

Please indicate County where your project is located here:

Contra Costa

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: Brentwood WWTP point of discharge into Marsh Creek; see location on map attached as Attachment A
Proposed: Brentwood WWTP point of discharge into Marsh Creek; see location on map attached as Attachment 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 location on map attached as Attachment B
Proposed: See location on map attached as Attachment B

Purpose of Use

Present: Landscape irrigation, industrial
Proposed: Landscape irrigation, industrial

Split

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

The City of Brentwood is the sole water rights holder.

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: N/A
Proposed: N/A

**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.

1750 AFY = 2.5 cfs annual average

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

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

**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.

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

Ted Williams, Ironhouse Sanitary District; 450 Walnut Meadows Drive, Oakley CA 94561 (See e-WRIMS Summary provided as Attachment C)  
Diane Burgis, Executive Director, Friends of Marsh Creek, 2063 Main Street, #311, Oakley, CA 94561

**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

Casey Wickert  
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)

State of California  
State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
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## 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.

See project description in attached Draft IS/MND provided as Attachment D. The project is summarized in Table 2 of Attachment D.

Insert the attachment number here, if applicable:

D

**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

2/1/2015

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:

The Brentwood WWTP discharge to Marsh Creek is authorized by NPDES permit No. CA0085201, Order No. R5-2013-0106  
The City, or its general contractor, will obtain authorization of project construction activities under the SWRCB's Construction General Permit (Order No. 2009-0009-DWQ/NPDES Permit No. CAS000002, and any applicable amendments), for activities not subject to exemption from the permit.  
The City is seeking coverage for recycled water use under General Waste Discharge Requirements for Recycled Water Use (SWRCB WQO 2014-0090)

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:

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
CVRWQCB	None	James Marshall	2/1/2015	916-464-4772

If necessary, provide additional information below:

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:

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:

Cultural Resources Assessment is provided as Appendix B of Attachment D (Appendix B of the Draft IS/MND, which is Attachment D)

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
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

**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 redirection, 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.

**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

*Cathy Wickert*  
Water Right Holder or Authorized Agent Signature

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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.)

