

LL
31372

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Consulting Civil Engineers, A Corporation

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December 1, 2006

STATE WATER BOARD
DIVISION OF WATER RIGHTS
2006 DEC -1 PM 1:34

Mr. Larry Lindsay
State Water Resources Control Board
Division Of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Re: City of Riverside – Petition for Change in Amount of Discharge, Place of Use and Purpose of Use of Treated Wastewater

Dear Mr. Lindsay:

Pursuant to our meeting of November 20, 2006, and in accordance with California Water Code Section 1211(a), we are submitting the referenced petition for your consideration and action. The petition proposes to reduce the amount of treated effluent presently discharged to the Santa Ana River by the City of Riverside (City), and redirect treated effluent to M&I and agricultural irrigation uses within the City limits, the City's Water Service Area, and the Jurupa Area Plan boundary. Based on our meeting, the City intends to continue with its pending Application 31372 to appropriate the treated effluent that is the subject of this petition unless the State Water Board determines that an application and permit for the proposed project are not required.

Section 1211(a) requires that a petition for change in the disposition of treated wastewater shall conform to Water Code Section 1700. Included herewith are the following documents:

- Petition for Change for Owners of Waste Water Treatment Plants (State Water Board form WW-CHG-PET (3-01))
- Environmental Information for Petitions (State Water Board form WW-CHG-PET (3-01))
- Draft map to accompany petition (a final map and reproducible will be submitted upon your approval of the draft map).
- Check for \$1,000 payable to the State Water Resources Control Board as filing fee. We are not submitting a check for the Department of Fish & Game environmental fee pending your determination as to whether the fee previous paid by the City for Application 31372 can be applied to this petition.


Mr. Larry Lindsay
December 1, 2006
Page 2

With reference to the requirements of Water Code Section 1701.2 concerning specific requirements for petitions, Paragraphs 1701.2(a) and (b) pertaining to petitioner contact information are as shown on the petition form. Paragraphs 1701.2(c) and (d) respectively pertain to the petitioner's provision of information disclosing the extent to which fish and wildlife would be affected by the change, and information demonstrating that the proposed change will not injure any other legal user of water. Reference is made to the City's Recycled Water Phase 1 Feasibility Study and Citywide Master Plan (September 2003), which was submitted to the State Water Board on November 21, 2003, and the City's Draft Environmental Impact Report for its Recycled Water Program, October 2006 (Draft EIR), which was submitted to the State Water Board on November 2, 2006, in connection with the City's pending Application 31372. The Draft EIR in particular addresses, at a programmatic level, potential impacts to fish and wildlife, and cumulative impacts associated with the project proposed under Application 31372 and other pending applications on the Santa Ana River. Given that the project described in Application 31372 is essentially the same as the one proposed by this petition, reference to the Draft EIR is appropriate for addressing Sections 1701.2(c) and (d).

I trust the enclosed meets with your acceptance. Please call me if you have any questions.

Very truly yours,

WAGNER & BONSIGNORE
CONSULTING CIVIL ENGINEERS



Nicholas F. Bonsignore, P.E.

cc: Kevin Milligan, City of Riverside (w/ encl.)
Susan Wilson, City of Riverside (w/ encl.)
Jill Willis, Best, Best & Krieger (w/ encl.)

via: Personal Delivery

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State of California
 State Water Resources Control Board
DIVISION OF WATER RIGHTS
 P.O. Box 2000, Sacramento, CA 95812-2000
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

PETITION FOR CHANGE
For owners of waste water treatment plants
 (WATER CODE 1211)

2006 DEC - 1 PM 1:35
 STATE WATER RESOURCES CONTROL BOARD
 DIVISION OF WATER RIGHTS

Point of Discharge
 Place of Use
 Purpose of Use
 Discharge Amount

City of Riverside (Name of petitioner) (951) 782-0330 (Telephone - between 8 a.m. and 5 p.m.)
3900 Main Street, Riverside, California 92522
 (Mailing address) (City or town) (State) (Zip code)

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Discharge (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present SEE ATTACHMENT

Proposed SEE ATTACHMENT

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present See Attachment

Proposed See Attachment

Purpose of Use

Present Irrigation, Industrial

Proposed Municipal and Industrial, Irrigation

- GIVE REASON FOR PROPOSED CHANGE: Reduce City of Riverside's dependency on groundwater and contract water supplies.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? See Attachment
 (ownership, lease verba,] or written agreement)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained.

Give name and address of any person(s) taking water from the stream between the present point(s) of discharge and the proposed point(s) of redirection, as well as any other person(s) known to you who may be affected by the proposed change.

