

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

DIVISION OF WATER RIGHTS

In the Matter of Wastewater Petition WW0086
City of Colusa

**ORDER APPROVING CHANGE IN
PURPOSE OF USE AND PLACE OF USE**

SOURCE: Powell Slough

COUNTY: Colusa

WHEREAS:

1. City of Colusa (City) filed Wastewater Change Petition WW0086 with the State Water Resources Control Board (State Water Board) on June 10, 2015, pursuant to Water Code section 1211. The petition seeks to change the purpose of use and place of use of up to 0.41 million gallons per day (mgd) (0.63 cubic feet per second) of treated wastewater.
2. The City is upgrading its wastewater treatment plant (WWTP) to provide Title 22 tertiary treated effluent for unrestricted reuse. The proposed improvements include construction of a secondary clarifier, pipelines, seasonal storage facilities, and booster pumping facilities. The City proposes a change in wastewater operations that would divert for re-use of treated wastewater generated by the WWTP. The City's WWTP surface wastewater discharge to Powell Slough is regulated pursuant to the Central Valley Regional Water Quality Control Board Waste Discharge Requirements Order No. R5-2008-0184, National Pollutant Discharge Elimination System Permit (NPDES) No. CA0078999, for a design average dry weather flow capacity of 0.7 mgd. Currently, approximately 0.41 mgd of wastewater is discharged to the Unnamed Stream tributary to Powell Slough after treatment.
3. For the purposes of this Order, the State Water Board considers the following information as the City's WWTP's existing point of discharge, place of use, and purpose of use of treated wastewater:
 - a. The point of discharge is as follows: California Coordinate System (CCS), NAD 83, Zone 2, North 2,191,762 feet and East 6,553,163 feet being within the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 1, T15N, R2W, MDB&M; and
 - b. There is no place of use; and
 - c. There is no purpose of use.

The City proposes to eliminate the existing treated wastewater effluent discharged to Powell Slough and divert up to 0.41 mgd of treated wastewater to irrigate nearby farmland during the irrigation season of April 1 to October 31. During non-irrigation season, the treated wastewater effluent will be either collected to the City's storage facilities or discharged to Powell Slough when the storage facilities are full. The proposed place of use will be 84 acres net within gross of 185 acres of farmland near the WWTP. The proposed purpose of use will be irrigation.

4. Public notice of the change was issued on July 9, 2015. No protests were filed.
5. The State Water Board has determined that the petition for change in the purpose of use and place of use of the treated wastewater will not cause injury to any other lawful user of water.
6. Under the California Environmental Quality Act (CEQA), the City is the lead agency for preparation of environmental documentation for the project. On December 19, 2014, the City issued a Mitigated Negative Declaration (MND) titled City of Colusa Wastewater Treatment Plant Upgrade Project, SCH # 2014122049. On October 9, 2015, the City issued an Addendum to the MND - Supplemental Water Quantity and Quality Analysis. On December 16, 2015, the City issued a Notice of Determination (NOD) for the project.
7. 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 MND and addendum in deciding whether to approve the petition. There is no evidence that approval of the wastewater change petition will have any adverse impacts on the environment. The State Water Board will issue an NOD within five days of the date of this order.
8. 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 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 impacts to public trust resources are expected.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT:

1. The City is authorized to change the purpose of use and place of use of up to 0.41 mgd of treated wastewater effluent discharged to Powell Slough from the City's WWTP from January 1 to December 31 of each year.
2. The City, upon compliance with all NPDES permit requirements, may discharge treated wastewater on an as-needed basis to its existing point of discharge located at CCS, NAD 83, Zone 2, North 2,191,762 feet and East 6,553,163 feet being within the NW¼ of SE¼ of Section 1, T15N, R2W, MDB&M.
3. The authorized place of use is 84 acres net within a gross of 185 acres located at NAD 83, Zone 2, being within Section 1, T15N, R2W, MDB&M.
4. Treated wastewater may be used for the purpose of irrigation.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
AMANDA MONTGOMERY, FOR

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: FEB 05 2016