

State Waterboard Wastewater Change Petition

You completed application 444838 on 11/21/2022 21:40:53

Section A.1 - Petition for Wastewater Changes (Water Code Section 1211)

General Information

This petition form is used to request a change to the point of discharge, place of use, or purpose of use of treated wastewater from a wastewater treatment plant. Provide attachments as necessary. Incomplete forms may not be accepted.

Instructions for Filing the Wastewater Change Petition

Filing Fees

Your petition form(s) will not be accepted for initial review unless it is accompanied by the required filing fees, including the following:

1. Fee payable to the State Water Resources Control Board. Instructions for calculating the fee are available at. **Send fee to the State Water Resources Control Board.**
2. Fee of \$850 payable to the California Department of Fish and Wildlife. An \$850 fee is required for all change petitions, with certain exceptions. See specific exceptions in Public Resources Code, division 10, § 10005 (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=10005). **Send the California Department of Fish and Wildlife fee to the State Water Resources Control Board.**

Transmittal Checklist

In order to complete submittal of your Wastewater Change Petition to the Division, you will need to have provided the following items:

1. Complete the following Wastewater Change Petition form. When the form is complete you will receive a notice of submittal that **must be mailed to the Division.**
2. Include required petition filing fees with the mailed notice of submittal.
3. Complete the Environmental Information for Petitions form. The form can be found on the Division's Water Rights Online Forms Portal here (<https://public2.waterboards.ca.gov/mt/sites/site?siteName=WROF>).

The following will be required to complete the Environmental Information for Petitions form:

- I. Map(s) prepared in accordance with Cal. Code Regs., tit. 23, §§ 715 et seq. & 794 ([https://govt.westlaw.com/calregs/Document/I9A273720D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)\)](https://govt.westlaw.com/calregs/Document/I9A273720D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)))).
- II. Proof that the petition information was provided to, and consultation was requested with, the appropriate Regional Water Quality Control Board. (Cal. Code Regs., tit. 23, § 794, (b).) ([https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)\)](https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)))).
- III. Proof that the petition information was provided to, and consultation was requested with, the California Department of Fish and Wildlife if it has not already provided on the Environmental Petition Form. (Cal. Code Regs., tit. 23, § 794, (b).) ([https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)\)](https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)))).

When you complete the process by transmitting 1) this form, 2) the Environmental Information for Petitions form, 3) any attachments, and 4) the required filing fees, your petition will be reviewed to determine whether the petition can be accepted. If your petition form(s) are found to be incomplete, Division staff will contact you to provide instructions regarding the supplemental information required and provide time to complete the form(s). Petition form(s) not accepted for filing are subject to a \$250 non-refundable initial review fee for each petition filed.

Certification: ★

I acknowledge that I have read and understand the above information, and that I will not be able to complete my petition form unless I have compiled and provided all required information.

Public Record Acknowledgement

The State Water Resources Control Board, Division of Water Rights, (the Water Board) is requesting personal information on this form. This form shall become a public record upon receipt by the Board. The Water Board may post the petition to its internet website and may mail the petition upon request.



I acknowledge that I have read and understand the above information. I also consent to disclosure by the Board of information provided on this form by posting to the Board's internet website, by direct or electronic mailing, or as otherwise required for the Board to act upon the petition. This consent allows the disclosure of personal information pursuant to Civil Code section 1798.24, subdivision (b) (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=1798.24.#:~:text=An%20agency%20shall%20not%20disclose,to%20whom%20the%20information%20pertains.).

Section A.2 - Facility and Owner Information

Facility Information:

Facility Name	NPDES or WDR Permit Number
City of San Juan Bautista Wastewater Treatment and Reclamation Plan	CA0047902

Owner Information:

If you are filing as a company, government entity, city, etc. leave the first name and last name blank.

First Name: **Last Name:** **Organization Name:**
Contact Person: **Phone Number:** **Email:**

If entering a P.O. Box for the address, please include "P.O. Box" in the Address field.
Example: *P.O. Box 1234.*

Address: **City:** **State/Province:** **Zipcode:**

Agent Information:

Do you wish to designate an agent? ★ Yes No

Agent First Name: **Agent Last Name:** **Agent Organization:**
Mailing Address: **City:** **State/Province:** **Zipcode:**
Phone Number: **Phone Ext.:** **Email:**

Section B.1 - Requested Changes

What change(s) are you requesting? ★

- Point of Discharge (POD)
- Purpose of Use (PuOU)
- Place of Use (POU)

Section B.2.0 - Point(s) of Discharge Coordinate System

Point of Discharge and Legal Land Description - Provide the following information on the present and proposed diversion points:

Which map coordinate system are you using to describe the location of the point(s) of discharge?

