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STATE WATER RESOURCES CONTROL BOARD

2011 DEC 23 PM 12:30

DIV OF WATER RIGHTS SACRAMENTO

December 21, 2011

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

Attention: Katherine Mrowka, Chief, Inland Streams Unit

Dear Ms. Mrowka:

Reference: City of Lincoln, Petition for Change, Wastewater

Please find attached a Wastewater Petition for Change for the City of Lincoln's effluent discharge to Auburn Ravine. Attachments to the Petition are also provided to elaborate on the City's request. In addition, please find the required Environmental Information for Petitions form which accompanies the Petition.

Please e-mail at bburnworth@ci.lincoln.ca.us or call me at 916-434-2470 if you have any questions or comments regarding the City's Petition.

Sincerely,

Bruce Burnworth,
City Engineer

Enclosure

City Hall
600 Sixth Street
Lincoln, CA 95648
(916) 434-2400
www.ci.lincoln.ca.us

Administrative Services - City Manager's Office - Development Services
Fire - Library - Recreation - Police - Public Services

Rec'd
\$1,000.00
\$850.00
12/23/11
MS

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

| | | |
|---|--|--|
| <input type="checkbox"/> Point of Discharge | <input checked="" type="checkbox"/> Place of Use | <input checked="" type="checkbox"/> Purpose of Use |
| City of Lincoln | | (916) 434-2456 |
| (Name of petitioner) | | (Telephone - between 8 a.m. and 5 p.m.) |
| 600 Sixth Street | Lincoln | CA 95648 |
| (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 in California Coordinates, NAD 83, or other ties as allowed by Cal. Code Regs., tit. 23, § 715. Also provide the 40-acre subdivision in which the present and proposed points of discharge lie.)

Present Latitude 38°, 52', 05" N; Longitude 121°, 21', 28" W; Discharge to Auburn Ravine Creek
Proposed No location change, discharge to potentially be reduced to zero over time.

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

Present Latitude 38°, 52', 05" N; Longitude 121°, 21', 28" W; Discharge to Auburn Ravine Creek and seasonal agricultural irrigation of approximately 300 acres (see Attachment A for location of existing irrigation).

Proposed Various lands within the Master Reclamation Area covered by the City's Master Reclamation Permit, issued by the Central Valley Regional Water Quality Control Board, Order No. R5-2005-0040. See Attachment A.

Purpose of Use

Present Crop irrigation and disposal of treated effluent via discharge to Auburn Ravine.

Proposed Uses allowed in Title 22 of the California Code of Regulations for Recycled Water including, but not limited to: irrigation of parks, athletic fields, and roadway landscaping, agricultural irrigation, and industrial uses. See Attachment B for additional information.

If the quantity of treated wastewater discharged to a surface stream will be reduced, identify the quantity that will no longer be discharged to the stream in cubic feet per second: See Attachment B.

Provide a map identifying the current point of discharge and any proposed new points of discharge. See Attachment C.

GIVE REASON FOR PROPOSED CHANGE: Implementation of the City of Lincoln Reclamation Master Plan that was in place when the discharges started in 2004. Uses allowed in Title 22 of the California Code of Regulations for Recycled Water including, but not limited to: irrigation of parks, athletic fields, and roadway landscaping, agricultural irrigation, and industrial uses. See Attachment B for additional information.

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.

Rec'd MS
\$1000.00
\$550.00 DFG
12/23/11

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 rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

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

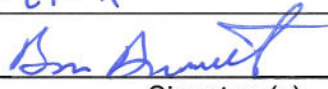
Will any legal user of the discharge treated waste water be affected? No (yes/no)

A copy of the petition must be provided to the California Department of Fish and Game (DFG). Indicate the date that the petition was provided to DFG and provide a copy of the transmittal letter to DFG:

December 21, 2011

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

Dated: 12-21-11, 2011 at Lincoln, California


Signature(s) 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.

