

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

**DIVISION OF WATER RIGHTS**

---

In the Matter of Wastewater Petition WW0080

**Cuyama Community Services District**

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

---

SOURCE: Salisbury Canyon Wash Tributary to Branch Creek Wash thence the Cuyama River

COUNTY: Santa Barbara

---

**WHEREAS:**

1. Cuyama Community Services District (District) filed Wastewater Change Petition WW0080 with the State Water Resources Control Board (State Water Board) on December 15, 2014, pursuant to Water Code section 1211. The petition seeks to change the purpose of use and place of use of treated wastewater and allow the District to cease the discharge of treated wastewater to Salisbury Canyon Wash.
2. Water Code section 1211 requires the owner of any wastewater treatment plant to obtain approval from the State Water Board prior to making any change in the point of discharge, place of use, or purpose of use of treated wastewater, when changes in the discharge or use of treated wastewater result in decreasing the flow in any portion of a watercourse. The District has not obtained previous approval of any such changes under Water Code section 1211. For the purposes of this Order, the State Water Board considers the following information as the City's existing point of discharge, place of use, and purpose of use of treated wastewater:
  - a. The point of discharge is located at North 2,173,310 feet and East 6,053,790 feet by California Coordinate System 1983, Zone 5, being within NE ¼ of NE ¼ of projected Section 18, T10N, R26W, SBB&M.
  - b. There is no place of use.
  - c. There is no purpose of use.
3. The District owns and operates a Wastewater Treatment Plant (WWTP) that discharges treated wastewater to Salisbury Canyon Wash at an average annual rate of 31 thousand gallons per day (tgd) and a maximum monthly average rate of 35 tgd. Wastewater treatment and surface discharge activities by the District are currently authorized by National Pollutant Discharge Elimination System (NPDES) Permit No. CA0048089.

Table 1. Monthly and Annual Average Discharge Rates

Monthly Average											Annual Average	
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov		Dec
(thousand gallons per day or tgd)												
27	27	27	28	34	34	35	35	32	31	28	28	31

4. The District plans to change the WWTP disposal method to land discharge, eliminating the discharge to Salisbury Canyon Wash.
5. Under the proposed project, the District will construct an effluent wet well, pump station, and four evaporation ponds as well as complete excavation, grading and pipeline improvements. The disposal of treated wastewater to land will occur by (1) discharge to evaporation ponds and (2) irrigation of non-food crops, as follows:
  - a. Discharge to four proposed evaporation ponds with a total surface area of approximately 6.5 acres. The ponds will be lined with high-density polyethylene liner or on-site clay application to prevent percolation of the effluent into the ground.
  - b. Irrigation of 575 acres for the production of non-food crops. The proposed place of use is within W $\frac{1}{2}$  of NE $\frac{1}{4}$  and N $\frac{1}{2}$  of NW $\frac{1}{4}$ , Section 18; NW $\frac{1}{4}$ , SW $\frac{1}{4}$  and W $\frac{1}{2}$  of SE $\frac{1}{4}$ , Section 7, T10N, R26W; N $\frac{1}{2}$ , SE $\frac{1}{4}$ , and NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 12, S $\frac{1}{2}$  of S $\frac{1}{2}$  of Section 1, T10N, R27W, SBB&M
6. Public notice of the change was issued on September 10, 2015. The project was renoticed on September 22, 2015 to correct typographical errors in the description of the proposed place of use and average rate of discharge. No protests were submitted to the Division in response to the notices.
7. The State Water Board has determined that the petition for change of place of use, purpose of use, and quantity of discharge will not cause injury to any other lawful user of water.
8. Under the California Environmental Quality Act (CEQA), the District is the lead agency for preparation of environmental documentation for the project. On December 18, 2014, the District adopted a final Mitigated Negative Declaration (MND) entitled *Wastewater Treatment Plant Effluent Disposal Remediation Project* (SCH No. 2014111043) dated November 2014. On January 7, 2015, the City issued a Notice of Determination (NOD) for the project.
9. The State Water Board is a CEQA responsible agency for purposes of considering whether to approve the petition that will allow the City to proceed with the proposed project. As a CEQA 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 petition will have any adverse impacts on water resources within the State Water Board's purview in considering the petition. The State Water Board will issue an NOD within five days of the date of this Order.
10. 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 change 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].) No adverse effects to public trust resources are expected as a result of the change.

