

DEPARTMENT OF WATER RESOURCES

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2/19/2025

Mario Suarez
Planning Manager
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SCH#2025010520 Housing Element Program 10 & 11 General Plan Amendment and
Rezone Notice of Preparation of a Draft EIR (NOP)

Dear Mr. Suarez:

The California Department of Water Resources (DWR) has conducted a review of the City of Colton's Housing Element Program 10 & 11 General Plan Amendment and Rezone Notice of Preparation of a Draft Environment Impact Report (EIR) and appreciate the opportunity to provide the following comments.

Project Location and Setting

This project proposed to amend the City of Colton's General Plan by adding Housing Element Program 10 & 11 and rezone areas for the new Housing Element Program 10 & 11 as needed.

General Comment

DWR supports the City's compliance with Government Code Article 10.6 Housing Element which requires the City to contribute to the attainment of state housing goals, including identifying sites that are suitable for residential development and housing for lower income households. At the same time, DWR has a statutory obligation to provide a reliable source of clean and affordable drinking water through State Water Project (SWP) deliveries. This requires the SWP infrastructure to be maintained in good working order, including the Santa Ana Pipeline (SAPL), a 28-mile-long buried pipeline which conveys water through urbanized San Bernadino County and into Riverside County. In order to guarantee access to the facilities, DWR obtains the necessary property rights to protect and maintain SWP facilities, including the SAPL.

Based on the information provided in this NOP, it is likely that portions of the SAPL transverse some of the parcels identified for potential rezoning to a Mixed-Use Zone. Attached is an aerial view which identifies the location of the SAPL in the project area. We request that the DIER includes an exhibit which indicates the location of SWP facilities in the project area similar to the aerial photo we provide.

A description of DWR Facilities needs to be included as well. We suggest the following be included in the DEIR: *DWR facilities located within Area 4 and 5 include 108-inch I.D.*

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Waterline (Santa Ana Pipeline), Manhole Structures (2 total) and Corrosion Test Stations (3 total).

Specific Comments

DENSITIES AND AFFORDABILITY ASSUMPTIONS:

The last paragraph on page 9 explains that Table 4 summarizes the five areas where sites have the potential for rezone and includes the existing and proposed General Plan land use and zoning designation for each site, as well as the range of densities that would be allowed and the maximum capacity for residential units and that exhibits 3 through 6 provide illustrations of the areas proposed for rezone under Program 10 & 11.

Table 4 does not identify existing property rights, such as easements, for the proposed project 's parcels. DWR requests that a column be added which includes existing property rights for each of the properties listed on table 4. The Parcels Numbers for the properties the Santa Ana Pipeline crosses include 0164-28-101, 0164-28-102, 0164-18-108, 0164-18-251, 0164-18-248.

The Assessor's Parcel Numbers for Area 4 and 5 shown in Tables 1 & 4 Potential Sites for Rezone under Program 10/11 Rezone/GPA do not match Exhibit 6. Please identify the correct parcel and update the information accordingly.

Exhibit 6 – Area 4 and 5 are proposed to be rezoned from I-P Industrial Park to MU Mixed Use Downtown areas appear to be located directly over DWR's Santa Ana Pipeline spanning between Warm Creek and Interstate 10. DWR Facilities in this area include the following:

- a. 108-inch I.D. Santa Ana Pipeline, see As-built Drawing No. V-7F1-6, V-7F1-7, V-7F1-8, V-7F1-9, V-7F1-10.
- b. 3 Corrosion Test Stations (Sta. 186+00, 200+54, 207+80), see As-built Drawing No. V-7J1-2.
- c. Air Valve and 24-inch Nozzle Manhole Structure at Sta. 189+00, see As-built Drawing No. V-7L1-1-1 and V-7P2-1.
- d. 24-inch Nozzle Manhole Structure at Sta. 210+00, see As-built Drawing No. V-7P4-2 and V-7P2-1.

In addition, please add to Exhibit 2, Exhibit 3 all DWR facilities listed above,

REGULATORY REQUIREMENTS, PERMITS AND APPROVALS:

Other Government Agency Approvals

Please add the Department of Water Resources to the list of *Other Government Agency Approvals*.

Per Title 23, Section 600 et seq. of the California Code of Regulations, DWR right of way

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is required to be free of encumbrances that may impact DWR facilities. Under those regulations, improvements within DWR right of way are limited to a greenbelt area or the equivalent. No permanent structures are allowed within DWR right of way. Any improvements proposed within DWR right of way will need to acquire an encroachment permit from DWR. The proposed design plans for parcel numbers including 0164-28-101, 0164-28-102, 0164-18-108, 0164-18-251, 0164-18-248 (shown on Exhibit 6 of NOP) may need to be revised or modified to accommodate DWR right of way where the pipeline crosses through these parcels. All DWR facilities listed above shall be protected in place and will not be relocated or removed for the proposed parcels.

NOC Notice

The NOC for the NOP did not include the Department of Water Resources as a reviewing agency on the Reviewing Agencies Checklist. Please include DWR as a reviewing agency on the checklist.

For inquiries about DWR's encroachment permit requirements, you may email swp.encroachments@water.ca.gov. You can also contact Delia Grijalva by telephone at (916) 621-8646.

Please send all project notifications to DWR at NotifyDWR@water.ca.gov. If you have any questions or need additional information from me, please contact me at Nancy.Finch@water.ca.gov or (916) 820-8124.

Sincerely,



Nancy Finch
Attorney III
Office of the General Counsel

enclosure