

Working
COPY
KIL
A014050

December 12, 2014

VIA HAND DELIVERY

Katy Lee
Division of Water Rights
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

STATE WATER RESOURCES CONTROL BOARD
DIV OF WATER RIGHTS
SACRAMENTO
2014 DEC 12 PM 2:58

Re: Change Petition (License No. 5625B)

Dear Ms. Lee:

Enclosed are: (i) a Petition to add a municipal use as a purpose of use to License No. 5625B; (ii) check # 122787, payable to the State Water Resources Control Board in the amount of \$1,006.84; and (iii) check # 122786, payable to the California Department of Fish & Wildlife in the amount of \$850.


The City of Healdsburg seeks to add ^{Industrial & Municipal} municipal use as a purpose of use under License 5625B, to allow the City to use water diverted pursuant to that License to serve the needs of employees at the City's wastewater treatment plant, such as hand-washing, showers, and toilets. No construction is necessary in connection with the proposed change, and the amount of water to be diverted, point of diversion, rate of diversion, and season of diversion will not change.

9-2875
JRM

Please contact me with any questions or concerns.

Very truly yours,

DOWNEY BRAND LLP



David R.E. Aladjem

Enclosures

Please indicate County where your project is located here:

Sonoma

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

STATE WATER RESOURCES CONTROL BOARD
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DIV OF WATER RIGHTS
SACRAMENTO

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 A014050B, Permit 8556, License 5625B, 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:
Proposed:

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:
Proposed:

Purpose of Use

Present: Irrigation
Proposed: Irrigation and municipal

Split

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

[Empty box for water right holders information]

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:
Proposed:

Rec'd Chk# 122786
#850.00
Chk# 122787
#1000.84 MS
12/12

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

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 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.

There are no known diversions between the present point of diversion and the proposed point of diversion. As the only change proposed is to add a new point of diversion, the change will not affect water levels or water quality and thus will not affect any other water users or persons.

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 12/12/2014 at Healdsburg CA

[Signature]
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
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: 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 City of Healdsburg ("City") seeks to add municipal use as purposes of use under License No. 5625B. The City seeks this change in order to ensure that it may use water diverted pursuant to License 5625B for employee uses at the City's wastewater treatment plant, including employee hand-washing, employee showers, and employee toilets. The treatment plant is located within the existing place of use for License 5625B.

No other changes are requested: the only effect of the proposal will be that the City will be able to use water diverted under License 5625B for employee purposes. As the treatment plant is already operational and water diversion works are already in place, no construction is necessary to accomplish the change.

Insert the attachment number here, if applicable:

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. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

12/12/2014

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:

The proposed change involves only the addition of municipal uses as a purpose of use, and so there should be no effects on water quality or in-stream uses. However, the City has requested consultation with the Regional Board to ensure that the Regional Board has no concerns regarding the effects of the proposal.

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

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

Person Contacted: Brent Salmi

Date of Contact: 11/18/2014

Department: City Engineer

Phone Number: 707-431-3333

County Zoning Designation: N/A

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:

The City possesses all necessary permissions for the operation of the wastewater treatment plant itself, and no additional construction is required.

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

If necessary, provide additional information below:

The purpose of the requested change is to ensure that the City may use water diverted under License 5625B to serve employees who work at the treatment plant. No construction or other activity that could affect environmental resources is involved, and the City has all necessary permissions for the operation of the wastewater treatment plant itself.

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:

There is no construction or grading activity associated with the proposed change.

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 proposed change involves no construction or other activity that could affect archaeological or historical resources.

