ALAMEDA COUNTY WATER DISTRICT

43885 So. Grimmer Boulevard
Fremont, CA 94538

BOARD OF DIRECTORS

A G E N D A

February 12, 2026

6:00 P.M.

ACCESSIBLE PUBLIC MEETINGS: *Upon request, ACWD will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request at least 72 hours before the meeting to the District Secretary, ACWD, 43885 S. Grimmer Blvd., Fremont, CA 94538, or to marian.hsu@acwd.com stating your name, mailing address, phone number, and brief description of the requested materials and preferred alternative format or auxiliary aid or service.*

Members of the public may participate in this meeting in person at the District office located at 43885 South Grimmer Boulevard, Fremont or via webinar or teleconference. In person meetings are the primary format for the District's Board of Directors meetings. The District desires to accommodate remote participation by the public, therefore as a courtesy and technology permitting, the public will have the opportunity to fully participate in the meeting via zoom webinar. However, the District cannot guarantee that the public's remote access to any meeting will be uninterrupted before or during a meeting, and technical difficulties may occur from time to time. In those instances, so long as the public may attend the meeting in person, the meeting may be held or continue. Members of the public desiring to provide comments as a part of the meeting are encouraged to either submit written comments prior to the meeting or to attend the meeting in person.

To participate via zoom webinar: use the following link: https://us02web.zoom.us/j/84841469474?pwd=obQRZTJUs2DAAGps3uYVY2u8B1a7BK.1 (passcode: **530212**). To make comments or ask questions during the meeting, "raise your hand" or use the chat or Q&A feature in the zoom app at any time, or unmute and speak when invited.

To participate via teleconference, call any of the following phone numbers: 1-669-900-9128 or 1-346-248-7799 or 1-301-715-8592 followed by 848 4146 9474 (passcode: **530212**). To make comments or ask questions during the meeting, type *9 on your dial pad to "raise" or "lower" your "hand" at any time, or type *6 to mute or unmute and speak when invited.

This agenda and all accompanying materials can be viewed on the alameda county water district website at: www.acwd.org.

1. ROLL CALL

2. SALUTE TO THE FLAG

3. PUBLIC COMMENTS

Members of the public may address the Board on any issues not listed on the agenda which are within the purview of the Alameda County Water District. A 5-minute limit is customary; however the Board President may adjust the actual time allotted to accommodate the number of speakers. Members of the public who wish to address the Board on a scheduled agenda item will be given the opportunity to do so.

4. CONSENT CALENDAR

4.1 Approval of Minutes of Regular Board Meeting of January 8 and Special Board Meeting of January 20, 2026

4.2 Ratification of Payment of Audited Demands dated January 2, January 9, January 16, January 23, and January 30, 2026

4.3 Resolution Approving and Authorizing Execution of Public Water System Extension Agreement with Taylor Morrison of California, LLC, Tract 8665 – Cedar Townhomes, ACWD No. 2024-0023

5. ACTION CALENDAR

*Items recommended for action on the Consent Calendar are noted with an asterisk **

5.1 Delivery of Groundwater Monitoring Report and Survey Report, and Adoption of Resolutions Relating to the Replenishment Assessment Act

5.2 Resolution Amending the Rate and Fee Schedule Regarding Miscellaneous Fees and Charges, a Water Conservation Incentive, Facilities Connection Charges, A New Crisis Assistance Program, and Finding the Amendments Exempt from the California Environmental Quality Act

5.3 Resolution Authorizing the General Manager to Execute Amendment No. 7 to the Agreement for the Supply and Conveyance of Water by the Department of Water Resources of the State of California Under the Dry Year Water Purchase Program Between the Department of Water Resources and Alameda County Water District and to Take Related Actions, and Taking California Environmental Quality Act Responsible Agency Actions Based on Yuba County Water Agency's Previously Certified Environmental Impact Report and Supplemental Certified Environmental Impact Report

6. REPORTS

The reports provided to the Board under Section 6.1 will not be routinely reviewed at the Board meeting, unless a request to do so is made by a member of the Board or a member of the public.

6.1 BOARD COMMITTEE REPORTS

6.1.1 Operations & Water Quality Meeting of January 6, 2026

6.1.2 Engineering & Information Technology Meeting of January 7, 2026

6.1.3 Legal, Intergovernmental & Community Affairs Meeting of January 14, 2026

6.1.4 Finance & Administration Meeting of January 20, 2026

6.1.5 Water Resources & Conservation Meeting of January 28, 2026

6.2 OPERATIONAL REPORTS

6.2.1 Rainfall Report

6.2.2 Water Production Report

6.2.3 Quarterly Well Level Report

6.2.4 Quarterly Projects Review

6.2.5 Quarterly Directors' Expense Report

6.2.6 Investment Report

6.2.7 Quarterly Budget Report

6.2.8 Quarterly Personnel Report

6.2.9 Distribution System Monthly Hardness Map

6.3 STAFF PRESENTATIONS – None

6.4 GENERAL MANAGER'S REPORTS

6.4.1 Designation of Agency Representatives for the Alameda County Special Districts Association Membership Meetings

7. DIRECTOR'S COMMENTS, REPORTS ON MEETINGS ATTENDED, AND AGENDA ITEM REQUESTS

7.1 Report from Director Weed on the January 26, 2026, Association of California Water Agencies 2026 Water Policy Forum in Costa Mesa, California

7.2 Report from Director Weed on the February 11, 2026, Association of California Water Agencies 2026 Legislative Symposium in Sacramento, California

8. CLOSED SESSION

8.1 Pursuant to California Government Code Section 54957.6

- Conference with Labor Negotiators
  Agency Designated Negotiators: Ed Stevenson, Jonathan Wunderlich, Laura Hidas, Amy Reeve, and Stacey Cue

Employee Organizations: The Alameda County Water District Operators' Association

9. OPEN SESSION

9.1 Consideration of Terms and Conditions for a Successor Memorandum of Understanding between the Alameda County Water District and the ACWD Operators' Association

10. ADJOURNMENT

FEBRUARY 2026 STANDING COMMITTEE MEETINGS

STANDING COMMITTEE	BOARD MEMBERS	TIME AND PLACE
Operations & Water Quality	Directors Sethy (Chair) and Gunther	February 3, 4:15 P.M. – Board Room and via Teleconference
Engineering & Information Technology	Directors Gunther (Chair) and Huang	February 4, 4:15 P.M. – Board Room and via Teleconference
Legal, Intergovernmental & Community Affairs	Directors Huang (Chair) and Akbari	February 11, 4:15 P.M. – Board Room and via Teleconference
Finance & Administration	Directors Weed (Chair) and Sethy	February 17, 3:00 P.M. – Board Room and via Teleconference
Water Resources & Conservation	Directors Akbari (Chair) and Weed	February 25, 3:30 P.M. – Board Room and via Teleconference

Committee meetings are open to the public. No Board action will be taken.

ALAMEDA COUNTY WATER DISTRICT
M E M O R A N D U M

DATE: February 9, 2026

TO: Board of Directors

FROM: Ed Stevenson

SUBJECT: Consent Calendar Items for Board Meeting of February 12, 2026

Attached for your information are items that will appear under the Consent Calendar.

4.1 Approval of Minutes of Regular Board Meeting of January 8 and Special Board Meeting of January 20, 2026

4.2 Ratification of Payment of Audited Demands dated January 2, January 9, January 16, January 23, and January 30, 2026

4.3 Resolution Approving and Authorizing Execution of Public Water System Extension Agreement with Taylor Morrison of California, LLC, Tract 8665 – Cedar Townhomes, ACWD No. 2024-0023. Located at Cedar Boulevard and Moores Avenue in Newark, this development is for 76 multi-family residential units. The Public Water System Extension Agreement is in the District's standard form and contains no special provisions.

jrs
Attachments
cc: Executive Staff

Approved_____ January 8, 2026
Fremont, California

The regular monthly meeting of the Board of Directors of ALAMEDA COUNTY WATER DISTRICT was held on January 8, 2026, at the hour of 6:07 P.M.

This meeting was conducted in person at the District's Headquarters and virtually by Zoom Webinar and Teleconference, and members of the public were invited to participate.

Present: Directors Weed, Huang, Gunther, Sethy, and Akbari

Staff members present: General Manager Ed Stevenson, Director of Operations & Maintenance Dan Stevenson, Director of Finance & Administration Jonathan Wunderlich, Director of Water Resources Laura Hidas, Director of Engineering & Technology Girum Awoke, Special Assistant to the General Manager Jackie McCloud, Senior Administrative Analyst Ethan Burch, General Counsel Patrick Miyaki, and District Secretary Marian Hsu.

President Akbari presided.

Director Huang led in the Salute to the Flag.

3 – PUBLIC COMMENTS – Fremont resident Kelly Abreu commented on current District construction activity, noting no major safety issues and identifying factors for future consideration.

4 – CONSENT CALENDAR

A motion was made by Director Gunther to add Items 5.2 through 5.4 to the Consent Calendar, seconded by Director Huang.

The motion was passed by the following vote:

AYES: Directors Weed, Huang, Gunther, Sethy, and Akbari
NOES: None
ABSENT: None

A motion was made by Director Gunther, seconded by Director Sethy to approve the following items on the Consent Calendar as amended.

4.1 Approval of Minutes of Regular Board Meeting of December 11, 2025

4.2 Ratification of Payment of Audited Demands dated November 30, December 5, December 12, and December 19, 2025

4.3 Resolution Approving and Authorizing Execution of Public Water System Extension Agreement with Lennar Homes of California, LLC, Tract 8251 – Station East, ACWD No. 2023-0023

RESOLUTION NO. 26-001

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT APPROVING AND AUTHORIZING EXECUTION OF PUBLIC WATER SYSTEM EXTENSION AGREEMENT WITH LENNAR HOMES OF CALIFORNIA, LLC, TRACT 8251, STATION EAST, ACWD NO. 2023-0023

4.4 Resolution Approving and Authorizing Execution of Public Water System Extension Agreement with 43990 Fremont Holdings, LLC, Palisade Fremont Boulevard, ACWD No. 2024-0022

RESOLUTION NO. 26-002

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT APPROVING AND AUTHORIZING EXECUTION OF PUBLIC WATER SYSTEM EXTENSION AGREEMENT WITH 43990 FREMONT HOLDINGS, LLC, PALISADE FREMONT BOULEVARD, ACWD NO. 2024-0022

5.2 Authorization of Amendment to Purchase Order for District Heavy-Duty Trucks to Include Two Specialized Utility Body Packages

5.3 Authorization of Amendment to Professional Services Agreement for Construction Inspection Services in Support of the Lindsay Tract and Birch Street Main Renewal Project

5.4 Authorization of Change Order for the Main Renewal – Central Newark Thornton Avenue Project

The motion was passed by the following vote:

AYES: Directors Weed, Huang, Gunther, Sethy, and Akbari
NOES: None
ABSENT: None

5 – ACTION CALENDAR

5.1 AUTHORIZATION OF PROFESSIONAL SERVICES AGREEMENT FOR MAINTENANCE AND SUPPORT SERVICES FOR THE GROUNDWATER MANAGEMENT SYSTEM DATABASE

The Groundwater Management System (GWMS) database is a custom Windows desktop application that includes a SQL Server (structured query language) database that is utilized by District staff for the management of data related to the District's Groundwater Protection programs, Well Ordinance programs, and Groundwater Monitoring programs. In 2010, two database applications, the Site and Well Management System and the Groundwater Monitoring Program were combined and migrated into GWMS which was specifically developed by Baber Technical Consulting (BTS) for the District. In the past, an annual or biennial agreement for services was utilized. To streamline and increase efficiency in the management of this program, a

five-year agreement for maintenance and support services is proposed. The proposed agreement is based on routine maintenance and support at a database fee of $1,670 per month, and for the development of any new features or enhancements to the database for an estimated fee not to exceed $5,000 per year for a total not to exceed amount of $125,200 for the five-year term of this agreement. There is sufficient funding in the budget for this expenditure. Board approval of this agreement will assist the District in achieving its Strategic Plan Goal 1.1 – Efficiently Manage and Maintain Our Infrastructure to Ensure Reliability and Strategic Plan Goal 2.1 – Maintain and Enhance Sustainability and Reliability of Local and Regional Water Supplies.

GWMS is a custom Microsoft desktop-based application utilized by District staff for the management of data related to the District's Groundwater Protection programs, Well Ordinance programs, and Groundwater Monitoring programs. GWMS is used to support the following: 1) drilling permits; 2) groundwater well information; 3) groundwater monitoring well level data collected from the Spring and Fall Groundwater Monitoring programs; and 4) documents/information in support of the District's oversight of cleanup sites.

In 2010, two database applications, the Site and Well Management System and the Groundwater Monitoring Program were combined and migrated into GWMS which was specifically developed by BTS for the District. To support a large portion of the work that the Groundwater Resources Division performs, the functionality and performance of GWMS must be maintained. To ensure optimal database performance and to address user-related issues, routine maintenance and support are required from BTS. The agreement includes updates to the GWMS application, work plans to incorporate any changes requested, and routine maintenance.

In the past, an annual or biennial agreement for services was utilized. Staff requested and received a proposal from BTS for continued maintenance and support of the GWMS for an additional five-year term. This agreement meets the criteria of Section I, "Sole and Single Source Procurements" of the District's Procurement Policy. The proposed agreement is based on routine maintenance and support at a database fee of $1,670 per month, and for the development of any new features or larger enhancements to the database for an estimated fee not to exceed $5,000 per year for a total not to exceed amount of $125,200 for the five-year term of this agreement.

Director Weed commented on the monitoring well program and monitoring tidal changes as a predictor of climate change and sea level rise. Mr. Ed Stevenson clarified that this item primarily addresses the system that collects and manages the data rather than actual field data collection.

A motion was made by Director Weed, seconded by Director Gunther to authorize the General Manager to execute a professional services agreement with Baber Technical Consulting, for a total not to exceed amount of $125,200 for a five-year term, in support of the Groundwater Management System database, Job 1400.

The motion was passed by the following vote:

AYES: Directors Weed, Huang, Gunther, Sethy, and Akbari
NOES: None
ABSENT: None

5.2* AUTHORIZATION OF AMENDMENT TO PURCHASE ORDER FOR DISTRICT HEAVY-DUTY TRUCKS TO INCLUDE TWO SPECIALIZED UTILITY BODY PACKAGES

On May 8, 2025, the Board authorized the purchase of five heavy-duty trucks with utility bodies identified for replacement within the District's vehicle replacement program. Two of these trucks are for use as Distribution Maintenance Division (DMD) utility crew trucks and require specialized body packages with features to allow crews to effectively perform their duties. These two trucks were mistakenly quoted and ordered with a standard utility body and will need to be upgraded to the specialized body packages for DMD use. An amendment is required to authorize the additional cost for the two utility truck specialized body packages. Adequate funding has been programmed in the budget for this expenditure. Board authorization of this item will assist the District in achieving its Strategic Plan Goal 1.1 – Efficiently Manage and Maintain Our Infrastructure to Ensure Reliability.

On May 8, 2025, the Board approved agenda Item 5.4 for the purchase of five heavy-duty trucks with utility bodies in the amount of $996,206.77 to National Auto Fleet Group. During subsequent review of fabrication submittals after the vehicle chassis were delivered to the utility body installer, it was discovered that the two utility trucks intended for use by DMD crews were mistakenly not quoted nor ordered with the specialized body package required by the DMD field crews. There is an additional cost required to upgrade the two originally ordered utility bodies to the specialized body packages. This cost is in addition to the previously quoted standard utility body packages.

The replacement DMD utility trucks are intended to have the same functionality as current utility trucks which the originally quoted standard utility bodies lack. The specialized body packages include an engine-driven Power Take-Off (PTO) and on-board air compressor for tools and trench dewatering pumps, the required cabinet layout for effective tool storage, worksite safety lighting, and features to permit efficient stowage and deployment of specialized tools used by the DMD crews. This amendment reflects the additional cost for the specialized body packages for the two DMD utility trucks. The additional cost for the specialized body packages for the two trucks is $223,591.66 for a total amended purchase order amount of $1,219,798.43. The corrected body packages have been reviewed and confirmed by District staff in coordination with National Auto Fleet Group.

The upgraded specialized utility body pricing and quotation were obtained through the Sourcewell cooperative purchasing program which is the same program that was used for the heavy-duty trucks and utility bodies in the original purchase order.

A motion was made by Director Gunther, seconded by Director Sethy to authorize the General Manager to execute an amendment to the purchase order to National Auto Fleet Group for five F600 heavy-duty trucks to include two specialized utility body packages for an additional amount of $223,591.66 for a total amended purchase order amount of $1,219,798.43.

The motion was passed by the following vote:

AYES: Directors Weed, Huang, Gunther, Sethy, and Akbari
NOES: None

ABSENT: None

5.3* AUTHORIZATION OF AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION INSPECTION SERVICES IN SUPPORT OF THE LINDSAY TRACT AND BIRCH STREET MAIN RENEWAL PROJECT

The Lindsay Tract and Birch Street Main Renewal Project (Lindsay Tract Project) is replacing approximately 6,710 feet of pipeline and associated appurtenances in Newark. Construction began in October 2024 and is expected to be completed in the spring of 2026. Additional construction inspection services are required to support the remaining work. There is adequate funding in the current fiscal year project budget for this expenditure. This item was most recently reviewed with the Engineering and Information Technology Committee on September 3, 2025. Board authorization of this amendment will help meet the District's Strategic Plan Goal 1.1 – Efficiently Manage and Maintain Our Infrastructure to Ensure Reliability.

The Lindsay Tract Project is replacing approximately 6,710 feet of pipeline and appurtenances on residential streets proximate to Thornton Avenue in Newark. Construction began in October 2024 and is expected to be completed in the spring of 2026. On March 14, 2024, the Board authorized a professional services agreement with Alpha CM, Inc. (Alpha CM) in an amount not to exceed $496,215 for construction inspection services for the Central Newark Thornton Avenue Project, Job 21235. Once the Lindsay Tract Project was ready for construction, and in accordance with the consultant procurement process and proposal, on August 8, 2024, the Board authorized an amendment to Alpha CM's agreement in the amount of $422,534 to add construction inspection services for the Lindsay Tract Project.

Due to unforeseen site conditions and other issues, the Lindsay Tract Project has extended beyond the originally anticipated completion date and is now expected to be completed in the spring of 2026. Ongoing construction inspection is required until the Lindsay Tract Project is completed. Staff requested Alpha CM to submit a proposal to provide additional inspection services through the anticipated completion date. Alpha CM's estimated cost to perform the added Lindsay Tract Project work on a time and expense basis is an amount not to exceed $ 248,924.62. Staff evaluated the proposal and found it to be reasonable for the services to be provided.

A motion was made by Director Gunther, seconded by Director Sethy to authorize the General Manager to execute an amendment to the professional services agreement with Alpha CM, Inc. for construction inspection services in an additional amount not to exceed $248,924.62 for the Lindsay Tract and Birch Street Main Renewal Project, Job 21348.

The motion was passed by the following vote:

AYES: Directors Weed, Huang, Gunther, Sethy, and Akbari
NOES: None
ABSENT: None

5.4* AUTHORIZATION OF CHANGE ORDER FOR THE MAIN RENEWAL – CENTRAL NEWARK THORNTON AVENUE PROJECT

The Board previously awarded construction of the Main Renewal – Central Newark Thornton Avenue Project (Project) to A & B Construction, Inc. The Project is replacing approximately 5,200 feet of existing water main on Thornton Avenue between Cedar Boulevard and Cherry Street in Newark, and construction is nearing completion. Contract Change Order No. 6 has been prepared to address additional work associated with unforeseen conditions discovered during construction, changed quantities, and other necessary design modifications. There is adequate funding in the current fiscal year project budget for this expenditure. The status of this project was reviewed with the Engineering and Information Technology Committee on September 3, 2025. Board authorization of this Contract Change Order will help meet the District's Strategic Plan Goal 1.1 – Efficiently Manage and Maintain Our Infrastructure to Ensure Reliability.

On January 11, 2024, the Board awarded the Project to A & B Construction, Inc. (A&B) in the amount of $10,823,439 and authorized the General Manager to execute change orders up to 7% of the contract value, or $757,640.73. The Project is replacing approximately 5,200 feet of water main and appurtenances on Thornton Avenue between Cedar Boulevard and Cherry Street in Newark. Construction began in May 2024 and is nearing completion. On October 10, 2024, the Board authorized Contract Change Order No. 1 in an amount not to exceed $1,270,533 to address the disposal of non-hazardous Class II soils discovered during excavation and reauthorized the General Manager to execute 7% of the contract value, or $757,650.73 for future change orders that could arise during construction. Contract Change Order Nos. 2, 3, and 4 in the total amount of $715,968.48 were authorized by the General Manager to address design changes due to unforeseen utility conflicts and additional locating of unforeseen utilities. Contract Change Order No. 5 was authorized by the Board at the October 9, 2025, Board meeting to address design changes due to unforeseen utility conflicts.

Contract Change Order No. 6 in the amount of $522,720.21 is now required to address additional design changes associated with unforeseen utilities, changes in paving quantity, and other necessary design modifications. Staff evaluated the cost proposal for the additional work and found it to be reasonable.

A motion was made by Director Gunther, seconded by Director Sethy to approve Change Order No. 6 in the amount of $522,720.21 to A & B Construction, Inc. for the Main Renewal – Central Newark Thornton Avenue Project, Job 21235.

The motion was passed by the following vote:

AYES: Directors Weed, Huang, Gunther, Sethy, and Akbari
NOES: None
ABSENT: None

5.5 AUTHORIZATION TO EXECUTE AMENDMENT TO POWER PURCHASE AGREEMENT FOR CLEAN ENERGY PROGRAM AT WHITFIELD RESERVOIR

Mr. Awoke reported that the District's Clean Energy Program, Phase 1 (Program) will implement solar photovoltaic systems at four District facilities. In October 2021, the District executed Power Purchase Agreements (PPAs) for Phase 1 sites (Headquarters, Mayhew Reservoir, Newark Desalination Facility, and Whitfield Reservoir) and Phase 2 sites (Alameda Reservoir and Decoto Reservoir sites) with DG West 1, LLC. The Phase 1 PPAs were previously amended twice to address changed economic and other conditions, and construction is now nearing completion at three Phase 1 sites. The PPA for the fourth Phase 1 site, Whitfield Reservoir, now requires an amendment to address necessary modifications to the proposed photovoltaic layout necessitated by a restrictive easement on the property and the assignment of the PPA for the Whitfield Reservoir from DG West 1, LLC to DG Alameda II, LLC. This item was most recently reviewed with the Engineering and Information Technology Committee on December 17, 2025. Board authorization of execution of the amendment will help meet the District's Strategic Plan Goal No. 1 – Maintain and Improve Cost Effectiveness and Value of District Services.

On September 9, 2021, the Board authorized the execution of four Phase 1 PPAs and two Phase 2 PPAs with DG West 1, LLC. Following PPA execution in October 2021, DG West 1, LLC, commenced preliminary engineering designs for the four Phase 1 sites, and 30% designs were submitted to the District in January 2022. In October 2022, the Board authorized the first amendments to the Phase 1 PPAs to address potential tariffs on imported solar panels and cost challenges associated with procuring electrical equipment for the Program that allowed the Program to continue under new contract prices and other minor changes. The amendments reduced the District's projected energy cost savings from $10.45 million to $8.25 million over the 25-year PPA duration and changed the expiration of the vendor's early termination clause from the submittal of construction documents to the submittal of the 90% design set. During this period, the system design advanced from 30 to 60 percent complete.

Following delays associated with changes to DG West 1, LLC's selected engineering, procurement, and construction contractor (EPC), and changes in the economic climate affecting project financing, in February 2024, the Board authorized second amendments to the Phase 1 PPAs that allowed the program to continue under new contract prices. Other changes included removing DG West 1, LLC's ability to terminate the PPAs for financial reasons, the addition of liquidated damages for delayed operation of the system beyond the Commercial Operation Date (COD), and reduction in termination payment should the District decide to terminate the PPAs.

The design of the photovoltaic systems was completed, building permits were issued by the City of Fremont and City of Newark, and DG West 1, LLC initiated construction of the photovoltaic systems at Headquarters, Mayhew Reservoir, and the Newark Desalination Facility. Construction is now nearing completion for these three Phase 1 sites.

In January 2025, the City of Fremont reviewed Issued for Permit contract documents for Whitfield Reservoir and noted the existence of a previously mislocated PG&E easement on the project site. Upon review and further coordination with PG&E, the easement was determined to preclude installation of any improvements within the easement area, including photovoltaic panels on a portion of the site. The resulting reduction in the number of photovoltaic panels to accommodate

the easement restriction has changed the financial viability of the Program at this site. In July 2025, DG West 1, LLC provided written notice that DG West 1, LLC assigned all rights, title, and interest to the PPA for Whitefield Reservoir to DG Alameda II, LLC in accordance with the provisions in the PPA. DG Alameda II, LLC proposed a third amendment to the Whitfield Reservoir PPA that incorporates the following terms: a) revised site layout with an approximately 5% reduced system size and production guarantee, b) extension of the Commercial Operation Date to August 31, 2026, c) contract extension from 25 years to 30 years, and d) no change in PPA price (the second amendment PPA price still applies from year 1 to year 30). Other contract modifications included in the second and first amendments are maintained. Using a 3% annual utility cost escalation, the net present value lifetime savings achieved via the revised Whitfield Reservoir PPA are estimated to be $4,420,000 compared to $4,390,000 per the terms of the third amendment.

Staff recommended approval of the third amendment to the PPA for the Whitefield Reservoir in order to avoid additional risks to the District which include: a) failing to enroll the Whitfield site in PG&E's Renewable Energy Self-Generation Bill Credit Transfer (RES-BCT) program, and b) potential future changes by PG&E to the terms of its RES-BCT program. The risk due to the system aging beyond 25 years is carried by DG Alameda II, LLC due to the production guarantees in the PPA.

Discussion ensued and staff responded to comments and inquiries from the Board. Director Huang asked staff to return with a status update on the District's RES-BCT application. Director Sethy commented on the PG&E right-of-way and proper demarcation of underground utilities at the site. Directors Sethy and Abkari also requested a public dedication event upon project completion.

Fremont resident Ken Nishimura expressed support and noted financial benefits of participating in the RES-BCT program.

A motion was made by Director Sethy, seconded by Director Gunther to authorize the General Manager to execute a third amendment to the Power Purchase Agreement for Whitfield Reservoir with DG Alameda II, LLC, for the Clean Energy Program, Job 10093.

The motion was passed by the following vote:

AYES: Directors Weed, Huang, Gunther, Sethy, and Akbari
NOES: None
ABSENT: None

5.6 RESOLUTION APPROVING THE ALAMEDA COUNTY WATER DISTRICT STRATEGIC PLAN 2025-2030

Mr. Stevenson provided opening remarks and introduced presenters Jackie McCloud and Ethan Burch. The Alameda County Water District Strategic Plan (Strategic Plan) outlines the District's key priorities and strategic direction, providing guidance to the District in aligning its operations, investments, and initiatives with long-term community needs, regulatory expectations, and organizational values. It helps all District functions focus resources, measure progress, and adapt to emerging challenges in a transparent and accountable manner. The Strategic Plan is intended to

be a practical tool that clarifies the District's mission, vision, and values, establishes measurable goals and strategies, supports decision-making, and promotes resiliency and adaptability.

During 2025 and building on the District's first strategic plan from 2018, the Board and staff undertook the update and enhancement of the District's Strategic Plan. Through a series of Board workshops, internal and external engagement, and dozens of discussions among internal workgroups, the District collaboratively developed the Strategic Plan 2025-2030 which is presented for Board approval.

The Strategic Plan 2025-2030 builds on the strong foundation of the 2018 Strategic Plan by maintaining continuity in core objectives while introducing a new structure of Pillars and Strategies, and adding emphasis on key priorities, such as emergency preparedness, asset management, affordability, organizational culture, safety, and resilience. The Strategic Plan 2025-2030 also incorporates an Implementation Action Plan which, as an industry best practice, is to be completed, maintained, and updated by staff over the duration of the Strategic Plan, with regular progress reporting to the Board.

