

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

**DIVISION OF WATER RIGHTS**

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In the Matter of Wastewater Petition WW0083

**City of San Buenaventura**

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

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SOURCE: Santa Clara River thence the Pacific Ocean

COUNTY: Ventura

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**WHEREAS:**

1. The City of San Buenaventura (City) filed Wastewater Change Petition WW0083 with the State Water Resources Control Board (State Water Board) on February 23, 2015, pursuant to Water Code section 1211. The petition seeks to change the place of use of wastewater currently treated and discharged to the Santa Clara River Estuary.
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 City has not obtained previous approval of any such changes under Water Code section 1211.
3. The City owns and operates the Ventura Wastewater Reclamation Facility (WRF), which produces recycled water at an average annual rate of 8.5 mgd (Table 1). The City distributes the recycled water for local landscape irrigation of golf courses, parks, and similar landscape areas. Recycled water production and distribution activities by the City are currently authorized by the Regional Water Board under Order No. 87-045.
4. Recycled water demand varies seasonally, with minimum demands in the winter and maximum demands in the summer. The current average monthly demand of recycled water customers is 0.5 mgd. Treated wastewater produced by the WRF and not served to customers is discharged to the Santa Clara River Estuary through a series of wildlife ponds. Wastewater treatment and discharge activities by the City are authorized by the Los Angeles Regional Water Quality Control Board under Order No. R4-2008-0012.
5. For the purposes of this Order, the State Water Board considers the following information as the City's existing point of discharge, place of use, and purpose of use of treated wastewater:
  - a. The point of discharge is the following: Existing Outfall at North 1,911,939 feet and East 6,181,380 feet by California Coordinate System 1983, Zone 5, being within NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 23, T2N, R23W, SBB&M;

- b. The place of use is within Sections 17, 18, 19, 20, and 23, T2N, R22W, and Sections 13, 14, 15, 23, and 26, T3N, R22W, all within SBB&M; and,
  - c. The purposes of use are irrigation and municipal.
6. In response to increasing demand, the City seeks to expand the use of recycled water by changing the purpose of use and place of use of recycled water. The City has received multiple requests to expand recycled water delivery from entities such as AERA Energy LLC and the Ventura County Transportation Department. These and other entities have requested the use of recycled water, as opposed to potable water, for their irrigation and dust control needs. In addition, the City has received multiple requests from residential homeowners who would like to use the recycled water to irrigate their private residences with reclaimed water instead of potable water. The City proposes to serve the additional uses via truck deliveries of recycled water to these uses within the City limits. The City would be in charge of overseeing recycled water distribution.
  7. The serving of recycled water to the additional customers will increase the City's recycled water use from the existing 0.5 mgd to a maximum of 2.0 mgd, or 23% of the WRFs annual effluent flow of 8.5 mgd. This would reduce effluent discharge at minimum to 8.0 mgd, and at maximum to 6.5 mgd. The reduction of discharge of treated wastewater will result in a decrease in the flow to the Santa Clara River. (Table 1.)

Table 1. Average Rate of Discharge of Treated Wastewater (2007-2014)  
(millions gallons per day)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Avg
Present:	9.3	9.2	8.6	8.5	8.3	8.0	8.0	8.2	8.1	8.5	8.4	9.3	8.5
Proposed:	7.0	7.1	6.6	6.5	6.4	6.2	6.2	6.3	6.2	6.5	6.5	7.1	6.5
Change:	2.3	2.1	2.0	2.0	1.9	1.8	1.8	1.9	1.9	2.0	1.9	2.2	2.0

8. Public notice of the change was issued on May 18, 2015. No protests were filed.
9. The State Water Board has determined that the petition for change in the place of use and amount of discharge to a watercourse will not cause injury to any other lawful user of water.
10. The Regional Water Board requires the City to study the effects of the discharge of treated wastewater on the Santa Clara River Estuary. Preliminary results from these studies suggest that the City maintaining a rate of discharge of treated wastewater of 4 to 5 mgd of into the Santa Clara River Estuary would provide the greatest (or near greatest) habitat for any impacted species.
11. Under the California Environmental Quality Act (CEQA), the City is the lead agency for preparation of environmental documentation for the project. On February 22, 2016, the City adopted a Negative Declaration entitled *Ventura Wastewater Reclamation Facility Recycled Water Project* (SCH No. 2016011030) dated October 2015. On February 26, 2016, the City issued a Notice of Determination (NOD) for the project.
12. The State Water Board is a CEQA responsible agency for purposes of considering whether to approve the wastewater change petition that will allow the City 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 ND 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.

13. 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 change 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.
14. The State Water Board has a Policy for Water Quality Control for Recycled Water (Recycled Water Policy), originally adopted on February 3, 2009 and amended on January 22, 2013. The purpose of the Recycled Water Policy is to increase the use of recycled water from municipal wastewater sources, and one of the goals for California, as stipulated in the Recycled Water Policy, is to increase the use of recycled water over 2002 levels by at least one million acre-feet per year by 2020, and by at least two million acre-feet per year by 2030. The City's project, as proposed in the petition, is consistent with the purpose of the Recycled Water Policy, and will help California meet the goals of the Recycled Water Policy.
15. Pursuant to Resolution 2012-0029, the State Water Board has delegated the authority to administer the State Water Board's water rights program to the Deputy Director for Water Rights, and the Deputy Director for Water Rights has redelegated the authority.

## ORDER

### NOW, THEREFORE, IT IS ORDERED THAT:

1. The point of discharge is unchanged.
2. The request to change the place of use is approved. The place of use for treated wastewater discharged from the WRF is within the following:

Sections 17, 18, and 19, T1N, R21W  
Section 20, T2N, R21W  
Sections 19 and 20, T3N, R21W  
Sections 3, 5, 13, 14, and 26, T1N, R22W  
Sections 13, 17, 20, 22, 23, 24, and 31, T2N, R22W  
Sections 14, 17, 18, 19, 20, 23, 24, 29, 30, and 32, T3N, R22W  
Sections 10, 13, 14, 15, 23, 25, and 26, T2N, R23W  
Sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, T3N, R23W  
All within SBB&M.

The place of use is shown on map dated April 2016 filed with the State Water Board.

3. The request to change the purpose of use is approved. The purposes of use for treated wastewater discharged from the WRF are municipal, irrigation, and dust control.
4. The quantity of discharge of treated wastewater from the WRF to the Santa Clara River Estuary may be reduced by an average monthly rate of up to 2.0 mgd from January 1 to December 31 of each year.

5. The City is responsible for the acquisition of and compliance with any wastewater discharge permits required by the Regional Water Board.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:  
AMANDA MONTGOMERY, FOR

*Barbara Evoy, Deputy Director  
Division of Water Rights*

Dated: MAY 06 2016