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:

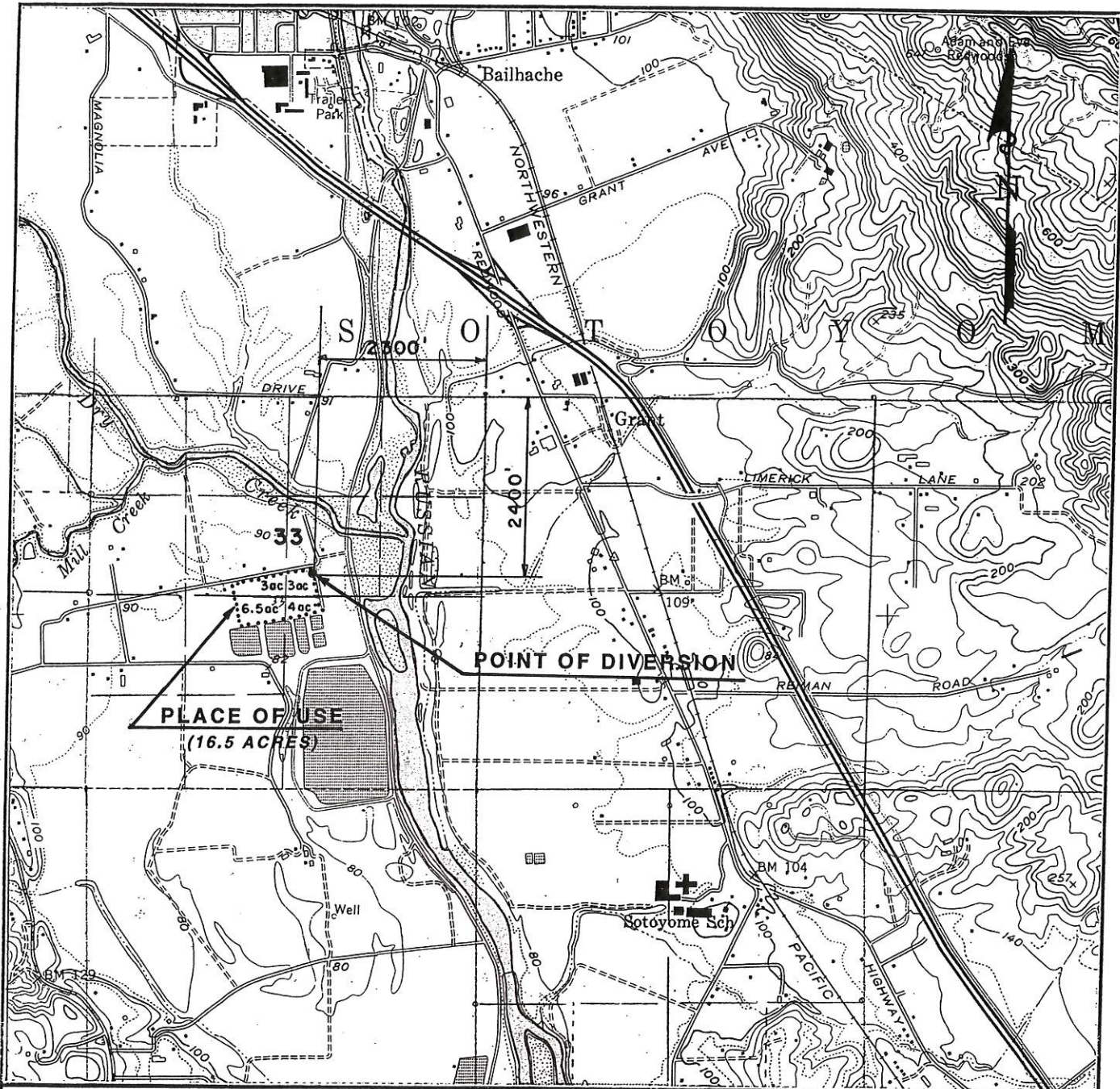
I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 12/12/2014 at Healdsburg CA.

[Signature]
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.)



LICENSEE CITY OF HEALDSBURG

PERMIT NO. 8556

SOURCE RUSSIAN RIVER

APPLICATION NO. 14050B

POINT OF DIVERSION

WITHIN SW 1/4 NE 1/4 OF PROJECTED

SECTION 33, T 9N, R 9W, MD B&M

COUNTY OF SONOMA

HEALDSBURG
U.S.G.S. QUAD

1:24,000

DATE SCALE

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

**LICENSE
5624B**

DATE: <u>9-24-94</u>	DRAWN: <u>a.g.</u>	CHECKED:
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Additional Information for City of Healdsburg's
Petition for Change of License 5625B (A014050B)

1. Address of Petitioner.

City of Healdsburg
Attn: Terry Crowley
401 Grove Street
Healdsburg, CA 95448

2. Confirmation that Brent Salmi is authorized to sign the petition for change. The Division's records note that R. Scates is the agent representing the City of Healdsburg.

