

**BEFORE THE FEDERAL REGULATORY COMMISSION**

***Application for New License for Major Project – Existing Dam***

**1.0 INITIAL STATEMENT**

**1.1 INTRODUCTION**

The California Department of Water Resources (DWR) has prepared this Initial Statement as part of its Application for a New License Major Project – Existing Dam (Application for New License) from the Federal Energy Regulatory Commission (FERC) for the Devil Canyon Project (Project), FERC Project No. 14797, a water power project, as described in the attached exhibits. The Project's existing boundary includes National Forest System lands managed by the United States Department of Agriculture, Forest Service as part of the San Bernardino National Forest.

This Application for New License is being filed under the Traditional Licensing Process, as described in Title 18 of the Code of Federal Regulations (CFR), Part 4, Subparts D-H and, as applicable, Part 16.

This Initial Statement conforms to the regulations in 18 CFR Section (§) 4.51(a), which pertain to the contents of an Initial Statement, and § 4.32, which describes information to be made available to the public in an application.

**1.2 LOCATION OF THE PROJECT**

The location of the Project is:

State:	California
Township or nearby town:	Cities of San Bernardino and Hesperia
County:	San Bernardino

The Project is located within the vicinities of the following irrigation district areas, planning/zoning areas, and similar special purpose political subdivision areas:

Crestline-Lake  
Arrowhead Water Agency  
General Manager  
24116 Crest Forest Drive  
Crestline, CA 92325-3880

Inland Empire  
Resource Conservation District  
Director  
25864-K Business Center Drive  
Redlands, CA 92374

Local Agency Formation Commission  
of San Bernardino County  
Commission Clerk  
215 North D Street, Suite 204  
San Bernardino, CA 92415-0490

San Bernardino Valley  
Municipal Water District  
General Manager  
380 East Vanderbilt Way  
San Bernardino, CA 92408-3593

### 1.3 DWR'S NAME, BUSINESS ADDRESS, AND TELEPHONE NUMBER

DWR's physical address, mailing address, and telephone number are:

Physical Address & Telephone Number:

California Department of Water  
Resources  
2033 Howe Avenue, Suite 220  
Sacramento, CA 95825  
Tel: (916) 557-4554

Mailing Address:

California Department of Water  
Resources  
P.O. Box 942836  
Sacramento, CA 94236-0001

The exact name, business address, and telephone number of the person authorized to act for DWR as an agent for this Application for New license are:

Physical Address:

Gwen Knittweis, Chief  
Hydropower License Planning and  
Compliance Office  
Executive Division  
California Department of Water  
Resources  
2033 Howe Avenue, Suite 220  
Sacramento, CA 95825  
Tel: (916) 557-4554  
Gwen.Knittweis@water.ca.gov

Mailing Address:

Gwen Knittweis, Chief  
Hydropower License Planning and  
Compliance Office  
Executive Division  
California Department of Water  
Resources  
P.O. Box 942836  
Sacramento, CA 94236-0001

### 1.4 DWR'S ORGANIZATIONAL STATUS

DWR is an agency of the State of California, organized and existing pursuant to the laws of the State of California. It is a municipality within the meaning of Section 796(7) of the Federal Power Act.

### 1.5 PERTINENT STATUTORY AND REGULATORY REQUIREMENTS OF THE STATE OF CALIFORNIA

The statutory or regulatory requirements of California, the State in which the Project is located, that may affect the Project with respect to: (1) bed and banks; (2) appropriation, diversion, and use of water for power purposes; (3) right to engage in the business of developing, transmitting, and distributing power; and (4) any other business necessary to accomplish the purposes of the license under the Federal Power Act, are:

- California Water Code Section 13160; Title 23, California Code of Regulations Sections 3855-3861 – Designates the California State Water Resources Control Board (SWRCB) as the State water pollution control agency for the Federal Water Pollution Control Act and any other federal act. Title 23, California Code of

Regulations, Sections 3855-3861 specify requirements and procedures for applications for water quality certificates required under federal law.

- California Water Code Sections 6075-6157 – Specifies powers of the California Division of Safety of Dams (DSOD) and requirements and procedures for the inspection and maintenance of dams.

The steps which DWR has taken or plans to take to comply with each of the laws and regulations cited above are described below:

- DWR already has the water rights necessary to operate the Project.
- DWR will file an application for water quality certification, if applicable, with the SWRCB within 60 days after FERC issues a notice that DWR's Application for New License is ready for environmental analysis.
- DWR cooperates, and will continue to cooperate, with DSOD on annual inspections of Project dams.

## **1.6 OWNERSHIP OF EXISTING PROJECT FACILITIES**

DWR owns all existing Project facilities.

## **1.7 PROPERTY RIGHTS NECESSARY TO CONSTRUCT, OPERATE, AND MAINTAIN THE PROJECT**

DWR has all necessary proprietary rights, title, and interest in lands and waters to operate and maintain the Project.