Attachment B

Purpose of Use: Proposed Use

The City started discharging to Auburn ravine from the WWTRF in July 2004 when the plant started operating. Beneficial use of the reclaimed water started immediately with plans to increase beneficial use of reclaimed water over time. The plan to reuse the water instead of discharging it was documented in a Master Reclamation Permit adopted by the Central Valley Regional Water Quality Control Board (Order No. R5-2005-0040). The reclamation activities currently occurring are agricultural in nature and occur on the WWTRF site itself, adjacent lands owned by the City and on a site leased by the City from the West Placer Waste Management Authority southwest of the intersection of Athens Avenue and Fiddymont Road (see Attachment A).

The project triggering the City of Lincoln's (City's) change petition involves the construction of improvements to allow the reuse of treated effluent from the City of Lincoln's Wastewater Treatment and Reclamation Facility (WWTRF) within city limits on City owned and maintained landscaping. This project was delayed due to the recent economic downturn and is referred to by the City as the Gravity Sewer and Reclamation Project. The City currently operates the WWTRF under Waste Discharge Requirements (Order No. R5-2008-0156) adopted by the Central Valley Regional Water Quality Control Board (Regional Water Board) that includes an NPDES permit (NPDES No. CA0084476) that allows periodic discharge to Auburn Ravine. Prior to 2004 when the WWTRF was brought on-line, the City operated a wastewater facility that involved full land containment of all treated effluent, with no permitted surface water discharge.

The reclamation facilities and activities associated with the Gravity Sewer and Reclamation Project triggering this petition will be constructed and operated in accordance with Order Nos. R5-2005-0040 and R5-2008-0156.

Currently the City produces approximately 4.1 cfs on average at the WWTRF. The amount discharged to Auburn Ravine varies widely (see Figures 1 and 2) due to discharge temperature limitations and beneficial use of the recycled water for agricultural irrigation. The City is petitioning the Division of Water Rights (the Division) for approval to reuse up to all of the effluent produced at the WWTRF. The City will maintain its right to discharge effluent to Auburn Ravine as permitted by Order No. R5-2008-0156 adopted by the Regional Water Board.

The Gravity Sewer and Reclamation Project will use more of the reclaimed water. Initial uses will include municipal landscape irrigation, municipal park irrigation and municipal athletic field irrigation. Over time, the City intends to reclaim more as conditions permit, up to the entire amount produced at the WWTRF. As a result, over time the amounts discharged to Auburn Ravine are likely to continue to vary. As treated water produced increases (due to population growth), discharges to Auburn Ravine may temporarily increase as new reclaimed water improvements are constructed and new reclaimed water uses are brought on-line within and near the City. When these new uses come on-line, discharges to Auburn Ravine may decrease accordingly. Future uses may include any of those allowed for Secondary-23 Recycled Water and Disinfected Tertiary Recycled Water as defined by Title 22 of the California Code of Regulations

Preliminary analyses of the effect of the removal of all of the City's effluent from Auburn Ravine have been conducted as part of the preparation of a CEQA document for the Gravity Sewer and Reclamation Project. In 1999 the City prepared an EIR covering construction and operation of the WWTRF. Subsequently an assessment of the impact introducing the effluent discharge to Auburn Ravine potentially would have on fisheries was conducted (ECORP, 2006). The primary concern evaluated being false attraction of salmonids to the WWTRF outfall and risk of the fish being stranded there under lower flow conditions upstream of the outfall and below the Nevada Irrigation District (NID) stream gage.

The *City of Lincoln Gravity Sewers and Reclamation Project IS/MND* analysis concludes that the reduction or cessation of the WWTRF discharge to Auburn Ravine would have a less than significant impact on fisheries and hydrology, for the following reasons:

1. Effluent flows contribute a relatively small amount to the flows in Auburn Ravine during the critical period for salmon and steelhead migration (November through April); and
2. The eventual removal of effluent flows from the WWTRF will minimize the minor potential for false attraction of anadromous fish to the outfall.

