

State Water Resources Control Board

NOTICE OF WASTEWATER CHANGE PETITION WW0116 OF INLAND EMPIRE UTILITIES AGENCY

COUNTY: San Bernardino

STREAM SYSTEM: Chino Creek and
Cucamonga Creek, both tributary to the
Santa Ana River, thence the Pacific Ocean

On June 1, 2026, the Inland Empire Utilities Agency (IEUA or Petitioner) filed a wastewater change petition (Petition WW0116) with the State Water Resources Control Board (State Water Board or Board), Division of Water Rights (Division), pursuant to California Water Code section 1211. The Petitioner requests authorization to reduce the discharge of tertiary treated wastewater from four of IEUA's Wastewater Treatment Plants (WWTPs) to the Santa Ana River watershed by up to 9,992 acre-feet per year (afy) during all months of the year as part of the ongoing Chino Basin Program (Program). IEUA plans to redirect the tertiary treated water currently discharged to the Santa Ana River watershed to a new Advanced Water Purification Facility (AWPF) for additional treatment and then store it in the Chino Basin aquifer for subsequent extraction and delivery as potable reuse supply within IEUA's service area. The expected completion date for construction of the AWPF for the Chino Basin Program is 2032.

Tertiary treated water is currently discharged to the Santa Ana River watershed from four IEUA WWTPs, including:

- (1) Regional Water Recycling Plant No. 1 (RP-1);
- (2) Regional Water Recycling Plant No. 4 (RP-4);
- (3) Regional Water Recycling Plant No. 5 (RP-5); and
- (4) Carbon Canyon Water Recycling Facility (CCWRF).

IEUA's four WWTPs currently discharge to four points¹ upstream of Prado Dam:

- (1) RP-1 and RP-4 to Prado Park Lake, tributary to Chino Creek thence the Santa Ana River in Prado Basin;
- (2) RP-1 and RP4 to Cucamonga Creek, tributary to Chino Creek thence the Santa Ana River;
- (3) RP-5 to Chino Creek, tributary to the Santa Ana River, approximately 5.5 river miles upstream of Prado Dam; and

¹ A map depicting the discharge points can be found in Attachment A: Project Overview Map.

- (4) CCWRF to Chino Creek, tributary to the Santa Ana River, approximately 7.2 river miles upstream of Prado Dam.

IEUA is proposing to reduce present discharges by 9,992 afy, which is an approximately 45 percent reduction of baseline average annual WWTP discharges. IEUA is also proposing to continue to discharge a minimum of 7,038 afy of treated wastewater to the Santa Ana River watershed, which is approximately 30 percent of baseline average annual WWTP discharges. IEUA's four WWTPs have four permitted discharge points (DP-001, DP-002, DP-003, and DP-004), and the reduction in discharge to the Upper Santa Ana River watershed above Prado Dam would be from all four discharge points. Presently, on average, the treated effluent flow discharges from IEUA's CCWRF and RP-5 WWTPs account for approximately 50 percent of Chino Creek monthly flows. In addition, on average, the treated effluent flow discharges from IEUA's RP-1 and RP-4 WWTPs to Cucamonga Creek account for approximately 40 percent of Cucamonga Creek monthly flows.

The Santa Ana Regional Water Quality Control Board's National Pollution Discharge Elimination System (NPDES) permit CA8000409 (Order No. R8-2022-041), which applies to IEUA's wastewater treatment plant discharges, was adopted on June 3, 2022, and became effective on August 1, 2022. Order No. R8-2022-041 does not include minimum discharge requirements; however, under a separate agreement between IEUA and San Bernardino County, IEUA delivers to up to 3 million gallons per day (mgd) of recycled water to Prado Lake, contingent upon recycled water being available following IEUA distribution to its member agencies.

