

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

DIVISION OF WATER RIGHTS

In the Matter of Wastewater Petition WW-70
Town of Yountville

ORDER APPROVING CHANGE IN PLACE OF USE

SOURCE: Napa River

COUNTY: Napa

WHEREAS:

1. Town of Yountville filed Wastewater Change Petition WW0070 with the State Water Resources Control Board (State Water Board) on September 27, 2012, pursuant to Water Code section 1211. The petition seeks to change the place of use of treated wastewater. Presently, the Town of Yountville uses treated wastewater on 809.8 acres within projected Sections 4, 5, 6, 7, 8, and 9, T6N, R4W; and projected Section 1, T6N, R5W.

The Town of Yountville proposes a change in wastewater operations that would divert for re-use treated wastewater generated by the Town of Yountville treatment plant. The total average volume of recycled water produced by the wastewater treatment operations is 429 acre-feet per year. This treated wastewater is currently discharged to the Napa River from October 1 to May 15. The change petition seeks use on up to 1318.5 acres within projected Sections 4, 5, 6, 7, 8, and 9, T6N, R4W; projected Section 1, T6N, R5W; and projected Section 31, T7N, R4W. The project would require construction of approximately 21,190 feet of new pipeline, new valves and turnouts, and equipment upgrades to the wastewater treatment plant and recycled water pump station. The project will utilize 215 acre-feet of available storage capacity created by customers' existing vineyard irrigation ponds. The proposed discharge will be reduced to 0 cubic feet per second, except when inflows to the treatment plant are greater than 0.78 cubic feet per second or the project's storage ponds are full.

2. Public notice of the change was issued on March 15, 2013. No protests were filed.
3. The State Water Board has determined that the petition for change in the place of use will not cause injury to any other lawful user of water.
4. Under the California Environmental Quality Act (CEQA), the Town of Yountville is the lead agency for preparation of environmental documentation for the project. On June 12, 2012, the Town of Yountville issued a Mitigated Negative Declaration (MND) titled "The Yountville Recycled Water Expansion Project", SCH # 2012062035. On August 10, 2012, the Town of Yountville issued a Notice of Determination (NOD) for the project. The Town of Yountville adopted an Addendum to the MND on June 4, 2013, and filed an associated NOD on June 14, 2013.
5. The State Water Board is a CEQA responsible agency for purposes of considering whether to approve the wastewater change petition that will allow the Town of Yountville to proceed with the proposed

project. As a 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).) State Water Board has considered the MND and the Addendum to the MND prior to approval of the petition. Together they are determined to be adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA. There is no evidence that approval of the wastewater change petition, with the lead agency implementing mitigation measures, will have any adverse impacts on the environment. The Addendum concludes that the reduction of recycled water discharges to the Napa River does not result in any substantial change in impacts, and does not result in any new significant impacts. The State Water Board will issue an NOD within five days of the date of this order.

6. 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 Town of Yountville is authorized to change the place of use of treated wastewater to 1318.5 acres within projected Sections 4, 5, 6, 7, 8, and 9, T6N, R4W; projected Section 1, T6N, R5W; and projected Section 31, T7N, R4W.
2. The treated wastewater discharge quantity will be reduced to 0 cubic feet per second, except when inflows to treatment plant are greater than 0.78 cubic feet per second or project's storage ponds are full.
3. The purpose of use shall remain unchanged and is for irrigation.
4. The point of discharge shall remain unchanged, located at NAD 83, Zone 2, North 1,909,904 feet and East 6,463,496 being within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 6, T6N, R4W, MDB&M.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY
KATHERINE MROWKA, ACTING MANAGER FOR:

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: JUL 10 2013