

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

DIVISION OF WATER RIGHTS

In the Matter of Wastewater Petition WW0068

Placer County

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

SOURCE: Miners Ravine

COUNTY: Placer

WHEREAS:

1. Placer County filed Wastewater Change Petition WW0068 with the State Water Resources Control Board (State Water Board) on January 3, 2013, 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 0.2 cubic foot per second (cfs) of treated wastewater.

Placer County's Sewer Maintenance District 3 (SMD 3) Wastewater Treatment Plant (WWTP) is not able to meet new effluent quality limits. Therefore, Placer County is currently under the terms of Waste Discharge Requirement R5-2007-70 (WDR) and Cease and Desist Order R5-2007-0171 (CDO) issued on June 22, 2007 by the Central Valley Regional Water Quality Control Board (Regional Board). Placer County proposes to implement the SMD 3 Regional Sewer Project to bring the SMD 3 system into compliance with the WDR and the CDO issued by the Regional Board.

The SMD 3 Regional Sewer Project includes decommissioning the SMD 3 WWTP, and constructing a pump station and force main to convey wastewater flows to the Sewer Maintenance District 2 (SMD 2) collection system for connection to the South Placer Wastewater Authority (SPWA) interceptor and Dry Creek WWTP.

2. Public notice of the change was issued on February 27, 2013. 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), Placer County is the lead agency for preparation of environmental documentation for the project. On November 9, 2012, Placer County issued a final Environmental Impact Report (EIR) titled Sewer Maintenance District 3 Regional Sewer Project, SCH # 2011122079. On November 27, 2012, March 27, 2013, and March 28, 2013, Placer County issued Notice of Determinations (NODs) 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 Placer County 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 final EIR 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 EIR 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 EIR 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. Placer County is authorized to change the point of discharge, purpose of use, and place of use of 0.2 cfs of treated wastewater effluent currently discharged from the SMD 3 WWTP.
2. The wastewater discharge may occur at a new point of discharge at the Dry Creek WWTP outfall located within California Coordinate system, NAD 83, Zone 2, North 2,031,152 feet and East 6,755,805 feet, being within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9, T10N, R6E, MDB&M.
3. Treated wastewater may be used for irrigation purpose.
4. The authorized place of use is within the service area as shown on the project map on file with the State Water Board, being within T10N, R5E and R6E, and T11N, R5E and R6E, MDB&M. Treated wastewater from the proposed project may be used from January 1 to December 31 of each year.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
PHILLIP CRADER FOR

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: May 2 2013