

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Wastewater Petition WW-65
Templeton Community Services District

**ORDER APPROVING CHANGE IN POINT OF DISCHARGE, PURPOSE
OF USE, AND PLACE OF USE**

SOURCE: Salinas River

COUNTY: San Luis Obispo

WHEREAS:

1. The Templeton Community Services District (TCSD) filed Wastewater Change Petition WW0065 with the State Water Resources Control Board (State Water Board) on December 8, 2011, pursuant to section 1211 of the Water Code. The petition seeks to change the point of discharge, purpose of use, and place of use of 0.34 cubic foot per second (cfs) (220,000 gallons per day (gpd)) of treated wastewater.

TCSD proposes a change in wastewater operations that would re-route the treatment and disposal location of 220,000 gpd to the Meadowbrook Wastewater Treatment Plant (WWTP) and Selby Percolation Pond Facility (Selby Ponds). This wastewater is currently discharged to the Salinas River after treatment from the City of Paso Robles WWTP. The project would require construction of new conveyance infrastructure (pipelines and pumps) in uplands and existing developed areas. The new pipeline alignment will be approximately 2.4 miles long connecting to existing TCSD facilities and pipelines.

TCSD currently utilizes two wastewater treatment and disposal options. Approximately 220,000 gpd are sent to the Paso Robles WWTP for treatment and disposal, and the remainder of effluent (150,000 gpd) is treated by the TCSD Meadowbrook WWTP and discharged at the Selby Ponds where the treated wastewater percolates into the Salinas River underflow. The project includes three components: 1) cessation of conveyance by TCSD of any wastewater to the Paso Robles WWTP where the treated wastewater is discharged to the Salinas River; 2) the pipeline construction along a 2.4 mile corridor; and 3) the treatment of the wastewater previously conveyed to the Paso Robles WWTP at the TCSD Meadowbrook WWTP where the treated wastewater is discharged to the Selby Ponds.

TCSD already has the permitted capacity to treat 600,000 gpd of wastewater at its Meadowbrook WWTP and discharge the treated wastewater at the Selby Ponds, inclusive of the redirected 220,000 gpd, per existing WDR Order No. R3-2007-0029. The environmental impacts for this activity were addressed in a previous CEQA document. TCSD adopted a Mitigated Negative Declaration (MND) for the project in 1998.

2. Public notice of the change was issued on January 12, 2012. No protests were filed.
3. The State Water Board has determined that the petition for change in the point of discharge, purpose of use, and place of use will not cause injury to any other lawful user of water.
4. Under the California Environmental Quality Act (CEQA), TCSD is the lead agency for preparation of environmental documentation for the project. On March 28, 2012, TCSD issued a Notice of Intent to adopt an MND titled Templeton Community Services District Wastewater Flow Re-Routing Project, SCH # 2012041010. On May 25, 2012, TCSD issued a Notice of Determination (NOD) for the project.
5. The State Water Board is a responsible agency for purposes of considering whether to approve the wastewater change petition that will allow TCSD to proceed with the proposed project. As a responsible agency, the State Water Board must consider the environmental documentation prepared by the lead agency, and any other relevant evidence in the record, and reach its own conclusions on whether and how to approve the project involved. (Cal. Code Regs., tit. 14, § 15096, subd. (a).) The State Water Board has considered the MND in deciding whether to approve the petition. There is no evidence that approval of the wastewater change petition, with the lead agency implementing mitigation measures from the MND to minimize impacts to cultural and biological resources, will have any adverse impacts on the environment. The State Water Board will issue an NOD within five days of the date of this order.
6. In addition to any obligation the State Water Board may have under CEQA, the Board has an independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419 [189 Cal.Rptr. 346].) The mitigation measures in the MND minimize impacts to biological and cultural resources and no adverse impacts to public trust resources are expected.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT:

1. TCSD is authorized to change the point of discharge, purpose of use, and place of use of 0.34 cfs of treated wastewater effluent discharged from the Meadowbrook WWTP.
2. The wastewater discharge may also occur at a new point of discharge at Selby Ponds located within California Coordinate system, NAD 83, Zone 5, North 2,390,430 feet and East 5,755,575 feet, being within NW¼ of SW¼ of projected Section 32, T27S, R12E, MDB&M.
3. The authorized place of use is within the TCSD service area, being within projected Sections 25 and 36 of T27S, R11E, MDB&M, projected Sections 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, and 32 of T27S, R12E, MDB&M, and projected Sections 5 and 6 of T28S, R12E, MDB&M. Treated wastewater may be used for the proposed project from January 1 to December 31 of each year.
4. Treated wastewater may be used for municipal purpose.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
JAMES W. KASSEL FOR

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: AUG 17 2012