

Please indicate County where your project is located here:

Napa

MAIL FORM AND ATTACHMENTS TO:
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
http://www.waterboards.ca.gov/waterrights

PETITION FOR CHANGE

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Distribution of Storage, Temporary Urgency, Instream Flow Dedication, Waste Water, Split, Terms or Conditions, Other, Application, Permit, License, Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Present: N/A
Proposed: N/A

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: See Attachment 1
Proposed: See Attachment 1

Purpose of Use

Present: Irrigation using recycled water.
Proposed: Additional irrigation using recycled water.

Split

Provide the names, addresses, and phone numbers for all proposed water right holders.

There are no existing water right holders nor proposed water right holders.

In addition, provide a separate sheet with a table describing how the water right will be split between the water right holders: for each party list amount by direct diversion and/or storage, season of diversion, maximum annual amount, maximum diversion to offstream storage, point(s) of diversion, place(s) of use, and purpose(s) of use. Maps showing the point(s) of diversion and place of use for each party should be provided.

Distribution of Storage

Present: None
Proposed: None

**Temporary Urgency**

This temporary urgency change will be effective from  to

Include an attachment that describes the urgent need that is the basis of the temporary urgency change and whether the change will result in injury to any lawful user of water or have unreasonable effects on fish, wildlife or instream uses.

**Instream Flow Dedication** – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Upstream Location:

Downstream Location:

List the quantities dedicated to instream flow in either:  cubic feet per second or  gallons per day:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

Will the dedicated flow be diverted for consumptive use at a downstream location?  Yes  No

If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

**Waste Water**

If applicable, provide the reduction in amount of treated waste water discharged in cubic feet per second.

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated waste water?  Yes  No

Average discharge reduction: approximately 17.6 cfs in March, 9.9 cfs in April, and 13.8 cfs in November.

Will any legal user of the treated waste water discharged be affected?  Yes  No

*15.9* *0.1* *7.5* *per email 9/17/14 AB*

**General Information** – For all Petitions, provide the following information, if applicable to your proposed change(s).

Will any current Point of Diversion, Point of Storage, or Place of Use be abandoned?  Yes  No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:

ownership       lease       verbal agreement       written agreement

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

Los Caneros Water District is submitting an SRF loan application to fund the project, but Napa Sanitation District, owner of the Soscol Water Recycling Facility, will be producing and delivering recycled water to users according to written agreement with Los Caneros Water District.

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

The existing wastewater discharge location will not change as a result of this project. There are no person(s) known who would be affected by the proposed change because there are no water right holders in the vicinity of the discharge to a tidal water body.

**All Right Holders Must Sign This Form:** I (we) declare under penalty of perjury that this change does not involve an increase in the amount of the appropriation or the season of diversion, and that the above is true and correct to the best of my (our) knowledge and belief. Dated  at

  
 \_\_\_\_\_  
 Right Holder or Authorized Agent Signature

\_\_\_\_\_  
 Right Holder or Authorized Agent Signature

**NOTE: All petitions must be accompanied by:**

- (1) the form Environmental Information for Petitions, including required attachments, available at: [http://www.waterboards.ca.gov/waterrights/publications\\_forms/forms/docs/pet\\_info.pdf](http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf)
- (2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/fees/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)
- (3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

## ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, 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, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

The Los Caneros Water District (LCWD), in partnership with the NSD, proposes a project to bring recycled water to the groundwater deficient LCWD, just southwest of Downtown Napa. Recycled water would augment the existing surface and groundwater supplies within the LCWD and be used for the irrigation of landscaping, vineyards, and other agricultural lands within the region. Recycled water is currently used elsewhere in the County to irrigate vineyards, golf courses, pastureland, parks, and landscaping.

The proposed project would include construction of approximately 9.2-miles of 20- to 6-inch recycled water pipeline to serve portions of the 3,800 acres of residential landscape and agricultural land within the LCWD. The new pipeline is expected to serve 73 customers, many of which are large agricultural parcels. Recycled water supplied would be tertiary treated effluent from NSD's existing Soscol WWTP. Water produced at this facility meets requirements for disinfected tertiary recycled water "unrestricted use" defined in California Code of Regulations, Title 22, Sections 60301-60355. The proposed pipeline network would be located primarily within existing roadways and would not require any pump stations or storage facilities. See Attachment 2 for a map of the proposed pipeline locations.

Construction activities for this project would occur with periodic activity peaks, requiring brief periods of significant effort followed by longer periods of reduced activities. Staging areas for storage of pipe, construction equipment, and other materials would be placed within NSD's existing facilities at locations that minimize hauling distances and long-term disruption.

