

State of California
 State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

2009 MAY 24 PM 2:19
 RECEIVED

PETITION FOR CHANGE
For owners of waste water treatment plants
 (WATER CODE 1211)

Point of Discharge Place of Use Purpose of Use

City of Beaumont	(951) 769-8520
(Name of petitioner)	(Telephone - between 8 a.m. and 5 p.m.)
550 East 6th Street	Beaumont CA 92223
(Mailing address)	(City or town) (State) (Zip code)

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

Point of Discharge (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present Cooper's Creek - (6336630, 2279820) - SW1/4 of Sec. 9, T3S, R1W - Lat. 33 55' 33" N, Long. 116 59' 32" W
 Proposed Un-named Tributary of Marshall Creek - (6338270, 2283750), and Noble Creek - (6340585, 2293250)

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present N/A
 Proposed N/A

Purpose of Use

Present Disposal of effluent.
 Proposed See the "Description of Changes to Project" section of this petition.

• GIVE REASON FOR PROPOSED CHANGE: See the "Description of Changes to Project" section of this petition.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of ? Ownership
(ownership, lease verbal or written agreement)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained.

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

NONE

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated water? **NO**
(yes/no)

Will any legal user of the discharge treated waste water be affected? **NO**
(yes/no)

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: 4-22-, 2009 at Beaumont, California

Signature(s) (951) 769 8520
Telephone No.

NOTE: A \$1,000 filing fee made payable to the State Water Resources Control Board and an \$850 fee made payable to the Department of Fish and Game must accompany this petition for change.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

--- The City of Beaumont is the Lead Agency ---

- 2. Contact your county planning or public works department for the following information:
 - a. Person contacted _____ Date of contact _____
Department _____ Telephone () _____
 - b. Assessor's Parcel No. _____
 - c. County Zoning Designation _____
 - d. Are any county permits required for your proposed changes? _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan Change,
Other (explain): _____
 - e. Have you obtained any of the required permits described above? _____
If yes, provide a complete copy of each permit obtained.

- 3. Are any additional state or federal permits required for your proposed changes? Yes (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type: NPDES Permit (CA105376)
Person (s) contacted: Jun Martirez Agency: Santa Ana Regional Water Quality Control Board
Date of contact: 1/18/06 Telephone: (951) 782-3258

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>. Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

4. Has any public agency prepared an environmental document for any aspect of your proposed changes?
Multiple environmental documents have been prepared by both the City of Beaumont and Beaumont-Cherry Valley Water District. See Attachments "B", "C", and "D".

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

The City of Beaumont prepared an Initial Study / Negative Declaration for its streambed restoration project on the un-named tributary, please see Attachment "B". The City is in the process of preparing environmental documents for both the reduction in Coopers Creek and its discharge to Noble Creek. The Beaumont-Cherry Valley Water District (BCVWD) prepared an Initial Study / Mitigated Negative Declaration for recycled water reuse and its distribution system. The BCVWD also prepared an EIR for its Groundwater Recharge Program, which includes recharge of recycled water. Both of these documents discuss using the City's tertiary treated effluent as a supply source, please see Attachment "C" and "D".

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or

Cause erosion, turbidity or sedimentation? NO If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? NO. An archeological report will be prepared as part of this petition.

Do you know of any archeological or historic sites located within the general project area?

NO If so, explain: Based on a recent investigation by BCVWD, we believe there are no historic sites that will be impacted by construction of the diversion facilities and the physical diversion of the water.

See Attachment "C".

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ENVIRONMENTAL SETTING

- 7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
 - a. Along the stream channel immediately downstream from the proposed point(s) of diversion. -- **Attachment E**
 - b. Along the stream channel immediately upstream from the proposed point(s) of diversion. ----- **Attachment F**
 - c. At the place(s) where the water is to be used. -- **Photographs of Proposed Discharge Points** -----**Attachment G**

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets!

- 8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
 - Sierran Mixed Conifer
 - White Fir
 - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
 - Blue Oak Woodland
 - Valley Oak Woodland
 - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
 - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities

- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities

- Riverine**
- Lacustrine
- Estuarine
- Marine

Developed Communities

- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

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9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

A biologist has been retained to evaluate the possible effects to any fish species or their habitat as a result of this proposed diversion below 1.8 mgd. This report will be forth coming and is expected to be complete within 3 months.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

The biologist retained by the City for Item 10, will also evaluate the possible effects to any wildlife or their habitat as a result of this proposed diversion below 1.8 mgd. This report is forth coming and is expected to be complete within 3 months.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? NO
If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 4-22-09

Signature *Jessiah M. [unclear]*

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