## **1.8 COUNTIES, CITIES, AND OTHER POLITICAL SUBDIVISIONS AND INDIAN TRIBES AFFECTED BY THE PROJECT**

The name and mailing address of the county in which the Project is located is:

County of San Bernardino  
Board of Supervisors  
County Government Center  
385 North Arrowhead Avenue, 5th Floor  
San Bernardino, CA 92415

The name and mailing address of the city in which a portion of the Project is located is:

City of San Bernardino  
City Manager  
300 North D Street, 6th Floor  
San Bernardino, CA 92418

The Project is located within 15 miles of the following city(s) and town(s) that have a population of 5,000 or more:

Town of Apple Valley  
Town Manager  
14955 Dale Evans Parkway  
Apple Valley, CA 92307

City of Colton  
City Manager  
650 North La Cadena Drive  
Colton, CA 92324

City of Crestline  
General Manager  
24385 Lake Drive  
Crestline, CA 92325-3880

City of Fontana  
City Manager  
8353 Sierra Avenue  
Fontana, CA 92335-3528

City of Hesperia  
City Manager  
9700 Seventh Avenue  
Hesperia, CA 92345

City of Highland  
City Manager  
27215 Base Line  
Highland, CA 92346

Unincorporated Community of  
Lake Arrowhead  
General Manager  
P.O. Box 3880  
Crestline, CA 92325-3880

City of Rancho Cucamonga  
City of Manager  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730

City of Rialto  
City Administrator  
150 South Palm Avenue  
Rialto, CA 92376

City of Victorville  
City Manager  
14343 Civic Drive  
Victorville, CA 92392

DWR has reason to believe the following cities, counties, irrigation districts, water districts, and local agencies would likely be interested in, or affected by, this new license:

City of Adelanto  
City Manager  
11600 Air Expressway  
Adelanto, CA 92301

Coachella Valley Water District  
General Manager – Chief Engineer  
51501 Tyler Street  
Coachella, CA 92236-1058

Desert Water Agency  
General Manager  
1200 S Gene Autry Trail  
Palm Springs, CA 92264

City of Grand Terrace  
City Manager  
22795 Barton Road  
Grand Terrace, CA 92313

City of Jurupa Valley  
City Manager  
8930 Limonite Avenue  
Jurupa Valley, CA 92509

City of Loma Linda  
City Manager  
25541 Barton Road  
Loma Linda, CA 92354-3125

The Metropolitan Water District of  
Southern California  
General Manager  
700 North Alameda Street  
Los Angeles, CA 90012-2944

City of Moreno Valley  
City Manager  
14177 Frederick Street  
Moreno Valley, CA 92552

Mojave Water Agency  
General Manager  
13846 Conference Center Drive  
Apple Valley, CA 92307-4377

City of Ontario  
City Manager  
303 East B Street  
Ontario, CA 91764

City of Redlands  
City Manager  
35 Cajon Street, Suite 200  
Redlands, CA 92373

City of Riverside, Public Utilities  
Department  
Planning Director  
3900 Main Street  
Riverside, CA 92522-0001

County of Riverside  
Planning Director  
4080 Lemon Street, 14<sup>th</sup> Floor  
P.O. Box 1605  
Riverside, CA 92502-1605

San Gabriel Valley Municipal Water  
District  
General Manager  
1402 N. Vosburg Drive  
Azusa, CA 91702

San Geronio Pass Water Agency  
General Manager and Chief Engineer  
1210 Beaumont Avenue  
Beaumont, CA 92223-1506

Native American individuals and organizations that may be affected by the Project are listed below. By including this list here, DWR does not imply that any tribe listed below will be interested in the Devil Canyon Project relicensing, or that tribes not included in this list would not be interested in the relicensing.

Gabrieleño Band of Mission Indians -  
Kizh Nation  
Andrew Salas, Chairperson  
P.O. Box 393  
Covina, CA 91723

Gabrielino/Tongva Nation  
Sam Dunlap, Cultural Resources Director  
P.O. Box 86908  
Los Angeles, CA 90086

Gabrielino/Tongva Nation  
Sandonne Goad, Chairperson  
106 1/2 Judge John Aiso Street  
Los Angeles, CA 90012

Gabrielino/Tongva San Gabriel Band of  
Mission Indians  
Anthony Morales, Chairperson  
P.O. Box 693  
San Gabriel, CA 91778

Morongo Band of Mission Indians  
Robert Martin, Chairperson  
12700 Pumarra Road  
Banning, CA 92220

Morongo Band of Mission Indians  
Travis Armstrong  
Tribal Historic Preservation Officer  
12700 Pumarra Road  
Banning, CA 92220

Morongo Band of Mission Indians  
Denisa Torres, Cultural Resources  
Manager  
12700 Pumarra Road  
Banning, CA 92220

Morongo Band of Mission Indians  
Ernest H. Silva, Tribal Elder  
12700 Pumarra Road  
Banning, CA 92220

San Manuel Band of Mission Indians  
Lynn Valbuena, Chairwoman  
26569 Community Center SR  
Highland, CA 92346

San Fernando Band of Mission Indians  
John Valenzuela, Chairperson  
P.O. Box 221838  
Newhall, CA 91322

Serrano Nation of Mission Indians  
Goldie Walker, Chairwoman  
P.O. Box 343  
Patton, CA 92369

San Manuel Band of Mission Indians  
Lee Clauss, Director of CRM  
26569 Community Center SR  
Highland, CA 92346

Morongo Band of Mission Indians  
Shane Helms, Director  
12700 Pumarra Road  
Banning, CA 92220

## **1.9 EXHIBITS**

The exhibits that are filed as part of this Application for New License are:

- Exhibit A – Project Description
- Exhibit B – Project Operations and Resource Utilization
- Exhibit C – Construction History and Proposed Construction Schedule
- Exhibit D – Statement of Costs and Financing
- Exhibit E – Environmental Report
- Exhibit F – General Design Drawings
- Exhibit G – Project Maps
- Exhibit H – Miscellaneous Material

The foregoing Initial Statement and attached exhibits are hereby made part of DWR's Application for New License for the Devil Canyon Project.

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