Approval of the Strategic Plan 2025-2030 will help advance all of the strategic goals in the District's current Strategic Plan, as well as the additional and modified strategic objectives enumerated by the Board during its preparation.

The District's 2018 Strategic Plan established five strategic goals with associated objectives and outcomes. In early 2025, the District began the process of updating the Strategic Plan to ensure alignment with current organizational priorities and community expectations. The update was guided by consultant Jennifer Persike & Company and included extensive internal and external engagement with interested parties.

Board and public engagement began with a Special Board Workshop on March 27, 2025, during which staff reviewed the 2018 Strategic Plan, several proposed Strategic Plan enhancements, and a proposed schedule for the update. The Board considered the development of a District Vision statement and enumeration of the District's Core Values. Subsequent workshops on June 26 and July 31, 2025, focused on refining the Vision, Values, and Mission statements, as well as the introduction of new and refined strategic objectives. The final workshop on November 6, 2025, presented the final draft Strategic Plan and sample content from the staff-developed Implementation Action Plan.

<u>Overview of the Strategic Plan 2025-2030</u>:

Key elements of the Strategic Plan 2025-2030 include:

- A revised Mission: "To provide our customers with reliable, sustainable, high-quality water service at a reasonable price"
- A new Vision: "Quality water, thriving community"
- Newly defined Values: Service, Safety, Trust, Resilience, Collaboration, and Stewardship
- A restructured framework featuring Pillars (organizational focus areas), Goals (priorities), and Strategies (pathways to achieve goals)

- A separate Implementation Action Plan detailing tactics, metrics, outcomes, and responsible parties

Building from the District's 2018 Strategic Plan

The Strategic Plan 2025-2030 maintains continuity of many core themes, but expands and deepens the District's strategic initiatives in several areas:

Strategic Area	2018 Strategic Plan	Strategic Plan 2025-2030
Cost Effectiveness & Value	Focused on infrastructure, water quality, emergency preparedness, and customer efficiency programs.	Expanded to include innovation, asset management, and technology integration.
Water Supply	Emphasized reliability, conservation, and planning for future supplies.	Adds emphasis on resilience, regional partnerships, and implementation of the Water Resources Master Plan.
Finance	Focused on revenue stability, cost reasonableness, and transparency.	Adds affordability, customer access, and enhanced financial reporting standards.
Workforce	Addressed recruitment, retention, and engagement.	Adds succession planning, safety, and organizational culture.
Communication	Focused on outreach and engagement tools.	Expands to include accessibility, underserved communities, and emergency preparedness messaging.
Emergency Preparedness	Addressed under Cost Effectiveness & Value.	Elevated to a standalone pillar with detailed strategies for programmatic, infrastructure, human, and organizational cultural readiness.

Strategic Plan 2025-2030 Structure and Organization

In keeping with industry best practices for strategic plan development and presentation to the public, the District has refined the structure of its Strategic Plan. The Strategic Plan 2025-2030 includes the following key elements:

- Pillars – strategic areas of focus
- Goals – organizational priorities

- Strategies – pathways to meeting the District's goals

Each Pillar has a corresponding set of Strategies, and each Strategy is further broken down into Tactics, Metrics (as applicable), Outcomes, and Owners.

The figure below identifies the key elements, how the key elements are linked, and how the Board's decisions have been incorporated into the process. The Tactics and core Metrics are detailed in the new Implementation Action Plan which is included as an appendix to the Strategic Plan 2025-2030.

Strategic Plan Structure and Hierarchy

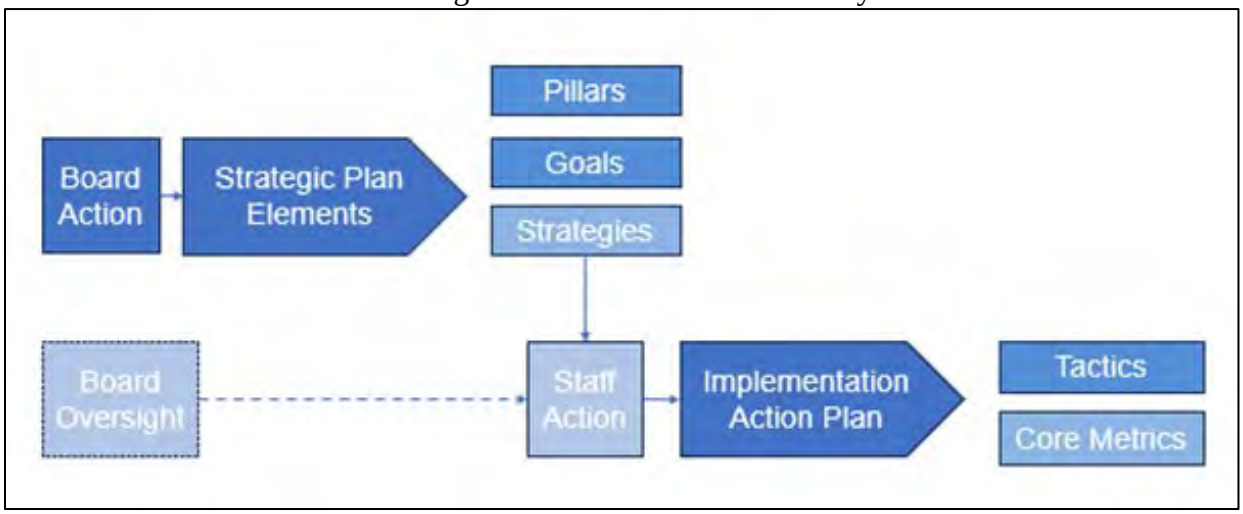


Figure 1: Strategic Plan 2025-2030 Structure and Hierarchy.

The updated Strategic Plan 2025-2030 structure is designed to improve clarity, accountability, and alignment with industry best practices.

Ms. McCloud briefly walked through each pillar, strategic goal, and their corresponding strategies.

Staff responded to comments and inquiries from the Board.

Implementation Action Plan

The Implementation Action Plan is a key enhancement that operationalizes the District's strategic goals. It serves as a detailed roadmap that translates each of the six strategic Pillars into specific, measurable Tactics that are assigned to individuals or work groups. Many Tactics are assigned Metrics for operational tracking and success monitoring, as well as Outcomes intended to align with the Pillars. Many Metrics and Outcomes intentionally reflect "stretch goals" which are understood to be ambitious but ideal if achieved.

The Implementation Action Plan, while linked to the Strategic Plan 2025-2030, will be completed, updated, and maintained by staff and as such, does not require Board approval. However, the Implementation Action Plan serves as the basis for tracking key performance Metrics and status and progress updates to the Board.

Internal and External Engagement

In addition to the series of Board meetings and workshops, staff conducted a comprehensive customer survey and engaged all District employees as well as subject matter experts and individual workgroups to inform the Strategic Plan 2025-2030. Staff conducted a series of internal open house meetings, employee surveys, challenges, and other employee initiatives to solicit input on key Strategic Plan 2025-2030 elements, and to provide ranked staff input to the Board for consideration. Staff also extended presentation offers to many public agencies and presented to the City Councils of Newark and Union City. External engagement also included a presentation to the Silicon Valley Chinese Rotary Club.

With Board approval of the Strategic Plan 2025-2030, staff will work toward accomplishing the updated Strategies by implementing the associated Tactics. Additionally, staff will finalize development and begin implementing the Implementation Action Plan with updated Tactics and Metrics.

Mr. Burch explained the staff-developed tactics, metrics, ownership, and timelines supporting the 5-year strategic plan.

Staff received comments and feedback from the Board regarding the Implementation Action Plan. The Board thanked staff for all their efforts.

Mr. Nishimura provided comments to the Board regarding affordability and customer readiness for emergencies.

A motion was made by Director Huang, seconded by Director Gunther to adopt a resolution approving the Alameda County Water District Strategic Plan 2025-2030.

RESOLUTION NO. 26-003

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT APPROVING THE ALAMEDA COUNTY WATER DISTRICT STRATEGIC PLAN 2025-2030

The motion was passed by the following vote:

AYES: Directors Weed, Huang, Gunther, Sethy, and Akbari
NOES: None
ABSENT: None

6 – REPORTS

6.1 BOARD COMMITTEE REPORTS

- Operations & Water Quality Meeting of December 9, 2025: 1) Public Comments; 2) Alameda Creek Watershed Operations Overview and State Water Board Watershed Programs; 3) Operations Technology Incident Response and Disaster Recovery Plans
- Water Resources & Conservation Meeting of December 10, 2025: 1) Public Comments; 2) 2024 Water Loss Audit Report; 3) Coalition for Water Data Streamlining
- Finance & Administration Meeting of December 16, 2025: 1) Public Comments; 2) Grants Management Contract; 3) Help on Tap Program Update; 4) Income Statement; 5) Budget Report
- Engineering & Information Technology Meeting of December 17, 2025: 1) Public Comments; 2) Clean Energy Program Update; 3) Update on Development Projects in Central Fremont; 4) Update on District Properties and Available Property
- Legal, Intergovernmental & Community Affairs Meeting of December 18, 2025: 1) Public Comments; 2) Website Redesign Update; 3) Public Outreach Update; 4) Special Assistant to the General Manager's Report

6.2 OPERATIONAL REPORTS

- Rainfall Report – Ms. Hidas updated the Board with the current rainfall and noted that it was above the annual average to date.
- Water Production Report
- Quarterly Groundwater Recharge Report
- Investment Report
- Distribution System Monthly Hardness Map – Mr. Dan Stevenson explained that the temporary increase in water hardness is a result of the San Francisco Public Utilities Commission shift to local supplies for enhanced annual system maintenance. Normal operations are expected to resume on March 18, 2026.

6.3 STAFF PRESENTATIONS

- Help on Tap Annual Update and Crisis Assistance Program Proposal – Mr. Burch presented an update on the Help on Top program and the proposed crisis assistance program and received guidance from the Board.

6.4 GENERAL MANAGER'S REPORTS

- Mr. Ed Stevenson updated the Board on the Association of California Water Agencies (ACWA) Committee 2026 appointments and noted that staff is confirming any additional appointments. He also clarified that anyone can join a committee or subcommittee meeting, though voting rights may be limited.
- Mr. Stevenson informed the Board that dates for a possible joint workshop with the Union Sanitary District have not yet been identified and will likely be set later in the year.

- Mr. Stevenson announced that this day marked Ms. Hidas' 25th work anniversary at the District.

7 – DIRECTOR'S COMMENTS, REPORTS ON MEETINGS ATTENDED, AND AGENDA ITEM REQUESTS

- Director Weed stated his intention to attend the Federal Affairs ACWA DC conference on February 24-26, 2026, in Washington D.C.
- Director Akbari congratulated Ms. Hidas and thanked her for her service with the District.

8 – CLOSED SESSION

President Akbari announced that the Board will convene in closed session to discuss the following item:

8.1 Pursuant to Government Code Section 54957
Threat to Public Services or Facilities
Consultation with Information Technology Manager, Chief Information Security Officer, and General Counsel

President Akbari adjourned the meeting to a closed session at 7:58 P.M. and reconvened the meeting at 9:14 P.M.

President Akbari reported that in closed session regarding Item 8.1, no action was taken.

There being no further business to come before the Board, the meeting adjourned at 9:14 P.M.

_____
Marian Hsu, District Secretary

Attest:

_____
Aziz Akbari, President

Approved_____

January 20, 2026
Fremont, California

A special meeting of the Board of Directors of ALAMEDA COUNTY WATER DISTRICT was held on January 20, 2026, at the hour of 5:02 P.M.

This meeting was conducted in person at the District's Headquarters and virtually by Zoom Webinar and Teleconference, and members of the public were invited to participate.

Present: Directors Weed, Huang, Gunther, Sethy, and Akbari

Staff members present: General Manager Ed Stevenson, General Counsel Patrick Miyaki, and Assistant District Secretary JR Salinas.

President Akbari presided.

Director Gunther led in the Salute to the Flag.

3 – PUBLIC COMMENTS – None

4 – CLOSED SESSION

President Akbari announced that the Board will convene in closed session to for the following items:

4.1 Pursuant to California Government Code Section 54956.9(d)(2)
Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation
One Potential Case

4.2 Pursuant to California Government Code Section 54957
Public Employee Discipline/Dismissal/Release

President Akbari adjourned the meeting to a closed session at 5:04 P.M. and reconvened the meeting at 8:07 P.M.

President Akbari reported that in closed session regarding Item 4.1, no action was taken.

President Akbari reported that in closed session regarding Item 4.2, no reportable action was taken.

_____

There being no further business to come before the Board, the meeting adjourned at 8:08 P.M.

_____
JR Salinas, Assistant District Secretary

Attest:

_____

Aziz Akbari, President

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
39598	1/2/2026	Alpha CM, Inc.	P2	355678 001	00086809	Construction Services	PSA Inspection Services AI	47,684.50
						Payment Number 39598		47,684.50
39599	1/2/2026	Bay Alarm Company	P2	355691 001	00086793	Services	Building Security - HQ &	326.76
						Payment Number 39599		326.76
39600	1/2/2026	Bruce's Tire	P2	355669 001	00086853	Parts & Materials	Tire Products and Services	1,137.14
						Payment Number 39600		1,137.14
39601	1/2/2026	California Bank of Commerce	P2	355694 001	00086765	Construction Services	Main Renewal-Dairy Ave & H St	3,057.50
						Payment Number 39601		3,057.50
39602	1/2/2026	Enterprise FM Trust	PV	355705 001		Vehicle Sales and Service		49,074.85
						Payment Number 39602		49,074.85
39603	1/2/2026	First Foundation Bank	P2	355696 001	00086830	Construction Services	21192 - ANP2 Main Construction	10,000.00
						Payment Number 39603		10,000.00
39604	1/2/2026	JMB Construction Inc.	P2	355693 001	00086764	Construction Services	Main Renewal-Dairy Ave & H St	58,092.50
						Payment Number 39604		58,092.50
39605	1/2/2026	LegalShield	T7	355259 001		Employee Benefits		398.00
						Payment Number 39605		398.00
39606	1/2/2026	Lone Tree Trucking Inc	P2	355712 001	00086813	Services	Off Hauling of Sludge	4,136.29
						Payment Number 39606		4,136.29
39607	1/2/2026	LSA Associates Inc	P2	355692 001	00086771	Professional Services	RD1 Fishway / RD1 Building /	116.25
						Payment Number 39607		116.25
39608	1/2/2026	MERRIMAC PETROLEUM	P2	355667 001	00086844	Gas / Oil / Compr Air	3rd Amendment	11,770.66
			P2	355668 001	00086845	Gas / Oil / Compr Air	3rd Amendment	5,885.34
						Payment Number 39608		17,656.00
39609	1/2/2026	Smart Energy Systems, Inc.	PV	355706 001		Services		96,905.08
						Payment Number 39609		96,905.08
39610	1/2/2026	U.S. Bank National Association	P2	355671 001	00086871	Equipment Rental	Shamrock MFD Leasing add funds	1,086.01
			P2	355673 001	00086869	Equipment Rental	Shamrock MFD Leasing add funds	385.94
			P2	355674 001	00086868	Equipment Rental	Shamrock MFD Leasing add funds	199.55
			P2	355675 001	00086873	Equipment Rental	Shamrock MFD Leasing add funds	595.36
			P2	355676 001	00086867	Equipment Rental	Shamrock MFD Leasing add funds	3,222.28
			P2	355677 001	00086872	Equipment Rental	Shamrock MFD Leasing add funds	35.00
						Payment Number 39610		5,524.14
122025	12/26/2025	ICMA RHSA	PM	355717 001		Employee Benefits	RHSA	9,494.11
						Payment Number 122025		9,494.11

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
122125	12/26/2025	Internal Revenue Service	PM	355718 001		Taxes		238,877.21
						Payment Number 122125		238,877.21
122225	12/26/2025	California Employment Dev Dept	PM	355719 001		Taxes	State Tx Withholding 122625	76,688.94
						Payment Number 122225		76,688.94
122325	12/26/2025	ICMA Def Comp 401a	PM	355720 001		Employee Benefits		41,588.42
						Payment Number 122325		41,588.42
122425	12/26/2025	ICMA Def Comp 457	PM	355721 001		Employee Benefits	457	95,519.33
						Payment Number 122425		95,519.33
262793	1/2/2026	ACWD Employees Association	T7	355140 001		Employee Benefits		60.00
			T7	355657 001		Employee Benefits		1,700.00
						Payment Number 262793		1,760.00
262794	1/2/2026	Agilitech	P2	355665 001	00086810	Services	Consultant Design Services	19,722.75
						Payment Number 262794		19,722.75
262795	1/2/2026	Alpha Omega Wireless Inc	P2	355687 001	00086330	Computer Sales & Support	Microwave Upgrade HQ - TP1	52,097.84
						Payment Number 262795		52,097.84
262796	1/2/2026	Coencorp Consultant Corporation	P2	355685 001	00086531	Software Sales & Support	CoenCorp Fuel System renewal	4,913.40
						Payment Number 262796		4,913.40
262797	1/2/2026	Dell Marketing LP	P2	355700 001	00083828	Computer Sales & Support	5 Acrobat Licenses	295.65
						Payment Number 262797		295.65
262798	1/2/2026	Electrical Reliability Services Inc	P2	355670 001	00086664	.	Clean Energy Tie-in Testing	6,900.00
						Payment Number 262798		6,900.00
262799	1/2/2026	Emerson LLLP	P2	355683 001	00086522	Materials	ROSEMOUNT 8711 FLOWMETER	6,292.85
			P2	355683 002	00086522	Materials	TARIFF SURCHARGE	339.81
			P2	355683 003	00086522	Materials	Outside Materials	8.33
						Payment Number 262799		6,640.99
262800	1/2/2026	Employment Development Dept	T7	355659 001		Fees		348.00
						Payment Number 262800		348.00
262801	1/2/2026	Errol L. Montgomery & Associates Inc.	P2	355663 001	00086767	Professional Services	Cedar ARP Well Project	1,060.00
						Payment Number 262801		1,060.00
262802	1/2/2026	Ewing Irrigation Products Inc	P2	355684 001	00086848	Landscaping	Landscaping and Irrigation	43.95
						Payment Number 262802		43.95
262803	1/2/2026	Franchise Tax Board	T7	355658 001		City / County / GOV	25980000000000592Bautista, Jer	162.50

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
						Payment Number 262803		162.50
262804	1/2/2026	Court-Ordered Debt Collections	T7	355662 001		City / County / GOV	24-TR-023585Alanis, Alexis	100.00
						Payment Number 262804		100.00
262805	1/2/2026	Fremont Ford	P2	355697 001	00086841	Vehicle Sales and Service	Vehicle Repair and Parts	553.85
			P2	355698 001	00086842	Vehicle Sales and Service	Vehicle Repair and Parts	112.71
			P2	355699 001	00086843	Vehicle Sales and Service	Vehicle Repair and Parts	207.66
						Payment Number 262805		874.22
262806	1/2/2026	GEI Consultants, Inc.	P2	355664 001	00079840	Professional Services	Design Services	35,444.68
						Payment Number 262806		35,444.68
262807	1/2/2026	Elissa Hensley	T7	355661 001		City / County / GOV		600.00
						Payment Number 262807		600.00
262808	1/2/2026	InfoSend Inc	P2	355679 001	00086796	Printing	FY 24-25 Bill Print & Postage	6,030.50
			P2	355680 002	00086798	Printing	FY 24-25 Bill Print & Postage	10,994.32
			P2	355681 001	00086799	Printing	FY 25-26 Bill Print & Postage	8,030.67
			P2	355682 001	00086801	Printing	FY 25-26 Bill Print & Postage	62.20
						Payment Number 262808		25,117.69
262809	1/2/2026	Jacob Green & Associates, Inc	P2	355688 001	00086865	Professional Services	Agmt 5084 Coaching Services	12,208.98
			P2	355689 001	00086866	Professional Services	Agmt 5084 Coaching Services	500.00
						Payment Number 262809		12,708.98
262810	1/2/2026	Sandra Dee Kim	T7	355660 001		City / County / GOV		75.00
						Payment Number 262810		75.00
262811	1/2/2026	Koffler Electrical Mechanical Apparatus	P2	355686 001	00086831	Construction Services	TP1 UW P-501-2 rehab	6,874.70
						Payment Number 262811		6,874.70
262812	1/2/2026	Metro Mobile Communications	P2	355690 001	00086840	Telecommunications	VHF Radio Maintenance & Repair	900.00
						Payment Number 262812		900.00
262813	1/2/2026	P&A Administrative Service, Inc.	PV	355702 001		Professional Services	Commuter Program	88.00
			PV	355703 001		Professional Services		3,833.18
						Payment Number 262813		3,921.18
262814	1/2/2026	Platt.com	P2	355666 001	00086773	Materials	Electrical Parts & Supplies	1,459.25
						Payment Number 262814		1,459.25
262815	1/2/2026	Ranger Pipelines	P2	355695 001	00086829	Construction Services	21192 - ANP2 Main Construction	190,000.00
						Payment Number 262815		190,000.00
262816	1/2/2026	Reliastar Life Insurance Company	PV	355701 001		Employee Benefits	December FICA 2025	170.39
			PV	355704 001		Employee Benefits	Dec 2025 CI	135.86
						Payment Number 262816		306.25

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
262817	1/2/2026	Schneider Electric	P2	355707 001	00086832	Building Maintenance	BMS Dec 2025 Progressive Pay	101,694.90
						Payment Number 262817		101,694.90
262818	1/2/2026	State Water Resources Control Board	PV	355716 001		Fees		563.00
						Payment Number 262818		563.00
262819	1/2/2026	United Site Services of California Inc	P2	355708 001	00086814	Equipment Rental	Rental Servies	610.69
			P2	355709 001	00086815	Equipment Rental	Rental Servies	610.69
			P2	355710 001	00086816	Equipment Rental	Rental Servies	610.69
			P2	355711 001	00086817	Equipment Rental	Rental Servies	610.69
						Payment Number 262819		2,442.76
262820	1/2/2026	Vasco Road Landfill	P2	355713 001	00086812	Waste / Recycling / Garbage	Reuse of Water Treatment	3,367.18
			P2	355714 001	00086818	Waste / Recycling / Garbage	Reuse of Water Treatment	2,584.36
						Payment Number 262820		5,951.54
							Grand Total	1,239,256.25

The undersigned affirms that each of the itemized demands set forth above is for materials and/or services rendered to the Alameda County Water District, that no demand has been previously paid in whole or in part, that proper procedures were followed in procurement of the materials and services, and that adequate budgeted funds were available.

Jonathan Wunderlich, Treasurer — Date: 1/6/26

Ed Stevenson, General Manager — Date: 1/7/2026

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
39634	1/9/2026	Andrew M Jordan Inc, dba A&B Const.	P2	355775 001	00086886	Construction Services	job 21235	616,407.54
			P2	355777 001	00086833	Construction Services	A&B Construction Inc Contract	259,226.50
						Payment Number 39634		875,634.04
39635	1/9/2026	Badger Meter Inc	P2	355812 001	00086876	Professional Services	BEACON SaaS and NaaS Svc Fees	88,476.00
						Payment Number 39635		88,476.00
39636	1/9/2026	Borges & Mahoney Co	P3	355855 001	00086550	Parts & Materials	INJECTOR CHECK, POLY BLEND	1,378.74
			P3	355855 002	00086550	Parts & Materials	Inventory Freight Expense	58.05
						Payment Number 39636		1,436.79
39637	1/9/2026	Bruce's Tire	P2	355782 001	00086802	Parts & Materials	Tire Products and Services	1,998.32
						Payment Number 39637		1,998.32
39638	1/9/2026	California Bank of Commerce	P2	355776 001	00086887	Construction Services	Job 21235	32,442.50
						Payment Number 39638		32,442.50
39639	1/9/2026	California Bank of Commerce	P2	355778 001	00086835	Construction Services	A&B Construction Inc Contract	13,643.50
						Payment Number 39639		13,643.50
39640	1/9/2026	California UST Services	P2	355797 001	00086794	Services	USTs and ASTs	600.00
						Payment Number 39640		600.00
39641	1/9/2026	Cramer Fish Sciences	P2	355783 001	00086827	Professional Services	Agmt No. 4734_Amd 4	742.00
			P2	355784 001	00086826	Professional Services	Agmt No. 4734_Amd 4	13,960.45
			P2	355785 001	00086828	Professional Services	Agmt No. 4734_Amd 4	1,631.00
						Payment Number 39641		16,333.45
39642	1/9/2026	Direct Line Tele Response	P2	355788 001	00086888	Telecommunications	Telephone Service - After Hour	1,858.20
						Payment Number 39642		1,858.20
39643	1/9/2026	DuBois Chemicals Inc.	P2	355887 001	00085270	Chemicals	Hydrofluorosilicic	9,755.81
						Payment Number 39643		9,755.81
39644	1/9/2026	Dun-Rite Excavating Inc	P2	355770 001	00086895	Construction Services	Pavement Replacement Amd 3	80,390.31
			P2	355905 001	00086893	Construction Services	Pavement Replacement Amd 3	384,594.24
						Payment Number 39644		464,984.55
39645	1/9/2026	Dysert Environmental Inc	P2	355803 001	00086846	Services	NPDES Sampling	775.05
			P2	355804 001	00086846	Services	NPDES Sampling	1,073.13
						Payment Number 39645		1,848.18
39646	1/9/2026	Harrington Industrial Plastics LLC	P2	355791 001	00086861	Parts & Materials	Non- Stock Inventory Parts	215.22
						Payment Number 39646		215.22
39647	1/9/2026	Hayward Pipe & Supply Co	P3	355856 001	00086438	Parts & Materials	2" X 12" GALV NIPPLE	503.40
						Payment Number 39647		503.40

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification		Description	Amount
39648	1/9/2026	Hill Brothers Chemical Co	P2	355885 001	00085260	Chemicals		Aqua Ammonia	69.69
			P2	355886 001	00085260	Chemicals		Aqua Ammonia	3,541.24
							Payment Number 39648		3,610.93
39649	1/9/2026	JGC Government Relations, Inc.	P2	355801 001	00086882	Professional Services		Legisltative Consulting	5,120.00
							Payment Number 39649		5,120.00
39650	1/9/2026	Lone Tree Trucking Inc	P2	355858 001	00086885	Services		Off Hauling of Sludge	3,659.68
							Payment Number 39650		3,659.68
39651	1/9/2026	LSA Associates Inc	P2	355813 001	00086770	Professional Services		RD1 Fishway / RD1 Building /	348.75
							Payment Number 39651		348.75
39652	1/9/2026	Orkin Services of California	P2	355902 001	00086902	Services		Pest Control/Vertebrate Servic	7,559.00
			P2	355903 001	00086903	Services		Pest Control/Vertebrate Servic	6,524.00
							Payment Number 39652		14,083.00
39653	1/9/2026	U.S. Bank National Association	P2	355857 001	00086870	Equipment Rental		Shamrock MFD Leasing add funds	1,558.26
							Payment Number 39653		1,558.26
39654	1/9/2026	Water Resources Engineering, Inc.	P2	355787 001	00086795	Services		Development of Dam Emergency	15,068.75
							Payment Number 39654		15,068.75
39655	1/9/2026	WestAir Gases and Equipment, Inc.	P2	355880 001	00071092	Chemicals		Revision to CO2 PO	9,264.09
							Payment Number 39655		9,264.09
39656	1/9/2026	Woodard & Curran Inc	P2	355773 001	00086883	Professional Services		WRMP phase 2	23,266.25
							Payment Number 39656		23,266.25
262821	1/9/2026	ACWD Operators Association	T7	355894 001		Employee Benefits			2,400.00
							Payment Number 262821		2,400.00
262822	1/9/2026	AECOM Technical Services, Inc.	P2	355779 001	00086768	Professional Services		Engineering Svcs - Design	8,808.61
							Payment Number 262822		8,808.61
262823	1/9/2026	Airgas NCN Inc	P2	355757 001	00086854	Gas / Oil / Compr Air		Ultra-Pure Gases (UHP) &	22.20
			P2	355758 001	00086855	Gas / Oil / Compr Air		Ultra-Pure Gases (UHP) &	54.60
			P2	355759 001	00086856	Gas / Oil / Compr Air		Ultra-Pure Gases (UHP) &	24.30
			P2	355760 001	00086857	Gas / Oil / Compr Air		Ultra-Pure Gases (UHP) &	199.80
			P2	355883 001	00085317	Gas / Oil / Compr Air		Liquid Oxygen	4,212.09
			P2	355884 001	00085317	Gas / Oil / Compr Air		Liquid Oxygen	4,634.85
							Payment Number 262823		9,147.84
262824	1/9/2026	Ancon Marine	P2	355794 001	00086877	Services		Encampment Cleanup Services	2,325.57
							Payment Number 262824		2,325.57
262825	1/9/2026	AT&T	PV	355867 001		Telecommunications		BAN #9391052662	2,376.55

