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STATE WATER RESOURCES
CONTROL BOARD
07 MAY -7 AM 11:41
DIV. OF WATER RIGHTS
SACRAMENTO

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

In the matter of:
Santa Ana River Water Right Applications
31165, 31174, 31369, 31370, 31371, and
31372 and Wastewater Change Petition
No. WW-0045.

Hearing Officer: Arthur Baggett, Jr.

**SUBMISSION BY CITY OF RIVERSIDE
FOR CLOSING WORKSHOP**

Date: May 8, 2007
Time: 10:00 a.m.
Dept: 1001 I Street, Second Fl.
Sierra Hearing Room
Sacramento, CA

1 The City of Riverside's ("City") Wastewater Change Petition WW-0045 was filed in
2 conjunction with the City of Riverside's Public Utilities Recycled Water Program. As part of this
3 Program, the City expects to beneficially re-use 41,400 afy of treated effluent from its own
4 Regional Water Quality Control Plant. The City plans on using the recycled water for agricultural
5 irrigation, landscape irrigation and other municipal and industrial purposes. Currently,
6 approximately 36,000 afy of the City's treated effluent is discharged into the Santa Ana River.
7 As part of the City's Recycled Water Program, the City will reduce the amount discharged, over
8 time, by a maximum of 11,000 afy and by 10,000 afy at Project build-out. Thus, the City will be
9 discharging no less than 25,000 afy to the Santa Ana River.

10
11 In conjunction with this Program, the City prepared a draft Program Environmental
12 Impact Report ("DPEIR") addressing environmental impacts associated with the City's proposed
13 Recycled Water Program. The DPEIR is contained in the Hearing Record as Riverside's Exhibit
14 1-3. The City prepared a programmatic-level document, as opposed to a project-level document,
15 because the proposed Recycled Water Program involves a series of actions designed to take place
16 over a substantial period of time; details of the individual projects and individual recycled water
17 uses are not presently known and cannot be fully analyzed at this time. A program-level
18 document is appropriate here, since the proposed Recycled Water Program contemplates a series
19 of related actions that are part of the larger overall Program. The basis for programmatic analysis
20 is contained in the DPEIR on page 1-1. In the future, the City will conduct the appropriate
21 project-level CEQA analysis on individual projects.

22
23 The State Water Resources Control Board ("State Board") Staff prepared and submitted
24 comments to the City's DPEIR. Staff's primary concern was that the City conducted a program-
25 level review, as opposed to a project-level review. In response to this concern raised by Staff, the
26 City ensured that the analysis contained in the City's DPEIR analyzed the hydrologic, biological
27 and cumulative impacts associated with the full amount of the City's requested change, which, as
28 stated above, is a maximum of 11,000 afy.

1 Although the City's DPEIR does not, and cannot, provide a project-level analysis of the
2 individual proposed recycled water uses (because such uses are unknown at this time), the City's
3 DPEIR, as well as the evidence presented during the Santa Ana Hearing, fully and completely
4 analyzed the potential hydrologic, biological and cumulative impacts on the River associated with
5 the full amount requested by the City's Wastewater Change Petition.
6

7 During the Hearing, the City presented the testimony of four expert witnesses, including
8 three biologists and one hydrologist. Each of these witnesses analyzed impacts associated with
9 the "worst case" scenario of a full 11,000 afy decrease in the City's discharge of treated effluent.
10 Mr. Bonsignore analyzed the hydrologic impacts associated with an 11,000 afy decrease in the
11 City's discharge of treated effluent and concluded that the proposed decrease would not result in
12 significant adverse hydrologic impacts. (See Riverside Exs. 2-0 through 2-17.) Dr. Beehler, Dr.
13 Baskin and Mr. Bomkamp each analyzed the biological impacts associated with an 11,000 afy
14 decrease in the City's discharge of treated effluent and concluded that the decrease would not
15 result in significant adverse biological impacts. (See Riverside Exs. 3-0 through 3-16, 4-0, 4-1,
16 and 5-0 through 5-13.) The testimony and evidence presented by each of these witnesses was
17 uncontroverted.
18

19 In addition, the proposed Recycled Water Program is considered a covered activity
20 pursuant to the Western Riverside County Multiple Species Habitat Conservation Plan ("WRC-
21 MSHCP"). Under the WRC-MSHCP, any potential impacts resulting from covered activities are
22 deemed to not have adverse unmitigated impacts. The Environmental Impact Report prepared for
23 the WRC-MSHCP was a project-level document that fully analyzed and mitigated potential
24 impacts to covered species. As various phases and components of the City's proposed Recycled
25 Water Program are implemented, each phase and component of the Program will be prepared in
26 accordance with the WRC-MSHCP. Furthermore, individual recycled water projects will be
27 subject to all applicable Regional Board and other relevant water quality requirements.

28 Construction impacts and other impacts related to the individual projects will also undergo

1 additional project-level CEQA analysis.

2
3 Again, the City has fully analyzed, both in its DPEIR and through the uncontested and
4 uncontroverted evidence presented at the Hearing, the potential hydrologic, biological and
5 cumulative impacts to the River associated with the full amount of the City's proposed reductions
6 in treated effluent. Thus, we believe that the City's DPEIR, along with the testimony and other
7 evidence presented at the Hearing, provides an analysis that is sufficient to allow the State Board
8 to discharge its duties to balance Public Trust Resources and advance the public interest. The
9 DPEIR, along with the evidence presented at the Hearing, conclusively establishes that the City's
10 requested change will not harm Public Trust Resources, and that the City's requested change is in
11 the public interest. Thus, we request that the State Board grant the full amount requested in
12 Wastewater Change Petition WW-0045.

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16 May 7, 2007

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19 JILL N. WILLIS
20 STEFANIE HEDLUND
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