After implementation of the proposed project, the LCWD and/or NSD will enforce an irrigation schedule among its users. Users with off-stream storage may fill their reservoirs in the winter season (approximately January - May); however, all other users must wait until the irrigation season (May - September) to use recycled water. NSD may provide up to 2,500 acre-feet per year (AFY) of recycled water to the LCWD. Water that is currently discharged to the tidal portion of the Napa River would instead be used for irrigation.

While California Coast steelhead and Chinook salmon can occur in the vicinity of the existing outfall, this estuarine portion of the river is a migration corridor and does not provide spawning habitat. Additionally, no discharge occurs now during the majority of time when salmon are migrating past the outfall location, and minor reductions in discharge in November with this proposed project would be expected to have minimal if any effect on salmon. In fact, when treated wastewater is removed from the Napa River for irrigation under this project, the actual mixing zone size for discharges to the Napa River will shrink, thereby allowing for a greater area for fish passage. Furthermore, the Draft of Mitigated Negative Declaration and Environmental Assessment (Los Carneros Water District, Oct 2013) found no significant environmental effect from this project with the agreed upon mitigation measures.

The project is not expected to result in any changes in land use.

CEQA documentation for the project is listed in Attachment 3.

Insert the attachment number here, if applicable:

2,3

**Coordination with Regional Water Quality Control Board**

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: [http://www.waterboards.ca.gov/waterboards\\_map.shtml](http://www.waterboards.ca.gov/waterboards_map.shtml). Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

April 10, 2014

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes  No

Will a waste discharge permit be required for the project?

Yes  No

If necessary, provide additional information below:

Napa Sanitation District operates under an existing Regional Board Order, establishing Master Water Reuse Requirements. A new waste discharge permit will not be required for the project.

Insert the attachment number here, if applicable:

**Local Permits**

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

N/A

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted:  Date of Contact:

Department:  Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below.  Yes  No

- Grading Permit
- Use Permit
- Watercourse
- Obstruction Permit
- Change of Zoning
- General Plan Change
- Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies.  Yes  No

If necessary, provide additional information below:

An encroachment permit will be required for construction of pipelines within County roadways. The contractor will obtain the encroachment permit before the start of construction.

Insert the attachment number here, if applicable:

**Federal and State Permits**

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board       Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams       California Coastal Commission
- State Reclamation Board       U.S. Army Corps of Engineers       U.S. Forest Service
- Bureau of Land Management       Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies.       Yes       No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number
RWQCB	NPDES	Fred Hertzal		510-622-2357
CDFW	Streambed Alter	Suzanne Gilmore		707-944-5536
U.S. Army Corps of Eng.	Section 404	David Wickens		415-503-6787

If necessary, provide additional information below:

In addition to the permits described above, the contractor will be required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharge Associated with Construction and Land Disturbance Activities. Order No. 2012-0006-DWQ, NPPDES No. CAS000002. The contractor will need to file a Notice of Intent to be covered under the General Permit and will be required to prepare a Storm Water Pollution Prevention Plan.

Permit applications for the permits listed above have not yet been submitted.

Insert the attachment number here, if applicable:

**Construction or Grading Activity**

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake?       Yes       No

If necessary, provide additional information below:

Project includes one pipe bridge crossing at Las Amigas Bridge, and thirty three pipeline crossings of existing culverts on unnamed ephemeral/intermittent waters of the state. To protect habitat, the culvert crossings will be constructed in the dry season, and the crossings of Las Amigas Bridge will be accomplished by hanging the pipe from the existing bridge. Streambed alteration agreements will be obtained from the California Department of Fish and Wildlife for all crossings.

Insert the attachment number here, if applicable:

**Archeology**

Has an archeological report been prepared for this project? If yes, provide a copy.  Yes  No

Will another public agency be preparing an archeological report?  Yes  No

Do you know of any archeological or historic sites in the area? If yes, explain below.  Yes  No

If necessary, provide additional information below:

The cultural resources report for the project identified sites in the general vicinity, but there are no sites in the Area of Potential Effect, and no resources are expected to be adversely affected by the project.

The cultural resources report is included in Attachment 5, which is a CD containing environmental documentation for the project.

Insert the attachment number here, if applicable:

**Photographs**

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion  
N/A - the project does not include stream diversion; existing outfall will remain the same
- Along the stream channel immediately upstream from each point of diversion  
N/A - the project does not include stream diversion; existing outfall will remain the same
- At the place where water subject to this water right will be used

Photographs of the proposed place of use are included in Attachment 4.

**Maps**

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

A map showing the point of wastewater discharge and places of use is included in Attachment 2.

**All Water Right Holders Must Sign This Form:**

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated  at .

Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

**NOTE:**

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)