The Santa Ana River watershed is adjudicated by the 1969 Santa Ana River Judgment (Judgment), which requires IEUA and other Upper Santa Ana River parties above Prado Dam to release a minimum of 34,000 afy, if cumulative credits are used. IEUA's Program Environmental Impact Report (PEIR) for the Chino Basin Program estimated that the average discharge below Prado Dam under the baseline scenario (i.e., no reduction in recycled water discharge to the Santa Ana River due to operation of the AWPf) during the Program period is projected to be 167,400 afy. Under the AWPf operation assumptions, the PEIR analysis projects that the minimum average discharge below Prado Dam will be 151,000 afy. Therefore, IEUA concludes under forecast estimated flows, there would be sufficient water in the Santa Ana River to meet water delivery requirements under the Judgment. Additionally, IEUA's PEIR concluded that operation of the AWPf will not cause a significant adverse impact on hydraulic control in the Chino Basin.

In addition to the effects described above, the PEIR also evaluated impacts on water quality. Reach 3 of the Santa Ana River, located downstream of IEUA's discharges, has a total dissolved solids (TDS) objective of 700 mg/L and, historically, effluent discharges have helped to dilute the higher TDS Reach 3 flows. IEUA will continue efforts to reduce effluent TDS through optimization of wastewater treatment processes and collaboration with Metropolitan Water District to prevent TDS spikes in imported water. Additionally, IEUA actively participates in the Santa Ana Watershed Project Authority Reach 3 Special Study.

Summary of Wastewater Discharge and Proposed Changes:

Sources of Discharge: IEUA's four WWTPs include:

- (1) Regional Water Recycling Plant No. 1 (RP-1);
- (2) Regional Water Recycling Plant No. 4 (RP-4);
- (3) Regional Water Recycling Plant No. 5 (RP-5); and
- (4) Carbon Canyon Water Recycling Facility (CCWRF)

Receiving Waters:

Prado Park Lake, Chino Creek, and Cucamonga Creek, all tributary to the Santa Ana River, thence the Pacific Ocean

Points of Discharge:

Present: IEUA's four Wastewater Treatment Plants (WWTPs) currently discharge to:

Discharge Point No. 1:

Prado Park Lake, overflow from the lake to an unnamed creek, thence Chino Creek, a tributary to the Santa Ana River in Prado Basin, California Coordinate System, NAD 83, Zone 5, North 1,802,257 feet and East 6,670,010 feet, being within the northwest quarter of the northwest quarter of Section 5, Township 3S, Range 7W, San Bernadino Base and Meridian (SBB&M).

Discharge Point No. 2:

Cucamonga Creek, tributary to Mill Creek, thence Chino Creek, a tributary to the Santa Ana River in Prado Basin, California Coordinate System, NAD 83, Zone 5, North 1,831,531 feet and East 6,682,996 feet, being within the northwest quarter of the southeast quarter of Section 3, Township 2S, Range 7W, SBB&M.

Discharge Point No. 3:

Chino Creek, a tributary to the Santa Ana River, located at California Coordinate System, NAD 83, Zone 5, North 1,808,788 feet and East 6,659,283 feet, being within the southwest quarter of the southwest quarter of Section 25, Township 2S, Range 8W, SBB&M.

Discharge Point No. 4:

Chino Creek, a tributary to the Santa Ana River, California Coordinate System, NAD 83, Zone 5, North 1,816,056 feet and East 6,653,622 feet, being within the northwest quarter of the southwest quarter of Section 23, Township 2S, Range 8W, SBB&M.

Proposed: No change

Rate of Discharge:

Present:

The monthly average present (i.e., based on five-year historical average), proposed reduction, and proposed minimum discharge flows for Petition WW0116 have been converted into cubic feet per second (cfs), million gallons per day (mgd), and afy units.