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
			PV	355868 001		Telecommunications	BAN #9391035569	4,757.91
						Payment Number 262825		7,134.46
262826	1/9/2026	AT&T Mobility	PV	355869 001		Telecommunications	Acct #287024663616	641.10
						Payment Number 262826		641.10
262827	1/9/2026	Bend Genetics LLC	P2	355761 001	00086858	Laboratory	Cyanotoxin Analysis	525.00
						Payment Number 262827		525.00
262828	1/9/2026	Blaine Tech Services Inc	P2	355860 001	00086901	Services	PFAS Groundwater Monitoring	5,805.00
						Payment Number 262828		5,805.00
262829	1/9/2026	City Rise LLC	P2	355780 001	00086808	Materials	Traffic Control Solutions	100.00
						Payment Number 262829		100.00
262830	1/9/2026	Cosco Fire Protection, Inc.	P2	355798 001	00086807	Safety	Fire Sprinkler Repair & Maint	2,431.00
			P2	355799 001	00086805	Safety	Fire Sprinkler Repair & Maint	688.00
			P2	355800 001	00086806	Safety	Fire Sprinkler Repair & Maint	1,029.00
						Payment Number 262830		4,148.00
262831	1/9/2026	Cummins Sales & Service	P2	355789 001	00086804	Parts & Materials	Addition of Funds	1,188.00
			P2	355790 001	00086803	Parts & Materials	Addition of Funds	846.90
						Payment Number 262831		2,034.90
262832	1/9/2026	Dell Marketing LP	P2	355768 001	00086763	Computer Sales & Support	Microsoft EA 3 Years	189,062.50
						Payment Number 262832		189,062.50
262833	1/9/2026	DLT Solutions LLC	P2	355898 001	00086712	Software Sales & Support	Innovyze License Renewal	10,726.72
						Payment Number 262833		10,726.72
262834	1/9/2026	DXP ENTERPRISES. INC	P3	355853 001	00086331	Parts & Materials	KIT SPARE PARTS POLY BLEND	773.96
			P3	355853 002	00086331	Parts & Materials	Inventory Freight Expense	10.46
			P3	355853 003	00086331	Parts & Materials	Inventory Freight Expense	30.16
						Payment Number 262834		814.58
262835	1/9/2026	EMA Inc	P2	355861 001	00086884	Professional Services	EBPP and CAYENTA Upgrade Svcs	12,060.00
						Payment Number 262835		12,060.00
262836	1/9/2026	Employment Development Dept	T7	355891 001		Fees		348.00
						Payment Number 262836		348.00
262837	1/9/2026	Fairfield Warm Springs LLC	PV	355866 001		Refund		9,893.60
						Payment Number 262837		9,893.60
262838	1/9/2026	Franchise Tax Board	T7	355890 001		City / County / GOV		162.50
						Payment Number 262838		162.50

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification		Description	Amount
262839	1/9/2026	Court-Ordered Debt Collections	T7	355897 001		City / County / GOV			100.00
							Payment Number 262839		100.00
262840	1/9/2026	Graybar	P2	355781 001	00086772	Parts & Materials		Electrical Part Supplies	1,905.22
			P3	355854 001	00086021	Parts & Materials		DC TO DC ISOLATOR 24VDC	455.22
			P3	355854 004	00086021	Parts & Materials		Inventory Freight Expense	12.27
			P3	355854 005	00086021	Parts & Materials		Material & Supplies	188.07
			P3	355854 006	00086021	Parts & Materials		Inventory Freight Expense	12.28
							Payment Number 262840		2,573.06
262841	1/9/2026	Elissa Hensley	T7	355896 001		City / County / GOV			600.00
							Payment Number 262841		600.00
262842	1/9/2026	Jack James Towing	P2	355811 001	00086847	Services		Towing Services	150.00
							Payment Number 262842		150.00
262843	1/9/2026	Jacob Green & Associates, Inc	P2	355802 001	00086892	Professional Services		Agmt 5084 Coaching Services	500.00
							Payment Number 262843		500.00
262844	1/9/2026	Sandra Dee Kim	T7	355895 001		City / County / GOV			75.00
							Payment Number 262844		75.00
262845	1/9/2026	Law Offices of Lee Ann Wallace	PV	355900 001		Legal Services			43,300.90
			PV	355901 001		Legal Services			37,667.70
							Payment Number 262845		80,968.60
262846	1/9/2026	Lennar Homes	PV	355865 001		Refund			75,620.20
							Payment Number 262846		75,620.20
262847	1/9/2026	Moore Iacofano Goltsman Inc	P2	355774 001	00086890	Services		DEI Consultant Services	827.50
							Payment Number 262847		827.50
262848	1/9/2026	Municipal Maintenance Equipment Inc	P2	355814 001	00086849	Parts & Materials		Vacall Maint and Supply	772.16
							Payment Number 262848		772.16
262849	1/9/2026	Operating Engineers Local No. 3	T7	355892 001		Employee Benefits			6,480.00
							Payment Number 262849		6,480.00
262850	1/9/2026	P&A Administrative Service, Inc.	PV	355818 001		Professional Services			1,210.03
			PV	355819 001		Professional Services			1,479.20
			PV	355820 001		Professional Services		Commuter Program	33.00
			PV	355821 001		Professional Services		Commuter Program	26.00
							Payment Number 262850		2,748.23
262851	1/9/2026	Pacific EcoRisk Inc	P2	355786 001	00086850	Services		Quarterly Bioassay	1,191.00
							Payment Number 262851		1,191.00
262852	1/9/2026	Pacific Gas & Electric Co	PV	355815 001		Utility		Acct #6022620803-5	324,484.89

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
						Payment Number 262852		324,484.89
262853	1/9/2026	Pape Machinery Inc	P2	355792 001	00086852	Equip Sales and Service	Equipment and Parts	285.97
			P2	355793 001	00086851	Equip Sales and Service	Equipment and Parts	1,299.87
						Payment Number 262853		1,585.84
262854	1/9/2026	Pencco Inc	P2	355881 001	00085267	Chemicals	Ferric Chloride	14,158.22
			P2	355882 001	00085267	Chemicals	Ferric Chloride	14,355.32
						Payment Number 262854		28,513.54
262855	1/9/2026	Prudential Overall Supply	P2	355771 002	00086880	Uniforms	Laundered Uniform Services	3,457.18
			P2	355772 001	00086881	Uniforms	Linens	715.85
						Payment Number 262855		4,173.03
262856	1/9/2026	Hong, Qiuting	PV	355859 001		Water Efficient Rebate	Lawn Be Gone Program	622.87
						Payment Number 262856		622.87
262857	1/9/2026	Reliastar Life Insurance Company	PV	355817 001		Employee Benefits	Jan 2026 LIFE/AD&D/LTD/STD	29,757.33
						Payment Number 262857		29,757.33
262858	1/9/2026	Samba Holdings Inc.	P2	355795 001	00086891	Services	Subscription EPN Services	366.96
						Payment Number 262858		366.96
262859	1/9/2026	San Francisco PUC-Water Department	PV	355822 001		City / County / GOV	Acct #9500000000	4,978.91
			PV	355823 001		City / County / GOV	Acct #8500000000	4,049.69
			PV	355824 001		City / County / GOV	Acct #7700000000	13,079.44
			PV	355825 001		City / County / GOV	Acct #6700000000	1,191,531.19
			PV	355826 001		City / County / GOV	Acct #6500000000	690.00
			PV	355827 001		City / County / GOV	Acct #1600000000	5,302.66
			PV	355828 001		City / County / GOV	Acct #0800000000	11,035.00
			PV	355829 001		City / County / GOV	Acct #0600000000	1,499.60
						Payment Number 262859		1,232,166.49
262860	1/9/2026	Schaa's Lawnmower Sales & Service	P2	355762 001	00086878	Parts & Materials	Product Sales and Repair	132.52
						Payment Number 262860		132.52
262861	1/9/2026	Sentry Alarm Systems	P2	355805 001	00086792	Security	Alarm Monitoring & Dispatch	2,526.00
			P2	355806 001	00086792	Security	Alarm Monitoring & Dispatch	372.00
			P2	355807 001	00086792	Security	Alarm Monitoring & Dispatch	360.00
			P2	355808 001	00086792	Security	Alarm Monitoring & Dispatch	660.00
			P2	355809 001	00086792	Security	Alarm Monitoring & Dispatch	420.00
			P2	355810 001	00086792	Security	Alarm Monitoring & Dispatch	186.00
						Payment Number 262861		4,524.00
262862	1/9/2026	ShareSquared Inc	P2	355796 001	00086875	Computer Sales & Support	SharePoint Online Support	5,735.00
						Payment Number 262862		5,735.00
262863	1/9/2026	Solenis LLC	P2	355889 001	00085242	Chemicals	PEN Nonionic Polymer	907.44

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
						Payment Number 262863		907.44
262864	1/9/2026	TelePacific Communications	PV	355870 001		Telecommunications	Acct #135419	1,634.58
						Payment Number 262864		1,634.58
262865	1/9/2026	Underground Republic Water Works, Inc	P3	355830 001	00086580	Parts & Materials	12"x10" TAPPING SLEEVE FOR AC	6,945.75
			P3	355831 001	00086246	Parts & Materials	2" ANGLE STOP CLASS 200, FORD	10,048.19
						Payment Number 262865		16,993.94
262866	1/9/2026	Union Pacific Railroad Company	PV	355816 001		Fees		100.00
						Payment Number 262866		100.00
262867	1/9/2026	United Filters International	P3	355832 001	00086376	Materials	40" FILTER CARTRIDGE, 1 MICRON	36,752.94
			P3	355832 002	00086376	Materials	Material & Supplies	127.34
			P3	355832 003	00086376	Materials	Inventory Freight Expense	1,984.26
			P3	355832 004	00086376	Materials	State/County Sales & Use Tax	-2,007.09
			P3	355832 005	00086376	Materials	Local Sales & Use Tax	-418.14
			P3	355832 006	00086376	Materials	Transit Tax	-501.77
			P3	355832 007	00086376	Materials	BART Use Tax	-167.26
			P3	355832 008	00086376	Materials	Health Care Services Tax	-334.52
						Payment Number 262867		35,435.76
262868	1/9/2026	Univar USA Inc	P2	355872 001	00085262	Chemicals	Sodium Hydroxide	8,433.83
			P2	355873 001	00085262	Chemicals	Sodium Hydroxide	8,566.89
			P2	355874 001	00085262	Chemicals	Sodium Hydroxide	8,492.13
			P2	355875 001	00085271	Chemicals	Sodium Hypochlorite	9,810.04
			P2	355876 001	00085262	Chemicals	Sodium Hydroxide	8,522.31
			P2	355877 001	00085271	Chemicals	Sodium Hypochlorite	13,098.70
			P2	355878 001	00085262	Chemicals	Sodium Hydroxide	8,413.94
			P2	355879 001	00085271	Chemicals	Sodium Hypochlorite	13,097.06
			P2	355888 001	00085271	Chemicals	Sodium Hypochlorite	13,063.71
						Payment Number 262868		91,498.61
262869	1/9/2026	Veolia Water Tech. Treatment Solutions	P2	355769 001	00086811	Parts & Materials	VEOLIA OZONE GENERATOR UPGRADE	179,266.50
						Payment Number 262869		179,266.50
262870	1/9/2026	Vandael Victory	PV	355864 001		Reimbursements	D2 Cert	80.00
						Payment Number 262870		80.00
							Grand Total	3,982,433.10

The undersigned affirms that each of the itemized demands set forth above is for materials and/or services rendered to the Alameda County Water District, that no demand has been previously paid in whole or in part, that proper procedures were followed in procurement of the materials and services, and that adequate budgeted funds were available.

Jonathan Wunderlich, Treasurer — Date: 1/13/26

Ed Stevenson, General Manager — Date: 1/14/2026

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
39657	1/16/2026	Alameda Electrical Distributors c/o CST	P3	355967 001	00086553	Electronic Eq Maintenance	POWER SUPPLY 10A QUATUM	2,162.39
						Payment Number 39657		2,162.39
39658	1/16/2026	Am-Tran	P2	355910 001	00086926	Services	Courier Services	2,156.70
						Payment Number 39658		2,156.70
39659	1/16/2026	Baber Technical Consulting, Inc	P2	355923 001	00086910	Services	GWMS Maintenance AGMT 4889	16,200.00
						Payment Number 39659		16,200.00
39660	1/16/2026	Brink's Incorporated	P2	355915 001	00086904	Services	Armored Cash Service Agmt 4190	984.28
						Payment Number 39660		984.28
39661	1/16/2026	Chandler Asset Management, Inc.	P2	355919 001	00086905	Financial Services	Bank and Investment Fees	7,311.65
						Payment Number 39661		7,311.65
39662	1/16/2026	Control Air Enterprises, LLC	P2	355924 001	00086936	Building Maintenance	BMS Related Mechanical Work	515.00
						Payment Number 39662		515.00
39663	1/16/2026	Enterprise FM Trust	PV	355951 001		Vehicle Sales and Service		49,055.99
						Payment Number 39663		49,055.99
39664	1/16/2026	Fastenal Company	P3	355964 001	00086824	Parts & Materials	16 OZ MAP GAS	555.85
			P3	355965 001	00085777	Parts & Materials	1/8"x100' FISH TAPE (ELECTRIC)	1,614.56
			P3	355966 001	00086455	Parts & Materials	1/8"x100' FISH TAPE (ELECTRIC)	2,690.93
						Payment Number 39664		4,861.34
39665	1/16/2026	Harrington Industrial Plastics LLC	P2	355928 001	00086894	Parts & Materials	Non- Stock Inventory Parts	90.87
			P2	355929 001	00086950	Parts & Materials	Non- Stock Inventory Parts	84.01
						Payment Number 39665		174.88
39666	1/16/2026	Hayward Pipe & Supply Co	P3	355962 001	00086746	Parts & Materials	2" X 1" BRASS BUSHING	2,422.19
						Payment Number 39666		2,422.19
39667	1/16/2026	Ice Safety Solutions	P2	355930 001	00086945	Safety	First Aid Supplies	247.89
						Payment Number 39667		247.89
39668	1/16/2026	Industrial Employers & Distributors Assn	P2	355931 002	00086924	Services	Labor Relations	2,160.08
			P2	355932 001	00086925	Services	Labor Relations	492.84
						Payment Number 39668		2,652.92
39669	1/16/2026	JDI Electrical Services, INC.	P2	355933 001	00086948	Services	Electrical Testing Services	42,265.00
			P2	355934 001	00086949	Services	Electrical Testing Services	2,960.00
						Payment Number 39669		45,225.00
39670	1/16/2026	Nutrien Ag Solutions	P2	355918 001	00086909	Materials	Herbicides and Supplies	5,646.13
						Payment Number 39670		5,646.13

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
39671	1/16/2026	Smart Energy Systems, Inc.	PV	355948 001		Services		71,777.01
						Payment Number 39671		71,777.01
39672	1/16/2026	TransPacific Building Maintenance, Inc.	P2	355921 001	00086932	Services	AMNDMNT 3	6,484.00
						Payment Number 39672		6,484.00
39673	1/16/2026	Vertech Industrial Systems. LLC	P2	355935 001	00086939	Services	SCADA software support service	832.50
						Payment Number 39673		832.50
39674	1/16/2026	ZunZun	P2	355985 001	00086889	Professional Services	Water Education Services	2,400.00
						Payment Number 39674		2,400.00
262871	1/16/2026	ACWA JPIA	PV	355959 001		Insurance	Feb 2026 Dental/Vision/EAP	73,137.22
						Payment Number 262871		73,137.22
262872	1/16/2026	Applied Industrial Technologies Inc	P3	355982 001	00086581	Parts & Materials	BALL BEARING, POLY BLEND PUMP	82.73
			P3	355982 002	00086581	Parts & Materials	Inventory Freight Expense	27.89
						Payment Number 262872		110.62
262873	1/16/2026	Atlas Copco Rental LLC	P3	355968 001	00086836	Gas / Oil / Compr Air	SILENCER KIT SNS DRYER	2,176.82
			P3	355968 002	00086836	Gas / Oil / Compr Air	AIR FILTER KIT SNS COMPRESSOR	246.67
			P3	355968 003	00086836	Gas / Oil / Compr Air	Inventory Freight Expense	22.84
						Payment Number 262873		2,446.33
262874	1/16/2026	Bay Area Water Supply & Conservation	PV	355949 001		Services	FY 25-26 3rd Qtr	90,650.00
						Payment Number 262874		90,650.00
262875	1/16/2026	Biomark, LLC	P2	355946 001	00083647	Equip Sales and Service	BioLogic annual subscription	1,980.00
						Payment Number 262875		1,980.00
262876	1/16/2026	BKS Law Firm, A professional Corp.	PV	355955 001		Legal Services		372.50
						Payment Number 262876		372.50
262877	1/16/2026	Cal Safety Inc.	P2	355939 001	00086913	Parts & Materials	Traffic Control Safety Eqiup.	1,193.52
			P2	355940 001	00086914	Parts & Materials	Traffic Control Safety Eqiup.	5,697.11
						Payment Number 262877		6,890.63
262878	1/16/2026	State of California	PV	355956 001		City / County / GOV	Contract 160159	3,110,621.00
			PV	355957 001		City / County / GOV	Contract 160159	502.00
			PV	355958 001		City / County / GOV	Contract 160159	19,797.00
						Payment Number 262878		3,130,920.00
262879	1/16/2026	Ciari Plumbing & Heating, Inc.	P2	355937 001	00086935	Services	Plumbing Services	615.00
						Payment Number 262879		615.00
262880	1/16/2026	Coast Counties Truck & Equipment	P2	355916 001	00086908	Materials	Truck and Equipment Parts	41.58
						Payment Number 262880		41.58

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
262881	1/16/2026	Cosco Fire Protection, Inc.	P2	355936 001	00086930	Safety	Fire Sprinkler Repair & Maint	6,870.00
						Payment Number 262881		6,870.00
262882	1/16/2026	Emerson LLLP	P2	355926 001	00086782	Materials	MAGNETIC FLOWMETER SEE QUOTE	5,567.79
			P2	355926 002	00086782	Materials	Outside Materials	8.22
						Payment Number 262882		5,576.01
262883	1/16/2026	Flo-Line Technology Inc	P3	355963 001	00086733	Parts & Materials	STP3 DRY RUN PROTECTOR	726.02
			P3	355963 002	00086733	Parts & Materials	Inventory Freight Expense	37.94
						Payment Number 262883		763.96
262884	1/16/2026	Jeffrey Fong	PV	355947 001		Services		500.00
						Payment Number 262884		500.00
262885	1/16/2026	G3 Engineering	P2	355941 001	00083602	Parts & Materials	Floway 14DKH-2stg,Cedar2 spare	55,786.50
			P2	355941 002	00083602	Parts & Materials	Outside Materials	239.89
						Payment Number 262885		56,026.39
262886	1/16/2026	GEI Consultants, Inc.	P2	355911 001	00079840	Professional Services	Design Services	30,306.59
			P2	355911 002	00079840	Professional Services	Task 11 ? 65% Design	14,302.56
						Payment Number 262886		44,609.15
262887	1/16/2026	Geotab USA, Inc.	P2	355920 001	00086907	Equipment Rental	Fleet Telematics	2,364.00
						Payment Number 262887		2,364.00
262888	1/16/2026	Gym Doctors	P2	355913 001	00086946	Services	Maintenance for Gym Equipment	220.00
						Payment Number 262888		220.00
262889	1/16/2026	InfoSend Inc	P2	355925 001	00086906	Printing	FY 24-25 Public Affairs	41,956.38
						Payment Number 262889		41,956.38
262890	1/16/2026	Praveen Kumar	NO	355976 001		Refund	Refund Job 300297	20,192.27
						Payment Number 262890		20,192.27
262891	1/16/2026	Law Offices of Lee Ann Wallace	PV	355978 001		Legal Services		52,839.00
						Payment Number 262891		52,839.00
262892	1/16/2026	Medallion Landscape Management, LLC	P2	355942 001	00086934	Landscaping	Landscaping Maint Services	7,285.00
						Payment Number 262892		7,285.00
262893	1/16/2026	Occupational Health Centers of Californi	P2	355922 001	00086922	Medical Services	Pre-Employment & Medical Exami	172.00
						Payment Number 262893		172.00
262894	1/16/2026	Oracle America Inc	P2	355917 001	00085142	Software Sales & Support	Primavera Support Services and	2,066.66
						Payment Number 262894		2,066.66

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
262895	1/16/2026	P&A Administrative Service, Inc.	P2	355927 001	00086921	Professional Services	FSA & Cobra Adminstration	335.00
			PV	355952 001		Professional Services	Commuter Program	100.00
			PV	355953 001		Professional Services		3,487.18
			PV	355954 001		Professional Services		2,227.08
						Payment Number 262895		6,149.26
262896	1/16/2026	Peterson	P2	355912 001	00086931	Equipment Rental	Stationary Generator Maintenan	850.00
						Payment Number 262896		850.00
262897	1/16/2026	Platt.com	P2	355914 001	00086951	Materials	Electrical Parts & Supplies	2,085.69
						Payment Number 262897		2,085.69
262898	1/16/2026	Abdul Rahimi	NO	355975 001		Refund	Refund Job 300296	223.90
						Payment Number 262898		223.90
262899	1/16/2026	Schneider Electric	P2	355945 001	00086919	Building Maintenance	BMS Jan 2026 Progressive Pay	45,743.08
						Payment Number 262899		45,743.08
262900	1/16/2026	Semitropic Water Storage Dist	PV	355950 001		Services		1,329,000.00
						Payment Number 262900		1,329,000.00
262901	1/16/2026	Service Brass Fittings	P3	355961 001	00086800	Parts & Materials	2 1/2" FNSTx3/4 MGHT HYD ADAPT	1,212.75
			P3	355961 002	00086800	Parts & Materials	2 1/2" FNSTx1 1/2MNPT HYD ADPT	1,323.00
			P3	355961 003	00086800	Parts & Materials	2 1/2" NST X 2" MNPT HYD ADPT	1,587.60
			P3	355961 004	00086800	Parts & Materials	Inventory Freight Expense	120.65
			P3	355961 005	00086800	Parts & Materials	State/County Sales & Use Tax	-224.40
			P3	355961 006	00086800	Parts & Materials	Local Sales & Use Tax	-46.75
			P3	355961 007	00086800	Parts & Materials	Transit Tax	-56.10
			P3	355961 008	00086800	Parts & Materials	BART Use Tax	-18.70
			P3	355961 009	00086800	Parts & Materials	Health Care Services Tax	-37.40
						Payment Number 262901		3,860.65
262902	1/16/2026	Zafir Shaiq	NO	355973 001		Refund	Refund WSE Job 203143	1,072.36
						Payment Number 262902		1,072.36
262903	1/16/2026	Zafir Shaiq	NO	355974 001		Refund	Rfnd J203750 per Agrmt#4871-A	62,800.00
						Payment Number 262903		62,800.00
262904	1/16/2026	Sher Construction Inc	NO	355974 002		Refund	Refund Job 203749	4,916.75
						Payment Number 262904		4,916.75
262905	1/16/2026	SKM Systems Analysis Inc	P2	355944 001	00086923	Software Sales & Support	SKM Power Tools Renew 2026	2,744.00
						Payment Number 262905		2,744.00
262906	1/16/2026	Thirdwave Corporation	P2	355909 001	00086911	Services	IT Master Plan	21,136.00
						Payment Number 262906		21,136.00
262907	1/16/2026	Tipalti, Inc.	P2	355938 001	00086940	Software Sales & Support	AP Approval Software	1,092.69

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
						Payment Number 262907		1,092.69
262908	1/16/2026	Underground Republic Water Works, Inc	P3	355970 001	00086860	Parts & Materials	#6 FIRE HYDRANTS, CLOW #860	20,983.88
			P3	355971 001	00086573	Parts & Materials	CHECK VALVE 8"	5,115.60
						Payment Number 262908		26,099.48
262909	1/16/2026	Union Sanitary District	PV	355979 001		City / County / GOV		577.79
						Payment Number 262909		577.79
262910	1/16/2026	Union Sanitary District	NO	355972 001		Refund	Refund Jobs 300111-300117	16,462.62
						Payment Number 262910		16,462.62
262911	1/16/2026	Verizon Wireless	PV	355980 001		Utility	Acct 572069838-00001	7,495.24
			PV	355981 001		Utility	Acct 572069838-00001	8,051.92
						Payment Number 262911		15,547.16
262912	1/16/2026	Jawahar Vyas	NO	355977 001		Refund	Refund Job 300343	9,079.86
						Payment Number 262912		9,079.86
1012026	1/15/2026	Calpers	PM	355986 001		Employee Benefits		259,314.52
						Payment Number 1012026		259,314.52
1022026	1/15/2026	Internal Revenue Service	PM	355987 001		Taxes		226,804.68
						Payment Number 1022026		226,804.68
1032026	1/15/2026	Internal Revenue Service	PM	355988 001		Taxes		1,141.67
						Payment Number 1032026		1,141.67
1042026	1/15/2026	Cal Public Employees' Retirement System	PM	355989 001		Employee Benefits	Jan 2026 Medical	503,129.63
						Payment Number 1042026		503,129.63
1052026	1/15/2026	ICMA Def Comp 401a	PM	355990 001		Employee Benefits		140,162.37
						Payment Number 1052026		140,162.37
1062026	1/15/2026	ICMA Def Comp 457	PM	355991 001		Employee Benefits		1,950.00
						Payment Number 1062026		1,950.00
1072026	1/15/2026	ICMA Def Comp 401a	PM	355992 001		Employee Benefits		891.75
						Payment Number 1072026		891.75
1082026	1/15/2026	ICMA Def Comp 457	PM	355993 001		Employee Benefits		113,447.31
						Payment Number 1082026		113,447.31
1092026	1/15/2026	California Employment Dev Dept	PM	355994 001		Taxes		174.78
						Payment Number 1092026		174.78
1102026	1/15/2026	California Employment Dev Dept	PM	355995 001		Taxes		73,285.92

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
						Payment Number 1102026		73,285.92
1132026	1/15/2026	ICMA RHSA	PM	355998 001		Employee Benefits		9,494.11
						Payment Number 1132026		9,494.11
							Grand Total	6,648,952.60

The undersigned affirms that each of the itemized demands set forth above is for materials and/or services rendered to the Alameda County Water District, that no demand has been previously paid in whole or in part, that proper procedures were followed in procurement of the materials and services, and that adequate budgeted funds were available.

