

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

Application WW-26 Permit _____ License _____

**ORDER APPROVING CHANGE IN POINT OF DISCHARGE,
PLACE OF USE, PURPOSE OF USE
OF TREATED WASTEWATER**

WHEREAS:

1. Treated Wastewater change petition WW-26 was filed by the Yucaipa Valley Water District (District) on March 14, 1995 pursuant to Sections 1210 and 1211 of the California Water Code.
2. The change petition was filed with the State Water Resources Control Board (SWRCB) to obtain approval under Sections 1211 and 1700 of the California Water Code to change the point of discharge, place of use and purpose of use of up to 6,723 acre-feet of treated wastewater discharged from the Henry N. Wochholz Wastewater Treatment Plant to San Timoteo Creek tributary to Santa Ana River in San Bernardino and Riverside Counties.
3. In order to protect downstream riparian wildlife habitat in San Timoteo Creek, terms and conditions should be included in this Order.
4. The SWRCB has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. The SWRCB has determined that good cause for the change(s) has been shown.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The source of treated wastewater is the Henry N. Wochholz Wastewater Treatment Plant discharging to San Timoteo Creek tributary to Santa Ana River in San Bernardino and Riverside Counties, within the NW¼ of NW¼ of Section 19, T2S, R2W, SBB&M; California Coordinate System, Zone 6, North 663,250, East 1,732,000. (0000001)
(0000002)
2. The Purpose of Use shall be Irrigation. (0000003)
3. The Place of Use shall be within the areas set forth in the Yucaipa Valley Water District's Reclamation Master Plan, dated November 1993. (0000004)
4. For the protection of downstream riparian wildlife habitat in San Timoteo Creek, District shall implement the following mitigation measures:
 - a. During the period of five consecutive 12-month periods following the month this Order was approved, the District shall make a gradual reduction in the minimum amount of treated wastewater effluent

discharged to San Timoteo Creek from the Henry N. Wochholtz Waste Water Treatment facility. The discharge reduction shall meet the following criteria:

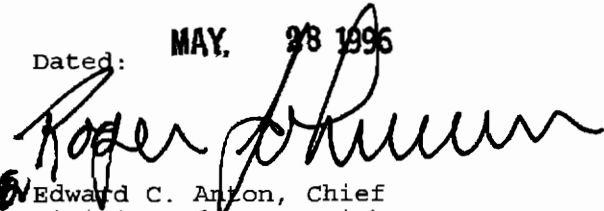
<u>12-Month Period Following Month this Order Approved</u>	<u>Minimum 7-Day Average Discharge for the 12-Month Period</u>
First	1.9 mgd (2.9 cfs)
Second	1.0 mgd (1.6 cfs)
Third	0.5 mgd (0.8 cfs)
Fourth	0.2 mgd (0.3 cfs)
Fifth	0.1 mgd (0.2 cfs)
 <u>61 Months Following Month this Order Approved</u>	 0.0 mgd (0.0 cfs)

Furthermore, at no time during this consecutive five-year period shall the minimum daily discharge be allowed to drop below 0.1 mgd (0.2 cfs). Within 60 days after the completion of each 12-month period, the District shall submit a report to the Chief, Division of Water Rights, confirming that the above criteria have been met. At the completion of sixty (60) months after this Order is approved by the Division of Water Rights, the District shall not be required to maintain a minimum flow to San Timoteo Creek.

- b. Within 90 days from the date of this Order, the District shall submit to the Chief, Division of Water Rights and the Department of Fish and Game (DFG), a report which provides a quantitative, baseline assessment of the riparian wildlife habitat existing in San Timoteo Creek between the point of discharge from the Henry N. Wochholtz Waste Water Treatment facility and Alessandro Road. The report shall place particular emphasis on the riparian habitat that may be utilized by the endangered least Bell's Vireo (*Vireo bellii pusillus*). The report shall be prepared by a qualified biologist acceptable to the Chief, Division of Water Rights. Within 90 days after the completion of each of the 12-month periods identified in part a. above, the District shall submit to the Chief, Division of Water Rights and the DFG a subsequent report which repeats the quantitative, riparian wildlife habitat assessment conducted for the first (baseline) report and determine whether or not the riparian wildlife habitat has been significantly reduced below the baseline level established in the first report. The subsequent reports shall be prepared by a qualified biologist acceptable to the Chief, Division of Water Rights. If any of the subsequent reports indicate that available riparian wildlife habitat has been reduced significantly below the baseline level due to the gradual reduction in the amount of effluent discharged as stated above, the District shall confer with the DFG to consider feasible additional measures the District could undertake to restore the lost riparian wildlife habitat. Thereafter, the District shall advise the Chief, Division of Water Rights on any additional measures it undertakes to restore the lost riparian wildlife habitat.

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Dated: MAY 28 1996


Edward C. Anton, Chief
Division of Water Rights