	Present Discharge (2020-2024, 5-Year Average)*		
	(cfs)	(mgd)	(afy)
January	56.6	36.6	3,484
February	48.7	31.5	2,723
March	54.6	35.3	3,356
April	41.4	26.7	2,462
May	26.7	17.3	1,640
June	18.5	11.9	1,097
July	11.1	7.2	685
August	10.8	7.0	667
September	11.9	7.7	709
October	18.2	11.8	1,120
November	30.1	19.5	1,788
December	41.7	27.0	2,564
Total			22,294

* While IEUA's PEIR evaluates CBP impacts using a 2030 discharge forecast baseline, corresponding to the anticipated start of CBP operations, State Water Board staff have determined that, for purposes of reviewing Petition WW0116, the appropriate baseline is the monthly average of historical discharges from calendar years 2020 through 2024.

Present average monthly flow of 30.9 cfs (equivalent to 19.9 mgd) (Water Years 2020-2024, 5-year average) discharges to the Upper Santa Ana River watershed above Prado Dam.

Reduction:

IEUA proposes to reduce the present discharges by the following monthly volumes. Please note that subtracting the proposed bypass flows (further below) from the present flows does not equal the reduced flows and volumes. In addition, reduced discharges were calculated in monthly acre-feet, so comparing values in cfs or mgd units may result in rounding differences.

	Proposed Reduction in Discharge		
Month	(cfs)	(mgd)	(afy)
January	19.8	12.8	1,215
February	18.7	12.1	1,048
March	17.8	11.5	1,093
April	13.3	8.6	792
May	12.8	8.2	784
June	7.6	4.9	450
July	10.2	6.6	627
August	7.8	5.1	482
September	9.3	6	556
October	12	7.7	736
November	12.8	8.3	761
December	23.6	15.2	1,448
Total			9,992

Discharge flows to the Santa Ana River are proposed to be reduced by 13.8 cfs, equivalent to 8.9 mgd, per month on average.

Proposed Minimum Discharge:

IEUA proposes to maintain minimum monthly discharge volumes to the Upper Santa Ana River watershed above Prado Dam, as outlined in the table below. State Water Board staff understand that the Inland Empire Utilities Agency's proposed minimum monthly discharge volumes are consistent with those currently being evaluated under the Upper Santa Ana River Habitat Conservation Plan (USARHCP).

	Proposed Minimum Discharge		
	(cfs)	(mgd)	(afy)
January	20.2	13.1	1,242
February	18.1	11.7	1,012
March	14.2	9.2	874
April	10.8	7	644
May	7.5	4.8	460
June	3.1	2	184
July	2.2	1.5	138
August	2.2	1.5	138
September	3.9	2.5	230
October	6.7	4.4	414
November	12.4	8	736
December	15.7	10.2	966
Total			7,038

IEUA proposes to maintain average monthly minimum discharges of 9.8 cfs (equivalent to 6.3 mgd) to the Upper Santa Ana River watershed above Prado Dam.

Purposes of Use:

Present: None.

Proposed: Divert up to 9,992 afy of reclaimed water for additional treatment, indirect potable reuse via groundwater augmentation and storage in the Chino Basin aquifer, with later extraction and delivery as potable reuse supply within IEUA's service area for municipal, industrial, and irrigation purposes.

Places of Use:

Present: None.

Proposed: IEUA proposes to construct an Advanced Water Purification Facility (AWPF) at its Regional Water Recycling Plant (RP-4), which will treat up to 15 mgd of tertiary-treated wastewater effluent. The treated water will be injected into the Chino Basin aquifer through dedicated wells for groundwater augmentation and storage. Later, water will be extracted and distributed as potable reuse supply throughout the IEUA service area.

California Environmental Quality Act Compliance:

IEUA is the lead agency for the preparation of environmental documents required by the California Environmental Quality Act (CEQA) for the Chino Basin Program. IEUA

circulated a Draft Program Environmental Impact Report (PEIR) in October 2021, which was consequently certified on May 18, 2022. On June 17, 2022, the City of Ontario filed a Petition for Writ of Mandate against IEUA's PEIR in San Bernardino County Superior Court. On December 8, 2025, the Superior Court entered judgment and issued a Peremptory Writ of Mandate, ordering IEUA to vacate the Chino Basin Program PEIR certification. On April 21, 2026, IEUA completed and circulated a Recirculated PEIR, which was certified by the IEUA Board of Directors on July 15, 2026. IEUA filed a Notice of Determination as the CEQA lead agency for the Recirculated PEIR with the State Clearinghouse on July 20, 2026. On August 13, 2026, the City of Ontario filed a lawsuit challenging the Recirculated PEIR.

