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## State Water Resources Control Board

### **NOTICE OF PETITION FOR LONG-TERM TRANSFER WATER RIGHT PERMIT 15026 (APPLICATION 5632) OF YUBA COUNTY WATER AGENCY**

On April 4, 2024, Yuba County Water Agency (Yuba Water) filed a petition for the long-term transfer of up to 200,000 acre-feet of water annually under water right Permit 15026 (Application 5632) with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), pursuant to Water Code section 1735 et seq.

With the petition, Yuba Water seeks to continue operation of the Lower Yuba River Accord (Yuba Accord) Water Transfer Program, which was originally authorized through December 31, 2025, by State Water Board Corrected Order WR 2008-0014<sup>1</sup> (Corrected Order WR 2008-0014). Since adoption of Corrected Order WR 2008-0014, the State Water Board has issued supplemental orders authorizing the Freeport Regional Water Project intake, San Luis Dam, and the Delta intakes of Contra Costa Water District (CCWD)<sup>2</sup> as additional points of diversion for the Yuba Accord Water Transfer Program.

#### **Summary of Petition for Long-Term Transfer**

To enable a 25-year extension of the Yuba Accord Water Transfer Program, Yuba Water has petitioned the State Water Board for a long-term transfer requesting the addition of the following points of diversion, places of use, and purposes of use to Permit 15026 through December 31, 2050.

#### *Points of Rediversion to be added to Permit 15026:*

- 1) Department of Water Resources (DWR) State Water Project (SWP)  
Harvey O. Banks Pumping Plant

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<sup>1</sup> A copy of State Water Board Corrected Order WR 2008-0014 is available on the State Water Board's website at:

[https://www.waterboards.ca.gov/waterrights/board\\_decisions/adopted\\_orders/orders/2008/wro2008\\_0014corrected.pdf](https://www.waterboards.ca.gov/waterrights/board_decisions/adopted_orders/orders/2008/wro2008_0014corrected.pdf)

<sup>2</sup> The Delta intakes of CCWD are currently authorized through December 31, 2024 via a temporary transfer pursuant to Water Code section 1725.

- 2) U.S. Bureau of Reclamation (Reclamation) Central Valley Project (CVP) C.W. "Bill" Jones Pumping Plant
- 3) Freeport Regional Water Project intake on the Sacramento River
- 4) San Luis Dam at San Luis Reservoir
- 5) CCWD Rock Slough Intake
- 6) CCWD Old River Intake
- 7) CCWD Middle River Intake on Victoria Canal
- 8) Castaic Dam
- 9) Perris Dam
- 10) Pyramid Dam

*Place of Use to be added to Permit 15026:*

The service areas of the SWP (as shown on maps 1878-1, 2, 3, & 4 on file for DWR's Permit 16478 (Application 5630)) and the CVP (as shown on map 214-208-12581 on file for Reclamation's Permit 12721 (Application 5626)).

The State Water Board issued an order on February 25, 2015 to modify Corrected Order WR 2008-0014, allowing Yuba Water to redivert transferred water to storage in San Luis Reservoir for later use by CVP contractors. With the current petition, Yuba Water has requested that San Luis Reservoir be authorized as a point of rediversion relative to both CVP and SWP contractors.

*Purposes of Use to be added to Permit 15026:*

Municipal, salinity control, and water quality control

A copy of the petition and petition supplements is available on Yuba Water's website at:

<https://www.yubawater.org/326/Public-Notices>

**Environmental Information**

Pursuant to the requirements of the California Environmental Quality Act, Yuba Water is serving as lead agency for preparation of a supplemental environmental impact report (SEIR) (supplement to the 2007 Lower Yuba River Accord EIR) in support of the proposed extension of the Yuba Accord Water Transfer Program. On April 5, 2024, Yuba Water released the draft SEIR for public comment which is available on Yuba Water's website at:

<https://www.yubawater.org/157/Lower-Yuba-River-Accord>

## **Protest Submittal Information**

### Protest Requirements

A person may file a protest against approval of the petition with the State Water Board. The protest may be based on any appropriate grounds consistent with the California Water Code, including:

- Injury to any legal user of water.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.
- Not within the jurisdiction of the State Water Board.

All protests must clearly describe the objections to approval of the petition, and the factual basis for those objections. For example, if the objection is based on injury to a legal water user, the protest must describe the specific injury to the user that would result from approval of the changes proposed by the petition. In addition, the party claiming injury must provide specific information that describes the basis of the use, the date the use began, the quantity of water use, the purpose of use, and the place of use. Protests based on environmental impacts, public interest, legality, or jurisdictional issues must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the State Water Board may reject the protest or request that the protestant submit additional information. Protests should be specific to the petition.

A protest should also contain a description of measures that could result in withdrawal of the protest.

### Procedure for Submitting Protests

Any protest must comply with article 9 of the California Code of Regulations, title 23, commencing with section 745. Protests may be provided via email.

Send copies of protests to both:

Kate Gaffney  
State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, CA 95812-2000  
[kathryn.gaffney@waterboards.ca.gov](mailto:kathryn.gaffney@waterboards.ca.gov)

John James  
Yuba County Water Agency  
1220 F Street  
Marysville, CA 95901  
[jjames@yubawater.org](mailto:jjames@yubawater.org)

Protest Submittal Deadline

**Protests submitted in response to this notice must be received by the Division by 4:30 p.m. on June 28, 2024.**

Protests not submitted by the close of the protest period will be subject to rejection.

**Contact Information**

Please direct all requests and questions regarding this notice to Kate Gaffney by e-mail at [kathryn.gaffney@waterboards.ca.gov](mailto:kathryn.gaffney@waterboards.ca.gov). Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Kate Gaffney, P.O. Box 2000, Sacramento, CA 95812-2000.

**Date of Notice: May 29, 2024**