- ★ North American Datum of 1983 (NAD 83) Latitude and Longitude

Section B.2.1 - Point(s) of Discharge (Latitude and Longitude) Table

Enter the points in the order that you would like them to be arranged in your petition, with the primary point (if one exists) being identified first. Rows may be added to the tables below by clicking the "+" sign, edited using the pencil icon, and deleted using the trash icon. A point name may also be entered for each point designated to allow accurate identification of your points in the coming sections. Click the "Next" button after you have entered information for all points.

Point Name	Description of Point
Discharge Location	36 ° 50' 58.11" N, -121 ° 32' 41.90" W

Section B.2.2 - Point(s) of Discharge (Latitude and Longitude) Details

In this section, you will provide the basic information related to the point locations you identified on the previous page. For each point location identified, provide the requested information below. Once complete, you can move to the next point location by clicking the ">" button near the bottom of this section. The navigation tools will allow you to move readily between points. Once all the information requested below has been provided for each point, please click "Next" and you will move on. If you would like to add, delete, or make edits to your point location, click on "Previous" at the bottom of the page.

If the existing point of diversion is currently described in your permit or license using bearing and distance from a section corner or monument, you may leave the "Existing" POD information blank or enter as latitude/longitude format.

Point 1 of 1.

Point Name: Discharge Location

Point Type Location Details

POINT DETAILS		
ATTRIBUTE	Present	Proposed
Latitude	36.849475	36.852825
Longitude	-121.544972	-121.445667
1/4 of 1/4 Section		
1/4 Section		
Section	33	00
Township and Direction	12S	12S
Range and Direction	4E	5E
Base and Meridian	Mount Diablo	Mount Diablo

Section B.3 - Describe the Project

Describe the project that is the subject of the petition. The size of the text box below may be adjusted by clicking and dragging on the bottom righthand corner of the text box. Enter "See Attachment" if uploading an attachment in lieu of using the text box.



Please see attachment.

Upload Documents here (optional)

Choose File No file selected

Upload

(Uploaded files:)

Delete 1670.0002 SJB WW Change Project Description.pdf (/MT/TakeSurvey/Download? fileName=1126_444838_112845_WastewaterChang__q112845_1.pdf)

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Section C.1 - Discharge of Wastewater

Use the following navigation buttons to return to the previous pages:

Section A.1 - Introduction

Section B.1 - Requested Changes

Provide information regarding the present, proposed, and reduction in discharge of treated wastewater into the stream with the rates (in cubic feet per second or million gallons per day) and total annual quantities (in acre-feet).

Present and Proposed Average Monthly Wastewater Discharge

Month	Present Discharge (select units)	Proposed Discharge (select units)	Calculated Reduction (af)
Unit Selection	mgpd	mgpd	afy
January	0.198	0	18.8375
February	0.225	0	19.3347
March	0.210	0	19.9792
April	0.173	0	15.9281
May	0.169	0	16.0785
June	0.175	0	16.1122
July	0.187	0	17.7910
August	0.197	0	18.7424
September	0.171	0	15.7440
October	0.153	0	14.5563
November	0.145	0	13.3501
December	0.170	0	16.1736
Annual Total (afy)	202.6277	0.0000	202.6277

Provide any additional information regarding the change in stream flow that will result from the reduction in treated wastewater discharge. The attachment upload option in Section B.3 may also be used. If discharges are changing in the middle of month please describe the change in discharge proposed for the partial month.

The City of San Juan Bautista's treated wastewater discharge to the unnamed drainage channel will cease. The drainage channel is an ephemeral drainage channel so loss of discharge at this location are expected to make the channel's flows consistent with upgradient reaches which are dry through most of year and contain flow from during and after runoff producing rainfall events.

Section C.2 - Effect on Fish/Wildlife



Provide information identifying the effects of the proposed change(s) on fish, wildlife, and other instream beneficial uses.