Brent Salmi, Terry Crowley and Rob Scates are all employees of the City of Healdsburg. At the time the Petition was filed in December 2014, Brent Salmi was authorized to sign the Petition. Future correspondence should be addressed to Mr. Crowley with a copy to David Aladjem and Meredith Nikkel of Downey Brand LLP.

3. Information reasonably available, or obtained from CDFW, concerning the extent, if any, to which fish and wildlife would be affected by the proposed change, and a statement of any measures proposed to be taken for the protection of fish and wildlife in connection with the change.

Although the City seeks to add a purpose of use to this Permit, the change will not result in any change in the amount of water to be diverted, point of diversion, rate of diversion, or season of diversion and there will be no increase in the rate of diversion or consumption of water due to the proposed change. Accordingly, the proposed change will have no effect on fish and wildlife.

4. Sufficient information to demonstrate a reasonable likelihood that the proposed change will not injure any other legal user of water.

Although the City seeks to add a purpose of use to this Permit, the change will not result in any change in the amount of water to be diverted, point of diversion, rate of diversion, or season of diversion and there will be no increase in the rate of diversion or total consumption of water due to the proposed change. Accordingly, the proposed change will have no effect on any other legal user of water.

5. The amount(s) of water which would have been diverted, consumptively used, or stored under the water right in the absence of the proposed change(s), (a) during the period for which the change is requested, or (b) in a maximum year if the change is permanent.

The City expects to continue to put approximately 0.36 acre-feet per year to beneficial use at the waste water treatment plant. In addition, the City expects that it could use the full face value of the License in connection with increased recycled water use and for increased irrigation demand.

6. The amount(s) of water proposed for change, transfer or exchange.

None.

Additional Information for City of Healdsburg's
Petition for Change of License 5625B (A014050B)

7. Identification of any effects the proposed changes may have on fish, wildlife, and other instream beneficial uses.

Although the City seeks to add a purpose of use to this Permit, the change will not result in any change in the amount of water to be diverted, point of diversion, rate of diversion, or season of diversion and there will be no increase in the rate of diversion or consumption of water due to the proposed change. Accordingly, the proposed change will have no effect on fish, wildlife or other instream beneficial uses.

8. Identification of any effects the proposed change(s) may have on other known users of water, including identification in quantitative terms of any projected change in water quantity, water quality, timing of diversion or use, consumptive use of the water, reduction in return flows, or reduction in the availability of water within the stream affected by the proposed change(s).

Although the City seeks to add a purpose of use to this Permit, the change will not result in any change in the amount of water to be diverted, point of diversion, rate of diversion, or season of diversion and there will be no increase in the rate of diversion or consumption of water due to the proposed change. Accordingly, the proposed change will have no effect on other known users of water.

9. March 17, 2015 email, the Division requested confirmation of the requested beneficial use and place of use.

- a. The City seeks to use water diverted pursuant to License 5625B for uses by employees at the City's wastewater treatment plant, including employee hand-washing, employee showers, and employee toilets. ~~Just as the City's use of water diverted under its other water rights is a municipal use when delivered and used and City office buildings, the use of water diverted under License 5625B and used at the wastewater treatment plant is a municipal use because it is either the use of water for the municipal supply of the City of Healdsburg or incidental thereto.~~ Cal. Code Regs. tit. 23, § 663. ²⁶⁶³
- b. The location within the treatment plant that water will be used for hand washing, etc. is within the place of use of A014050B as depicted on the map provided by the Division on March 17, 2015.

10. Page 2 of the petition states "There are no known diversions between the present point of diversion and the proposed point of diversion. As the only change proposed is to add a new point of diversion, the change will not affect water levels or water quality and thus will not affect any other water users or persons." Please clarify this statement. The petition form indicates the only change will be the addition of municipal use. Is there a proposed point of diversion?

The City does not request a new or change in point of diversion. Therefore, the statement on page 2 does not apply and should be considered stricken from the Petition.