Jonathan Wunderlich, Treasurer — Date: 1/15/26

Ed Stevenson, General Manager — Date: 1/16/2026

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
39675	1/23/2026	Borges & Mahoney Co	P3	356006 001	00086281	Parts & Materials	OCCLUSION RING TEFLON	375.14
			P3	356006 002	00086281	Parts & Materials	SPACER, POLY BLEND PUMPS	42.22
			P3	356006 003	00086281	Parts & Materials	PULLEY, 12 TEETH, POLY BLEND	228.79
			P3	356006 004	00086281	Parts & Materials	PULLEY, 40 TEETH, POLY BLEND	667.85
			P3	356006 005	00086281	Parts & Materials	MECHANICAL SEAL	357.71
			P3	356006 006	00086281	Parts & Materials	BEARING, SELF ALIGNING	120.32
			P3	356006 007	00086281	Parts & Materials	FLANGED BEARING CARRIER	139.91
			P3	356006 008	00086281	Parts & Materials	PROBE	3,239.21
			P3	356006 009	00086281	Parts & Materials	LOCK COLLAR SS 1/2" POLY BLEND	198.41
			P3	356006 010	00086281	Parts & Materials	Inventory Freight Expense	135.34
						Payment Number 39675		5,504.90
39676	1/23/2026	Cramer Fish Sciences	P2	356014 001	00086976	Professional Services	Agmt No. 4734_Amd 4	807.00
			P2	356015 001	00086975	Professional Services	Agmt No. 4734_Amd 4	20,315.79
						Payment Number 39676		21,122.79
39677	1/23/2026	Fastenal Company	P2	356071 001	00087021	Parts & Materials	Maintenance/Operation Supplies	208.71
			P2	356072 001	00087021	Parts & Materials	Maintenance/Operation Supplies	278.28
			P2	356073 001	00087021	Parts & Materials	Maintenance/Operation Supplies	155.33
			P2	356074 001	00087021	Parts & Materials	Maintenance/Operation Supplies	2,073.67
			P2	356296 001	00087021	Parts & Materials	Maintenance/Operation Supplies	2,267.48
			P2	356297 001	00087021	Parts & Materials	Maintenance/Operation Supplies	1,030.86
			P2	356298 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-191.52
			P2	356299 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-285.11
			P2	356300 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-117.78
			P2	356301 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-122.86
			P2	356302 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-142.77
			P2	356304 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-11.90
			P2	356305 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-419.46
			P2	356306 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-20.16
			P2	356307 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-34.17
			P2	356308 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-53.55
			P2	356309 001	00087023	Parts & Materials	Maintenance/Operation Supplies	-50.98
			P2	356310 001	00087024	Parts & Materials	Maintenance/Operation Supplies	-4.49
			P2	356311 001	00087024	Parts & Materials	Maintenance/Operation Supplies	-107.43
			P2	356312 001	00087024	Parts & Materials	Maintenance/Operation Supplies	-71.13
			P2	356313 001	00087024	Parts & Materials	Maintenance/Operation Supplies	-14.24
			P2	356314 001	00087024	Parts & Materials	Maintenance/Operation Supplies	-14.24
			P2	356315 001	00087024	Parts & Materials	Maintenance/Operation Supplies	-26.49
			P2	356316 001	00087025	Parts & Materials	Maintenance/Operation Supplies	-17.13
			P2	356317 001	00087025	Parts & Materials	Maintenance/Operation Supplies	-33.41
			P2	356318 001	00087025	Parts & Materials	Maintenance/Operation Supplies	-50.10
			P2	356319 001	00087025	Parts & Materials	Maintenance/Operation Supplies	-16.70
			P2	356320 001	00087025	Parts & Materials	Maintenance/Operation Supplies	-31.04
			P2	356321 001	00087025	Parts & Materials	Maintenance/Operation Supplies	-7.07
			P3	356070 001	00085645	Parts & Materials	1/2" - 2" PVC CUTTER	161.85
						Payment Number 39677		4,332.45
39678	1/23/2026	Fremont Recycling & Transfer Station	P2	356009 001	00086859	Waste / Recycling / Garbage	Disposal Services	78.90
						Payment Number 39678		78.90

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
39679	1/23/2026	Hanson Bridgett LLP	PV	356049 001		Legal Services	015863.000001 General	5,158.40
			PV	356050 001		Legal Services	015863.000002 Brd of Dir-Mtgs	1,041.60
			PV	356051 001		Legal Services	015863.000004 Contracts	5,604.80
			PV	356052 001		Legal Services	015863.000005 Financial Matter	1,438.40
			PV	356053 001		Legal Services	015863.000008 Claims, Litigat	1,240.00
			PV	356054 001		Legal Services	015863.000012 Environ Matters	595.20
			PV	356055 001		Legal Services	015863.000093 Groundwater	595.20
			PV	356056 001		Legal Services	015863.000301 Deer Rd Property	148.80
			PV	356057 001		Legal Services	015863.000407 Contract Dispute	7,652.10
			PV	356058 001		Legal Services	015863.000609 Confidential	5,456.00
			PV	356059 001		Legal Services	015863.000823 PFAS/PFOA Eval	148.80
			PV	356060 001		Legal Services	015863.000901 Los Vaqueros Res	248.00
			PV	356061 001		Legal Services	015863.000902 State Water Proj	248.00
						Payment Number 39679		29,575.30
39680	1/23/2026	Johnson Service Group Inc	PV	356047 001		Temp Services		9,097.64
						Payment Number 39680		9,097.64
39681	1/23/2026	New Resources Group Inc	P2	356016 001	00086942	Services	Leak Kits	51.56
			P2	356066 001	00086941	Services	Water Conservation Kits	93.40
						Payment Number 39681		144.96
39682	1/23/2026	Vertech Industrial Systems. LLC	P2	356023 001	00075059	Services	Amendment No. 5	11,377.50
						Payment Number 39682		11,377.50
39683	1/23/2026	West Yost Associates, Inc.	P2	356021 001	00086964	Professional Services	Revision - Amendment 5	13,676.25
			P2	356022 001	00086965	Professional Services	Revision - Amendment 5	10,794.50
						Payment Number 39683		24,470.75
39684	1/23/2026	Woodard & Curran Inc	P2	356011 001	00086952	Professional Services	WRMP phase 2	49,751.94
						Payment Number 39684		49,751.94
39685	1/23/2026	ZAG Technical Services, Inc.	P2	356024 001	00086968	Software Sales & Support	Agmt 4523_Amd 4	6,381.25
						Payment Number 39685		6,381.25
39686	1/23/2026	LegalShield	T7	355893 001		Employee Benefits		398.00
						Payment Number 39686		398.00
262913	1/23/2026	ACWA JPIA	PV	356044 001		Insurance	WC Qtr 2	108,143.89
						Payment Number 262913		108,143.89
262914	1/23/2026	Airgas NCN Inc	P2	356035 001	00085317	Gas / Oil / Compr Air	Liquid Oxygen	4,276.15
						Payment Number 262914		4,276.15
262915	1/23/2026	Rajkiran Anthapur	PV	356062 001		Water Efficient Rebate	Lawn Be Gone Program	3,000.00
						Payment Number 262915		3,000.00

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
262916	1/23/2026	Applied Industrial Technologies Inc	P3	356007 001	00084794	Parts & Materials	AIRSTROKE ACTUATOR, RUBBER	3,897.56
			P3	356007 002	00084794	Parts & Materials	AIRSTROKE ACTUATOR, RUBBER	1,136.79
			P3	356007 003	00084794	Parts & Materials	Inventory Freight Expense	81.00
						Payment Number 262916		5,115.35
262917	1/23/2026	Beck's Shoes Inc	PV	356063 001		Safety		325.00
						Payment Number 262917		325.00
262918	1/23/2026	Devika Birnale	PV	356064 001		Water Efficient Rebate	Lawn Be Gone Program	3,000.00
						Payment Number 262918		3,000.00
262919	1/23/2026	State of California	PV	356043 001		City / County / GOV	Customer #67	6,000.00
						Payment Number 262919		6,000.00
262920	1/23/2026	Chemical Transfer Co., Inc.	P2	356033 001	00086337	Services	Pump Out Charge	2,800.00
			P2	356033 002	00086337	Services	Driver Assistance	1,425.00
			P2	356033 003	00086337	Services	Hose & Pump Charge	450.00
			P2	356033 004	00086337	Services	Washout Charge	760.00
			P2	356033 005	00086337	Services	Ammonia	84.00
						Payment Number 262920		5,519.00
262921	1/23/2026	Core & Main LP	P3	356000 001	00086146	Parts & Materials	10 DETECTOR CHECK VALVE, FXF	27,342.00
						Payment Number 262921		27,342.00
262922	1/23/2026	Dell Marketing LP	P2	356013 001	00077218	Computer Sales & Support	Microsoft 365 Year 3 True up	5,061.06
			P2	356028 001	00086933	Computer Sales & Support	8 Monitors	1,543.50
			P2	356028 002	00086933	Computer Sales & Support	Computer Hardware/Supplies	40.00
						Payment Number 262922		6,644.56
262923	1/23/2026	Ferguson Waterworks	P3	356005 001	00085997	Parts & Materials	1-1/4 COMP X 1 FNPT METER COUP	1,026.65
			P3	356067 001	00086633	Parts & Materials	2" X 3" BRASS NIPPLE	490.17
						Payment Number 262923		1,516.82
262924	1/23/2026	City of Fremont	PV	356037 001		City / County / GOV		733.80
			PV	356038 001		City / County / GOV		357.96
			PV	356039 001		City / County / GOV		2,621.38
			PV	356040 001		City / County / GOV		2,977.28
			PV	356041 001		City / County / GOV		2,024.58
			PV	356042 001		City / County / GOV		782.34
			PV	356323 001		City / County / GOV		3,083.28
						Payment Number 262924		12,580.62
262925	1/23/2026	City of Fremont	P2	356027 001	00086440	City / County / GOV	SACGISA Billing #52	4,430.59
						Payment Number 262925		4,430.59
262926	1/23/2026	InfoSend Inc	P2	356018 001	00086961	Printing	FY 25-26 Bill Print & Postage	6,514.79
			P2	356019 001	00086962	Printing	FY 25-26 Bill Print & Postage	20,281.32
						Payment Number 262926		26,796.11

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
262927	1/23/2026	Kastle Systems of Los Angeles	P2	356029 001	00086977	Security	Year 1 Monitoring Services	5,713.01
			P2	356030 001	00086977	Security	Year 1 Monitoring Services	960.63
			P2	356031 001	00086977	Security	Year 1 Monitoring Services	960.63
			P2	356032 001	00086977	Security	Year 1 Monitoring Services	5,713.01
						Payment Number 262927		13,347.28
262928	1/23/2026	Lizard Auto Glass	P2	356012 001	00086959	Vehicle Sales and Service	Auto Glass Replacement	532.21
						Payment Number 262928		532.21
262929	1/23/2026	Motion Industries Inc	P3	356002 001	00086551	Parts & Materials	CLUTCH, WITH 40MM HUB BORE	5,261.79
			P3	356002 002	00086551	Parts & Materials	Inventory Freight Expense	175.95
						Payment Number 262929		5,437.74
262930	1/23/2026	Occu-Med Ltd	P2	356017 001	00086953	Services	Employment Exam QA Services	561.80
						Payment Number 262930		561.80
262931	1/23/2026	Occupational Health Centers of Californi	P2	356065 001	00086954	Medical Services	Pre-Employment & Medical Exami	253.00
						Payment Number 262931		253.00
262932	1/23/2026	Reed & Graham Inc	P3	356001 001	00086917	Materials	GRAVEL BAG, FILLED 17x24	727.65
			P3	356001 002	00086917	Materials	Inventory Freight Expense	44.10
						Payment Number 262932		771.75
262933	1/23/2026	SAVE	PV	356046 001		Sponsorships	2025 Donation	1,431.00
						Payment Number 262933		1,431.00
262934	1/23/2026	Schneider Electric Buildings Americas,	P2	356025 001	00086958	Building Maintenance	HVAC Building Controls Service	338.83
						Payment Number 262934		338.83
262935	1/23/2026	State Water Resources Control Board	PV	356048 001		Fees		563.00
						Payment Number 262935		563.00
262936	1/23/2026	Tri City Animal Shelter	PV	356045 001		Sponsorships	2025 Donation	1,431.00
						Payment Number 262936		1,431.00
262937	1/23/2026	Underground Republic Water Works, Inc	P3	356003 001	00086436	Parts & Materials	6" AC FULL CIRCLE LEAK BAND	8,290.80
						Payment Number 262937		8,290.80
262938	1/23/2026	Univar USA Inc	P2	356034 001	00085271	Chemicals	Sodium Hypochlorite	13,066.00
						Payment Number 262938		13,066.00
262939	1/23/2026	USA Blue Book	P3	356008 001	00086572	Parts & Materials	SUMP PUMP-BJM TYPE GF 32-9 NL	2,116.75
			P3	356008 002	00086572	Parts & Materials	Inventory Freight Expense	20.84
						Payment Number 262939		2,137.59
262940	1/23/2026	Greg Vulikh	PV	356069 001		Water Efficient Rebate	Lawn Be Gone Program	771.75

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
						Payment Number 262940		771.75
262941	1/23/2026	Yulan Wang	PV	356068 001		Water Efficient Rebate	Lawn Be Gone Program	2,000.00
						Payment Number 262941		2,000.00
262946	1/23/2026	ACWD Employees Association	T7	355908 001		Employee Benefits		80.00
			T7	356324 001		Employee Benefits		1,700.00
						Payment Number 262946		1,780.00
262947	1/23/2026	Employment Development Dept	T7	356326 001		Fees		348.00
						Payment Number 262947		348.00
262948	1/23/2026	Franchise Tax Board	T7	356325 001		City / County / GOV		162.50
						Payment Number 262948		162.50
262949	1/23/2026	Court-Ordered Debt Collections	T7	356329 001		City / County / GOV		100.00
						Payment Number 262949		100.00
262950	1/23/2026	Elissa Hensley	T7	356328 001		City / County / GOV		600.00
						Payment Number 262950		600.00
262951	1/23/2026	Sandra Dee Kim	T7	356327 001		City / County / GOV		75.00
						Payment Number 262951		75.00
							Grand Total	430,925.72

The undersigned affirms that each of the itemized demands set forth above is for materials and/or services rendered to the Alameda County Water District, that no demand has been previously paid in whole or in part, that proper procedures were followed in procurement of the materials and services, and that adequate budgeted funds were available.

Jonathan Wunderlich, Treasurer — Date: 1/27/26

Ed Stevenson, General Manager — Date: 1/28/2026

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
39903	1/30/2026	Bruce's Tire	P2	356373 001	00086997	Parts & Materials	Tire Products and Services	491.98
			P2	356374 001	00087046	Parts & Materials	Tire Products and Services	1,582.32
						Payment Number 39903		2,074.30
39904	1/30/2026	California UST Services	P2	356412 001	00086984	Services	USTs and ASTs	600.00
						Payment Number 39904		600.00
39905	1/30/2026	Communication & Control Inc	P2	356382 001	00086981	Telecommunications	Site Rental Agreement	1,501.02
						Payment Number 39905		1,501.02
39906	1/30/2026	Dave Kelly Trucking	P2	356346 001	00087012	Services	Truck Hauling Services	4,491.90
						Payment Number 39906		4,491.90
39907	1/30/2026	Evoqua Water Technologies, LLC	P2	356389 001	00086972	Services	IX Resin Skimming	10,950.30
						Payment Number 39907		10,950.30
39908	1/30/2026	Fastenal Company	P2	356458 001	00087084	Parts & Materials	Maintenance/Operation Supplies	800.61
			P2	356459 001	00087084	Parts & Materials	Maintenance/Operation Supplies	852.74
			P2	356460 001	00087084	Parts & Materials	Maintenance/Operation Supplies	50.06
			P2	356461 001	00087084	Parts & Materials	Maintenance/Operation Supplies	759.74
			P2	356462 001	00087085	Parts & Materials	Maintenance/Operation Supplies	-195.01
			P3	356433 001	00086752	Parts & Materials	3/4" 1/2" DR 12PT STD	18.85
			P3	356433 002	00086752	Parts & Materials	16 OZ MAP GAS	555.85
						Payment Number 39908		2,842.84
39909	1/30/2026	Ferguson Welding Service Inc	P2	356347 001	00087011	Services	Amnd 2 through 6/30/25	11,289.98
						Payment Number 39909		11,289.98
39910	1/30/2026	Hayward Pipe & Supply Co	P3	356331 001	00086575	Parts & Materials	VALVE, BALL 3/4 SS FNPT	340.14
			P3	356331 002	00086575	Parts & Materials	Inventory Freight Expense	35.87
						Payment Number 39910		376.01
39911	1/30/2026	J Geiger Consulting, Inc.	P2	356416 001	00087061	Software Sales & Support	J.GEIGER CONSULTING 2025	740.00
			P2	356417 001	00087060	Software Sales & Support	J.GEIGER CONSULTING 2025	185.00
						Payment Number 39911		925.00
39912	1/30/2026	Martin Marietta Materials, Inc.	P2	356343 001	00087016	Building Maintenance	Backfill Materials	14,702.25
						Payment Number 39912		14,702.25
39913	1/30/2026	MERRIMAC PETROLEUM	P2	356375 001	00087034	Gas / Oil / Compr Air	3rd Amendment	6,496.45
						Payment Number 39913		6,496.45
39914	1/30/2026	Milpitas Materials Co	P2	356456 001	00087008	Parts & Materials	Backfill Material AGMT 4975	9,171.29
						Payment Number 39914		9,171.29
39915	1/30/2026	Montrose Environmental Solutions, Inc.	P2	356381 001	00086969	Services	PSA A-5 Monitoring & Reporting	3,020.25
						Payment Number 39915		3,020.25

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
39916	1/30/2026	Motion and Flow Control Products	P2	356420 001	00086990	Parts & Materials	Parts and Materials	165.01
			P2	356421 001	00087000	Parts & Materials	Parts and Materials	32.68
						Payment Number 39916		197.69
39917	1/30/2026	National Trench Safety LLC	P2	356350 001	00087020	Equipment Rental	Trench Safety Equipment	283.27
						Payment Number 39917		283.27
39918	1/30/2026	Orkin Services of California	P2	356388 001	00086986	Services	Pest Control/Vertebrate Servic	7,559.00
						Payment Number 39918		7,559.00
39919	1/30/2026	ERP Suites	P2	356413 001	00087063	Software Sales & Support	Agmt 4983 - JDE Support	8,575.00
			P2	356414 001	00087064	Software Sales & Support	Agmt 4983 - JDE Support	600.00
			P2	356415 001	00087062	Software Sales & Support	Agmt 4983 - JDE Support	875.00
						Payment Number 39919		10,050.00
39920	1/30/2026	Smart Energy Systems, Inc.	PV	356429 001		Services		85,086.58
						Payment Number 39920		85,086.58
39921	1/30/2026	Trussell Technologies, Inc.	P2	356353 001	00075013	Services	PFAS Engineering Services PSA	2,996.03
						Payment Number 39921		2,996.03
39922	1/30/2026	Water Resources Engineering, Inc.	P2	356376 001	00086983	Services	Development of Dam Emergency	1,260.00
						Payment Number 39922		1,260.00
262952	1/30/2026	AECO Systems Inc	P2	356377 001	00086979	Services	HQ Fire Alarm System - Repair,	21,751.75
						Payment Number 262952		21,751.75
262953	1/30/2026	Alameda County Library Foundation	PV	356342 001		Sponsorships	2025 Donation	1,431.00
						Payment Number 262953		1,431.00
262954	1/30/2026	Allied Auto Stores	P2	356344 001	00087019	Parts & Materials	Auto parts and supplies	2,801.59
						Payment Number 262954		2,801.59
262955	1/30/2026	Arbor Tech Tree Care Inc	P2	356351 001	00087031	Services	Addition of Funds	3,985.00
			P2	356352 001	00087032	Services	Addition of Funds	5,566.49
						Payment Number 262955		9,551.49
262956	1/30/2026	Bartley Pump PM LLC	P2	356378 001	00087033	Construction Services	B12 P300 repair	30,477.73
						Payment Number 262956		30,477.73
262957	1/30/2026	Bay Counties Diesel Service	P2	356393 001	00086987	Vehicle Sales and Service	DFP Opacity Testing	2,087.08
			P2	356394 001	00086998	Vehicle Sales and Service	DFP Opacity Testing	613.22
			P2	356395 001	00086999	Vehicle Sales and Service	DFP Opacity Testing	172.28
			P2	356396 001	00087041	Vehicle Sales and Service	DFP Opacity Testing	172.28
			P2	356397 001	00087040	Vehicle Sales and Service	DFP Opacity Testing	172.28
			P2	356398 001	00087039	Vehicle Sales and Service	DFP Opacity Testing	172.28
			P2	356399 001	00087038	Vehicle Sales and Service	DFP Opacity Testing	172.28
			P2	356400 001	00087037	Vehicle Sales and Service	DFP Opacity Testing	172.28

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
			P2	356401 001	00087036	Vehicle Sales and Service	DFP Opacity Testing	172.28
			P2	356402 001	00087035	Vehicle Sales and Service	DFP Opacity Testing	156.62
						Payment Number 262957		4,062.88
262958	1/30/2026	Bay Equipment Sales & Service, Inc.	P2	356403 001	00086991	Equipment Rental	Products and Equipment	340.73
			P2	356404 001	00086992	Equipment Rental	Products and Equipment	1,146.89
			P2	356405 001	00086993	Equipment Rental	Products and Equipment	555.72
						Payment Number 262958		2,043.34
262959	1/30/2026	Beck's Shoes Inc	PV	356341 001		Safety		299.84
						Payment Number 262959		299.84
262960	1/30/2026	Bennett Marine Utility	P2	356365 001	00087065	Services	Chlorination Services	3,885.00
						Payment Number 262960		3,885.00
262961	1/30/2026	BHJ Bay City Screw & Bolt Co	P2	356410 001	00087014	Parts & Materials	Various Bolts, Part Supplies	78.55
			P2	356411 001	00087013	Parts & Materials	Various Bolts, Part Supplies	1,118.96
						Payment Number 262961		1,197.51
262962	1/30/2026	CalDesal	PV	356339 001		Memberships	2026 Annual Conf-Sponsorship	750.00
						Payment Number 262962		750.00
262963	1/30/2026	Chemical Transfer Co., Inc.	P2	356379 001	00086337	Services	Chemical Transfer Ammonia	760.00
			P2	356379 002	00086337	Services	Pump Out Charge	3,237.50
			P2	356379 003	00086337	Services	Driver Assistance	1,425.00
			P2	356379 004	00086337	Services	Hose & Pump Charge	450.00
						Payment Number 262963		5,872.50
262964	1/30/2026	Jack Chu	PV	356442 001		Reimbursements	Sewer Line Damage Claim	31,000.00
						Payment Number 262964		31,000.00
262965	1/30/2026	City Rise LLC	P2	356363 001	00086978	Materials	Traffic Control Solutions	1,750.00
			P2	356364 001	00086943	Materials	Traffic Control Solutions	250.00
			P2	356372 001	00086944	Materials	Traffic Control Solutions	1,250.00
						Payment Number 262965		3,250.00
262966	1/30/2026	Coast Counties Truck & Equipment	P2	356366 001	00086994	Materials	Truck and Equipment Parts	496.39
			P2	356367 001	00086995	Materials	Truck and Equipment Parts	784.61
			P2	356368 001	00086996	Materials	Truck and Equipment Parts	275.87
			P2	356369 001	00087022	Materials	Truck and Equipment Parts	-109.49
			P2	356370 001	00087042	Materials	Truck and Equipment Parts	979.84
						Payment Number 262966		2,427.22
262967	1/30/2026	Commercial Tree Care	P2	356391 001	00087044	Landscaping	Tree Care Services	7,500.00
			P2	356392 001	00087043	Landscaping	Tree Care Services	3,960.00
						Payment Number 262967		11,460.00
262968	1/30/2026	ConvergeOne, Inc.	P2	356423 001	00086928	Computer Sales & Support	Cisco support renewal 2 year	10,065.74

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
						Payment Number 262968		10,065.74
262969	1/30/2026	Core & Main LP	P3	356335 001	00086146	Parts & Materials	10 DETECTOR CHECK VALVE, FXF	6,835.50
						Payment Number 262969		6,835.50
262970	1/30/2026	Cosco Fire Protection, Inc.	P2	356418 001	00086985	Safety	Fire Sprinkler Repair & Maint	1,336.00
						Payment Number 262970		1,336.00
262971	1/30/2026	Dahl-Beck Electric	P2	356422 001	00087010	Services	Electric Motor Repair	10,000.00
			P2	356422 002	00087010	Services	Cover cost to TPS Turbine #4	13,106.27
						Payment Number 262971		23,106.27
262972	1/30/2026	Delta Tech Service, Inc.	P2	356355 001	00087006	Services	Amend 1 Agmt 4931	16,618.35
						Payment Number 262972		16,618.35
262973	1/30/2026	DXP ENTERPRISES. INC	P3	356336 001	00086879	Parts & Materials	REFILL VALVE, MILROYAL-G	2,694.51
			P3	356336 002	00086879	Parts & Materials	Inventory Freight Expense	17.74
						Payment Number 262973		2,712.25
262974	1/30/2026	EMA Inc	P2	356354 001	00087009	Professional Services	EBPP and CAYENTA Upgrade Svcs	6,430.00
						Payment Number 262974		6,430.00
262975	1/30/2026	Falcon Electric, Inc.	P3	356333 001	00086343	Materials	FALCON ELECTRIC UPS	3,683.74
			P3	356333 002	00086343	Materials	Inventory Freight Expense	177.00
						Payment Number 262975		3,860.74
262976	1/30/2026	Hazmat TSDF, Inc.	P2	356406 001	00086980	Safety	Hazwaste Disposal and Pickup	2,165.00
			P2	356407 001	00086980	Safety	Hazwaste Disposal and Pickup	1,520.00
			P2	356408 001	00086980	Safety	Hazwaste Disposal and Pickup	1,335.00
						Payment Number 262976		5,020.00
262977	1/30/2026	HERS Breast Cancer Foundation	PV	356457 001		Sponsorships	2025 Donation	1,431.00
						Payment Number 262977		1,431.00
262978	1/30/2026	Hulbert Lumber Co	P2	356437 002	00087068	Parts & Materials	Lumber and Tools	1,197.66
						Payment Number 262978		1,197.66
262979	1/30/2026	Motion Industries Inc	P3	356334 001	00086387	Parts & Materials	PILLOW BLOCK BEARING 1-15/16"	786.48
			P3	356334 002	00086387	Parts & Materials	Inventory Freight Expense	47.51
						Payment Number 262979		833.99
262980	1/30/2026	National Auto Fleet Group	P2	356383 001	00084821	Vehicle Sales and Service	Ford F-600 4x4 utility truck	121,509.06
			P2	356384 001	00084822	Vehicle Sales and Service	Ford F-600 4x4 utility truck	121,509.06
			P2	356385 001	00084824	Vehicle Sales and Service	Ford F-600 4x4 utility truck	121,509.06
						Payment Number 262980		364,527.18
262981	1/30/2026	Inter. Disposal Corp of Calif.	P2	356345 001	00087017	Waste / Recycling / Garbage	Disposal Materials	18,459.34
						Payment Number 262981		18,459.34

