

**NOTICE OF AVAILABILITY OF
A DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
FOR EXTENSION OF THE YUBA ACCORD LONG-TERM WATER TRANSFER PROGRAM**

Date: April 5, 2024
Subject: Notice of Availability of a Draft Supplemental Environmental Impact Report
Project: Extension of the Yuba Accord Long-Term Water Transfer Program
Review Period: April 5, 2024 through May 20, 2024

The draft supplemental environmental impact report (Draft SEIR) (State Clearinghouse No. 2005062111) for the proposed Extension of the Yuba Accord Long-Term Water Transfer Program (Proposed Extension) is now available for review. Public review and comment on this document is invited for a 45-day period extending from April 5, 2024 through May 20, 2024.

Background

The Yuba Accord is a comprehensive settlement that implements a set of collaboratively developed, science-based instream flow requirements which protect and enhance fisheries and aquatic resources and enhance local and state-wide water supply reliability. The Yuba County Water Agency (Yuba Water) certified a detailed environmental impact report (EIR) analyzing the environmental effects of the Yuba Accord in 2007 and implemented the Yuba Accord in 2008.

The Yuba Accord originally consisted of three separate but related agreements: (1) the Agreement for Long-Term Purchase of Water from Yuba Water by the Department of Water Resources (DWR), dated December 4, 2007, as amended by Amendment Nos. 1-7 (the Yuba Water/DWR Water Purchase Agreement [Water Purchase Agreement]); (2) the Lower Yuba River Agreement for the Conjunctive Use of Surface and Groundwater Supplies between Yuba Water and each of the Yuba Water Member Units (water and irrigation districts and companies), as amended by Amendment Nos. 1-7 (the Yuba Water/Member Units Conjunctive Use Agreements [Conjunctive Use Agreements]); and (3) the Lower Yuba River Fisheries Agreement dated November 5, 2007 (effective March 18, 2008) among Yuba Water, California Department of Fish and Game (now California Department of Fish and Wildlife [CDFW]), South Yuba River Citizens League, Friends of the River, Trout Unlimited, and The Bay Institute (the Fisheries Agreement).

The existing Water Transfer Program consists of (1) storage water transfers of up to 200,000 acre-feet per year; (2) groundwater substitution water transfers of up to 90,000 acre-feet per year and up to 180,000 acre-feet in a three-year period; (3) redistribution of transfer water at authorized points of redistribution (PORDs) (State Water Project [SWP] and Central Valley Project [CVP] Delta export facilities, San Luis Dam at San Luis Reservoir, Freeport Regional Water Facility, and (as approved in the last three years for one-year transfers) Contra Costa Water District [CCWD] intakes); (4) use of transfer water within the SWP and CVP service areas; and (5) use of transfer water for authorized purposes of use (irrigation and municipal uses). The existing Water Transfer Program is operated through: (1) the Water Purchase Agreement; (2) the Conjunctive Use Agreements; and (3) the Yuba Water/CCWD/East Bay Municipal Utilities District (EBMUD) Water Transfer Option Agreement (Water Transfer Option Agreement), and will expire on December 31, 2025, consistent with Corrected Order WR 2008-0014.

Proposed Extension

Yuba Water proposes to extend the Water Transfer Program beyond December 31, 2025, with comparable terms as the existing agreements, which include: (1) the Water Purchase Agreement; (2) the Yuba Water/CCWD/EBMUD Water Transfer Option Agreement; (3) the Conjunctive Use Agreements; and (4) the terms and conditions imposed in SWRCB Corrected Order WR 2008-0014 and subsequent Yuba Accord water transfer change petitions approved by the State Water Resources Control Board (SWRCB).

The Proposed Extension will include the following components:

- ▶ an agreement between Yuba Water and DWR to extend the term of the Water Purchase Agreement through 2050;
- ▶ an agreement among Yuba Water, CCWD, and EBMUD to extend the term of the Water Transfer Option Agreement through 2050;
- ▶ agreements among Yuba Water and its Member Units to extend the term of the Conjunctive Use Agreements through 2050; and
- ▶ petitioning the SWRCB to extend approval of the existing places of use, purposes of use, and points of diversion, including the three CCWD Delta intakes as long-term places of use and PORs, respectively, for the Water Transfer Program through 2050.

As reflected by this list, the Proposed Extension is a continuation of the Water Transfer Program, beyond December 31, 2025, under its existing provisions. Although no substantial changes to the Water Transfer Program are proposed, Yuba Water, as lead agency, has chosen to prepare an SEIR to evaluate the potential environmental effects of the Proposed Extension.

Location and Place of Use Under the Proposed Extension

The Proposed Extension would not result in any changes to the areas encompassed by the Yuba Accord, as modified to date. The Water Transfer Program would continue to encompass the same area as the Yuba Accord's original Water Purchase Agreement, as modified by subsequent addenda adopted by Yuba Water and change petitions approved by the SWRCB.

Significant Environmental Impacts

The Draft SEIR evaluates the potential impacts of the Proposed Extension in the following environmental impact areas: Surface Water Supply and Management, Groundwater Resources, Fisheries and Aquatic Resources, and Surface Water Quality. There would be no significant or potentially significant impacts associated with the Proposed Extension.

The Proposed Extension would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Document Availability

A copy of the Draft SEIR may be reviewed during normal business hours at Yuba Water Headquarters, 1220 F Street, Marysville, CA 95901-4740; or online at: <https://www.yubawater.org/157/Lower-Yuba-River-Accord>.

Public Review and Comments

Written and/or email comments on the Draft SEIR should be provided at the earliest possible date but must be received by no later than 5:00 p.m. on May 20, 2024. Please send all comments on the Draft SEIR to:

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