The proposed project includes decommissioning the City of San Juan Bautista's Wastewater Treatment Plant (WWTP), instead conveying its sewage to the City of Hollister, where there is a

modern Membrane Bioreactor Treatment Plant, and the treated water can be recycled. The project includes a new pump station in San Juan Bautista and approximately seven miles of pipeline to convey sewage to the City of Hollister's wastewater treatment plant. Once the pipeline is operational, the proposed project includes elimination of approximately 180,000 gallons per day (0.3 cubic feet per second) currently discharged from the San Juan Bautista WWTP to an unnamed ephemeral drainage generally referred to as "No Name Creek". Biological Assessment A biological assessment was prepared for the proposed pipeline project, and potential impacts to the following species were identified: California red-legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californiense*), Coast Range newt (*Taricha torosa*), western pond turtle (*Emys marmorata*), and western spadefoot (*Spea hammondi*), American badger (*Taxidea taxus*), burrowing owl (*Athene cunicularia*), San Joaquin kit fox (*Vulpes macrotis mutica*), hoary bat (*Lasiurus cinereus*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), western mastiff bat (*Eumops perotis californicus*), and western red bat (*Lasiurus blossevillii*), as well as protected nesting birds and raptors. Consultation with the U.S. Fish and Wildlife Service (USFWS) for incidental take authorization for impacts to California tiger salamander, California red-legged frog, and San Joaquin kit fox as a result of the proposed pipeline project, including impacts to No Name Creek as a result of the reduction in discharge, has been completed (USFWS 2022). The City of San Juan Bautista is also in the process of obtaining a Section 2081 permit from the California Department of Fish and Wildlife (CDFW). A survey to assess and map the extent of potential aquatic habitat from the discharge point along No Name Creek to the San Benito River was conducted on July 20, 2022. The results of that survey and a qualitative overview of the potential effects of the elimination of wastewater discharge from the San Juan Bautista WWTP on No Name Creek was prepared and is attached as a separate memorandum. Potential Effects of Wastewater Discharge Reduction on No Name Creek As discussed in the Biological Evaluation of Proposed Wastewater Discharge Reductions, San Juan Bautista to Hollister Sewer Force Main Project (EMC Planning Group 2022), although the loss of wastewater treatment plant discharge is significant, it would not result in the total loss of riparian or wetland vegetation along No Name Creek. The historically ephemeral creek is significantly supplied by winter storm runoff in its upstream watershed and by a network of stormwater drains in the adjoining neighborhood. Although hydrologic data is sparse for this part of the watershed, it is anticipated that these inputs would sustain riparian and wetland vegetation through the rainy season, typical of the ephemeral habitats upstream from the WWTP. Special-status aquatic species may utilize ponded areas along No Name Creek inundated by wastewater effluent flows. Consultation with the USFWS for incidental take authorization has been completed and the City of San Juan Bautista is in the process of obtaining a Section 2081 permit from CDFW for the proposed pipeline project, including impacts to No Name Creek as a result of the reduction in discharge. Implementation of measures included in the incidental take permits would avoid, minimize, or mitigate impacts to California tiger salamander to the extent possible. Compensatory mitigation is also a component of the permit conditions, and the City of San Juan Bautista is in the process of securing 7.8 multi-species credits at a conservation bank for the long-term protection of these species. No other listed plant or wildlife species appear to be supported by the wastewater effluent flows to No Name Creek. No Name Creek upstream of San Juan Bautista is historically an ephemeral stream. At Third Street the creek becomes highly modified due to residential development, with culverts and channelized drainages leading to San Juan Highway, where flow

enters a channelized drainage ditch. If the creek was less constrained, the loss of treated effluent flow from the WWTP would likely contribute to a return to a historically natural state. However, the current constrained nature of the watercourse, the minimal presence of wetland and riparian vegetation, and active maintenance for agricultural uses downstream indicate that the reduction of flow will likely only reduce the amount of vegetation present during the dry months. Since the City's source of water supply is from groundwater, treated effluent discharge from the WWTP into the surface water body of No Name Creek is an inflow that would not otherwise occur in the surface water system. Therefore, its elimination will not have an appreciable effect on the watershed from an historical perspective. Downstream of the WWTP outfall, contributing sources of flow to No Name Creek include seasonal stormwater drainage from adjacent development and nonpoint source rural residential and agricultural runoff. Farther downstream, a significant source of flow to No Name Creek is agricultural tailwater runoff. The loss of treated effluent discharge would have no effect on the contribution from these sources into the future. Reference Documents (uploaded files): 1. Biological Evaluation of Proposed Wastewater Discharge Reductions, San Juan Bautista to Hollister Sewer Force Main Project, San Benito County (EMC Planning Group 2022) 2. U.S. Fish and Wildlife Service. 2022. Biological Opinion for the San Juan Bautista to Hollister Sewer Force Main Project, San Benito County, California.