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
262982	1/30/2026	Occupational Health Centers of Californi	P2	356386 001	00087057	Medical Services	Pre-Employment & Medical Exami	194.00
			P2	356387 001	00087055	Medical Services	Pre-Employment & Medical Exami	304.00
						Payment Number 262982		498.00
262983	1/30/2026	P&A Administrative Service, Inc.	PV	356426 001		Professional Services	Commuter Program	27.15
			PV	356427 001		Professional Services		16,736.07
			PV	356428 001		Professional Services		2,845.55
						Payment Number 262983		19,608.77
262984	1/30/2026	Pacific Gas & Electric Co	PV	356424 001		Utility	Acct 6022620803-5	191,074.16
						Payment Number 262984		191,074.16
262985	1/30/2026	Pape Machinery Inc	P2	356409 001	00086982	Equip Sales and Service	Equipment and Parts	973.53
						Payment Number 262985		973.53
262986	1/30/2026	Bipin Pattan	PV	356441 001		Water Efficient Rebate	Lawn Be Gone Program	3,000.00
						Payment Number 262986		3,000.00
262987	1/30/2026	Peterson	P2	356356 001	00086988	Equipment Rental	Stationary Generator Maintenan	2,025.84
			P2	356357 001	00086988	Equipment Rental	Stationary Generator Maintenan	850.00
			P2	356358 001	00086988	Equipment Rental	Stationary Generator Maintenan	980.00
			P2	356359 001	00086988	Equipment Rental	Stationary Generator Maintenan	980.00
			P2	356360 001	00086989	Equipment Rental	Stationary Generator Maintenan	2,065.76
			P2	356361 001	00086989	Equipment Rental	Stationary Generator Maintenan	980.00
			P2	356362 001	00086989	Equipment Rental	Stationary Generator Maintenan	980.00
						Payment Number 262987		8,861.60
262988	1/30/2026	PFM Financial Advisors, LLC	P2	356380 008	00087058	Professional Services	Financial Advisory Services	243.75
						Payment Number 262988		243.75
262989	1/30/2026	Red Wing Shoes	PV	356337 001		Safety		1,968.04
			PV	356338 001		Safety		1,604.03
						Payment Number 262989		3,572.07
262990	1/30/2026	Richard Heath & Associates, Inc.	P2	356390 001	00086956	Services	WSAPP Budget 24-25	1,590.40
						Payment Number 262990		1,590.40
262991	1/30/2026	Safe Software Inc	P2	356419 001	00086920	Software Sales & Support	Annual Maintenance for FME	4,307.30
						Payment Number 262991		4,307.30
262992	1/30/2026	Sunbelt Rentals	P2	356371 001	00087007	Equipment Rental	Equipment Rental	1,568.71
						Payment Number 262992		1,568.71
262993	1/30/2026	Tri City Rock	P2	356438 001	00087069	Materials	Landscaping Materials	14.88
			P2	356439 001	00087070	Materials	Landscaping Materials	78.28
			P2	356440 001	00087071	Materials	Landscaping Materials	101.43
			P3	356330 001	00086821	Materials	RED COMMON BRICKS	1,984.50

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
			P3	356330 002	00086821	Materials	Inventory Freight Expense	100.00
						Payment Number 262993		2,279.09
262994	1/30/2026	Underground Republic Water Works, Inc	P3	356430 001	00087072	Parts & Materials	1" X 3/4" BRASS BUSHING	507.15
			P3	356432 001	00085671	Parts & Materials	#1 Vault	38,367.00
			P3	356435 001	00086874	Parts & Materials	7/8" X 4 1/2" BOLT W/NUT	105.84
			P3	356435 002	00086874	Parts & Materials	10" ID ENDW INSULATION GASKET	1,984.50
			P3	356455 001	00086874	Parts & Materials	7/8" X 3 3/4" BOLT W/NUT	289.41
			P3	356455 002	00086874	Parts & Materials	7/8" X 4 1/2" BOLT W/NUT	211.68
			P3	356455 003	00086874	Parts & Materials	7/8" X 3 3/4" BOLT W/NUT	11.57
						Payment Number 262994		41,477.15
262995	1/30/2026	VWR International LLC	P2	356349 001	00087026	Chemicals	Lab. Equipment & Supplies	938.64
						Payment Number 262995		938.64
262996	1/30/2026	Wagner Process Equipment Inc	P3	356332 001	00086838	Parts & Materials	PULSATION DAMPENER AA SH	2,325.17
			P3	356332 002	00086838	Parts & Materials	Inventory Freight Expense	13.28
						Payment Number 262996		2,338.45
1122026	1/29/2026	Calpers	PM	356443 001		Employee Benefits		124,829.04
						Payment Number 1122026		124,829.04
1142026	1/29/2026	Calpers	PM	356444 001		Employee Benefits		277,772.45
						Payment Number 1142026		277,772.45
1162026	1/29/2026	Internal Revenue Service	PM	356446 001		Taxes		284,507.75
						Payment Number 1162026		284,507.75
1172026	1/29/2026	California Employment Dev Dept	PM	356447 001		Taxes		88,103.50
						Payment Number 1172026		88,103.50
1182026	1/29/2026	ICMA RHSA	PM	356448 001		Employee Benefits		9,590.15
						Payment Number 1182026		9,590.15
1192026	1/29/2026	ICMA Def Comp 401a	PM	356449 001		Employee Benefits		117,791.55
						Payment Number 1192026		117,791.55
1202026	1/29/2026	ICMA Def Comp 457	PM	356450 001		Employee Benefits		201,567.34
						Payment Number 1202026		201,567.34
1212026	1/29/2026	Internal Revenue Service	PM	356451 001		Taxes		943.21
						Payment Number 1212026		943.21
1222026	1/29/2026	California Employment Dev Dept	PM	356452 001		Taxes		129.40
						Payment Number 1222026		129.40
1232026	1/29/2026	Calpers	PM	356453 001		Employee Benefits		272,522.73

Check Number	Check Date	Payee	Document Type	Document Number	Purchase Order Number	Classification	Description	Amount
						Payment Number 1232026		272,522.73
1242026	1/29/2026	California Dept of Tax and Fee Admin	PM	356454 001		Fees		11,735.00
						Payment Number 1242026		11,735.00
1292026	1/29/2026	US Bank	PM	356463 001		CALCard		76,897.10
						Payment Number 1292026		76,897.10
							Grand Total	2,519,290.87

The undersigned affirms that each of the itemized demands set forth above is for materials and/or services rendered to the Alameda County Water District, that no demand has been previously paid in whole or in part, that proper procedures were followed in procurement of the materials and services, and that adequate budgeted funds were available.

Jonathan Wunderlich, Treasurer — Date: 2/3/26

Ed Stevenson, General Manager — Date: 2/4/2026

RESOLUTION NO. _____

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT APPROVING AND AUTHORIZING EXECUTION OF PUBLIC WATER SYSTEM EXTENSION AGREEMENT WITH TAYLOR MORRISON OF CALIFORNIA, LLC, TRACT 8665, CEDAR TOWNHOMES, ACWD NO. 2024-0023

_____

BE IT RESOLVED by the Board of Directors of ALAMEDA COUNTY WATER DISTRICT that the certain contract dated February 12, 2026, covering extension of District's water main, by and between ALAMEDA COUNTY WATER DISTRICT and TAYLOR MORRISON OF CALIFORNIA, LLC, be and the same is hereby approved and entered into.

BE IT FURTHER RESOLVED that the President and Secretary of said District be and they hereby are authorized and directed to sign and countersign the Public Water System Extension Agreement on behalf of said District.

PASSED AND ADOPTED this 12th day of February 2026, by the following vote:

AYES:

NOES:

ABSENT:

_____
Aziz Akbari, President
Board of Directors
Alameda County Water District

ATTEST:

_____
JR Salinas, Assistant District Secretary
Alameda County Water District
(Seal)

APPROVED AS TO FORM:

_____
Patrick T. Miyaki, General Counsel
Alameda County Water District

Notes

1) WATER LINE EASEMENTS ARE REQUIRED FOR ALL PUBLIC WATER FACILITIES LOCATED OUTSIDE OF THE PUBLIC RIGHT-OF-WAY OR OUTSIDE OF A PUBLIC UTILITY EASEMENT ABUTTING THE PUBLIC RIGHT-OF-WAY.

Legend

- NEW PVC WATER MAIN
- NEW STEEL WATER MAIN
- ACP TO BE REMOVED
- SITE BOUNDARY
- LOT LINE
- ADJACENT PROPERTY LINE
- EXISTING WATER MAIN
- NEW VALVE
- EXISTING VALVE
- NEW FIRE HYDRANT
- EXISTING FIRE HYDRANT
- NEW FIRE HYDRANT BY ACWD
- NEW PBO
- EXISTING PBO

NIMITZ FREEWAY STATE OF CALIFORNIA

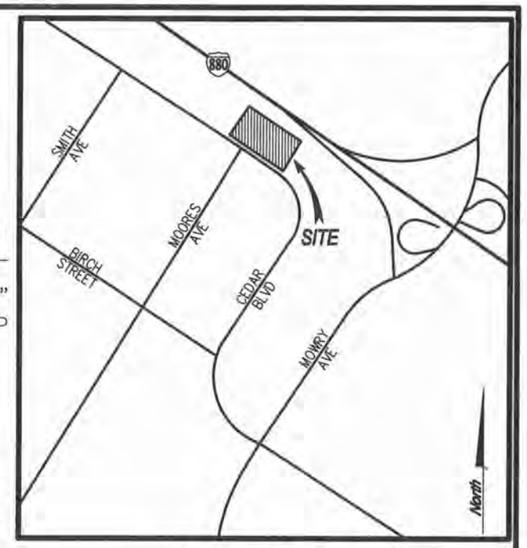
ACWD TIE-IN
EX 8" ACP
CLOSURE BY CONTRACTOR
353' EXISTING 14" ACP TO BE REMOVED AND LEGALLY DISPOSED OF
ACWD TIE-IN
EX. 14" WSP
EX 14" ACP
7'~8" WSP
9'~6" WSP
9'~6" WSP
22'~14" WSP
CLOSURE BY CONTRACTOR
130'~6" PVC
141'~14" PVC
22'~14" PVC

BUILDING 4 (UNITS 16-20)
61'~8" PVC
DIANTHUS COURT
123'~6" PVC
BUILDING 3 (UNITS 11-15)
83'~8" PVC
BUILDING 2 (UNITS 6-10)
23'~6" WSP
SPIREA COURT
104'~6" PVC
BUILDING 1 (UNITS 1-5)
28'~14" WSP

CALLA LILY AVENUE
BUILDING 5 (UNITS 21-26)
CELOSIA COURT
BUILDING 6 (UNITS 27-32)
BUILDING 9 (UNITS 45-49)
ORCHID COURT
BUILDING 10 (UNITS 50-54)
BUILDING 13 (UNITS 67-71)
LONICERA COURT
WESTERLAND STREET
75'~14" PVC
23'~14" WSP
BUILDING 7 (UNITS 33-38)
BRUNIA COURT
BUILDING 8 (UNITS 39-44)
103'~14" PVC
BUILDING 11 (UNITS 55-60)
SORBARIA COURT
108'~14" PVC
BUILDING 12 (UNITS 61-66)
BUILDING 14 (UNITS 72-76)
HAKEA COURT
TIMBER RANCH PROPERTIES LLC
71'~14" PVC
125'~6" PVC
56'~14" PVC
125'~6" PVC
235'~8" PVC

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

EX 12" ACP
CEDAR BLVD. STREET DEDICATION
NEW HYDRANT BY ACWD
EX HYDRANT TO BE REMOVED BY ACWD
CLOSURE BY CONTRACTOR
EX 14" ACP
319' EXISTING 14" ACP TO BE REMOVED AND LEGALLY DISPOSED OF
ACWD TIE-IN
EX 12" ACP
CLOSURE BY CONTRACTOR
ACWD TIE-IN
CEDAR BOULEVARD
MOORES AVE



Vicinity Map

North

ZONE 1, 76 MULTI-FAMILY DWELLING UNITS

IMPROVEMENT PLANS APPROVED 08/26/25

Approved
Girum Awoke, Director of Engineering and Technology

NO.	DATE	REVISION	BY	APP

DESIGNED	CBG
DRAWN	CBG (JJ)
CHECKED	NA
SUPV. ENGR.	SRO

PUBLIC WATER SYSTEM EXTENSION WITHIN THE ALAMEDA COUNTY WATER DISTRICT

EXHIBIT A
TAYLOR MORRISON OF CALIFORNIA, LLC
TRACT 8665 – CEDAR TOWNHOMES
ACWD #2024-0023

SCALE	1"=60'
DATE	12/03/25
DWG NO.	X-25E-03

FILE: ACWD #2024-0023 MAP REF: S15, T15 DWG FILE: M:\ETS\DEV\DRAWINGS\PWSE EXHIBIT A\2024-0023 CEDAR TOWNHOMES TRACT 8665\XB-029_ACWD_EXHIBIT A.DWG

EXHIBIT "B"
CURRENT COST WORKSHEET

Tract 8665 - Cedar Townhomes	2024-0023	Multiple Dwelling Units	12/04/25
DEVELOPMENT	ACWD No.	TYPE	DATE

PUBLIC WATER SYSTEM EXTENSION ENGINEERING FEE

Initial deposit for payment of Public Water System Extension Engineering Fee. (Refer to Article IV, Paragraph B)
(date paid) 04/18/24 = $66,500.00

ANNEXATION FEE

Initial deposit for payment of Annexation Fee (Refer to Article IV, Paragraph F)

Not applicable

SERVICE RELATED COSTS

FACILITIES CONNECTION CHARGES (FCC)

Per dwelling unit or meter. (Refer to Article IV, Paragraphs C and D. See Note 1 below)

Description of Dwelling Unit (D.U.) or Meter	Number	Incremental Portion	Equity Buy-In			
Multiple Dwelling Units	76 x	($6,290.00 +	$3,060.00) /	unit =	$710,600.00
Credit for 3/4" Non-Residential Domestic Meter	1 x	(-$11,233.00 +	-$5,464.00) /	meter =	-$16,697.00
1-1/2" Non-Residental (Irrigation) Meter	1 x	($0.00 +	$0.00) /	meter =	$0.00

SUBTOTAL FCC $466,807.00 + $227,096.00 = **$693,903.00**

FIXED RATE METER INSTALLATION CHARGES

Per meter. (Refer to Article IV, Paragraph E. See Notes 1 and 2 below)

Size	Number			
1"	76	x $ 429 /meter	=	$32,604.00

ACTUAL COST METER INSTALLATION CHARGES

Meters to be installed at actual cost (meters without fixed installation charges) are shown on Exhibit C and installation costs will be estimated and billed separately. Refer to Article IV, Paragraph E and Article VIII. See Note 2 and Note 3, below.

TOTAL OF FIXED RATE SERVICE RELATED COSTS = **$726,507.00**

★★Payment is required prior to meter installation and can be made on an individual basis. See Note 3, below.

NOTES

1) Rates shown are those in effect at the time of Agreement preparation and are subject to change on or after May 1, 2026. Payment for FCC and Fixed Rate Meter Installation Charges will be due and payable at the time of Conditional Acceptance (reference Article X). Payment of FCC and Fixed Rate Meter Installation Charges prior to Conditional Acceptance will not be accepted. Final billing will reflect applicable rates at time of meter installation by ACWD. Any questions regarding charges should be directed to the ACWD Engineering
2) Fixed rate meter installation charges are applicable only to residential domestic meters through 1-1/2" in size with existing water service lines, meter boxes and piping installed by ACWD or by a Developer's Contractor under ACWD Inspection as a requirement of a Public Water System Extension Agreement. All other water meters will be installed on an actual cost basis and will be estimated and billed separately following receipt of a Customer Work Request Application. Contact the ACWD Engineering Department for more information. Refer to Article VIII.
3) Costs for work performed by ACWD at the actual cost of labor and materials are not included hereon. Actual cost work includes relocation or abandonment of existing ACWD facilities; installation of tie-ins; installation of water service lines, fire service lines and fire hydrants from existing water mains; installation of detector check valves; installation of all water meters except fixed rate meters per Note 2; and all other work performed by ACWD. Actual cost work will be estimated and billed separately following receipt of a Customer Work Request Application. Contact the ACWD Engineering Department for more information. Refer to Article VII and VIII.

EXHIBIT "C"
WATER SYSTEM TABULATION

DEVELOPER: Taylor Morrison of California, LLC
Development: Tract 8665 - Cedar Townhomes
ACWD No.: 2024-0023

Column 1
WATER MAIN TO BE INSTALLED BY AND CHARGEABLE TO DEVELOPER

Item	Street	Approximate Length	Size
1)	Calla Lilly Ave / Cedar Blvd (steel)	28 LF	14"
2)	Calla Lilly Ave	56 LF	14"
3)	Spirea Court (steel)	23 LF	6"
4)	Spirea Court	104 LF	6"
5)	Calla Lilly Ave	71 LF	14"
6)	Calla Lilly Ave	83 LF	8"
7)	Dianthus Court	123 LF	6"
8)	Calla Lily Ave	61 LF	8"
9)	Calla Lilly Ave (steel)	7 LF	8"
10)	Westerland St	75 LF	14"
11)	Celosia Ct	129 LF	6"
12)	Celosia Ct (steel)	9 LF	6"
13)	Westerland St (steel)	23 LF	14"
14)	Brunia Ct	125 LF	6"
15)	Westerland St	103 LF	14"
16)	Orchid Ct	130 LF	6"
17)	Orchid Ct (steel)	9 LF	6"
18)	Westerland St	22 LF	14"
19)	Sorbaria Ct	125 LF	6"
20)	Westerland St	108 LF	14"
21)	Lonicera Ct	141 LF	14"
22)	Lonicera Ct (steel)	22 LF	14"
23)	Hakea Ct / Cedar Blvd	235 LF	14"

Section A
OTHER WORK REQUIRED AND CHARGEABLE TO DEVELOPER

TIE-INS BY DISTRICT

Install one (1) 14" restrained butterfly valve and 10' of 14" welded steel pipe (Cedar Blvd)
Install 8" wet-tap and one (1) 8" gate valve (Cedar Blvd)
Install one (1) 8" restrained gate valve and one (1) 8" 90 degree elbow (Calla Lilly Way)
Install one (1) 14" restrained 90 degree elbow (Lonicera Court)

TO BE PERFORMED BY DEVELOPER

Install seventy-six (76) 1-1/2" domestic water services
Install one (1) 1-1/2" non-residental (irrigation) water service
Install two (2) fire hydrants and appurtenances

EXHIBIT "C"
WATER SYSTEM TABULATION
Page 2 of 2

DEVELOPER: Taylor Morrison of California, LLC
Development: Tract 8665 - Cedar Townhomes
ACWD No.: 2024-0023

TO BE PERFORMED BY DISTRICT

Actual Cost Work (Ref. Article VIII)

Remove existing 1" meter and abandon existing service line
Remove existing 3/4" meter and abandon existing service line
Abandon existing fire hydrant and lateral
Install one (1) fire hydrant
Install one (1) 1-1/2" non-residential (irrigation) meter on existing 1-1/2" lateral

Fixed Rate Installation Charges (Meter releases. Ref. Article IV and Exhibit B)

Install seventy-six (76) 1" residential meters on existing 1-1/2"service lines

ALAMEDA COUNTY WATER DISTRICT
M E M O R A N D U M

DATE: February 9, 2026

TO: Board of Directors

FROM: Ed Stevenson

SUBJECT: STAFF REPORT, ACTION CALENDAR ITEMS FOR FEBRUARY 12, 2026

5.1 DELIVERY OF GROUNDWATER MONITORING REPORT AND SURVEY REPORT, AND ADOPTION OF RESOLUTIONS RELATING TO THE REPLENISHMENT ASSESSMENT ACT

SUMMARY: As required by the Replenishment Assessment Act of the Alameda County Water District (Replenishment Assessment Act), the District must prepare an Engineering Survey and Report on Groundwater Conditions (Survey Report) and the Board must adopt the necessary resolutions of intent on or before the second Tuesday of March as prerequisites to a Public Hearing, which must be held on the second Tuesday of April. The purpose of the Public Hearing is to allow public comment on both the Survey Report and the proposed replenishment assessment rate. The Survey Report includes a recommendation that the replenishment assessment rate for groundwater pumped or extracted for other than agricultural and municipal recreational purposes, effective on July 1, 2026, remain unchanged from the current rate. This recommendation is based on projected activities needed to sustain the groundwater basin in Fiscal Year (FY) 2026/27, with consideration of groundwater levels and quality documented in the 2025 Groundwater Monitoring Report. Under state law, there is a 120-day statute of limitations for challenging any new, increased, or extended fee or charge. Approval of this item is consistent with Strategic Plan Strategy WS 1 – Protect, Maintain, and Enhance the Sustainability, Reliability, and Quality of Local, Regional, and Imported Water Supplies, and Strategic Plan Goal 3 – Maintain the District's Financial Stability and Promote Transparency.

RECOMMENDATION: Receive the 2025 Groundwater Monitoring Report and the Survey Report on Groundwater Conditions, February 2026, and by motion, 1) adopt a resolution declaring the Board's intention to continue use of replenishment assessment revenue to fund a portion of groundwater basin costs in FY 2026/27, setting April 14, 2026, at 6:00 p.m. as the date and time for a public hearing for consideration of the survey report and replenishment assessment, and 2) adopt a resolution extending the deadline for installation of measuring devices on certain non-metered wells.

DISCUSSION: The Replenishment Assessment Act was established by the State of California in Chapter 1942 of the Statutes of 1961, and amended by Chapter 947 of the Statutes of 1970 and Chapter 828 of the Statutes of 1974. The Replenishment Assessment Act gives the District the authority to take measures to ensure the quantity and quality of groundwater for the benefit of all users of the groundwater basin. Such measures include constructing, operating, and maintaining facilities for groundwater recharge; importing supplemental water for groundwater recharge; requiring metering of wells; and levying a replenishment assessment.

The Replenishment Assessment Act requires the Board to order an Engineering Survey and Report on Groundwater Conditions as the first step in the process to establish a replenishment assessment for the next fiscal year. The Survey Report on Groundwater Conditions must be provided to the Board in February to meet subsequent deadlines set forth by the Replenishment Assessment Act. On February 2, 2026, staff sent letters to all well owners/operators and interested parties identified as part of the Sustainable Groundwater Management Act informing them that the Board would be discussing and considering items pertaining to the Replenishment Assessment Act at the February 12, March 12, and April 14, 2026, Regular Board meetings.

The Survey Report, ordered by the Board on November 13, 2025, has been completed. The 2025 Groundwater Monitoring Report, which is referenced by the Survey Report, has also been completed. The remaining actions and schedule for adopting the replenishment assessment rate are as follows:

- February 12, 2026 – Regular Board Meeting: On or before the second Tuesday in March, the Board must adopt a resolution declaring that replenishment assessment revenue should continue over the coming fiscal year to fund a portion of groundwater basin costs. Following adoption of this resolution, the Board must adopt a second resolution to extend the deadline for metering of certain non-metered wells for which annual water production is minimal and would not result in revenues justifying the costs to install meters.
- March 12, 2026 – Regular Board Meeting: Staff will provide a presentation to assist the Board and the public in its review of the Survey Report and the 2025 Groundwater Monitoring Report.
- April 14, 2026 – Regular Board Meeting/Public Hearing: The Board will receive public comment and consider the adoption of resolutions that will adopt the replenishment assessment rate for groundwater pumped or extracted for other than agricultural and municipal recreational purposes, effective in FY 2026/27.

  Additional work sessions on the Survey Report can be held at the Board's discretion. The Public Hearing, which must begin April 14, 2026, may be adjourned from time to time, but must be completed no later than May 5, 2026. The resolutions tentatively scheduled for consideration on April 14, 2026, may not be acted upon until completion of the Public Hearing, but must be adopted no later than May 12, 2026.

5.2 RESOLUTION AMENDING THE RATE AND FEE SCHEDULE REGARDING MISCELLANEOUS FEES AND CHARGES, A WATER CONSERVATION INCENTIVE, FACILITIES CONNECTIONS CHARGES, A NEW CRISIS ASSISTANCE PROGRAM, AND FINDING THE AMENDMENTS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

SUMMARY: The District annually conducts a review of various fees and charges and revises them as appropriate to cover the costs of providing the service for which the fee or charge is imposed. As a result of this review, staff recommends revisions to various fees and charges, including an inflationary adjustment to Facilities Connection Charges. In addition, staff proposes implementing a Crisis Assistance Program that provides a benefit up to $200 toward a customer's outstanding water bill balance. The proposed changes were reviewed at the November 18, 2025, and December

16, 2025, Finance and Administration Committee meetings, and the January 8, 2026, Board meeting. This report will be supplemented by a staff presentation. Approval of this item is consistent with Strategic Plan Goal 3 – Maintain the District's Financial Stability and Promote Transparency.

RECOMMENDATION: By motion, adopt a resolution amending the Rate and Fee Schedule regarding miscellaneous fees and charges, a water conservation incentive, Facilities Connection Charges, a new crisis assistance program, and finding the amendments exempt from the California Environmental Quality Act.

DISCUSSION: The District imposes different categories of fees and charges with different requirements regarding how fees and charges are set. The miscellaneous fees and charges are periodically analyzed and revised to recover the costs of providing the service for which the fee or charge is imposed. Based on the cost and operational data for Fiscal Year (FY) 2024/25, the revisions are proposed as identified in the chart below. The majority of the proposed fees and charges are determined based on the actual costs for labor and materials.

The following schedule summarizes the current fees and the proposed fees. The fees and charges for which there are no proposed changes are not listed. The proposed fees, if approved, will be effective March 1, 2026. The development-related charges, including the meter installation charges and Facilities Connection Charges, are effective May 1, 2026.

	Current	Proposed Effective March 1, 2026
Account Establishment	$46	$13
Damaged Angle Stop	$347	$370
Reconnection Charges:		
- For Replacement of a Pulled Meter & Turn-On	$110	$115
- Charge for Returned Check, Failed Electronic Fund Transfers, Credit Card Reversals and Similar Failures	$13	$5
Inspection/Testing of Backflow Prevention Device	$87	$95
Electric Vehicle Charging Charge	$0.40 per kWh	$0.43 per kWh
Fire Hydrant Meter Charges:		
- Late Meter Reading Field Investigation / Follow-Up Charge	$105	$110
Meter Tampering:		
(2) Meter Tampering/End Point Replacement	$150	$190
(3) Meter Tampering/Meter Replacement		
3/4″ Meter	$306	$424
1″ Meter	$364	$439
1-1/2″ Meter	$554	$874

	Current	Proposed Effective May 1, 2026
Meter Installation Charges:		
- 3/4″ Meter	$416	$424
- 1″ Meter	$429	$439
- 1-1/2″ Meter	$860	$874

Other proposed changes include updating the inspection of public records language in the Rate and Fee Schedule to simplify it and referring the public to the District's current Policy on Inspection of Public Records. Under the water conservation rebates and incentives program, the District's single family residential customers can receive an incentive of up to $100 plus tax toward the purchase of a smart irrigation controller; an increase from $75 plus tax.

Facilities Connection Charges

On February 8, 2024, the Board approved updates to the Facilities Connection Charges (FCCs), along with annual inflationary adjustments using the Engineering News-Record Construction Cost Index for the San Francisco Bay Area, comparing July-to-July. The inflationary adjustment for the July 2024 to July 2025 period is a decrease of 0.327%. Notice of the updated FCCs was included in the District's annual developer letter distributed on January 9, 2026, and posted on the District website. The resolution presented with this item includes these FCC updates to the Rate and Fee Schedule to reflect the previously approved inflationary adjustment.

Crisis Assistance Program

Since 2017, the District has offered a customer assistance program called "Help on Tap" that offers enrolled customers a recurring, bimonthly benefit. This program is funded by non-rate revenue sources, the total amount of which exceeds program demands. At the January 8, 2026, Board meeting, District staff presented a plan to use a portion of the remaining non-rate revenues to fund a new Crisis Assistance Program, offering eligible customers a biennial benefit of up to $200 towards outstanding account balances. This program will be means-tested, with income limits matching the Help on Tap program (the greater of 250% of the Federal Poverty Level or 50% of Area Median Income). Other program rules will also align with the Help on Tap program. This program is presented as a first come, first served pilot program to be re-evaluated after a year.

California Environmental Quality Act (CEQA) Exemption

The California Environmental Quality Act (CEQA), Public Resources Code §21080(b)(8), includes an exemption for revisions to rates and charges that are for the purpose of: 1) meeting operating expenses; 2) purchasing or leasing supplies, equipment, and materials; 3) meeting financial reserve requirements; or, 4) obtaining funds for capital projects necessary to maintain services and system reliability within existing service areas. Staff and General Counsel recommend that the Board find that all proposed rate and charge changes are for the purpose of providing for the CEQA enumerated items:

1. Operating expenses.
2. Leasing supplies, equipment, and materials, which are also a part of operating expenses.
3. Financial reserves: The District maintains various reserves such as the Emergency Reserve and the Operations & Maintenance and Capital Reserve.
4. Capital Projects.