Figures 1 and 2 present historical monthly and recent daily average flows. The complete analysis of the potential environmental impact of ceasing the effluent discharge to Auburn Ravine is included in the *City of Lincoln Gravity Sewers and Reclamation Project IS/MND* (Admin Draft, November 2011, Stantec).

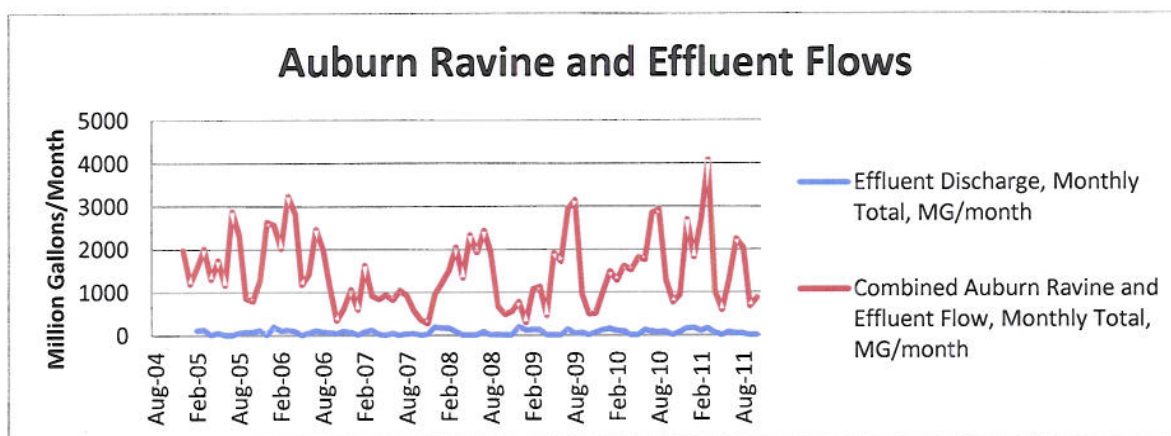


Figure 1: Auburn Ravine Flow Downstream of Lincoln Effluent Outfall v. Effluent Flow, 1994 to 2011