Refer to State Water Resources Control Board records.

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated water? No
 (yes/no)

Will any legal user of the discharge treated waste water be affected? No
 (yes/no)

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: DECEMBER 1, 19 2006 at Sacramento, California

Nicholas F. Bonsignore

Nicholas F. Bonsignore, P.E. (Agent)

(916) 441-6850

Telephone No.

NOTE: A \$1,000 filing fee made payable to the State Water Resources Control Board and an \$850 fee made payable to the Department of Fish and Game must accompany this petition for change.

12/1/06
\$1000.00
JF

City of Riverside
Attachment to Petition for Change In Discharge Amount, Place of Use,
and Purpose of Use of Treated Wastewater

Re: Point of Discharge

Present: N. 656,200 and E. 1,633,300 California Coordinate System Zone 6, within SW ¼ of SE ¼ Sec. 25, T2S, R6W, SBB&M

Proposed: Same

Re: Place of Use

Present: Irrigation of about 41 acres at the Van Buren Golf Center and about 10 acres at the Van Buren median and frontage (Urban Forest); industrial use at the Toro Manufacturing Company.

Proposed: Irrigation at numerous schools, cemeteries, golf courses, parks, landscaped areas, and greenbelts, and process water uses at various industries, all within the City of Riverside's City Limits and Water Service Area Boundary, and within the boundary of the Jurupa Area Plan, as shown on the map accompanying this petition, and as further identified in the City of Riverside's Recycled Water Phase 1 Feasibility Study and Citywide Master Plan (September 2003); agricultural irrigation of about 5,600 acres of citrus orchards and nurseries within the aforementioned boundaries.

Re: Access to Point of Diversion and Control of the Place of Use

The City of Riverside (City) is the owner and operator of the Regional Water Quality Control Plant (RWQCP), which treats water from the City and three nearby community service districts (Edgemont, Jurupa, and Rubidoux). This petition seeks to reduce discharges of treated effluent from the RWQCP to the Santa Ana River (see Item 1 of attached Environmental Information Form for more detailed information). The City will redirect treated effluent prior to discharge to the Santa Ana River, therefore, there is no "point of diversion" per se.

Treated effluent will be used for M&I and agricultural uses by various public, private and institutional entities within the gross boundary of the proposed place of use. While the City does not "control" the proposed individual places of use, the City's supply of recycled water to the various entities will be made pursuant to appropriate agreements.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

ENVIRONMENTAL INFORMATION FOR PETITIONS

(THIS IS NOT A CEQA DOCUMENT)

STATE WATER RIGHTS
DIVISION OF WATER RIGHTS
SACRAMENTO
2008 DEC - 1 PM 1:36

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DISCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

SEE ATTACHMENT

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>."
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

a. Person contacted SEE ATTACHMENT Date of contact _____

Department _____ Telephone () _____

b. Assessor's Parcel No. _____

c. County Zoning Designation _____

d. Are any county permits required for your proposed changes? _____

If yes, check appropriate space below:

_____ Grading Permit, _____ Use Permit, _____ Watercourse

Obstruction Permit, _____ Change of Zoning, _____ General Plan Change,

Other (explain): _____

e. Have you obtained any of the required permits described above? _____

If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? Yes (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type See Attachment _____

Person (s) contacted _____ Agency _____

Date of contact _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your proposed changes?

Yes

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

The City of Riverside has prepared a Draft Program EIR for its Recycled Water Program. A copy of the Draft EIR was transmitted to the State Water Resources Control Board on November 2, 2006.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or

Cause erosion, turbidity or sedimentation? _____ If so, explain: _____

The proposed project involves the use of treated effluent for M & I and agricultural irrigation uses. Discharge or treated effluent to the Santa Ana River will be reduced as a result of this project.

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? See Response to Item #3.

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? Yes

Do you know of any archeological or historic sites located within the general project area?

If so, explain: Cultural Resources in the project area are discussed in Section 3C of the Draft EIR.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>. Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- Along the stream channel immediately downstream from the proposed point(s) of diversion.
 - Along the stream channel immediately upstream from the proposed point(s) of diversion.
 - At the place(s) where the water is to be used.