5.3 RESOLUTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 7 TO THE AGREEMENT FOR THE SUPPLY AND CONVEYANCE OF WATER BY THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF CALIFORNIA UNDER THE DRY YEAR WATER PURCHASE PROGRAM BETWEEN THE DEPARTMENT OF WATER RESOURCES AND ALAMEDA COUNTY WATER DISTRICT AND TO TAKE RELATED ACTIONS, AND TAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT RESPONSIBLE AGENCY ACTIONS BASED ON YUBA COUNTY WATER AGENCY'S PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT AND SUPPLEMENTAL CERTIFIED ENVIRONMENTAL IMPACT REPORT

SUMMARY: The Yuba Accord Long-Term Water Transfer Program (Program) is carried out by the Yuba County Water Agency (Yuba Water) and provides benefits to agricultural, environmental and urban interests by generating in-stream flows in the Yuba River that are sold to downstream users. Through the Program, the California Department of Water Resources (DWR) purchases supplies from Yuba Water through a Water Purchase Agreement and delivers the supplies to downstream participating contractors. At this time, the Program is being extended through 2050 and State Water Project contractors have the opportunity to participate in the Program by executing an Amendment No. 7 to the Agreement for the Supply and Conveyance of Water by the Department of Water Resources of the State of California Under the Dry Year Water Purchase Program (Participation Agreement). The Program provides access to routinely-available dry year supplies that can help improve supply reliability and has been included as an early implementation action in the District's Water Resources Master Plan currently being drafted. Staff reviewed the Program documents and Participation Agreement, and is recommending the District join the Program at this time. The District would only incur costs for water delivered, and sufficient funds will be included in future Fiscal Year budgets to account for this water supply. This item was reviewed at the Water Resources and Conservation Committee on January 28, 2026. This report will be supplemented by a staff presentation. Approval of this item is consistent with Strategic Plan Strategy WS 1 – Protect, Maintain, and Enhance the Sustainability, Reliability, and Quality of Local, Regional, and Imported Water Supplies.

RECOMMENDATION: By motion, adopt a resolution: 1) taking actions under the California Environmental Quality Act as a Responsible Agency; and 2) authorizing the General Manager to execute Amendment No. 7 to the Agreement for the Supply and Conveyance of Water by the Department of Water Resources of the State of California Under the Dry Year Water Purchase Program between the Department of Water Resources and Alameda County Water District and to take all further actions as may be necessary to implement the resolution and Amendment No. 7, including but not limited to purchasing water through the Yuba Accord Long-Term Water Transfer Program and entering into related agreements.

DISCUSSION: The Yuba Accord is a long-term settlement that re-operates the Yuba River to provide additional environmental flows while also making a defined block of water available for transfer in most years. Originally implemented in 2008, it provides in-stream water for fish in the lower Yuba River while also allowing for the released water to be transferred to others who can use it downstream. Through a number of different agreements, water is made available through surface water reservoir releases and voluntary groundwater substitutions by Yuba Water's member units, which can then be purchased for downstream use as part of the Program. DWR has a water purchase agreement with Yuba Water to purchase water, when available, and deliver it to downstream participating contractors.

The original Program agreements expired at the end of 2025, but the Program has been very successful and is being extended through 2050. DWR is amending its water purchase agreement with Yuba Water for the Program to continue to provide this water to participating contractors. State Water Project contractors can sign a Participation Agreement with DWR to participate. The District did not participate in the original Program, but staff has confirmed with DWR that the District is able to join the Program at this time by signing the new Participation Agreement (Amendment No. 7) for the Program, which supersedes the original agreement.

The water costs are built into the Participation Agreement through 2030 and would be incurred only when the District elects to purchase water from the Program. The availability and cost of water each year will vary based on water-year type; costs for available water released from storage through 2030 range from $75 to $525 per acre-foot (AF). Groundwater substitution water prices will be renegotiated each year. The District would be eligible to purchase available water based on our relative State Water Project Table A amount among the participating contractors, which include other State Water Project Contractors and the San Luis Delta-Mendota Water Authority. Additionally, the District could elect to purchase its respective share of any available water relinquished by other participants. The District would also be responsible for losses in transporting the water across the Delta, which historically range from 20-35%. Based on modeling for the District's draft Water Resources Master Plan in progress, staff estimates that the maximum annual yield from the Program would be on the order of 1000 AF, with an annual average yield in the range of 300-400 AF.

In 2007, pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq.) (CEQA), and the State CEQA Guidelines (14 Cal. Code Regs. section 15000 et seq.), the Yuba County Water Agency, acting as Lead Agency, certified a Final Environmental Impact Report (State Clearinghouse No. 200506211) (FEIR) and adopted and approved Findings of Fact, the Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program (MMRP). To facilitate extending the agreement for another 25 years, on September 17, 2024, Yuba County Water Agency certified a supplemental EIR (SEIR) to evaluate the potential environmental effects of the extension and determined that it would not result in any new or changes in environmental impacts as described in the certified 2007 FEIR. No changes or additions were required for the approved 2007 Findings of Fact, the Statement of Overriding Considerations and MMRP. The FEIR and SEIR certified by Yuba County Water Agency can be found directly at https://www.yubawater.org/DocumentCenter/View/7216/2007-Yuba-Accord-Final-EIR-EIS-PDF and https://www.yubawater.org/DocumentCenter/View/7419/Yuba-Accord-Final-

Supplemental-Environmental-Impact-Report-PDF, respectively, and related CEQA documents can be found at Yuba County Water Agency's website, located at https://www.yubawater.org/157/Lower-Yuba-River-Accord. A copy of these documents has also been retained in the District's files and has been made available to the District's Board of Directors.

Staff recommends that, concurrent with approval of execution of the Participation Agreement, the Alameda County Water District Board of Directors take actions under CEQA as a Responsible Agency, including review and consider the FEIR and SEIR and adopt the findings of the Lead Agency. A Resolution that would take those CEQA actions and authorize the General Manager to execute the Participation Agreement, is included for the Board's consideration.

Additionally, since Program administration involves annual participation elections, scheduling, payments, price renegotiations, and other administrative matters, staff recommends that, concurrent with approval of execution of the Participation Agreement, the Board authorize the General Manager to take all further actions as may be necessary to implement Amendment No. 7, including but not limited to purchasing water through the Yuba Accord Long-Term Water Transfer Program and entering into related agreements.

Attachments
cc: Executive Staff

Final
Environmental Impact Report/ Environmental Impact Statement
for the
Proposed Lower Yuba River Accord

PREPARED FOR:

PREPARED BY:

HDR | SWRI Surface Water Resources, Inc.

OCTOBER 2007

Final Environmental Impact Report/Environmental Impact Statement for the Proposed Lower Yuba River Accord

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LIST OF TABLES

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List of Acronyms

AF	acre-feet
B	Beneficial
BMPs	Best Management Practices
BO	Biological Opinion
CALFED	CALFED Bay-Delta Program
CCR	Code of California Regulations
CCWD	Contra Costa Water District
CDFG	California Department of Fish and Game
CEQ	President's Council on Environmental Quality
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
cfs	cubic feet per second
CID	Cordua Irrigation District
CVP	Central Valley Project
CWA	Clean Water Act
DCMWC	Dry Creek Mutual Water Company
Delta	Sacramento-San Joaquin Delta
DOACT	Dobbins/Oregon House Action Committee
DOC	dissolved organic carbon
DSWG	Delta Smelt Working Group
DWR	California Department of Water Resources
E/I	export-to-inflow ratio
EIR/EIS	Environmental Impact Report/Environmental Impact Statement
EPA	Environmental Protection Agency
ESA	Endangered Species Act
EWA	Environmental Water Account
FA	Federal Agency
FERC	Federal Energy Regulatory Commission
FPA	Federal Power Act
GCM	Global Circulation Model
GFDL	Geophysical Fluid Dynamic Lab model
GMP	Groundwater Management Program
I	Individual
Interior	U.S. Department of the Interior
km	kilometer

List of Acronyms (Continued)

LA	Local Agency
LSM	Less Than Significant with Mitigation Measures Incorporated
LTS	Less Than Significant
M&I	municipal and industrial
MMRP/ECP	Mitigation, Monitoring and Reporting Program/Environmental Commitments Plan
NA	Not Applicable
NEPA	National Environmental Policy Act
NGO	non-governmental organization
NI	No Impact
NMFS	National Marine Fisheries Service
NOD	Notice of Determination
NOI	Notice of Intent
NOP	Notice of Preparation
NP	Non-Profit Organizations
NR	None Required
NRDC	National Resources Defense Council
NRDC v. Kempthorne	Natural Resources Defense Council (NRDC) *et al*. v. Kempthorne *et al*.
NUA	Not Unreasonably Affect
OCAP	Operations Criteria and Plan
PCM	Parallel Climate Model
PG&E	Pacific Gas and Electric Company
PH	Public Hearing
POD	pelagic organism decline
ppt	parts per thousand
Proposed Yuba Accord	Proposed Lower Yuba River Accord
PS	Potentially Significant Impact (no mitigation identified)
RD	Revised Decision
Reclamation	Bureau of Reclamation
ROD	Record of Decision
S	Significant Unavoidable Impact (no mitigation feasible at this time)
SA	State Agency
SWP	State Water Project
SWRCB	State Water Resources Control Board

List of Acronyms (Continued)

TAF	thousand acre-feet
TBI	The Bay Institute
TU	Trout Unlimited
UA	Unreasonably Affect
USFWS	U.S. Fish and Wildlife Service
Western	Western Area Power Administration
X2	2 parts per thousand (ppt) salinity unit isohaline at one meter above the bottom of the Sacramento River Channel
YCWA	Yuba County Water Agency
YCWA Board	Yuba County Water Agency Board of Directors
Yuba Project	Yuba River Development Project

CHAPTER 1
INTRODUCTION

This Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) has been prepared to respond to comments received on the Draft EIR/EIS for the Proposed Lower Yuba River Accord (Proposed Yuba Accord), which would resolve instream flow issues associated with operation of the Yuba River Development Project (Yuba Project) in a way that protects and enhances lower Yuba River fisheries and local water supply reliability. Additionally, the Yuba County Water Agency (YCWA) has a goal to provide revenues for local flood control and water supply projects, and the United States Department of the Interior (Interior) Bureau of Reclamation (Reclamation) and the California Department of Water Resources (DWR) have a goal to obtain water for the CALFED Bay/Delta Program (CALFED) to use for protection and restoration of Sacramento-San Joaquin Delta (Delta) fisheries and for improvements in statewide water supply reliability, including supplemental water for the Central Valley Project (CVP) and the State Water Project (SWP). This Final EIR/EIS has been prepared on behalf of YCWA and Reclamation in accordance with the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). YCWA is the lead agency under CEQA and Reclamation is the lead agency under NEPA.

The Draft EIR/EIS for the Proposed Yuba Accord was distributed for public review and comment on June 26, 2007. The Draft EIR/EIS evaluated the potential environmental impacts of the Proposed Project/Action (i.e., the Yuba Accord Alternative), the Modified Flow Alternative, the No Project Alternative (as defined by CEQA) and the No Action Alternative (as defined by NEPA). To provide the public with opportunities to submit verbal and written comments on the Draft EIR/EIS, two public hearings were held at YCWA's offices in Marysville, California on August 1, 2007. Three verbal comments and one written comment were received during the afternoon hearing that was held from 2:00 pm to 3:00 pm, and no comments were received during the second hearing that was held from 6:00 pm to 7:00 pm. The public comment period on the Draft EIR/EIS closed on August 24, 2007. At the request of the Environmental Protection Agency (EPA), EPA's comment deadline was extended to September 7, 2007. Written comments were received from federal, state, and local agencies, and individuals (see Chapter 4).

CEQA and NEPA require the lead agencies to respond to comments on the Draft EIR/EIS that are received during the public comment period (CEQA Guidelines Section 15088 and President's Council on Environmental Quality (CEQ) Regulations for Implementing NEPA Section 1503.4). This document has been prepared pursuant to these requirements. YCWA and Reclamation have considered all of the comments received on the Draft EIR/EIS, and determined that none of the changes to the Draft EIR/EIS, the comments received, or responses provided result in a change to the substantive conclusions presented in the Draft EIR/EIS.

The Final EIR/EIS consists of: (1) the entire Draft EIR/EIS (see Appendix L); (2) introductory sections and a description of project updates that have occurred since publication of the Draft EIR/EIS (Chapters 1 though 3); (3) the comments and responses to comments (Chapter 4); (4) revisions to the Draft EIR/EIS (Chapter 5); (5) a Mitigation Monitoring and Reporting Program/Environmental Commitments Plan (MMRP/ECP) (Chapter 6); (6) references (Chapter 7); and (7) a list of preparers (Chapter 8).

1.1 BACKGROUND AND PURPOSE OF THE FINAL EIR/EIS

Both CEQA and NEPA require a lead agency that has completed a Draft EIR or EIS to consult with and obtain comments from public agencies that have legal jurisdiction with respect to the proposed action, and to provide the general public with opportunities to comment on the Draft EIR or EIS. This Final EIR/EIS has been prepared to respond to comments received from agencies and members of the public on the Draft EIR/EIS for the Proposed Yuba Accord.

1.2 CEQA AND NEPA REQUIREMENTS FOR RESPONDING TO COMMENTS

CEQA requires that the lead agencies evaluate comments on environmental issues received from persons who reviewed the Draft EIR and prepare written responses. The written responses must describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). Additionally, if the lead agency's position varies from the recommendations and objections raised in the comments, then these major environmental issues must be addressed in detail giving reasons why specific comments and suggestions were not accepted (California Code of Regulations, Title 14, Section 15088).

NEPA requires that the Final EIS include and respond to all substantive comments received on the Draft EIS (40 CFR 1503.4). Lead agency responses may include the need to:

- Modify the Proposed Action or alternatives;
- Develop and evaluate new alternatives;
- Supplement, improve, or modify the substantive environmental analyses;
- Make factual corrections to the text, tables, or figures contained in the Draft EIS; or
- Explain why no further response is necessary.

Additionally, the Final EIS must discuss any responsible opposing view that was not adequately discussed in the Draft EIS and must indicate the lead agency's response to the issues raised.

1.3 REQUIREMENTS FOR CERTIFICATION AND FUTURE STEPS IN THE PROJECT APPROVAL PROCESS

The Final EIR/EIS is an informational document that must be used by the YCWA Board of Directors (YCWA Board) and by Reclamation when considering approval of the Proposed Project/Action (i.e., Yuba Accord Alternative) or an alternative.

Following completion of the Final EIR/EIS, the YCWA Board will hold a public meeting to consider certification of the Final EIR and to decide whether or not to approve the Proposed Project or an alternative. For CEQA purposes, the YCWA Board must certify that:

- The Final EIR has been completed in compliance with CEQA.
- The Final EIR was presented to the decision-making body of the lead agency, and the decision-making body reviewed and considered the information contained in the Final EIR before approving or denying the project; and
- The Final EIR reflects the lead agency's independent judgment and analysis.

If the YCWA Board approves the Proposed Project or an alternative, it will prepare and adopt written findings of fact for each significant environmental impact identified in the Final EIR/EIS, which will be accompanied by an explanation of the rationale for each finding pursuant to California Code of Regulations, Title 14, Section 15091. Any significant impacts identified in the Final EIR/EIS that cannot be avoided or substantially lessened will be addressed in a Statement of Overriding Considerations, if needed. For those impacts found to be less than significant with mitigation, the YCWA Board also will adopt an MMRP/ECP to ensure that the mitigation measures and monitoring activities identified to reduce or avoid potential impacts will be implemented. If the YCWA Board approves the project, then a Notice of Determination (NOD) will be filed with the Office of Planning and Research and with the county clerks in the counties in which the project will be located.

Typically, Reclamation's project approval process under NEPA would involve circulation of the Final EIS for 30 days prior to taking action on the project and issuing a Record of Decision (ROD). The ROD would address the decision, alternatives considered, the environmental preferable alternative, relevant factors considered in the decision, and mitigation and monitoring. However, for this project, Reclamation has decided to temporarily defer the completion of the Endangered Species Act (ESA) consultation on the Proposed Yuba Accord (see Chapter 3). Because the ESA consultation must be completed prior to approving the Final EIS and issuing a ROD, Reclamation will not participate immediately in the Proposed Yuba Accord. Reclamation anticipates that it will complete its ESA- and NEPA-related approval processes for the project and begin to participate in the Yuba Accord after the litigation between the Natural Resources Defense Council (NRDC) *et al*. v. Kempthorne *et al*. (*NRDC v. Kempthorne*) regarding the U.S. Fish and Wildlife Service's (USFWS) 2005 Biological Opinion (BO) on the CVP and SWP Operations Criteria and Plan (OCAP) and the ESA re-consultations for the OCAP are completed. It is anticipated that these issues may be resolved by mid-to-late 2008. At that time, Reclamation may decide to complete the ESA consultation and determine whether or not to approve the Proposed Yuba Accord. Because the exact timing of these activities is unknown at this time, there also is a possibility that, for NEPA purposes, supplemental environmental documentation may be required as part of Reclamation's future approval process.

Based on the information available, the Yuba Accord Alternative is selected as the environmentally superior alternative for CEQA purposes. Subject to the preceding paragraph, the Yuba Accord Alternative also is selected as the environmentally preferred alternative for NEPA purposes.

1.4 ORGANIZATION AND FORMAT OF THE FINAL EIR/EIS

The chapters of this Final EIR/EIS are organized as follows:

- **Chapter 1 – Introduction** – Describes the purpose and content of the Final EIR/EIS.
- **Chapter 2 – Public Outreach Process** – Describes the scoping process and schedule for the public hearings and comments.
- **Chapter 3 – Project Updates Since Publication of the Draft EIR/EIS** – Describes the proposed phasing of the Yuba Accord Alternative, an additional sensitivity analyses conducted to investigate the potential effects of phasing, and anticipated changes in Delta conditions resulting from the *NRDC v. Kempthorne* litigation.

- **Chapter 4 – Comments and Responses** – Contains a list of all agencies and persons who submitted comments on the Draft EIR/EIS during the public review period, copies of the comment letters received, and responses to the comments.
- **Chapter 5 – Revisions to the Draft EIR/EIS** – Presents revisions to the Draft EIR/EIS text based on issues raised by new developments, comments, clarifications, or corrections.
- **Chapter 6 – Mitigation, Monitoring and Reporting Program/Environmental Commitments Plan** – Describes the mitigation measures and environmental commitments identified for the project. The MMRP/ECP also includes monitoring details such as the implementing party, that agency responsible for monitoring, the timing of implementation, reporting requirements and standards of success.
- **Chapter 7 – References** – Lists the sources of information used in completing the responses to comments and other sections of this Final EIR/EIS
- **Chapter 8 – List of EIR/EIS Preparers** – Identifies the individuals who prepared this document
- **Appendices**

  Appendix L – Draft EIR/EIS (DVD)

  Appendix M – Updated Proposed Lower Yuba River Accord Agreements (CD)

  M1 - Lower Yuba River Fisheries Agreement

  M2 – Yuba Accord Water Purchase Agreement

1.5 SUMMARY OF IMPACTS

The tables that are presented in this section provide a summary of how the Proposed Project/Action and alternatives could affect the natural, physical, and social environments. The tables describe each potential impact that was evaluated in the EIR/EIS and state whether the impact would be potentially significant or less than significant. For the water-rights comparisons, the tables state whether or not the Proposed Project/Action and other action alternatives would unreasonably affect these environments.

Table 1-1 lists the potential resource-specific impacts that were determined to be less than significant in the Draft EIR/EIS. **Table 1-2** lists potentially significant impacts to environmental resources identified in the Draft EIR/EIS, which can be reduced to less than significant levels by incorporating mitigation measures. **Table 1-3** provides a summary of the potentially significant unavoidable impacts that were identified in the Draft EIR/EIS. **Table 1-4** provides a summary of the potential cumulative impacts that were identified for the Proposed Project/Action and action alternatives. The impacts are presented by resource category/chapter.

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Surface Water Supply and Management (Chapter 5)								
Yuba Region	Surface water allocations and deliveries to YCWA Member Units	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Sacramento-San Joaquin Delta Region	Deliveries to CVP Contractors	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Deliveries to SWP Contractors	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	YCWA Sales to Environmental Water Account (EWA)	B	B	B	LTS	LTS	B	B
Sacramento-San Joaquin Delta Region	X2 Location	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Delta Excess Water Conditions	NUA	NUA	NI	LTS	NI	LTS	LTS
	South Delta Water Levels	NUA	NUA	NI	NI	NI	NI	NI
Export Service Area	San Luis Reservoir Storage	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Groundwater Resources (Chapter 6)								
Yuba Region	Reductions in local groundwater levels and storage to either affect long-term overdraft conditions in the basin or result in short-term adverse third party impacts	B	NUA	B	LTS	LTS	B	LTS
	Changes in groundwater pumping that could affect surface water and groundwater interactions and result in reduced instream flows in local rivers and streams	B	NUA	B	LTS	LTS	B	LTS
	Changes in groundwater quality that could degrade conditions and result in exceedance of regulatory or agricultural water quality standards, or result in adverse effects to designated beneficial uses of groundwater	B	NUA	B	LTS	LTS	B	LTS
	Increases in groundwater pumping to cause groundwater level reductions that result in permanent land subsidence	B	NUA	B	LTS	LTS	B	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Power Production and Energy Consumption (Chapter 7)								
Yuba Region	Decreases in long-term average annual hydropower generation at New Colgate, Narrows I and Narrows II powerhouses; at the Oroville-Thermalito Complex, or at the San Luis Pumping-Generating Plant	NUA	NUA	LTS	LTS	LTS	LTS	LTS
CVP/SWP Upstream of the Delta Region	Decreases in long-term average annual hydropower generation at New Colgate, Narrows I and Narrows II powerhouses; at the Oroville-Thermalito Complex, or at the San Luis Pumping-Generating Plant	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Decreases in long-term average annual or shift in long-term average monthly hydropower generation at the Oroville-Thermalito Complex	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Sacramento-San Joaquin Delta Region	Increases in long-term average annual power consumption at the Banks Pumping Plant, the Jones Pumping Plant, the O'Neill Forebay Pumping Plant and the San Luis Pumping-Generating Plant	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Export Service Area	Decreases in long-term average annual or shift in long-term average monthly hydropower generation at the San Luis Pumping-Generating Plant	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Increases in long-term average annual power consumption at the Banks Pumping Plant, the Jones Pumping Plant, the O'Neill Forebay Pumping Plant and the San Luis Pumping-Generating Plant	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Flood Control (Chapter 8)								
Yuba Region	Increases in New Bullards Bar Reservoir end-of-month storage volumes that could affect flood control releases	NUA	NUA	LTS	LTS	LTS	LTS	LTS
CVP/SWP Upstream of the Delta Region	Increases in Oroville Reservoir end-of-month storage volumes that could affect flood control releases	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Surface Water Quality (Chapter 9)								
Yuba Region	Decreases in New Bullards Bar Reservoir storage that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Yuba River that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean water temperatures in the lower Yuba River that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
CVP/SWP Upstream of the Delta Region	Decreases in Oroville Reservoir storage that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Feather River that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Surface Water Quality (Chapter 9) (continued)								
CVP/SWP Upstream of the Delta Region (continued)	Changes in monthly mean water temperatures in the Feather River that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Sacramento River that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean water temperatures in the Sacramento River that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Sacramento-San Joaquin Delta Region	Changes to the monthly mean location of X2 that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes to monthly mean Delta outflow that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes to monthly mean export-to-inflow (E/I) ratios that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Salinity changes in the San Joaquin River at Airport Way Bridge (Vernalis) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Surface Water Quality (Chapter 9) (continued)								
Sacramento-San Joaquin Delta Region (continued)	Salinity changes in the San Joaquin River at Brandt Bridge that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Salinity changes in Middle River near Old River that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Salinity changes in Old River at Tracy Road Bridge that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in dissolved organic carbon (DOC) concentrations at Old River at Highway 4 (CCWD Los Vaqueros Intake) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in DOC concentrations at Old River at Rock Slough (CCWD Intake) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in DOC concentrations at West Canal at the mouth of Clifton Court Forebay (SWP Banks Pumping Plant) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in DOC concentrations at the Delta-Mendota Canal at the Jones Pumping Plant (CVP Jones Pumping Plant) that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Surface Water Quality (Chapter 9) (continued)								
Sacramento-San Joaquin Delta Region (continued)	Changes in monthly mean flows in Old River at Bacon Island that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Middle River at Middle River that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Middle River at Mowry Bridge that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Export Service Area	Decreases in San Luis Reservoir storage that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Fisheries and Aquatic Resources (Chapter 10)								
Yuba Region	Decreases in New Bullards Bar Reservoir water surface elevations during the spawning/nesting season could affect warmwater fish	B	B	LTS	LTS	LTS	B	LTS
	Decreases in New Bullards Bar Reservoir storage could reduce the coldwater pool and thereby affect coldwater fish	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Yuba River, or changes in monthly mean water temperatures, could affect steelhead	NUA	NUA	B	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Fisheries and Aquatic Resources (Chapter 10) (continued)								
Yuba Region (continued)	Changes in monthly mean flows in the lower Yuba River, or changes in monthly mean water temperatures, could affect green sturgeon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Yuba River, or changes in monthly mean water temperatures, could affect American shad	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Yuba River, or changes in monthly mean water temperatures, could affect striped bass	NUA	NUA	LTS	LTS	LTS	LTS	LTS
CVP/SWP Upstream of the Delta Region	Decreases in Oroville Reservoir water surface elevations during the spawning/nesting season could affect warmwater fish	NUA	NUA	LTS/B	LTS	LTS	LTS	LTS
	Decreases in Oroville Reservoir storage could reduce the coldwater pool and thereby affect coldwater fish	NUA	NUA	LTS/B	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Feather River, or changes in monthly mean water temperatures, could affect spring-run Chinook salmon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Feather River, or changes in monthly mean water temperatures, could affect fall-run Chinook salmon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Feather River, or changes in monthly mean water temperatures, could affect steelhead	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Fisheries and Aquatic Resources (Chapter 10) (continued)								
CVP/SWP Upstream of the Delta Region (continued)	Changes in monthly mean flows in the lower Feather River, or changes in monthly mean water temperatures, could affect green sturgeon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Feather River, or changes in monthly mean water temperatures, could affect American Shad	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Feather River, or changes in monthly mean water temperatures, could affect striped bass	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the lower Feather River, or changes in monthly mean water temperatures, could affect Sacramento splittail	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Sacramento River, or changes in monthly mean water temperatures, could affect winter-run Chinook salmon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Sacramento River, or changes in monthly mean water temperatures, could affect spring-run Chinook salmon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Sacramento River, or changes in monthly mean water temperatures, could affect fall-run Chinook salmon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Sacramento River, or changes in monthly mean water temperatures, could affect late fall-run Chinook salmon	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Fisheries and Aquatic Resources (Chapter 10) (continued)								
CVP/SWP Upstream of the Delta Region (continued)	Changes in monthly mean flows in the Sacramento River, or changes in monthly mean water temperatures, could affect steelhead	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Sacramento River, or changes in monthly mean water temperatures, could affect green sturgeon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Sacramento River, or changes in monthly mean water temperatures, could affect American shad	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Sacramento River, or changes in monthly mean water temperatures, could affect striped bass	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in monthly mean flows in the Sacramento River, or changes in monthly mean water temperatures, could affect Sacramento splittail	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Sacramento-San Joaquin Delta Region	Changes in Delta habitat evaluation parameters (i.e., X2 locations, Delta outflows and E/I ratios) and salvage estimates could affect winter-run Chinook salmon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Delta habitat evaluation parameters (i.e., X2 locations, Delta outflows and E/I ratios) and salvage estimates could affect spring-run Chinook salmon	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Delta habitat evaluation parameters (i.e., X2 locations, Delta outflows and E/I ratios) and salvage estimates could affect steelhead	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Fisheries and Aquatic Resources (Chapter 10) (continued)								
Sacramento-San Joaquin Delta Region (continued)	Changes in Delta habitat evaluation parameters (i.e., X2 locations, Delta outflows and E/I ratios) and salvage estimates could affect striped bass	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Delta habitat evaluation parameters (i.e., X2 locations, Delta outflows and E/I ratios) could affect other Delta fisheries resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Delta habitat evaluation parameters (i.e., X2 locations, Delta outflows and E/I ratios) and salvage estimates could affect delta smelt	NUA	NUA	LTS	LTS	PS	LTS	LTS
Export Service Area	Decreases in San Luis Reservoir water surface elevations during the spawning/nesting season could affect warmwater fish	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Decreases in San Luis Reservoir storage could reduce the coldwater pool and thereby affect coldwater fish	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Terrestrial Resources (Chapter 11)								
Yuba Region	Changes in New Bullards Bar Reservoir water surface elevations during the March through September period that could degrade continuous strands of native vegetation of relatively high to moderate wildlife value	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in the New Bullards Bar Reservoir fishery during the April through July period that could degrade piscivorous bird forage quantity or quality	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in lower Yuba River flow during the March through September period that could degrade the growth, maintenance, and reproductive capacity of riparian vegetation	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Terrestrial Resources (Chapter 11) (continued)								
CVP/SWP Upstream of the Delta Region	Changes in Oroville Reservoir water surface elevations during the March through September period that could degrade continuous strands of native vegetation of relatively high to moderate wildlife value	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in the Oroville Reservoir fishery during the April through July period that could degrade piscivorous bird forage quantity or quality	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in lower Feather River flow during the March through September period that could degrade the growth, maintenance, and reproductive capacity of riparian vegetation	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in lower Sacramento River flow during the March through September period that could degrade the growth, maintenance, and reproductive capacity of riparian vegetation	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Export Service Area	Changes in San Luis Reservoir water surface elevations during the March through September period that could degrade continuous strands of native vegetation of relatively high to moderate wildlife value	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in the San Luis Reservoir fishery during the April through July period that could degrade piscivorous bird forage quantity or quality	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Recreation (Chapter 12)								
Yuba Region	Decreases in New Bullards Bar Reservoir monthly mean water surface elevations that could result in reduced boat ramp and swimming beaches availability	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Decreases in lower Yuba River flows that could result in reduced boating opportunities	NUA/B	NUA	LTS	LTS	LTS	LTS	LTS
	Consistency with Yuba County General Plan recreation policies	NUA	NUA	LTS	LTS	LTS	LTS	LTS
CVP/SWP Upstream of the Delta Region	Decreases in Oroville Reservoir monthly mean water surface elevations that could result in reduced boat ramp availability	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Decreases in Oroville Reservoir monthly mean water surface elevations that could result in reduced camping and swimming beaches availability	NUA/B	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Orville Reservoir monthly mean water surface elevations that could result in reduced recreation opportunities	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Feather River flows that could result in reduced boating and fishing opportunities	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Consistency with Feather River recreation policies	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Sacramento River flows that could result in reduced Sacramento River boating, hunting, and fishing opportunities	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Recreation (Chapter 12) (continued)								
CVP/SWP Upstream of the Delta Region (continued)	Consistency with Sacramento River recreation policies	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Sacramento-San Joaquin Delta Region	Changes in Delta inflows that could result in reduced recreation opportunities in the Delta	NUA/B	NUA/B	LTS	LTS	LTS	LTS	LTS
	Consistency with Delta recreation policies	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Export Service Area	Decreases in San Luis Reservoir monthly mean water surface elevations that could result in reduced boat ramp availability	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Visual Resources (Chapter 13)								
Yuba Region	Changes in New Bullards Bar Reservoir monthly mean water surface elevations that could result in adverse impacts to the visual character of the landscape	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in lower Yuba River monthly mean flows that could result in adverse impacts to the visual character of the landscape	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Change in surface water conditions that could result in adverse impacts to the landscape character and the attractiveness of Class A and B resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS
CVP/SWP Upstream of the Delta Region	Changes in Oroville Reservoir monthly mean water surface elevations that could result in adverse impacts to the visual character of the landscape	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Visual Resources (Chapter 13) (continued)								
CVP/SWP Upstream of the Delta Region (continued)	Changes in Feather River monthly mean flows that could result in adverse impacts to the visual character of the landscape	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Sacramento River monthly mean flows that could result in adverse impacts to the visual character of the landscape	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Change in surface water conditions that could result in adverse impacts to the landscape character and the attractiveness of Class A and B resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Sacramento-San Joaquin Delta Region	Changes in monthly mean Delta inflows that could result in adverse impacts to the visual character of the landscape	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Change in surface water conditions that could result in adverse impacts to the landscape character and the attractiveness of Class A and B resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Export Service Area	Changes in San Luis Reservoir monthly mean water surface elevations that could result in adverse impacts to the visual character of the landscape	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Change in surface water conditions that could result in adverse impacts to the landscape character and the attractiveness of Class A and B resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Cultural Resources (Chapter 14)								
Yuba Region	Changes in New Bullards Bar Reservoir water surface elevations that could result in adverse impacts to sensitive cultural resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Alteration of the character of New Bullards Bar Reservoir site setting that could affect eligibility for site inclusion in the National Register of Historic Places	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in lower Yuba River monthly mean flows that could result in adverse impacts to sensitive cultural resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Alteration of the character of the lower Yuba River site setting that could affect eligibility for site inclusion in the National Register of Historic Places	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in surface water or groundwater conditions that could result in adverse impacts to a federally reserved water right	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in surface water or groundwater conditions that could result in adverse impacts to the health of Tribes	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in surface water conditions that could result in adverse impacts to a federally reserved hunting, fishing, or gathering right	NUA	NUA	LTS	LTS	LTS	LTS	LTS
CVP/SWP Upstream of the Delta Region	Changes in Oroville Reservoir monthly mean water surface elevations that could result in adverse impacts to sensitive cultural resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Cultural Resources (Chapter 14) (continued)								
CVP/SWP Upstream of the Delta Region (continued)	Alteration of the character of Oroville Reservoir site setting that could affect eligibility for site inclusion in the National Register of Historic Places	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Feather River monthly mean flows that could result in adverse impacts to sensitive cultural resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Alteration of the character of the Feather River site setting that could affect eligibility for site inclusion in the National Register of Historic Places	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in Sacramento River monthly mean flows that could result in adverse impacts to sensitive cultural resources	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Alteration of the character of the Sacramento River site setting that could affect eligibility for site inclusion in the National Register of Historic Places	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Air Quality (Chapter 15)								
Export Service Area	Increases in emissions associated with groundwater pumping that could result in potential impacts to air quality by lowering the attainment status, conflicting with adopted air quality policies and programs, or violating approved standards	NUA	NUA	LTS/B	LTS	LTS	LTS/B	LTS
Land Use (Chapter 16)								
Yuba Region	Changes in annual surface water deliveries that could result in potential impacts to existing land use designations	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Land Use (Chapter 16) (continued)								
Yuba Region (continued)	Changes in annual water deliveries and instream flow conditions that could result in potential impacts to the compatibility with surrounding land uses and regional character	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in annual water deliveries that could result in potential impacts to farmland and agricultural acreage	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in annual water deliveries that could result in potential impacts to the conversion of lands to protected lands	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Changes in annual water deliveries and instream flow conditions that could result in potential impacts to local and regional planning objectives	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Agricultural Impacts Resulting from Changes in Water Temperature	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Socioeconomics (Chapter 17)								
Yuba Region	Decreases in cumulative net revenues that could result in adverse impacts to the annual income of local growers	NUA	NUA	LTS	LTS	PS	LTS	LTS
Growth Inducement (Chapter 18)								
Yuba Region	Potential local growth-inducing considerations in the Yuba Region Potential local growth-inducing considerations in the Yuba Region	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Export Service Area	Potential regional growth-inducing considerations in the Export Service Area	NUA	NUA	LTS	LTS	LTS	LTS	LTS
	Increases in water deliveries to CVP contractor service areas that could remove an impediment to growth or contribute to growth inducement in the Export Service Area	NUA	NUA	LTS	LTS	LTS	LTS	LTS