## **Attachment A**



**Point of Diversion Map**

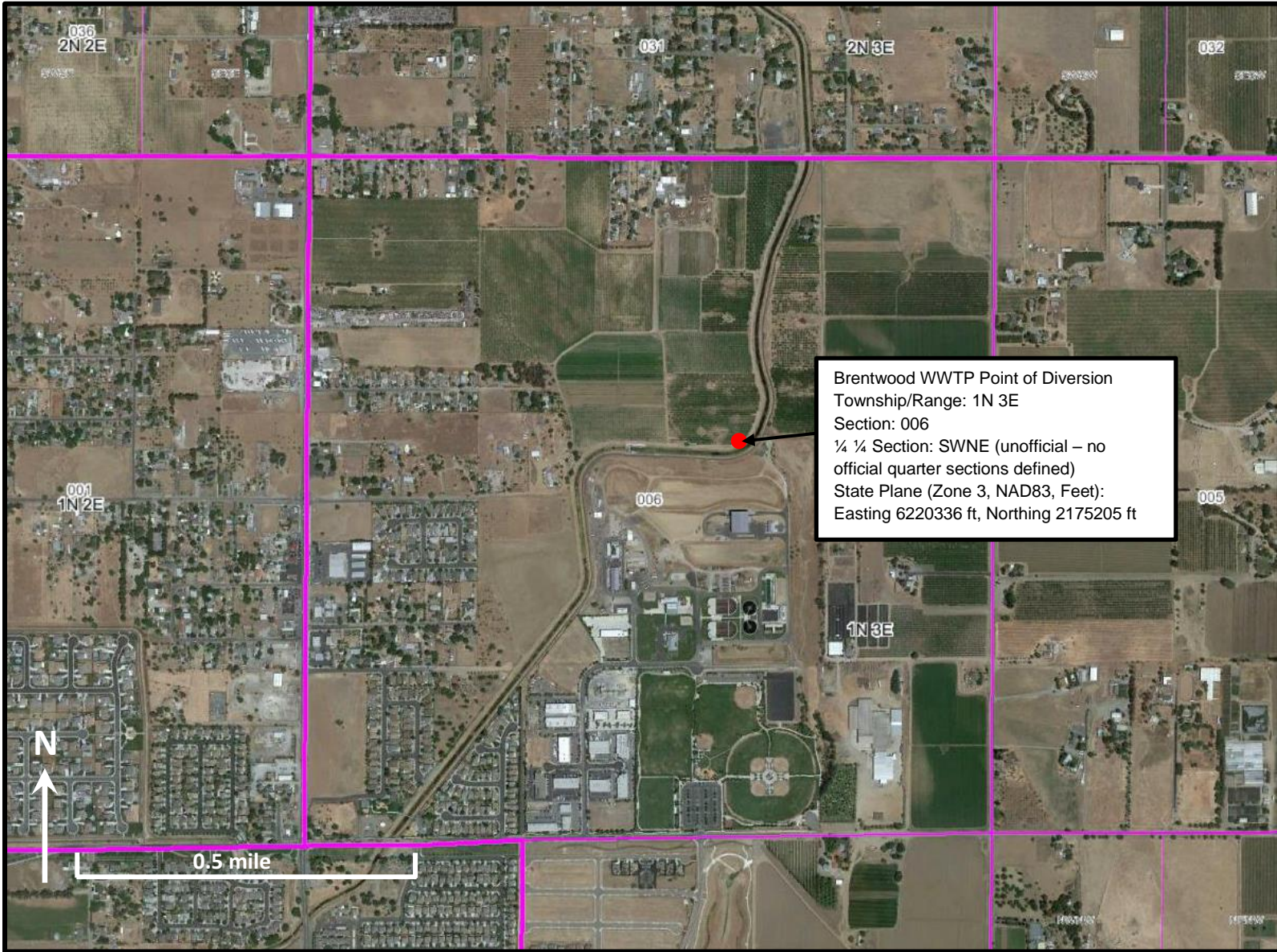


Figure 1. Brentwood WWTP Point of Diversion Map. Section boundaries shown as magenta lines.