11. The State Water Board has a Policy for Water Quality Control for Recycled Water (Recycled Water Policy), originally adopted on February 3, 2009 and amended on January 22, 2013. The purpose of the Recycled Water Policy is to increase the use of recycled water from municipal wastewater sources, and one of the goals for California, as stipulated in the Recycled Water Policy, is to increase the use of recycled water over 2002 levels by at least one million acre-feet per year by 2020, and by at least two million acre-feet per year by 2030. The District's project, as proposed in the petition, is consistent with the purpose of the Recycled Water Policy, and will help California meet the goals of the Recycled Water Policy.
12. Pursuant to Resolution 2012-0029, the State Water Board has delegated the authority to administer the State Water Board's water rights program to the Deputy Director for Water Rights, and the Deputy Director for Water Rights has redelegated the authority.

**ORDER**

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. The point of discharge to Salisbury Creek is unchanged.
2. The place of use is changed by adding 574 acres. The place of use is described in Table 2 below, and is shown on a map, dated September 17, 2015, on file with the State Water Board.

Table 2. Place of Use

Purpose of Use	Place of Use					
	40-acre subdivision of public land survey or projection thereof	Section (Projected)*	Township	Range	Base and Meridian	Acres
Irrigation	NW ¼ of NE ¼	18	10N	26W	SB	23
	SW ¼ of NE¼					11
	NW ¼ of NW ¼					2
	NE ¼ of NW¼					25
	NW ¼ of NW ¼	7				18
	NE ¼ of NW¼					1
	SW ¼ of NW ¼					40
	SE ¼ of NW ¼					4
	NW ¼ of SW ¼					40
	NE ¼ of SW¼					23
	SW ¼ of SW ¼					32
	SE ¼ of SW ¼					39
	NW ¼ of SE ¼	1				
	SW ¼ of SE ¼	2				
	NW ¼ of NW ¼	12		27W		7
	NE ¼ of NW ¼					35

<b>Irrigation</b>	<b>SE ¼ of NW ¼</b>	<b>12</b>	<b>10N</b>	<b>27W</b>	<b>SB</b>	<b>27</b>
	<b>SW ¼ of NW ¼</b>					<b>1</b>
	<b>NW ¼ of NE ¼</b>					<b>40</b>
	<b>NE ¼ of NE ¼</b>					<b>38</b>
	<b>SW ¼ of NE ¼</b>					<b>40</b>
	<b>SE ¼ of NE ¼</b>					<b>40</b>
	<b>NW ¼ of SE ¼</b>					<b>5</b>
	<b>NE ¼ of SE ¼</b>					<b>24</b>
	<b>SW ¼ of SE ¼</b>					<b>1</b>
	<b>SE ¼ of SE ¼</b>					<b>2</b>
	<b>NE ¼ of SW ¼</b>					<b>1</b>
	<b>SW ¼ of SW ¼</b>					<b>17</b>
	<b>SE ¼ of SW ¼</b>	<b>14</b>				
	<b>SW ¼ of SE ¼</b>	<b>16</b>				
	<b>SE ¼ of SE ¼</b>	<b>5</b>				
						<b>Total:</b>

3. The purpose of use is changed to include irrigation. The purpose of use for treated wastewater is irrigation.
4. The District is authorized to change the place of use and purpose of use of a maximum monthly average of 35 tgd of treated wastewater that would otherwise have been discharged to Salisbury Canyon Wash at the point of discharge during the period of January 1 to December 31 of each year.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:  
AMANDA MONTGOMERY, FOR

*Barbara Evoy, Deputy Director*  
*Division of Water Rights*

Dated: DEC 15 2015