



Winston H. Hickox
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State Water Resources Control Board

Division of Water Rights

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Gray Davis
Governor

NOTICE OF PETITION REQUESTING CHANGE IN THE POINT OF DISCHARGE OF TREATED WASTEWATER BY THE SAN ANDREAS SANITARY DISTRICT PETITION XWW003563

COUNTY OF CALAVERAS

July 18, 2003

Notice is hereby given that on April 14, 2003

San Andreas Sanitary District
P.O. Box 666
San Andreas, CA 95249

filed a petition to change the point of discharge of wastewater discharged by the San Andreas Sanitary District's (District) Wastewater Treatment Plant (WTP) on April 14, 2003. The District is proposing to move the discharge point from its current location on San Andreas Creek downstream to the confluence of Murray Creek and the North Fork Calaveras River. The purpose of moving the secondary treated wastewater discharge is to make the discharge at a location where the effluent will be diluted by at least a 20 to 1 ratio by the receiving water as recommended by state Department of Health Services guidelines.

This notice provides a short summary of the petition and also provides instructions for filing protests to the requested changes. Public notices of the State Water Resources Control Board's (SWRCB) Division of Water Rights (Division) may be viewed and printed at the Division's web-site www.waterrights.ca.gov.

PETITION FOR CHANGE IN POINT OF DISCHARGE

Point of Discharge

Treated wastewater produced by the District Wastewater Treatment Plant located within California Coordinate System Zone 3, North 620,850' and East 1,946,050' within the NE¹/₄ of NE¹/₄ of Section 18, T4N, R12E, MDB&M

Receiving Watercourse

San Andreas Creek tributary to Murray Creek

Amount of Annual Discharge

The District recorded 191 acre-feet (af) in the most recent period of record during November 2002 to April 2003 and 192 af in the November 2001 through April 2002. Outside the winter discharge season, the District applies all effluent to receiving lands such as evaporation/transpiration/percolation trenches and a holding reservoir. During the discharge season, the District continues applying to designated lands to the extent practicable. The average daily discharge rate for days on which effluent discharge to surface water occurred was 0.58 cubic feet per second.

Season of Discharge

November 1 through April 30

Existing Project

The District owns and operates a domestic wastewater collection, treatment facility, and disposal service providing sewerage service to the community of San Andreas in Calaveras County. There are 1,149 service connections. The plant is regulated under Waste Discharge Requirements Order No. 5-01-118 and NPDES Permit No. CA0079464.

Proposed Change

Water Code section 1211 (a) requires the owner of a wastewater treatment facility to receive approval from the SWRCB of any change in the purpose of use, place of use, and point of discharge of treated water.

The District has petitioned to change the point of discharge (POD) from the existing San Andreas Creek POD to the North Fork Calaveras River POD. The new POD is located in California Coordinate System Zone 3, North 622,950' and East 1,941,250' within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, T4N, R11E, MDB&M. This will require the construction of a 12-inch diameter gravity flow outfall pipeline approximately 5,950 linear feet in length with a crossing at Murray Creek, a borehole under crossing of State Highway 49, and at the end of the pipeline a 10-foot long diffuser in the river bed. The diffuser will allow a "curtain" of effluent inflow reducing impacts on hydraulic and aquatic ecologies.

Environmental Documents

According to the California Environmental Quality Act (CEQA) and its guidelines, the District is the lead agency. The District prepared a Mitigated Negative Declaration (State Clearinghouse #2003022076) dated March 19, 2003. On March 20, 2003, the District filed a Notice of Determination with Calaveras County.

The SWRCB, as responsible agency, will review these documents and prepare its own environmental document specific to changes described in this notice.

If you have any information which indicates that the project will cause a significant effect on the environment, please send the information to the lead agency immediately and also send a copy to Mr. Steve Herrera, State Water Resources Control Board, Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000. This information will be reviewed in accordance with CEQA.

Contact Persons

SWRCB Staff:

Terry Snyder
Division of Water Rights
(916) 341-5385
tsnyder@waterrights.swrcb.ca.gov

Petitioner:

Gary McGeorge
District Manager
San Andreas Sanitary District
(209) 754-3281

PROCEDURES FOR FILING PROTESTS: Any person may file a protest against the changes proposed in a petition. However, protests filed in response to this notice must be received in the office of the Division of the SWRCB at the address listed below by **4:00 p.m.** on the **30th day after the date of this notice**. A protest should be submitted on a standard protest form available from the Division, but can be submitted in letterform.

Due to the constraints of the noticing period, protestants may file protests by FAX at (916) 341-5400 or email at tsnyder@waterrights.swrcb.ca.gov. However, an original copy of all materials must be received for the SWRCB to consider your protest. The protest should be submitted to:

Terry Snyder
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

In addition, a copy of the protest must be sent to the petitioner.

Protests may be based on any of the factors listed below:

- Injury to existing water rights.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.
- Not within the jurisdiction of the SWRCB.

All protests must clearly describe the objections to approval of the petition and the factual basis for those objections. For example, if the objection is based on injury to existing water rights, the protest must describe the specific injury to the existing water right that would result from approval of the changes proposed by the petition. In addition, the party claiming injury to prior water rights must provide specific information that describes the basis of the existing right, the date the use began, the quantity of water use, the purpose of use, and the place of use. Protests based on environmental impacts, public interest, legality, or jurisdictional issues must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the SWRCB may reject the protest or request that the protestant submit additional information. The Division of Water Rights will not accept protests that are directed against the underlying water right, rather than the change proposed by the petition.

The SWRCB may grant an extension of time to file a protest, for good cause. A request for an extension of time must be submitted in a timely manner, must specify the additional time required, and must state why additional time is needed to file the protest. A pamphlet is available that provides additional information relating to water rights and the procedure for filing protests.

RESOLUTION OF PROTESTS: The protestant is encouraged to meet with the petitioner to discuss methods that could be used to resolve the protest. If the protest can not be resolved, SWRCB staff may conduct a field investigation with all interested parties or may hold a water right hearing.

CONTACT PERSON: Please contact the staff person designated above if you would like information regarding protests, copies of pamphlets, protest forms, or need to request an extension of time to file a protest. Protest forms and other water right information are now also available on the web at www.waterrights.ca.gov.