## **Attachment B**



**Place of Use Map**

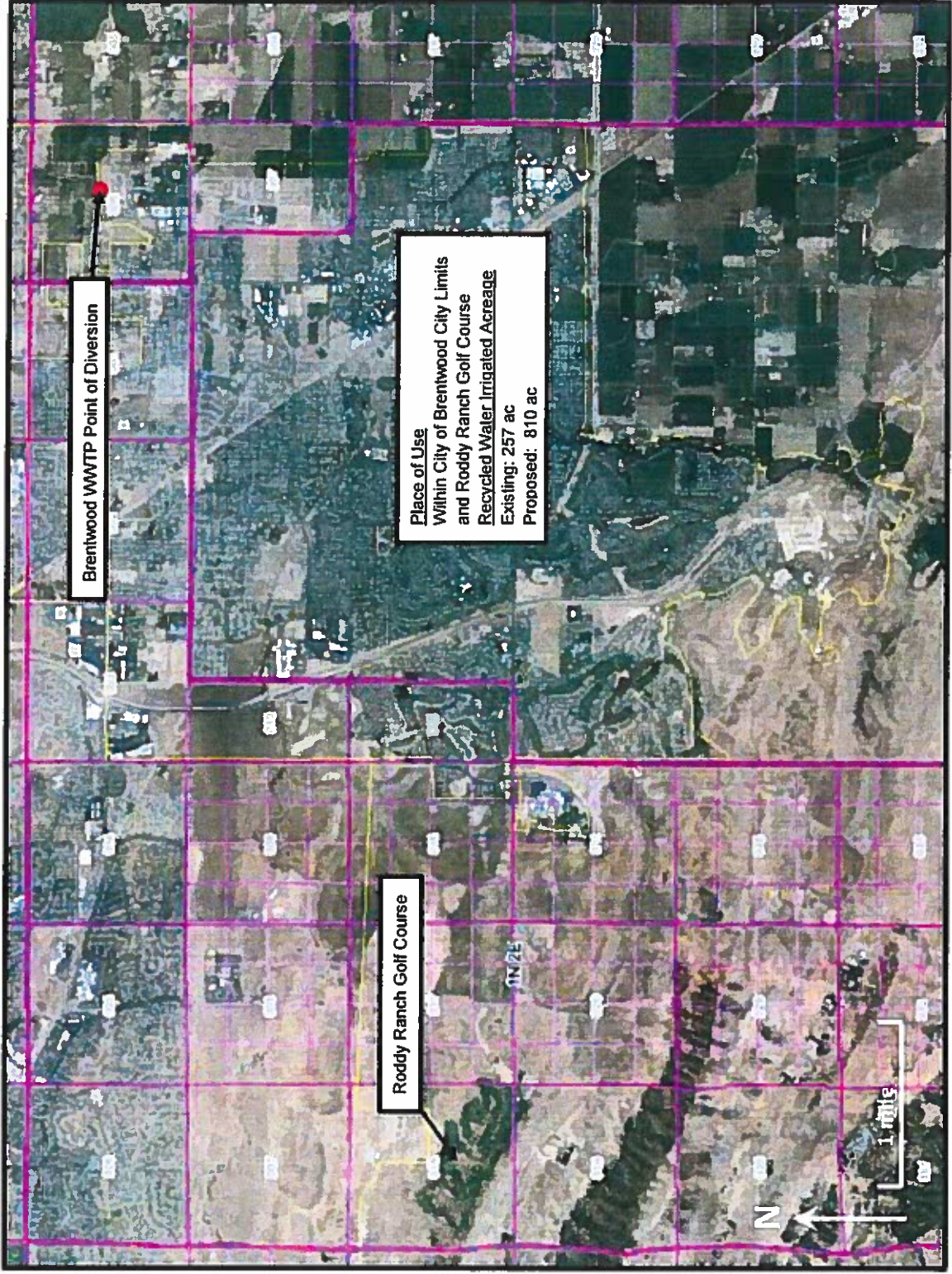


Figure 2. Place of Use of recycled water. Section boundaries shown as magenta lines.

## **Attachment C**



**e-WRIMS Public Summary Page of Downstream Water Rights**



## e-WRIMS Public Summary Page

[\[ Return to Water Right Search \]](#)
[\[ Return to Water Right Search Results \]](#)

Application ID: S018558	Water Right Type: Statement of Div and Use
Permit ID: None	Water Rights Status: Claimed (07/06/2010)
License ID: None	Primary Owner: Ironhouse Sanitary District

Current Parties	Relationship	Effective Date
Ted Williams	Agent	07/06/2010
Ironhouse Sanitary District	Primary Owner	07/06/2010

## Historical Parties

Record Summary	
Application Acceptance Date	01/10/2012
Permit Issuance Date	
License Issuance Date	
Face Value Amount	0.0
Subtypes (Statements Only)	Riparian

Name(s) of Sources of Water	County Location	Parcel Number	Diversion Site Name	Lat/Long Coordinates
	Contra Costa		ISD Marsh Creek Pump	38.0093 ; -121.6914

[Map It](#)

Beneficial Uses	Acres	Direct Diversion Season	Collection to Storage Season
Irrigation	170.0		

Electronic Reports				
Year	Revision	Report Type	Date Received	View Report PDF
2012	1	Supplemental Statement of Water Diversion and Use	06/26/2013	• <a href="#">View</a>
2011	1	Supplemental Statement of Water Diversion and Use	06/26/2013	• <a href="#">View</a>
2010	1	Supplemental Statement of Water Diversion and Use	06/26/2013	• <a href="#">View</a>

\*For reports submitted prior to 2009, please contact our records room.

Water Rights Associated with Primary Owner		
Application ID	Water Right Type	Water Right Status
<a href="#">S018558</a>	Statement of Div and Use	Claimed
<a href="#">S023983</a>	Statement of Div and Use	Claimed

Associated Decisions/Orders			
Decision/Order Number	Date	Description	View Document

## **Attachment D**

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**Draft Initial Study/Proposed Mitigated Negative Declaration  
for the City of Brentwood Recycled Water Project**

## **Attachment E**



**Photos of Vegetation Upstream and Downstream of  
Point of Diversion**



**Figure 3. Vegetation existing along Marsh Creek immediately upstream from existing outfall (looking downstream towards outfall). Taken June 30, 2014.**



**Figure 4. Vegetation existing along Marsh Creek immediately downstream from existing outfall (looking upstream towards outfall). Taken June 30, 2014.**