IEUA is currently conducting a second-tier CEQA evaluation of the PEIR's environmental findings to determine whether any impact conclusions have changed and to assess whether the PEIR remains adequate for supporting the CEQA environmental determinations for Petition WW0116. This reevaluation is intended to fulfill the requirements of PEIR Mitigation Measure BIO-25, which states: "IEUA shall conduct a second-tier CEQA evaluation for a proposed water diversion project associated with the CBP." Completion of this evaluation is anticipated by late 2026.

State Water Board staff understands that the San Bernardino Valley Municipal Water District, acting as the CEQA Lead Agency, intends to prepare a Final Environmental Impact Report for the Upper Santa Ana River Habitat Conservation Plan (USARHCP). A Draft Environmental Impact Report (SCH No. 2018121017) was issued on May 17, 2021, and includes analysis of impacts associated with a proposed covered activity designated as ID No. IEUA.4. According to Table C-1 of the USARHCP 2021 Draft EIR, proposed covered activity ID No. IEUA.4 refers to the IEUA regional wastewater treatment expansion water reuse project, anticipated to increase average annual capture by 9,991 afy/13.8 cfs/7.4 mgd. State Water Board staff reviewed a comparison of the present, proposed, and resulting reductions in discharges analyzed in IEUA's PEIR and the USARHCP 2021 Draft EIR, included as Attachment No. 1 of Petition WW0116. The comparison indicates that Petition WW0116 proposes a discharge reduction of 9,992 afy versus a reduction of 10,684 afy for the USARHCP CEQA analysis. In other words, IEUA's proposed reduction is approximately seven percent lower than what was considered for the USARHCP CEQA analysis. Attachment No. 3 of Petition WW0116, includes a letter from Ms. Joanna Gibson, the Executive Director of the USARHCP, which concludes that the quantification of IEUA's proposed diversion of treated wastewater discharges reported in the Chino Basin Program EIR is consistent with the diversions reported for proposed covered activity ID No. IEUA.4 in the USARHCP. While State Water Board staff understand that IEUA's PEIR and the USARHCP both analyze operations of the Chino Basin Program, State Water Board staff have determined that, as a responsible agency under CEQA, the State Water Board will consider the PEIR prepared by IEUA in determining whether to approve Petition WW0116.

For each significant environmental effect identified in an environmental impact report that is within the Board's area of responsibility, the Board must make one or more of the following findings: (1) changes have been required in the project that mitigate or avoid the significant effect, (2) such changes are within the responsibility and jurisdiction of another public agency and have been or can and should be adopted by that agency, or (3) specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives identified in the PEIR infeasible. (Pub. Resources Code, §§ 21002.1, 21081; Cal. Code Regs, tit. 14, §§ 15091, 15093, 15096.).

Protest Submittal Instructions:

Any interested person may file a written protest against the approval of Petition WW0116. (Wat. Code, § 1703.1.) Protest submittal information is available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/docs/protestsubmittalinfo.pdf

Protests must be received by the Division of Water Rights at WaterRightPetitions@waterboards.ca.gov by **4:30 p.m. on October 26, 2026**. A copy of the protest must also be provided to the Petitioner via Elizabeth Hurst, Chino Basin Program Manager at Inland Empire Utilities Agency, at ehurst@ieua.org.

More information regarding the wastewater change petition process is available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/wastewaterchange

For more information regarding Petition WW0116, please contact Derek Wadsworth at derek.wadsworth@waterboards.ca.gov. Any correspondence directed to IEUA should be emailed to Elizabeth Hurst, Chino Basin Program Manager, Inland Empire Utilities Agency, at ehurst@ieua.org.