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian
Desert Riparian
Palm Oasis
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral
Chamise-Redshank Chaparral
 Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
Pasture

Aquatic Communities

Riverine
Lacustrine
Estuarine
Marine

Developed Communities

Cropland
 Orchard-Vineyard
 Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>. Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

Refer to Section 3B, Biological Resources, of the Draft EIR.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Fish species include Santa Ana sucker, arroyo chub, and possibly a Santa Ana subspecies of speckled dace. Refer to Section 3B, Biological Resources of the Draft EIR for further discussion of potential impacts.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):


The number of mammal species regularly occurring in the project area is estimated to be between 30 and 40, including bats and nonnative species. Approximately 180 bird species occur in the Prado Basin, although a substantial fraction are present only in non-breeding roles (migrants and winter species). Refer to Section 3B, Biological Resources, of the Draft EIR.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? NO
If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date DECEMBER 1, 2006 Signature 
Nicholas F. Bonsignore, P.E.
Agent

City of Riverside
Attachment to Environmental Information Form to Accompany
Petition for Change In Discharge Amount, Place of Use,
and Purpose of Use of Treated Wastewater

Re: ITEM 1 - DESCRIPTION OF CHANGES TO PROJECT

The City of Riverside (City) owns and operates the Regional Water Quality Control Plant (RWQCP), which treats water from the City and three nearby community service districts (Edgemont, Jurupa, and Rubidoux). The RWQCP consists of two secondary treatment plants, one tertiary treatment plant, and sludge handling facilities. Approximately 50 acres of wetlands are being used for nitrogen removal. Presently the RWQCP produces about 36,000 acre-feet of treated effluent annually and discharges almost that entire amount into Reach 3 of the Santa Ana River. Of this amount the City is obligated to discharge 15,250 acre-feet annually to the Santa Ana River in accordance with the Prado Settlement between the City and Western Municipal Water District dated November 30, 1968, for maintenance of base flows at Prado Dam.

The RWQCP is presently permitted to treat 40 million mgd (about 44,100 acre-feet per year) and is master planned to ultimately treat about 67,400 acre-feet per year. In September 2003 the City issued its Recycled Water Phase 1 Feasibility Study and Citywide Master Plan. In October 2006 the City circulated a Draft Environmental Impact Report (Draft EIR) for its Recycled Water Program. The Master Plan proposes to ultimately use 41,400 acre-feet of recycled water for various M&I and agricultural irrigation uses.

The estimated time line for development and build-out of the recycled water project is as shown in Table 3A-14 of the Draft EIR (excerpt attached for reference). As shown, the estimated minimum amount to be discharged to the Santa Ana River is expected to occur in 2025, at which time about 25,000 acre-feet will be discharged annually. Under full build-out conditions the amount discharged to the Santa Ana River will be about 26,000 acre-feet, which is about 10,000 acre-feet less than is presently discharged, but 10,750 acre-feet greater than the City is obligated to release under the Prado Settlement. The Draft EIR addresses the impacts associated with this change.

Re: ITEM 2 – COUNTY CONTACT

The Petitioner acting as Lead Agency under CEQA, notified the County of Riverside and other responsible agencies of its preparation of a Draft EIR in accordance with the provisions of CEQA.

Re: ITEM 3 – STATE AND FEDERAL PERMITS REQUIRED

The City's RWQCP operates under a National Pollutant Discharge Elimination System (NPDES) permit designated as Santa Ana Regional Water Control Board Order No. 01-3,

NPDES No. CA0105350, with Adoption Order No. R8-2006-0009, which includes requirements that implement the Santa Ana River Basin Plan. The Permit is based on the RWQCP's current design rating of 40 million mgd. An amendment to the City's permit will be required to increase capacity to the ultimate build-out flow of 60 million mgd.

Title 22, Chapter 3, Article 7, Section 60323 of the California Code of Regulations requires an engineering report to be filed for any project producing or supplying recycled water for direct reuse. The report includes a description of recycled water production, transmission of the recycled water, existing and future users, and the proposed method of administering the recycled water system. Both the Regional Water Quality Control Board and the Department of Health Services review the Title 22 report prior to the Board issuing Water Reclamation Requirements for the project.

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Table 3A-14. Estimated Amount of Recycled Water Diverted and Effluent Discharged from Riverside Regional Water Quality Control Plant from 2000 through 2050 (in acre-feet per year)

	2000	2005	2010	2015	2020	2025	2030	2035	2040	2045	2050
Diverted to Recycled Water System	300	2,270	11,000	21,000	31,000	41,400	41,400	41,400	41,400	41,400	41,400
Discharged into Santa Ana River	36,000	39,730	37,000	33,000	29,000	25,000	26,000	26,000	26,000	26,000	26,000
Total	36,300	42,000	48,000	54,000	60,000	66,400	67,400	67,400	67,400	67,400	67,400

Source: Riverside Public Utilities Department (2004).

