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44-09152025-141

013-25 NOD

Notice of Determination

BOARD OF SUPERVISORS
COUNTY OF SANTA CRUZ

To:

☒ Office of Planning and Research

U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

Street Address

1400 Tenth St., Rm 113

Sacramento, CA 95814

Public Agency: Yuba County Water Agency

Address: 1220 F Street

Marysville, CA 95901-4740

Contact: Jacob Vander Meulen

Phone: (530) 443-7412

☒ County Clerk

County of: Various (see attached)

Lead Agency (if different from above):

Same as above

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resource Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2005062111

Project Title: Lower Yuba River Accord 2026 Water Transfer Program

Project Applicant: Yuba County Water Agency

Project Location (include county): Yuba and other counties (see Figures 1 and 2 attached)

Project Description:

The Lower Yuba River Accord (Yuba Accord), implemented by Yuba County Water Agency (Yuba Water) since 2008, is a comprehensive settlement resolving issues regarding instream flow requirements for the lower Yuba River, water transfers, conjunctive use of surface water and groundwater, and fisheries management. The environmental effects of the Yuba Accord were evaluated in an EIR, which was certified in 2007 (State Clearinghouse No. 2005062111). The Yuba Accord's Water Transfer Program includes a maximum transfer of 200,000 acre-feet per year from all sources, including reservoir storage releases and groundwater substitution. The existing Water Transfer Program is operated through: (1) Yuba Water's Water Purchase Agreement with the Department of Water Resources; (2) Yuba Water's Conjunctive Use Agreements with its member units; and (3) the Yuba Water/Contra Costa Water District/East Bay Municipal Utility District Water Transfer Option Agreement. The Water Transfer Program's initial term was to expire on December 31, 2025. Yuba Water is in the process of extending the Water Transfer Program through December 31, 2050 (Extended Water Transfer Program). On April 2, 2024, Yuba Water filed a petition for change with the State Water Resources Control Board (SWRCB) to implement the Extended Water Transfer Program. Additionally, on September 17, 2024, Yuba Water, as lead agency, certified a supplemental EIR (supplement to the 2007 EIR) that evaluated the potential environmental effects of the Extended Water Transfer Program. The SWRCB assigned the petition to the Board's Administrative Hearing Office which is currently pending. While the Extended Water Transfer Program petition is pending, Yuba Water is now proposing a one-year extension of the Water Transfer Program through December 31, 2026 or until the effective date of any final SWRCB order approving the Extended Water Transfer Program (2026 Water Transfer Program). The Agency would conduct the 2026 Water Transfer Program under the same conditions as those studied in the final supplement EIR, except that the program term would be limited to 2026 instead of 2026 through 2050.

This is to advise that the Yuba County Water Agency Board of Directors has approved the above

(☒ Lead Agency or ☐ Responsible Agency)

described project on September 2, 2025 and has made the following determinations regarding the above described project.

1. The proposed 2026 Water Transfer Program (project) will not result in any new or substantially more severe significant environmental impacts beyond those described in the certified 2007 EIR and 2024 supplemental EIR.
2. the proposed project is within the scope of the environmental analysis in the final supplemental EIR certified in September 2024, and the aforementioned conditions requiring further review under CEQA are not present.
3. Mitigation measures from the certified 2007 EIR and 2024 supplemental EIR were made a condition of the approval of the project; no new project-specific mitigation measures are required.
4. The implementation of applicable mitigation measures from the certified 2007 EIR and 2024 supplemental EIR will be monitored and reported pursuant to the existing Yuba Accord Mitigation Monitoring and Reporting Program.
5. A Statement of Overriding Considerations was not required or adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

<https://www.yubawater.org/157/Lower-Yuba-River-Accord> or 1220 F Street, Marysville, CA 95901-4740

Signature (Public Agency):

Jacob Vander Meulen

THIS NOTICE HAS BEEN POSTED AT THE CLERK

OF THE BOARD OF SUPERVISORS OFFICE FOR A

Date: 09-09-2025

Date Received for filing at OPR:

PERIOD COMMENCING

9/15/2025

Authority cited: Sections 21083, Public Resources Code.

Reference Section: 21000-21174, Public Resources Code Revised 2011

AND ENDING

10/20/2025