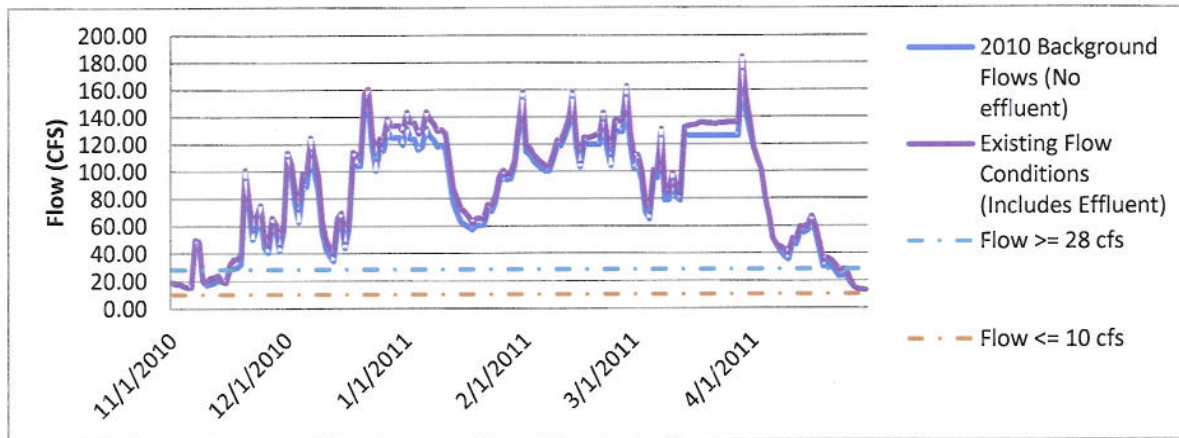
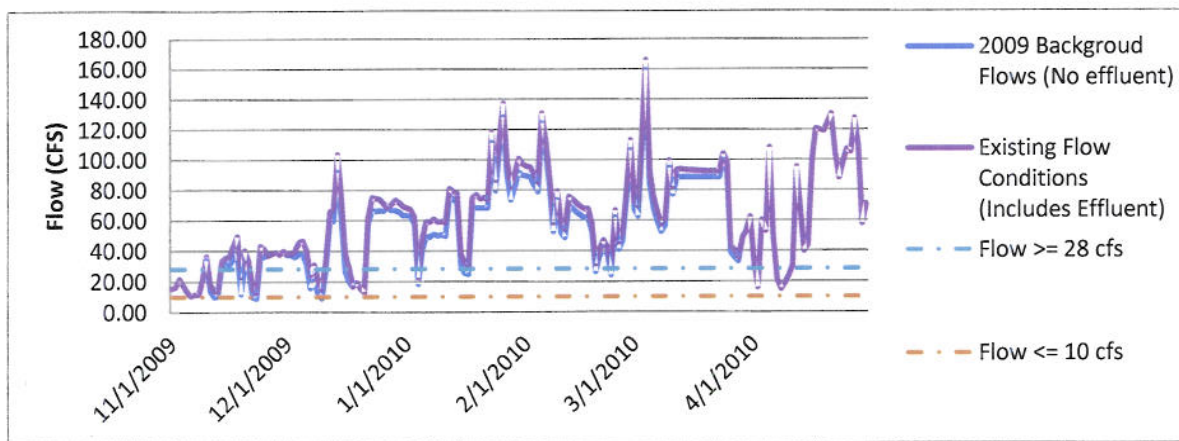
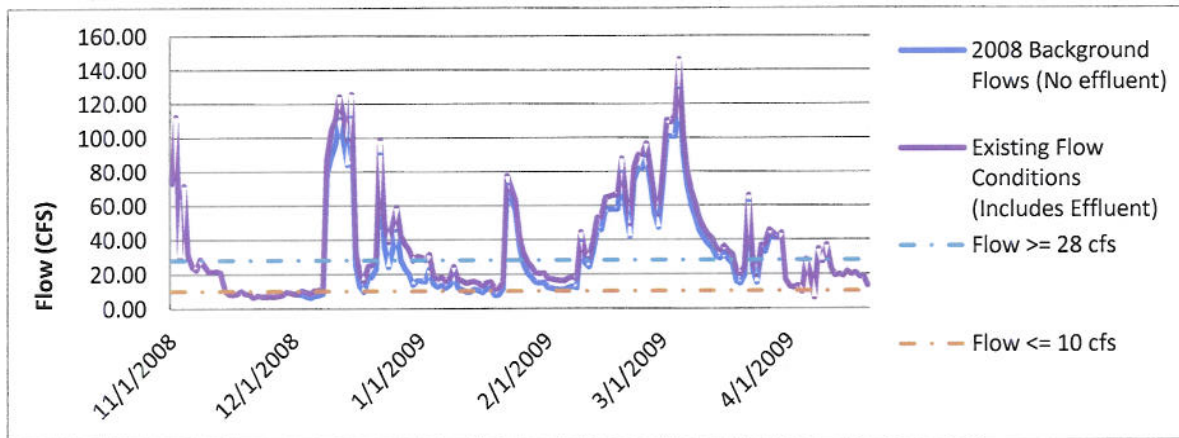


Figure 2: Existing Flows below the WWTRF (purple line), background flows (no effluent) above the WWTRF (blue line) during fish migration (Nov 1-Apr 30) in (a) 2008, (b) 2009, and (c) 2010.