Date of Notice: **September 24, 2026**

Attachment A: Project Overview Map

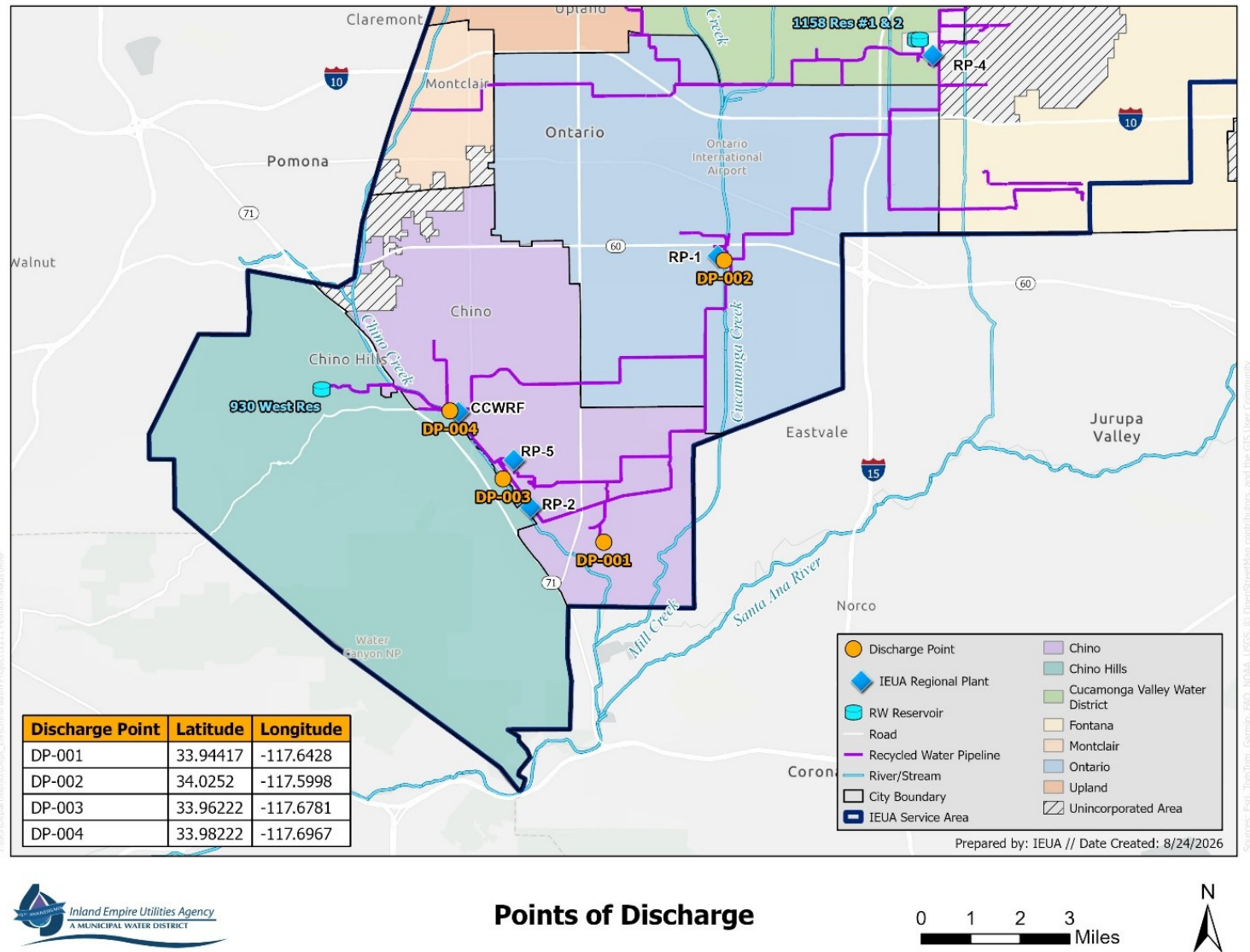


Figure 1. WW0116 Overview Map