purpose of the proposed work; and
		● Such other information as the commission may require.

CWRM STAFF

174C	13-168	
Silent	32 (c)	● Receipt date
Silent	32 (c)	● Acceptance

AFTER ACCEPTANCE

90 DAYS — 174C & 168 - 32 (c) — Silent

MONTHLY BULLETIN — 174C 5 (7); 13-168 Silent

PUBLIC — Silent; Silent

EVALUATION

32 (c)	● 90 - day for acceptably completed application
32 (c)	● Proposed work complies with all applicable laws, rules, and standards.
32 (d)	● CWRM shall: 1. Cooperate with persons having direct interest in stream 2. Be guided by following general considerations: ● The quantity and quality of the stream water or the stream ecology shall not be adversely affected. ● Where instream flow standards or interim instream flow standards have been established pursuant to chapter 13-169, no permit should be granted for any diversion works which diminishes the quantity or quality of stream water below the minimum established to support identified instream uses, as expressed in the standards. ● The proposed diversion works shall not interfere substantially and materially with existing instream or non-instream uses or with diversion works previously permitted.
32 (e)	● Best public interest as determined by commission.

SUBMITTAL

CWRM ACTION

PERMIT ISSUED

174C	13-168	REQUIRED CONDITIONS
Silent	32 (a)	● Any reasonable conditions to assure consistency with 1. General Plan 2. Land Use Policies } State & County
	32 (f)	● ≤ 2 yrs. duration unless otherwise noted
	32 (g)	● Begin / Completion Work dates based on: (1) Cost and magnitude of the project; (2) Engineering and physical features involved; (3) Existing conditions; and (4) Public interests affected.
	32 (h)	● Completion date may be extended by commission based on good cause and good faith performance.

REVOCATION GROUNDS

COMMENCEMENT / COMPLETION DATES NOT COMPLIED WITH — 174C Silent; 13-168 32 (i)

COMPLETION REPORT — 174C 94; 13-168 33

Completion report within 30 days after completion.
- Description of nature and extent of work performed.
- Relevant maps & diagrams.

174C Slient; 13-168 32 (j)

Permit may be revoked in whole or in part for:
- Material false statement in the application or in any report or statement of fact required pursuant to this chapter;
- Violation of this chapter relative to the permit; or
- Violation of the conditions of the permit.

NOTICE

174C	13-168	
Silent	32 (i)	● 60 day notice via certified mail of permit revocation unless permittee can show good cause that permit should not be revoked.
	32 (k)	● Written notice of facts or conditions which warranted revocation & opportunity of permittee to a hearing.

HEARING OPPORTUNITY — 174C Silent; 13-168 32 (k)

4/9/2007