



2. The subject wastewater will be delivered to the LCWD Service Area via the proposed LCWD Recycled Water Pipeline Project, scheduled for construction in 2015.
  3. Public notice of Wastewater Change Petition WW0075 was issued on October 3, 2014. One protest was received from Mr. Richard Morat on October 6, 2014. Mr. Morat's protest was rejected for failure to satisfy the requirements of Water Code section 1703.2(c) and California Code of Regulations section 745(c).
  4. The State Water Board has determined that the petitioned change will not cause injury to any other lawful user of water.
  5. The Los Carneros Water District is the California Environmental Quality Act (CEQA) lead agency for the LCWD Recycled Water Pipeline Project, which includes the petitioned change in place and purpose of use described in Wastewater Change Petition WW0075. In February 2014, LCWD adopted a Final Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed project, and filed the associated Notice of Determination (NOD) with the Governor's Office of Planning and Research (OPR) and the Napa County Clerk (State Clearinghouse No. 2013122043). In June 2014, LCWD issued an addendum to the IS/MND and filed a second NOD with OPR.
  6. As a CEQA responsible agency, the State Water Board considered the above referenced environmental documentation when determining whether and how to approve Wastewater Change Petition WW0075. The referenced CEQA documentation and other information on file indicate that approval of the Wastewater Change Petition WW0075 will not have significant impacts on resources within the State Water Board's purview. The State Water Board will file a NOD to this effect within five days of the date of this Order.
  7. 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.
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**ORDER**

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

1. The Napa Sanitation District is authorized to reduce the discharge of treated wastewater from SWRF to the Napa River by an average rate of 15.9 cubic feet per second (cfs) (977 acre-feet) in March, 0.1 cfs (6 acre-feet) in April, and 7.5 cfs (446 acre-feet) in November. The maximum reduction in wastewater discharge authorized by this order shall not exceed 1,418 acre-feet per annum.
2. The authorized place of use for the subject volume of treated wastewater is the LCWD Service Area, as shown on the project map on file with the State Water Board, being within T4N, R4W and R5W, and T5N, R4W and R5W, MDB&M.
3. The subject volume of treated wastewater may be used for irrigation on the authorized place of use from January 1 to December 31 of each year.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

*Barbara Evoy, Deputy Director*  
*Division of Water Rights*

Dated: JAN 14 2015