California Environmental Protection Agency

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.waterboards.ca.gov/waterrights>

ENVIRONMENTAL INFORMATION FOR PETITIONS*

* Required for all petitions, including change petitions, time extension petitions, wastewater change petitions and instream flow dedication 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.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to 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 Lincoln (City) began discharging to Auburn ravine from their wastewater treatment and reclamation facility (WWTRF) in July 2004 when the plant started operating. Beneficial use of the reclaimed water started immediately with plans to increase beneficial use of reclaimed water over time. The plan to reuse the water instead of discharging it was documented in a Master Reclamation Permit adopted by the Central Valley Regional Water Quality Control Board (Order No. R5-2005-0040) which also regulates the use. The reclamation activities currently occurring are agricultural in nature and occur on the WWTRF site itself, adjacent lands owned by the City and on a site leased by the City from the West Placer Waste Management Authority southwest of the intersection of Athens Avenue and Fiddymont Road (see Petition Attachment A). The subject of the City's Petition for Change is their intent to utilize up to all their treated effluent for uses authorized allowed in Title 22 of the California Code of Regulations for Recycled Water including, but not limited to: irrigation of parks, athletic fields, and roadway landscaping.

agricultural irrigation, and industrial uses. This could lead to a complete cessation of their current discharge to Auburn Ravine.

The City intends to utilize the recycled water on lands originally identified in the *City of Lincoln Wastewater Treatment and Reclamation Facility EIR, September 1999* (Jones & Stokes Associates, Inc.). This program level analysis of the intended place of use was also utilized as the basis for the City's Master Reclamation Permit. The project triggering the City's change petition involves the construction of improvements to allow the reuse of treated effluent from the WWTRF within city limits on City owned and maintained landscaping. The *City of Lincoln Gravity Sewer and Reclamation Project IS/MND* (Admin Draft, November 2011, Stantec) analysis concludes that the reduction or cessation of the WWTRF discharge to Auburn Ravine would have a less than significant impact on fisheries and hydrology, for the following reasons: 1) effluent flows contribute a relatively small amount to the flows in Auburn Ravine during the critical period for salmon and steelhead migration (November through April); and 2) the eventual removal of effluent flows from the WWTRF will minimize the minor potential for false attraction of anadromous fish to the outfall.

The complete analysis of the potential environmental impact of ceasing the effluent discharge to Auburn Ravine is included in the *City of Lincoln Gravity Sewers and Reclamation Project IS/MND* (Admin Draft, November 2011, Stantec). The IS/MND also addresses the project level impacts related to the specific use areas on which recycled water is proposed to be used initially. Further project level CEQA documentation will be required to assess impacts related to future uses involving recycled water within the larger Master Reclamation Permit use area.

It should be noted that the City's current General Plan EIR addresses the use of recycled water throughout the City, consistent with the current proposed uses.

Also see Petition and Petition Attachments A, B and C which include further detail including figures identifying the proposed place of use and a summary of the IS/MND evaluation of impacts to Auburn Ravine. At this time it is anticipated that the IS/MND will be circulated and certified by the City possibly as early as late January or early February 2012. An administrative draft has been prepared.

X See Attachment No. A to the Petition for Change

2. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

Person contacted: Richard Moorehead Date of contact: November 1, 2011

Department: Placer County Public Works Telephone: (530) 745-7533

County Zoning Designation: Public Right of Way, Moore Road

Are any county permits required for your project? YES NO If YES, check appropriate box below:

- Grading permit Use permit Watercourse Obstruction permit Change of zoning
 General plan change Other (explain): Encroachment Permit for work in County Road –

Moore Road

b. Have you obtained any of the required permits described above? YES NO

If YES, provide a complete copy of each permit obtained.

See Attachment No.

3. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project:

- Federal Energy Regulatory Commission U.S. Forest Service Bureau of Land Management
 Soil Conservation Service Dept. of Water Resources (Div. of Safety of Dams) Reclamation Board

Coastal Commission State Lands Commission Other (specify) USACOE, CDFG, CVRWQCB

b. For each agency from which a permit is required, provide the following information:

| AGENCY | PERMIT TYPE | PERSON(S) CONTACTED | CONTACT DATE | TELEPHONE NO. | Permit NO. |
|----------------|------------------------------|--------------------------------------|---|----------------|------------------|
| USACOE | 404 | Matt Rabbe (now Will Ness) | Permit Issued 6/6/2007 (12/15/11) | 916-557-5268 | 200500955 |
| CDFG | Streambed Alteration | Gary Hobgood (now Bob Hosea) | Permit Issued 04/20/07 (12/14/11) | 916-704-9156 | 1600-2006-0326R2 |
| Region 5 RWQCB | 401 Certification | Patrick Gillum (now Skyler Anderson) | Permit Issued 12/14/2006 (12/15/11) | (916) 464-4849 | WDID#5A31CR00178 |
| USFWS | Section 7 Concurrence Letter | Mary Hammer | Permit Issued 9/19/2005 | | No. 1-1-96-F-001 |
| NMFS | No effect determination | Julie Wolford Howard Brown | 11/22/11 12/15/11 | 916-930-3710 | |

See Attachment No.

With the exception of a NMFS technical assistance/clearance (likely no effect determination), the above listed permits do not apply to the change in discharge flow. Rather they are associated with gravity sewer and reclaimed pipe installation in the vicinity of Ingram Slough. Copies of the permits can be obtained upon request from Stantec or the City.

- c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake? YES NO

If YES, explain: One component of the project involves construction of a deep sewer near Ingram Slough. A streambed alteration agreement has been obtained for this work, but must be re-issued as the effective date has passed. This is for potential impacts only. The City intent is to avoid all streambed impacts.

See Attachment No. ____

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO

If YES, name and telephone number of contact: Bob Hosea, 916-704-9156

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO

If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: An Administrative Draft IS/MND has been prepared, but a public draft has not yet been circulated.

- b. If NO, check the appropriate box and explain below, if necessary:

The petitioner is a California public agency and will be preparing the environmental document.*

I expect that the State Water Board will be preparing the environmental document.**

I expect that a California public agency other than the State Water Board will be preparing the environmental document.* Public agency: City of Lincoln

See Attachment No. ____

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Board, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the State Water Board, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the State Water Board, Division of Water Rights.

5. WASTE/WASTEWATER

- a. 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

If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

Erosion controls will be required when working in the vicinity of Ingram Slough and the City

has already obtained a CWA 401 Permit.

See Attachment No. ____

b. Will a waste discharge permit be required for your project? YES NO

Person contacted: Skyler Anderson Date of contact:

12/15/11

c. What method of treatment and disposal will be used? A permit for low threat discharges may be required for dewatering activities near Ingram Slough. All construction activities will comply with the requirements of the permit as adopted by the Central Valley Regional Water Quality Control Board.

See Attachment No.

6. ARCHEOLOGY

a. Have any archeological reports been prepared on this project? YES NO

b. Will you be preparing an archeological report to satisfy another public agency? YES NO

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

YES NO If YES, explain: A records search has been conducted as part of the development of the City of Lincoln Gravity Sewers and Reclamation Project IS/MND (Admin Draft, November 2011, Stantec). The City is providing this information to the State Water Board, Division of Financial Assistance, and Environmental Unit for review. The City will comply with the determinations of the Environmental Unit which will be reflected in the final CEQA document. Stantec's archeologist is working with the State Board archeologist to facilitate Section 106 compliance.

See Attachment No.

7. ENVIRONMENTAL SETTING

Attach **two complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

Along the stream channel immediately downstream from the proposed point(s) of diversion.

Along the stream channel immediately upstream from the proposed point(s) of diversion.

At the place(s) where the water is to be used.

Aerial photographs of the proposed Places of Use are attached. A additional photographic document may be provided by the City upon request.

8. CERTIFICATION

I hereby certify that the statements I have furnished above and in the attachments 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: 12-21-11

Signature: 