Methodology

The evaluation of effects on hydrology and water quality is based on professional standards and the conclusions of technical reports prepared for the proposed project. The key effects were identified and evaluated based on the physical characteristics of the project study area and the magnitude, intensity, and duration of activities. It is assumed that the City would conform to relevant building standards, grading permit requirements, and erosion control requirements.

Significance Criteria

For the purposes of this analysis, an impact pertaining to hydrology and water quality was considered significant if it would result in any of the following, which are based on professional practice and Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.):

- substantial alteration in the quantity or quality of surface runoff;
- substantial degradation of water quality;
- violation of any water quality standards or waste discharge requirements;
- substantial reduction in groundwater quantity or quality;
- creation of or contribution to runoff that would exceed the capacity of an existing or planned stormwater management system;
- substantial alteration of the existing drainage pattern of the site area, such that flood risk and/or erosion and siltation potential would increase;
- placement of structures that would impede or redirect floodflows within a 100-year floodplain; or
- exposure of people, structures, or facilities to significant risk from flooding, including flooding as a result of the failure of a levee or dam.

Photographs to Accompany

Petition for Change in Wastewater Discharge by City of Riverside



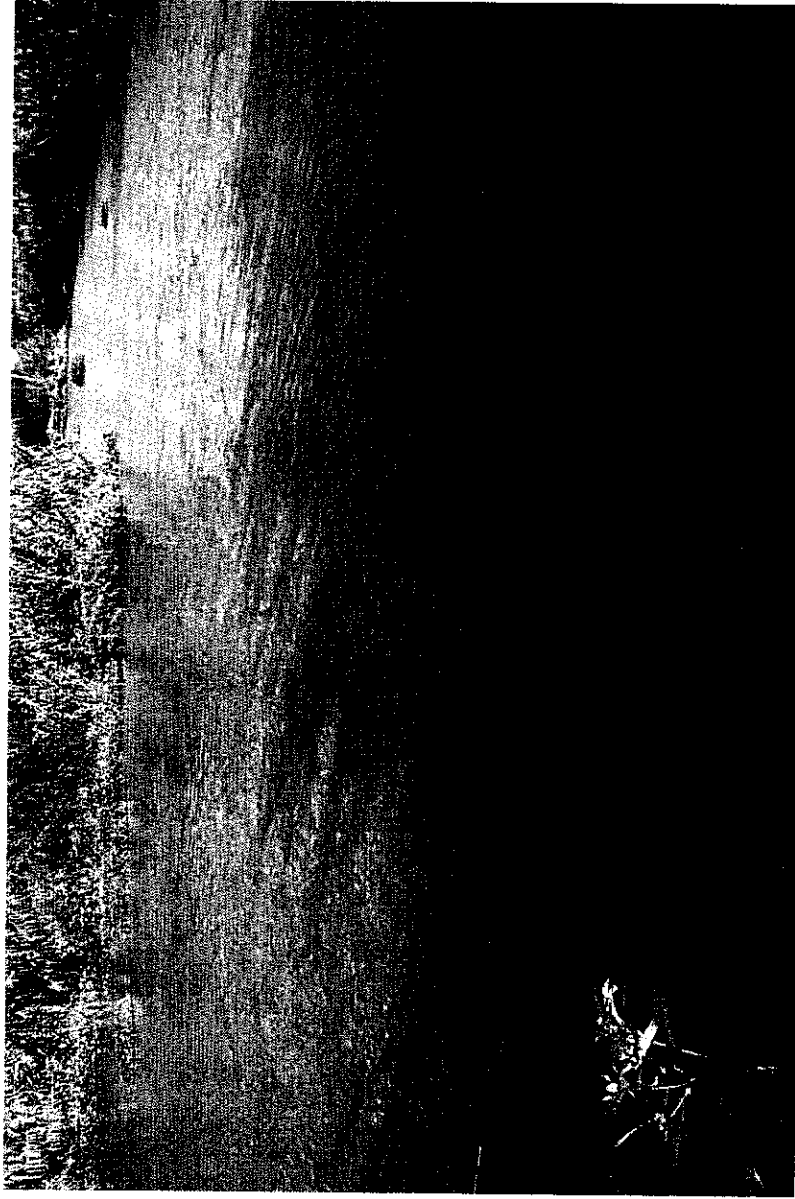
Point of Discharge,
Regional Water Quality Control Plant outfall to Santa Ana River.

**Photographs to Accompany
Petition for Change in Wastewater Discharge by City of Riverside**



Santa Ana River upstream of outfall.

**Photographs to Accompany
Petition for Change in Wastewater Discharge by City of Riverside**



Santa Ana River downstream of outfall.