 Upload Documents here (optional)

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Section D.1 - Proposed Measures

Use the following navigation buttons to return to the previous pages:

Section A.1 - Introduction

Section B.1 - Requested Changes

Section C.1 - Discharge of Wastewater

 Describe the measures proposed for the protection of fish and wildlife in connection with the proposed change. Include all information reasonably available, or that has been obtained from the California Department of Fish and Wildlife, regarding any measures necessary for the protection of fish and wildlife in connection with the proposed change.

The following three documents contain mitigation measures applicable to the protection of biological resources, and are included here as attachments: • The San Juan Bautista to Hollister Sanitary Sewer Force Main Mitigated Negative Declaration (SCH 202110032) (EMC Planning Group 2022) • Environmental Report, City of San Juan Bautista, San Juan Bautista to Hollister Force Main Development Project, September 2022, (EMC Planning Group 2022) • Biological Opinion for the San Juan Bautista to Hollister Sewer Force Main Project, San Benito County, California. (U.S. Fish and Wildlife Service 2022) In addition, the City of San Juan Bautista is also in the process of obtaining a Section 2081 permit from the CDFW, which will also contain conservation measures for species protection. Referenced Documents

(uploaded files): 3. The San Juan Bautista to Hollister Sanitary Sewer Force Main Mitigated Negative Declaration (SCH 202110032) (EMC Planning Group 2022) 4. Environmental Report, City of San Juan Bautista, San Juan Bautista to Hollister Force Main Development Project, September 2022, (EMC Planning Group 2022) - uploaded as six separate files (4a ... through 4f...). 5. Biological Opinion for the San Juan Bautista to Hollister Sewer Force Main Project, San Benito County, California. (U.S. Fish and Wildlife Service 2022) - See reference document #2 uploaded for Section C.1.

 Upload Documents here (optional)

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Section D.2 - Effect of Changes

Provide information identifying any effects of the proposed change(s) on other known users of water, including identification in quantitative terms of any projected change in water quantity, water quality, timing of discharge, consumptive use of the water, reduction in return flow, or reduction in the availability of water within the streams affected by the proposed change(s).



No Name Creek is an ephemeral tributary to the San Benito River with low to zero natural flow during most of the year. Downstream from the WWTP it is characterized as an angled channel approximately ten feet wide at the top of bank. There are no known users of the water downstream beyond agricultural use of the channel. Elimination of the discharge from the WWTP will reduce amounts of Total Dissolved Salts (TDS), chloride, sodium, Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), ammonia and coliform currently entering the watercourse (San Juan Bautista 2022). The proposed elimination of the discharge will therefore improve water quality downstream. Quantified data for flow and water quality levels are included in Chapter 2.0 of the San Juan Bautista Wastewater Treatment Improvements Project Preliminary Engineering Report (Stantec 2022), attached.
Referenced Documents (uploaded files): 6. San Juan Bautista

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Section D.3 - Involved Parties

Describe the parties involved in the proposed change.

The proposed project involves the Cities of San Juan Bautista and Hollister. The City of San Juan Bautista will be constructing the force main project and eliminating their discharge to the unnamed drainage channel. The constructed force main will connect to a manhole immediately upstream of the City of Hollister's influent pump station. The City of Hollister will accept the City of San Juan Bautista's wastewater and treat at their municipal wastewater treatment plant. A memorandum of understanding between the two cities will document this agreement.

 Upload Documents here (optional)

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Section E.1 - Review

Use the following navigation buttons to return to the previous pages:

[Section A.1 - Introduction](#)

[Section B.1 - Requested Changes](#)

[Section C.1 - Discharge of Wastewater](#)

[Section D.1 - Proposed Measures](#)

You can view a summary of your petition before submitting by clicking here ([/MT/TakeSurvey/Summary?surveysTakenId=444838&surveyId=1116](#)). The summary will open in a new tab. To return to this screen, simply close the tab with the petition summary. If you need to make changes to your petition, you may use the navigation buttons at the bottom of this page, the Prev button to return to previous pages. You will not be able to edit your petition after you submit.

Section E.2 - Certification

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

By entering your name on the signature line, you are certifying the above (entering your name qualifies as signing the petition form).

Title and organization: ★

Signature: ★

Date: ★