

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

DIVISION OF WATER RIGHTS

In the Matter of Wastewater Change Petition WW0078

Eastern Municipal Water District

**ORDER APPROVING CHANGE IN
DISCHARGE QUANTITY**

SOURCE: Temescal Creek tributary to the Santa Ana River

COUNTY: Riverside

WHEREAS:

1. Eastern Municipal Water District (District) filed Wastewater Change Petition WW0078 with the State Water Resources Control Board (State Water Board) on October 29, 2014, pursuant to Water Code section 1211. The petition seeks to reduce the District's discharge of excess treated wastewater into Temescal Creek with the construction of additional storage capacity.
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, where 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 District's existing point of discharge, place of use, and purpose of use of treated wastewater:
 - a. The point of discharge is the Reach 4 Energy Dissipation Facility at North 2,193,166 feet and East 6,232,609 feet by California Coordinate System 1983, Zone 5, being within NE ¼ of NE ¼ of Section 6, T5S, R4W, SBB&M.
 - b. The place of use is 17,444 acres within the District's service area, as shown on map dated April 21, 2015 on file with the State Water Board.
 - c. The purpose of use is Irrigation, Municipal, and Industrial.
3. The District owns and operates five regional water reclamation facilities and a treated wastewater system consisting of storage ponds, pump stations and distribution systems within its service area. The District's regional water reclamation facilities together produce approximately 46 million gallons per day of treated wastewater that is introduced into the District's treated wastewater system for storage and distribution to customers within the District's service area. Wastewater treatment, use and discharge activities by the District are authorized by both the Santa Ana Regional Water Quality Control Board (Order R8-2008-0008, as amended by Order R8-2014-0016) and the San Diego Regional Water Quality Control Board (Order R9-2000-165).

4. Currently, the District has the capacity to store up to 6,631 acre-feet of treated wastewater. The storage ponds within the District's treated wastewater system are designed to stabilize and equalize the daily flows coming from the regional water reclamation facilities. The treated wastewater is withdrawn from the ponds as necessary to meet customer demands. During the dry season, customer demand for treated wastewater within the District's service area is equal to or greater than the amount of treated wastewater available. When necessary, the District augments water supplies with imported water or local groundwater. During the wet season, customer demand for treated wastewater is less than the amount of treated wastewater available, resulting in excess treated wastewater. Lacking sufficient storage capacity, the District discharges the excess treated wastewater into Temescal Creek via the Reach 4 Energy Dissipation Facility, as authorized by the Santa Ana Regional Water Quality Control Board (Order R8-2009-0014).
5. With Wastewater Change Petition WW0078, the District has proposed to increase storage capacity with the construction of a 900 acre-foot pond. The proposed pond is part of the 3,600 acre-feet of storage that the District forecasts will be necessary to keep pace with its projections for increased production of wastewater. Introduction of additional storage capacity has the potential to result in a reduction in the District's discharges into Temescal Creek during the wet season.
6. Public notice of the change was issued on November 14, 2014. No protests were filed.
7. The State Water Board has determined that the petition for change in the amount of discharge to a watercourse 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. In August 2010, the District completed a draft Environmental Impact Report (EIR) entitled *North Trumble Recycled Water Storage Ponds*. The project was subsequently revised and renamed the *Recycled Water Ponds Expansion and Optimization Project* (SCH No. 2010081044). On March 20, 2013, the District certified the final EIR. On March 26, 2013, the District filed a Notice of Determination (NOD) with the State Clearinghouse and the County of Riverside.
9. The State Water Board is a CEQA responsible agency for purposes of considering whether to approve the wastewater change petition that will allow the District 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 EIR in deciding whether to approve the petition. There is no evidence that approval of the wastewater change petition will have any adverse impacts on water resources within the State Water Board's purview for 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 State Water 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].) No adverse effects to public trust resources are expected.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT:

1. The District is authorized to reduce the discharge of treated wastewater into Temescal Creek commensurate with the introduction of an additional 900 acre-feet of storage capacity.
2. The point of discharge, place of use, and purpose of use of treated wastewater shall remain unchanged.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
AMANDA MONTGOMERY FOR

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: APR 28 2015