Table 1-1. Summary of Potential Less-than-Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[(a)]	CEQA Modified vs. No Project[(a)]	CEQA Accord vs. Existing[(b)]	CEQA Modified vs. Existing[(b)]	CEQA No Project vs. Existing[(b)]	NEPA Accord vs. No Action[(b)]	NEPA Modified vs. No Action[(b)]
Growth Inducement (Chapter 18) (continued)								
	Increases in water deliveries to SWP contractor service areas that could remove an impediment to growth or contribute to growth inducement in the Export Service Area	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Environmental Justice (Chapter 19)								
Yuba Region	Changes in the natural or physical environment that would result in a proportionately high or adverse impact on a minority or low-income population	NUA	NUA	LTS	LTS	LTS	LTS	LTS
Indian Trust Assets (Chapter 20)								
Yuba Region	Potential for environmental impacts on Indian Trust Assets	NI						
CVP/SWP Upstream of the Delta Region	Potential for environmental impacts on Indian Trust Assets	NI						
Delta Region	Potential for environmental impacts on Indian Trust Assets	NA						

Notes:

Alternative Comparisons:
1 - CEQA Yuba Accord Alternative Compared to the CEQA No Project Alternative (Water Rights)
2 – CEQA Modified Flow Alternative Compared to the CEQA No Project Alternative (Water Rights)
3 – CEQA Yuba Accord Alternative Compared to the CEQA Existing Condition (CEQA)
4 – CEQA Modified Flow Alternative Compared to the CEQA Existing Condition (CEQA)
5 – CEQA No Project Alternative Compared to the CEQA Existing Condition (CEQA)
6 – NEPA Yuba Accord Alternative Compared to the NEPA No Action Alternative (NEPA)
7 – NEPA Modified Flow Alternative Compared to the NEPA No Action Alternative (NEPA)

[(a)]Level of Effect (Water Rights)
NUA = Not Unreasonably Affect
UA = Unreasonably Affect

Notes:
NR = None Required
NA = Not Applicable

[(b)]Level of Significance (CEQA/NEPA)
B = Beneficial
NI = No Impact
LTS = Less Than Significant Impact
LSM = Less Than Significant Impact with Mitigation Measures Incorporated
PS = Potentially Significant Impact (no mitigation identified)
SU = Significant Unavoidable Impact (no mitigation feasible at this time)

Table 1-2. Summary of Less than Significant Impacts, With Mitigation Measures Incorporated, Identified in the Proposed Lower Yuba River Accord EIR/EIS

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Surface Water Quality (Chapter 9)								
Sacramento-San Joaquin Delta Region	Salinity changes in the Sacramento River at Emmaton that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Salinity changes in the San Joaquin River at Jersey Point that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Salinity changes in Old River at Highway 4 (CCWD Los Vaqueros Intake) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Salinity changes at CCWD Pumping Plant #1 that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Salinity changes in the West Canal at the mouth of Clifton Court Forebay (SWP Banks Pumping Plant) that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Salinity changes in the Delta-Mendota Canal at the Jones Pumping Plant (CVP Jones Pumping Plant) that could result in degraded water quality conditions or adverse effects to designated beneficial uses	NUA	NUA	LSM	LSM	PS	LSM	LTS

Table 1-2. Summary of Less than Significant Impacts, With Mitigation Measures Incorporated, Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Surface Water Quality (Chapter 9) (continued)								
Sacramento-San Joaquin Delta Region (continued)	Salinity changes at Middle River at Victoria Canal that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LTS
	Salinity changes at the Stockton Intake that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LTS
	Changes in chloride concentrations in Old River at Highway 4 (CCWD Los Vaqueros Intake) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Changes in chloride concentrations in CCWD Pumping Plant #1 (Rock Slough) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Changes in chloride concentrations in Old River at Rock Slough (CCWD Intake) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Changes in chloride concentrations in West Canal at the mouth of Clifton Court Forebay (SWP Banks Pumping Plant) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM

Table 1-2. Summary of Less than Significant Impacts, With Mitigation Measures Incorporated, Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[a]	CEQA Modified vs. No Project[a]	CEQA Accord vs. Existing[b]	CEQA Modified vs. Existing[b]	CEQA No Project vs. Existing[b]	NEPA Accord vs. No Action[b]	NEPA Modified vs. No Action[b]
Surface Water Quality (Chapter 9) (continued)								
Sacramento -San Joaquin Delta Region (continued)	Changes in chloride concentrations in Delta Mendota Canal at the Jones Pumping Plant (CVP Jones Pumping Plant) that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Changes in chloride concentrations in Middle River at Victoria Canal that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	PS	LSM	LSM
	Changes in chloride concentrations at the Stockton Intake that could result in degraded water quality conditions or adverse effects to designated beneficial uses in the Delta	NUA	NUA	LSM	LSM	LTS	LSM	LSM
Air Quality (Chapter 15)								
Yuba Region	Increases in emissions associated with groundwater pumping that could result in potential impacts to air quality by lowering the attainment status, conflicting with adopted air quality policies and programs, or violating approved standards	NUA	NUA	LSM	LSM	PS/SU	LTS	LTS

Notes:

Alternative Comparisons:
1 - CEQA Yuba Accord Alternative Compared to the CEQA No Project Alternative (Water Rights)
2 – CEQA Modified Flow Alternative Compared to the CEQA No Project Alternative (Water Rights)
3 – CEQA Yuba Accord Alternative Compared to the CEQA Existing Condition (CEQA)
4 – CEQA Modified Flow Alternative Compared to the CEQA Existing Condition (CEQA)
5 – CEQA No Project Alternative Compared to the CEQA Existing Condition (CEQA)
6 – NEPA Yuba Accord Alternative Compared to the NEPA No Action Alternative (NEPA)
7 – NEPA Modified Flow Alternative Compared to the NEPA No Action Alternative (NEPA)

[a]Level of Effect (Water Rights)
NUA = Not Unreasonably Affect
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Notes:
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NA = Not Applicable

[b]Level of Significance (CEQA/NEPA)
B = Beneficial
NI = No Impact
LTS = Less Than Significant Impact
LSM = Less Than Significant Impact with Mitigation Measures Incorporated
PS = Potentially Significant Impact (no mitigation identified)
SU = Significant Unavoidable Impact (no mitigation feasible at this time)

Table 1-3. Summary of Potentially Significant Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS

Potential Impacts Evaluated for the Resources Addressed in the EIR/EIS		Alternatives Comparisons						
		1	2	3	4	5	6	7
		CEQA Accord vs. No Project[(a)]	CEQA Modified vs. No Project[(a)]	CEQA Accord vs. Existing[(b)]	CEQA Modified vs. Existing[(b)]	CEQA No Project vs. Existing[(b)]	NEPA Accord vs. No Action[(b)]	NEPA Modified vs. No Action[(b)]
Power Production and Energy Consumption (Chapter 7)								
Yuba Region	Shift in long-term average monthly hydropower generation at New Colgate, Narrows I and II powerhouses	NUA	NUA	LTS	PS	PS	LTS	LTS
	Increases in long-term average annual power consumption for groundwater pumping within YCWA Member Units service areas	UA	NUA	PS	PS	PS	PS	LTS
Fisheries and Aquatic Resources (Chapter 10)								
Yuba Region	Changes in monthly mean flows in the lower Yuba River, or changes in monthly mean water temperatures, could affect spring-run Chinook salmon	NUA	UA	B	LTS	LTS	LTS	PS
	Changes in monthly mean flows in the lower Yuba River, or changes in monthly mean water temperatures, could affect fall-run Chinook salmon	NUA	UA	B	LTS	LTS	LTS	PS

Notes:

Alternative Comparisons:
1 - CEQA Yuba Accord Alternative Compared to the CEQA No Project Alternative (Water Rights)
2 – CEQA Modified Flow Alternative Compared to the CEQA No Project Alternative (Water Rights)
3 – CEQA Yuba Accord Alternative Compared to the CEQA Existing Condition (CEQA)
4 – CEQA Modified Flow Alternative Compared to the CEQA Existing Condition (CEQA)
5 – CEQA No Project Alternative Compared to the CEQA Existing Condition (CEQA)
6 – NEPA Yuba Accord Alternative Compared to the NEPA No Action Alternative (NEPA)
7 – NEPA Modified Flow Alternative Compared to the NEPA No Action Alternative (NEPA)

[(a)]Level of Effect (Water Rights)
NUA = Not Unreasonably Affect
UA = Unreasonably Affect

Notes:
NR = None Required
NA = Not Applicable

[(b)]Level of Significance (CEQA/NEPA)
B = Beneficial
NI = No Impact
LTS = Less Than Significant Impact
LSM = Less Than Significant Impact with Mitigation Measures Incorporated
PS = Potentially Significant Impact (no mitigation identified)
SU = Significant Unavoidable Impact (no mitigation feasible at this time)

Table 1-4. Summary of Potential Cumulative Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS

Potential Cumulative Impacts for the Resources Addressed in the EIR/EIS	Yuba Accord Alternative Cumulative Condition vs. Existing Condition	Modified Flow Alternative Cumulative Condition vs. Existing Condition
Beneficial/Less-than Significant Impacts		
Groundwater Resources (Chapter 6)		
Potential for cumulative groundwater resources impacts within the Yuba Region	LTS	LTS
Flood Control (Chapter 8)		
Potential for cumulative flood control impacts within the Yuba Region	LTS	LTS
Potential for cumulative flood control impacts within the CVP/SWP Upstream of the Delta Region	LTS	LTS
Potential for cumulative flood control impacts within the Delta Region	LTS	LTS
Potential for cumulative flood control impacts within the Export Service Area	LTS	LTS
Surface Water Quality (Chapter 9)		
Potential for cumulative water quality impacts within the Yuba Region	LTS	LTS
Potential for cumulative water quality impacts within the Export Service Area	LTS	LTS
Fisheries and Aquatic Resources (Chapter 10)		
Potential for cumulative fisheries and aquatic resources impacts within the Yuba Region	B	B
Potential for cumulative fisheries and aquatic resources impacts within the Export Service Area	LTS	LTS
Terrestrial Resources (Chapter 11)		
Potential for cumulative terrestrial resources impacts within the Yuba Region	LTS	LTS
Potential for cumulative terrestrial resources impacts within the Export Service Area	LTS	LTS
Recreation (Chapter 12)		
Potential for cumulative recreation impacts within the Yuba Region	LTS	LTS
Potential for cumulative recreation impacts within the Export Service Area	LTS	LTS
Visual Resources (Chapter 13)		
Potential for cumulative visual resources impacts within the Yuba Region	LTS	LTS
Potential for cumulative visual resources impacts within the CVP/SWP Upstream of the Delta Region	LTS	LTS
Potential for cumulative visual resources impacts within the Delta Region	LTS	LTS
Potential for cumulative visual resources impacts within the Export Service Area	LTS	LTS
Cultural Resources (Chapter 14)		
Potential for cumulative cultural resources impacts within the Yuba Region	LTS	LTS
Potential for cumulative cultural resources impacts within the CVP/SWP Upstream of the Delta Region	LTS	LTS
Potential for cumulative cultural resources impacts within the Delta Region	LTS	LTS
Potential for cumulative cultural resources impacts within the Export Service Area	LTS	LTS
Land Use (Chapter 16)		
Potential for cumulative land use impacts within the Yuba Region	LTS	LTS

Table 1-4. Summary of Potential Cumulative Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Cumulative Impacts for the Resources Addressed in the EIR/EIS	Yuba Accord Alternative Cumulative Condition vs. Existing Condition	Modified Flow Alternative Cumulative Condition vs. Existing Condition
Beneficial/Less-than Significant Impacts (continued)		
Socioeconomics (Chapter 17)		
Potential for cumulative socioeconomic impacts within the Yuba Region	NI	NI
Growth Inducement (Chapter 18		
Potential for cumulative growth inducing impacts within the Yuba Region	NA	NA
Environmental Justice (Chapter 19)		
Potential for cumulative environmental justice impacts within the Yuba Region	NI	NI
Indian Trust Asses (Chapter 20)		
Potential for cumulative environmental impacts on Indian Trust Assets within the Yuba Region	NI	NI
Potential for cumulative environmental impacts on Indian Trust Assets within the CVP/SWP Upstream of the Delta Region	NI	NI
Potential for cumulative environmental impacts on Indian Trust Assets within the Delta Region	NA	NA
Less than Significant Impacts With Mitigation Measures Incorporated		
Air Quality (Chapter 15)		
Potential for cumulative air quality impacts within the Yuba Region	LSM	LSM
Potentially Significant Impacts		
Surface Water Supply and Management (Chapter 5)		
Potential for cumulative surface water supply and management impacts within the Yuba Region	PSU	PSU
Potential for cumulative surface water supply and management impacts within the Delta Region	PSU	PSU
Potential for cumulative surface water supply and management impacts within the Export Service Area	PSU	PSU
Power Production and Energy Consumption (Chapter 7)		
Potential for cumulative hydropower impacts within the Yuba Region	PSU	PSU
Potential for cumulative hydropower impacts within the CVP/SWP Upstream of the Delta Region	PSU	PSU
Potential for cumulative hydropower impacts within the Delta Region	PSU	PSU
Potential for cumulative hydropower impacts within the Export Service Area	PSU	PSU
Surface Water Quality (Chapter 9)		
Potential for cumulative water quality impacts within the CVP/SWP Upstream of the Delta Region	PSU	PSU
Potential for cumulative water quality impacts within the Delta Region	PSU	PSU
Fisheries and Aquatic Resources (Chapter 10)		
Potential for cumulative fisheries and aquatic resources impacts within the CVP/SWP Upstream of the Delta Region	PSU	PSU
Potential for cumulative fisheries and aquatic resources impacts within the Delta Region	PSU	PSU

Table 1-4. Summary of Potential Cumulative Impacts Identified in the Proposed Lower Yuba River Accord EIR/EIS (continued)

Potential Cumulative Impacts for the Resources Addressed in the EIR/EIS	Yuba Accord Alternative Cumulative Condition vs. Existing Condition	Modified Flow Alternative Cumulative Condition vs. Existing Condition
Potentially Significant Impacts (continued)		
Terrestrial Resources (Chapter 11)		
Potential for cumulative terrestrial resources impacts within the CVP/SWP Upstream of the Delta Region	PSU	PSU
Recreation (Chapter 12)		
Potential for cumulative recreation impacts within the CVP/SWP Upstream of the Delta Region	PSU	PSU
Potential for cumulative recreation impacts within the Delta Region	PSU	PSU

Level of Significance (CEQA/NEPA)
B = Beneficial
NI = No Impact
LTS = Less Than Significant Cumulative Impact
PSU = Potentially Significant Unavoidable Cumulative Impact
LSM = Less Than Significant Cumulative Impact with Mitigation Measures Incorporated
NA = Not Applicable

CHAPTER 2
PUBLIC OUTREACH PROCESS

This chapter describes the scoping and public outreach process that was followed for the Proposed Yuba Accord EIR/EIS. The public outreach efforts were conducted in accordance with both CEQA and NEPA to determine the focus and content of this EIR/EIS.

2.1 PUBLIC OUTREACH EFFORTS

Numerous outreach efforts were undertaken to inform stakeholders about the Proposed Yuba Accord and to solicit their input. These efforts are described here.

2.1.1 NOTICE OF PREPARATION/NOTICE OF INTENT

YCWA and Reclamation circulated a Notice of Preparation (NOP)/Notice of Intent (NOI) to prepare a joint EIR/EIS for the Proposed Yuba Accord on July 20, 2005.

The NOP was filed with the California State Clearinghouse, the NOI was published in the Federal Register, and both notices were published in several local newspapers, including the Sacramento Bee and the Marysville Appeal Democrat. Additionally, a separate notice of scoping meetings was distributed to over 800 individuals on the Yuba Accord mailing/distribution list.

Although there is not a specific time period during which scoping begins and ends, scoping activities for the Proposed Yuba Accord were formally initiated with the release of the NOP and NOI on June 20, 2005.

2.2 SCOPING PROCESS

NEPA requires a formal scoping process for the preparation of an EIS (40 CFR 1501.7). Scoping is a less formalized process under CEQA, but is encouraged as part of early public consultation for a project.

Scoping is used under both CEQA and NEPA to determine the focus and content of an EIR or EIS. The main objective of the scoping process is to provide the public and potentially affected resource agencies with information on the proposed project and to solicit public input regarding the issues and concerns that should be evaluated in the environmental documentation. The scoping process is generally intended to provide the lead agencies with information regarding the range of actions, alternatives, resource issues, and mitigation measures that are to be analyzed in depth in the EIR/EIS and to eliminate from detailed study those issues found not to be significant. The scoping process for the Proposed Yuba Accord was designed to elicit comments from public agencies, other interested organizations and the public on the scope of the potential environmental effects and issues to be addressed in the Draft EIR/EIS.

2.2.1 SCOPING MEETINGS

Reclamation and YCWA held four public scoping meetings over two days: two on July 19, 2005 in Sacramento, California, and two on July 20, 2005 in Marysville, California. Attendees at the meetings included various federal, state, and local agency representatives, non-governmental

organization (NGO) representatives, and local residents. The first portion of each meeting was an informal discussion and display session. Four information stations were set up around the meeting room, displaying information related to the three agreements comprising the Proposed Yuba Accord and explaining the EIR/EIS process. Lead agency representatives and consultant team members answered questions related to the Proposed Yuba Accord and EIR/EIS process, and collected public comments. A brief slide presentation of the history and overview of the Proposed Yuba Accord was made. At the conclusion of the slide presentation, meeting attendees were given the opportunity to make verbal comments. The meetings concluded with additional time for meeting attendees to view, ask questions, and comment upon the information display stations and meeting materials. Questions and comments were taken throughout each meeting and attendees were encouraged to provide their comments to the lead agencies in writing.

As a result of the solicitation of verbal and written comments, various federal, state, and local agencies and private citizens submitted comments and letters that identified several issues which were either evaluated in the Draft EIR/EIS or were determined to be out of the scope of the Proposed Yuba Accord EIR/EIS. A summary of the comments received during the public scoping period is provided in the Scoping Summary Report, which was distributed in March 2006.

Although the comment period for scoping purposes ended on August 5, 2005, the lead agencies continued to keep the public and stakeholders informed at key milestones throughout the EIR/EIS process, including providing the opportunity to submit comments on the Draft EIR/EIS, which was released to the public for review on June 26, 2007.

2.3 DRAFT EIR/EIS AVAILABILITY

Pursuant to CEQA and NEPA, the Draft EIR/EIS was developed by YCWA, Reclamation, and DWR and was made available for a 60-day public review and comment period which commenced on June 26, 2007 and extended until August 24, 2007. As described in Chapter 1, the EPA requested an extension for the EPA review period, which was granted, and EPA's comment deadline was extended to September 7, 2007.

A notice of availability of the Draft EIR/EIS published in the Federal Register, filed with the California State Clearinghouse, and published in local newspapers, including the Sacramento Bee, the Marysville Appeal Democrat, and the Grass Valley Union. The purpose of the notice was to inform interested parties of the availability of the Draft EIR/EIS document for public review and comment. A separate notice of public hearings was distributed by Reclamation to all agencies and individuals on the Yuba Accord mailing/distribution list.

Also, copies of the Draft EIR/EIS were made available for public review at the following locations:

- Bureau of Reclamation, 2800 Cottage Way, Sacramento, CA 95825
- Yuba County Water Agency, 1220 F Street, Marysville, CA 95901
- Department of Water Resources, Division of Environmental Services, 1416 Ninth Street, Sacramento, CA 95814
- Sacramento Public Library, 828 I Street, Sacramento, CA 95814
- Yuba County Library, 303 2nd Street, Marysville, CA 95901

2.4 PUBLIC HEARINGS ON THE DRAFT EIR/EIS

As part of the CEQA/NEPA process, two public hearings were held, which allowed individuals an opportunity to provide verbal or written comments on the Draft EIR/EIS. The hearings occurred from 2:00 pm to 3:00 pm and from 6:00 pm to 7:00 pm on Wednesday, August 1, 2007 in Marysville, California. Three verbal comments and one written comment were received during the afternoon hearing and no comments were made during the evening hearing.

2.5 OUTREACH EFFORTS ASSOCIATED WITH THE COMPLETION AND THE CERTIFICATION OF THE FINAL EIR/EIS

CEQA (California Code of Regulations, Title 14, Section 15088 (b)) requires that, "…*The lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report*."

The public agencies that provided comments on the Draft EIR/EIS are:

- Environmental Protection Agency
- U.S. Department of Energy, Western Area Power Association
- California Department of Water Resources
- State Water Resources Control Board
- California Department of Fish and Game
- Cordua Irrigation District
- Contra Costa Water District
- Dry Creek Mutual Water Company

YCWA provided written proposed responses to each public agency listed above and provided each agency with a minimum of 10 days to review the proposed responses before certification of the Final EIR/EIS. Separate packages were sent to each of the public agencies that provided comments on the Draft EIR/EIS. These packages contained: (1) a transmittal letter; (2) a scanned copy of that agency's original comment letter (with specific comments labeled), and (3) the proposed written responses to each of the comments identified in the agency's letter. Each comment was addressed in detail, and rationale explaining why specific comments and suggestions were or were not accepted was included as part of the response. The 10-day review period for all public agencies listed above ended on October 14, 2007.

YCWA will provide one additional opportunity for members of the public to make comments about the Proposed Yuba Accord during the YCWA Board Meeting/Public Hearing that will occur when the YCWA Board will decide whether or not to certify the Final EIR/EIS and approve the Proposed Project. The YCWA Board Meeting/Public Hearing is scheduled for 8:30 am on October 23, 2007 at the Yuba County Government Center, 915 8th Street, Marysville, California.

CHAPTER 3
CHANGES IN PROJECT DESCRIPTION AND ANALYSES OF PROJECT IMPACTS SINCE PUBLICATION OF DRAFT EIR/EIS

3.1 INTRODUCTION

Section 10.1.4.1 on pages 10-31 through 10-36 of the Draft EIR/EIS discusses the recent decline of pelagic fish species in the Delta, the Pelagic Fish Action Plan and Reclamation's decision to re-initiate ESA consultations regarding the OCAP with USFWS and the National Marine Fisheries Service (NMFS). On page 10-35, the Draft EIR/EIS "acknowledges that there are numerous issues surrounding the pelagic organism decline, and recognizes that future Delta operations and management will differ from the operations and management that have been in place under the CEQA Existing Condition and the NEPA Affected Environment."

The Draft EIR/EIS was issued on June 26, 2007. Just over two months later, on August 31, 2007, the court in *NRDC v. Kempthorne* issued its draft interim remedies order, which directs Reclamation and DWR to take several actions, including some substantial curtailments in Delta exports by the CVP and SWP during late December through June of each year. This order has caused two significant changes to the Proposed Project/Action.

First, as a result of this order, Reclamation has decided to delay completion of its ESA compliance for the Proposed Project/Action, and to wait to complete its ROD for the Proposed Project/Action until the ESA re-consultations for OCAP are completed. Until Reclamation issues its ROD, the Yuba Accord Alternative therefore would be implemented with just YCWA and DWR being parties to the Water Purchase Agreement. During this first phase, DWR and Reclamation would not execute the Tier 2 Agreement that is described on pages 3-14 to 3-16 of the Draft EIR/EIS, and Reclamation would not execute the Tier 3 Agreements that are described on pages 3-16 to 3-17 of the Draft EIR/EIS. The same amount of Component 1 water still would go to the Environmental Water Account (EWA) Program. For Components 2, 3 and 4 water, DWR still would execute Tier 3 Agreements with SWP contractors, and DWR also would execute water-purchase agreements with interested CVP contractors.

After Reclamation issues its Record of Decision, Reclamation would consider joining the Water Purchase Agreement. If Reclamation were to decide to join the Water Purchase Agreement, then, during this second phase of the Yuba Accord Alternative, YCWA, DWR and Reclamation all would be parties to the Water Purchase Agreement, DWR and Reclamation would execute the Tier 2 Agreement, and Reclamation and CVP contractors would execute their Tier 3 Agreements, as contemplated in the Draft EIR/EIS.

Second, as a result of the court's interim remedies order in *NRDC v. Kempthorne*, the times of the year during which the additional water that would flow into the Delta under the Yuba Accord Alternative may be exported from the Delta, and the amounts of such water that may be exported from the Delta, would be more limited than under the Yuba Accord Alternative that is described and analyzed in the Draft EIR/EIS.

Even with the proposed phasing of the Yuba Accord Alternative, and even with the court's interim remedies order in *NRDC v. Kempthorne*, the Fisheries Agreement and YCWA's obligations to maintain the lower Yuba River flows that are specified by the Fisheries Agreement under the Yuba Accord would not change. Similarly, none of the Yuba Project operations or lower Yuba River flows that are described and analyzed in the Draft EIR/EIS for the Yuba Accord Alternative would change as a result of either this proposed phasing or the

court's interim remedies order, with the possible exception of the amounts of groundwater substitution pumping. The amount of groundwater substitution pumping in any particular year would be partly determined by the available capacity at the Banks and Jones pumping plants during the months of July, August, and September. Increased CVP or SWP pumping of CVP and SWP water during these months to offset reduced pumping of CVP and SWP water during the winter and spring, as a result of the court's interim remedies order, could reduce available capacity at these pumping plants for Yuba Accord transfer water, and therefore could reduce the amounts of groundwater substitution pumping in some years. Because these changes would be reductions in groundwater-substitution transfers, the impacts of groundwater substitution pumping under the Yuba Accord Alternative on the Yuba groundwater basin would be less than the impacts discussed in the Draft EIR/EIS.

The proposed phasing of the Yuba Accord Alternative and the court's interim remedies order in *NRDC v. Kempthorne* could change the amounts and timing of CVP and SWP exports from the Delta, the storage of Yuba Accord transfer water in Oroville Reservoir, and the amounts of Yuba Accord transfer water available in the Export Service Area. The phasing of the Yuba Accord Alternative and the effects of this phasing on the Yuba Accord Alternative's potential environmental impacts in the Delta Region and the Export Service Area are discussed in Section 3.2. The effects of the court's interim remedies order on the Yuba Accord Alternative's potential environmental impacts in the Delta Region and the Export Service Area are discussed in Section 3.3.

3.2 EFFECTS OF PHASING THE YUBA ACCORD ALTERNATIVE

The first phase of the Yuba Accord Alternative, under which YCWA and DWR would be the only parties to the Water Purchase Agreement, could result in two major changes in the analyses in the Draft EIR/EIS. First, the proportions of Yuba Accord transfer water pumped at the Banks and Jones pumping plants could change, if Yuba Accord transfer water could not be pumped at the Jones Pumping Plant at the rates analyzed in the Draft EIR/EIS. Second, while the amounts of Yuba Accord transfer water that go to the EWA Program would not change, there could be some changes in the amounts of Yuba Accord transfer water that go to CVP and SWP contractors in drier years. These changes are discussed respectively in Subsections 3.2.1 and 3.2.2.

3.2.1 POTENTIAL CHANGES IN THE RATES OF PUMPING OF YUBA ACCORD TRANSFER WATER AT BANKS AND JONES PUMPING PLANTS DURING THE FIRST PHASE OF THE YUBA ACCORD ALTERNATIVE

As discussed in Section 5.6 of the Modeling Technical Memorandum, Appendix D of the Draft EIR/EIS, on page D-30, the CVP (Jones Pumping Plant) has little surplus capacity, except under drier hydrologic conditions, and the SWP (Banks Pumping Plant) has greatest surplus capacity in dry and critical years, less under average conditions, and some in wetter years. For modeling purposes, it therefore was assumed that: (a) in wet and above normal years, all exports of Yuba Accord transfer water would be through the Banks Pumping Plant until all capacity, including the dedicated EWA capacity, is used; then any remaining transfers would be exported through the Jones Pumping Plant, to the extent that it has capacity for such transfers; and (b) in below normal, dry and critical years, exports of Yuba Accord transfer water would be split evenly between the Banks and Jones pumping plants; once either plant reached capacity, any remaining exports would be through the remaining capacity at the other pumping plant.

It is possible that, under the first phase of the Yuba Accord Alternative, Yuba Accord transfer water still could be exported through both the Banks and Jones pumping plants. However, to determine the maximum potential changes in the mix of exports through these two pumping plants, it was assumed for the following analysis that all Yuba Accord transfer water under the Yuba Accord Alternative would be pumped only through the Banks Pumping Plant during this first phase, and only when there was capacity available at the Banks Pumping Plant for this purpose.

This analysis used the previous model results, and post-processed them with the restriction that export pumping of Yuba Accord transfer water could occur only at the Banks Pumping Plant. Other modeling assumptions, impact assessment methodologies, impact indicators and evaluation guidelines are the same as those that are described in Appendix D, and on pages 10-63 through 10-65, of the Draft EIR/EIS. **Table 3-1** shows the changes in pumping rates that would result from this pumping restriction.

Table 3-1. Simulated Average Annual Exports Through Banks and Jones Pumping Plants During the First Phase of the Yuba Accord Alternative and the Draft EIR/EIS Yuba Accord Alternative (TAF)

	First Phase of Yuba Accord Alternative		Draft EIR/EIS Yuba Accord Alternative		Change (First Phase of Yuba Accord Alternative Minus Draft EIR/EIS Yuba Accord Alternative)	
Water Year Type	Banks Pumping Plant	Jones Pumping Plant	Banks Pumping Plant	Jones Pumping Plant	Banks Pumping Plant	Jones Pumping Plant
Average All Years	3,264	2,300	3,245	2,322	19	-22
Wet	4,029	2,606	4,028	2,610	1	-4
Above Normal	3,713	2,566	3,712	2,566	0	-1
Below Normal	3,486	2,447	3,468	2,464	18	-17
Dry	2,882	2,163	2,842	2,212	40	-49
Critical	1,805	1,553	1,762	1,598	43	-45

Notes:
Sacramento Valley Index Water Year Types as defined in State Water Resources Control Board Revised Decision 1641
TAF = thousand acre-feet

As indicated in this table, there normally would be slightly lower exports from Jones Pumping Plant, and slightly higher exports from Banks Pumping Plant, during the first phase of the Yuba Accord Alternative, relative to the Yuba Accord Alternative analyzed in the Draft EIR/EIS. On an average annual basis, total exports would be 3 TAF lower during this first phase. Average annual exports would be lower under the first phase during all water-year types except for below-normal years, during which total exports would be slightly higher.

These changes in export pumping of Yuba Accord transfer water were subsequently used to determine the changes in the differences in salvage estimates for fish in the Delta for the following two comparisons of alternatives: (1) Yuba Accord Alternative compared to the CEQA Existing Condition; and (2) Yuba Accord Alternative compared to the CEQA No Project Alternative.

Table 3-2 lists the estimated differences in salvage of the fish species listed in the table for the Yuba Accord Alternative compared to the CEQA Existing Condition (Scenario 3 vs. Scenario 1) under the first phase (during which all Yuba Accord transfer water would be exported through the Banks Pumping Plant), and the estimated differences in salvage of these species for this same comparison in the Draft EIR/EIS (during which Yuba Accord transfer water would be exported through both the Banks Pumping Plant and the Jones Pumping Plant).

This table shows that there could be some slight changes in the numbers of fish salvaged as a result of this phasing, but that the percent differences in average salvage and salvage by water year for these species under this first phase of the Yuba Accord Alternative, relative to the CEQA Existing Condition, generally would not change from the results presented in the Draft EIR/EIS for the comparison of these two scenarios. The greatest percent increase in salvage differences under this first phase would be for delta smelt during critical years. For delta smelt in critical years, the percentage reduction in salvage under the Yuba Accord Alternative, relative to the CEQA Existing Condition, would change from -0.6 percent (Draft EIR/EIS) to -0.4 percent (First Phase of the Yuba Accord Alternative). Although this salvage estimate therefore would be higher than the salvage estimate that is presented in the Draft EIR/EIS for this scenario, species and water-year type, the change from the CEQA Existing Condition to the First Phase of the Yuba Accord Alternative still would be negative, that is, fewer fish would be salvaged under the Yuba Accord Alternative than under the CEQA Existing Condition. Thus, even though there would be some slight changes in the salvage estimates for the first phase of the Yuba Accord Alternative, the Yuba Accord Alternative still would not have any significant impacts on these fish species, relative to the CEQA Existing Condition.

Table 3-3 lists the estimated differences in salvage of these fish species under the first phase of the Yuba Accord Alternative, compared to the CEQA No Project Alternative (Scenario 3 vs. Scenario 2), and the estimated differences in salvage of these species for this same comparison in the Draft EIR/EIS.

This table shows that there could be some slight changes in the numbers of fish salvaged as a result of this phasing, but that the percent differences in long-term average salvage and salvage by water year for these species under this first phase of the Yuba Accord Alternative, relative to the CEQA No Project Alternative, generally would not change compared to the results presented in the Draft EIR/EIS. The greatest percent increase in salvage differences under this first phase would be for delta smelt during critical years. For delta smelt in critical years, the percentage reduction in salvage under the Yuba Accord Alternative, relative to the CEQA No Project Condition, would change from -5.3 percent (Draft EIR/EIS) to -5.1 percent (First Phase of the Yuba Accord Alternative). Although this salvage estimate therefore would be higher than the salvage estimate that is presented in the Draft EIR/EIS for this scenario, species and water-year type, the change from the CEQA No Project Alternative to the first phase of the Yuba Accord Alternative still would be negative, that is, fewer fish would be salvaged under the Yuba Accord Alternative than under the CEQA No Project Alternative. Thus, even though there would be some slight changes in the salvage estimates for the first phase of the Yuba Accord Alternative, the Yuba Accord Alternative still would not have any significant impacts on these fish species, relative to the CEQA No Project Alternative.

Table 3-2. Salvage Estimates for the First Phase of Yuba Accord Alternative (Exports Only at Banks Pumping Plant) Compared to the CEQA Existing Condition (Scenario 3 vs. Scenario 1)

Year Type	First Phase of Yuba Accord Alternative Total: CVP and SWP		Draft EIR/EIS Yuba Accord Alternative Total: CVP and SWP	
	Difference in Average Salvage	Percent Difference in Average Salvage	Difference in Average Salvage	Percent Difference in Average Salvage
Winter-run Chinook Salmon Salvage Projections				
All Years	-41	-0.3	-15	-0.1
Wet	-13	-0.1	-6	0.0
Above Normal	-23	-0.2	0	0.0
Below Normal	-38	-0.2	0	0.0
Dry	-118	-0.9	-87	-0.7
Critical	-15	-0.2	16	0.2
Spring-run Chinook Salmon Salvage Projections				
All Years	-80	-0.2	-79	-0.2
Wet	-62	-0.1	-61	-0.1
Above Normal	-41	-0.1	-38	-0.1
Below Normal	0	0.0	-2	0.0
Dry	-295	-1.3	-293	-1.3
Critical	-1	0.0	-2	0.0
Steelhead Salvage Projections				
All Years	-18	-0.5	-5	-0.1
Wet	-18	-0.4	-8	-0.2
Above Normal	-28	-0.5	-1	0.0
Below Normal	-9	-0.3	-2	-0.1
Dry	-26	-1.0	-16	-0.6
Critical	-7	-0.4	3	0.2
Delta Smelt Salvage Projections				
All Years	-353	-0.5	-376	-0.5
Wet	-214	-0.2	-213	-0.2
Above Normal	-859	-1.0	-847	-0.9
Below Normal	-164	-0.2	-228	-0.3
Dry	-359	-0.6	-347	-0.6
Critical	-169	-0.4	-244	-0.6
Striped Bass Salvage Projections				
All Years	-42,417	-1.3	-34,796	-1.1
Wet	-68,808	-1.6	-66,197	-1.5
Above Normal	-65,636	-1.6	-65,198	-1.6
Below Normal	-33,415	-0.9	-32,982	-0.9
Dry	-26,404	-0.9	-4,712	-0.2
Critical	-17,822	-1.2	-4,892	-0.3

Table 3-3. Salvage Estimates for the First Phase of Yuba Accord Alternative (Exports Only at Banks Pumping Plant) Compared to CEQA No Project Alternative (Scenario 3 vs. Scenario 2)

Year Type	First Phase of Yuba Accord Alternative Total: CVP and SWP		Draft EIR/EIS Yuba Accord Alternative Total: CVP and SWP	
	Difference in Average Salvage	Percent Difference in Average Salvage	Difference in Average Salvage	Percent Difference in Average Salvage
Winter-run Chinook Salmon Salvage Projections				
All Years	-30	-0.2	-4	0.0
Wet	1	0.0	8	0.1
Above Normal	-23	-0.2	0	0.0
Below Normal	-27	-0.2	11	0.1
Dry	-105	-0.8	-74	-0.6
Critical	5	0.1	36	0.4
Spring-run Chinook Salmon Salvage Projections				
All Years	-56	-0.1	-56	-0.1
Wet	-1	0.0	0	0.0
Above Normal	-3	0.0	0	0.0
Below Normal	3	0.0	1	0.0
Dry	-284	-1.3	-282	-1.3
Critical	4	0.0	3	0.0
Steelhead Salvage Projections				
All Years	-15	-0.4	-2	-0.1
Wet	-10	-0.2	0	0.0
Above Normal	-27	-0.5	0	0.0
Below Normal	-7	-0.2	0	0.0
Dry	-24	-0.9	-14	-0.5
Critical	-7	-0.4	3	0.2
Delta Smelt Salvage Projections				
All Years	-747	-1.0	-770	-1.0
Wet	158	0.1	159	0.1
Above Normal	81	0.1	93	0.1
Below Normal	12	0.0	-52	-0.1
Dry	-1,836	-3.0	-1,824	-3.0
Critical	-2,151	-5.1	-2,226	-5.3
Striped Bass Salvage Projections				
All Years	-46,221	-1.4	-38,600	-1.2
Wet	48,864	1.2	51,475	1.2
Above Normal	37,344	1.0	37,782	1.0
Below Normal	-18,874	-0.5	-18,441	-0.5
Dry	-116,390	-3.9	-94,698	-3.2
Critical	-182,047	-11.4	-169,117	-10.6

As shown in Table 3-1, there potentially would be less Yuba Accord transfer water exported during the first phase of the Yuba Accord Alternative than under the Yuba Accord Alternative discussed and analyzed in the Draft EIR/EIS. If less Yuba Accord transfer water were exported while the same amounts of Yuba Accord water would flow into the Delta, then potential changes in other Delta parameters like X2 and Delta outflows under the Yuba Accord Alternative, compared to the bases of comparison, also would be lower than the corresponding changes that were discussed and evaluated in the Draft EIR/EIS. For this reason, the environmental impacts associated with these parameters that are discussed in the Draft EIR/EIS are greater than or equal to the corresponding environmental impacts that would occur under the first phase of the Yuba Accord Alternative, and no further analyses of these impacts are necessary here.

3.2.2 POTENTIAL CHANGES IN ALL ALLOCATIONS OF YUBA ACCORD TRANSFER WATER DURING THE FIRST PHASE OF THE YUBA ACCORD ALTERNATIVE

As discussed in Section 3.2.1.3 on pages 3-14 to 3-15 of the Draft EIR/EIS, for the analyses in the Draft EIR/EIS it was assumed that Component 1 water would be supplied to the EWA Program, and that Components 2, 3, and 4 water normally would be shared equally by Reclamation and DWR and conveyed to CVP and SWP contractors. However, page 3-15 of the Draft EIR/EIS also noted that there could be years during the Yuba Accord Alternative in which up to 100 percent of the Components 2, 3, and 4 water would go the either the CVP contractors or the SWP contractors.

Although Reclamation would not be a party to the Water Purchase Agreement during the first phase of the Yuba Accord Alternative, the Component 1 water still all would be supplied to the EWA Program. Also, it is anticipated that DWR would enter into contracts with interested CVP contractors under which DWR would supply Components 2, 3, and 4 water to such contractors. The range of allocations of Components 2, 3, and 4 water that are discussed and analyzed in the Draft EIR/EIS therefore probably would not change significantly during the first phase of the Yuba Accord Alternative.

Moreover, even if there were some differences in these allocations during the first phase of the Yuba Accord Alternative, deliveries of Components 2, 3 and 4 water to SWP contractors still would not cause the total deliveries of water to any SWP contractor to exceed its Table A amount, and the first phase of the Yuba Accord Alternative would not have a long enough duration to result in any permanent new water supplies to any SWP contractor. The changes in the Yuba Accord Alternative caused by the proposed phasing, therefore, still would not have any growth-inducing impacts. For this reason, and because the exports of Yuba Accord transfer water during the first phase of the Yuba Accord Alternative would be less than or equal to corresponding exports that were discussed and analyzed in the Draft EIR/EIS, no further analyses of environmental impacts in the Export Service Area are necessary.

3.3 EFFECTS OF INTERIM REMDIES ORDER IN *NRDC V. KEMPTHORNE*

As described in Section 3.1, the U.S. District Court issued its draft interim remedies order in the *NRDC v. Kempthorne* litigation on August 31, 2007. Although the court has yet not issued its final interim remedies order in that case, it is anticipated that the court's final interim remedies order will be very similar to the draft order, and therefore will significantly reduce the amounts of water that Reclamation and DWR may pump from the Delta during December through June of each year.

Tables 5-26 and 5-27 on pages 5-46 and 5-47 of the Draft EIR/EIS list the estimated annual amounts of stored-water and groundwater-substitution transfers that would be likely to occur under the Proposed Project/Action and alternatives. Because the monthly transfer amounts are important for the following discussion, the following Tables 3-4 and 3-5 list the estimated monthly stored-water and groundwater-substitution transfer volumes for the Yuba Accord Alternative, and the percentages of the total transfers that would occur during each month.

Table 3-4. YCWA Stored-Water Transfer Volumes, Yuba Accord Alternative, Average All Years

Month	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total
Annual Transfer Volume (TAF)	6.7	3.3	0.8	0.0	0.4	0.3	0.0	-0.4	0.0	27.1	21.6	3.8	63.5
Percent of Annual Transfer Volume.	10.6	5.2	1.2	0.0	0.6	0.4	0.0	-0.7	0.0	42.7	33.9	6.0	100
Percent of Transfer Volume by Period	15.7		1.6							82.7			100

Table 3-5. YCWA Groundwater-Substitution Transfer Volumes, Yuba Accord Alternative, Average All Years

Month	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total
Annual Transfer Volume (TAF)	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	11.5	10.5	2.4	24.5
Percent of Annual Transfer Volume	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	47.1	43.0	9.7	100
Percent of Transfer Volume by Period	0.4		0.0							99.6			100

These tables show that relatively small percentages of the stored-water transfers and none of the groundwater-substitution transfers under the Yuba Accord Alternative are predicted to occur during December though June. Because lower Yuba River flows would not change, the net effect of the court's interim remedies order in *NRDC v. Kempthorne* on the Yuba Accord Alternative would be to slightly reduce exports of Yuba Accord transfer water, and to slightly increase Delta outflows, during these months. These changes would not result in any new significant environmental impacts.

These tables also show that the majority of the stored-water and groundwater-substitution transfers under the Yuba Accord Alternative are predicted to occur during July through September, and that some additional transfers are predicted to occur during October and November. Because the court's interim remedies order would not significantly affect CVP or SWP exports during these months, and because the lower Yuba River flows and associated Delta inflows under the Yuba Accord Alternative would not significantly change as a result of the court's interim remedies order, it is unlikely that this order would significantly affect exports of Yuba Accord transfer water, or any of the other Delta parameters that are analyzed in the Draft EIR/EIS, during these months.

For these reasons, the environmental impact analyses in the Draft EIR/EIS do not have to be changed because of the court's interim remedies order in *NRDC v. Kempthorne*.

CHAPTER 4
COMMENTS AND RESPONSES

4.1 INTRODUCTION

This chapter contains the comment letters received on the Draft EIR/EIS followed by individual responses to those comments. Commentors, their associated agencies, and assigned letter identifications are listed in Section 4.3. Comments are grouped into the following categories: Federal Agencies (FA); State Agencies (SA); Local Agencies (LA), Non-profit Organizations (NP); Individuals (I); and Public Hearings (PH). Scanned copies of each comment letter received during the public review and comment period on the Draft EIR/EIS are presented in Section 4.4. The responses that have been prepared to address issues and concerns raised in the comments on the Draft EIR/EIS are presented immediately after each commentor's letter.

4.2 FORMAT OF COMMENTS AND RESPONSES

The lead agencies received thirteen comment letters, one written comment and three oral comments. Oral comments made at the public hearings on the Draft EIR/EIS were recorded, and a transcript of those comments as well as the written comment presented at the hearing are presented in this chapter.

The comment letters and the responses to comments are arranged in the following order:

- Section 4.4.1 - Responses to Federal Agency Comments
- Section 4.4.2 - Responses to State Agency Comments
- Section 4.4.3 - Responses to Local Agency Comments
- Section 4.4.4 - Responses to Special Interest Group Comments
- Section 4.4.5 - Responses to Individual Comments
- Section 4.4.6 - Responses to Comments Made During Public Hearings

Each letter or testimony is coded and each comment is numbered. For example, the first comment in the letter from the U.S. Department of Energy, Western Area Power Administration (Western) is labeled as FA2-1. Responses are numbered so that they correspond to the appropriate comment. Where a comment could be responded to with a response to another comment, reference to that response is provided. All comments on the content and adequacy of the Draft EIR/EIS have been responded to in full.

4.3 LIST OF COMMENTS RECEIVED

The agencies, organizations, and individuals that provided written and oral comments on the Proposed Yuba Accord Draft EIR/EIS are listed in **Table 4-1**.

Table 4-1. List of Commentors

Commentor	Agency/Organization	Comment Letter ID	Page Number
Federal Agencies			
Nova Blazej	U.S. Environmental Protection Agency (EPA)	FA1	4-3
Susan Sinclair	U.S. Department of Energy Western Area Power Administration (Western)	FA2	4-6
State Agencies			
Kent Smith	California Department of Fish and Game (CDFG)	SA1	4-9
Christopher Huitt	California Department of Water Resources (DWR)	SA2	4-19
Ernest Mona	State Water Resources Control Board (SWRCB)	SA3	4-26
Christopher Huitt	California Department of Water Resources (DWR)	SA4	4-69
Local Agencies			
Mark Atlas	Dry Creek Mutual Water Company (DCMWC)	LA1	4-73
Paul Minasian	Cordua Irrigation District (CID)	LA2	4-76
David Briggs	Contra Costa Water District (CCWD)	LA3	4-100
Non-Profit Organization			
Greg Crompton	Dobbins/Oregon House Action Committee (DOACT)	NP1	4-103
Chuck Bonham	The Bay Institute (TBI) and Trout Unlimited (TU)	NP2	4-104
Individuals			
Michael Sonnen	Self	I1	4-108
Commentor requested name be withheld	Self	I2	4-114
Public Hearings			
James Butler	Self	PH1	4-130
Freda Calvert	Self	PH2	4-134
Sig Boss	Self	PH3	4-135

Legend:
FA = Federal Agency SA = State Agency LA = Local Agency
NP = Non-profit Organization I = Individuals PH = Public Hearing

4.4 COMMENTS AND RESPONSES

4.4.1 RESPONSES TO FEDERAL AGENCY COMMENTS

FA1

SEP-07-2007 FRI 12:29 PM U.S.E.P.A. FAX NO. 4159478026 P. 02

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

September 7, 2007

Ms. Dianne Simodynes
HDR – Surface Water Resources, Inc.
1610 Arden Way, Suite 175
Sacramento, CA 95815

Subject: Draft Environmental Impact Statement (DEIS) for the Proposed Lower Yuba River Accord, Yuba County, California (CEQ# 20070269)

Dear Ms. Simodynes:

The U.S. Environmental Protection Agency (EPA) has reviewed the DEIS referenced above. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. Our comments are provided in accordance with the EPA-specific extension to the comment deadline date from August 24, 2007 to September 7, 2007, granted by Tamara LaFramboise of the US Bureau of Reclamation on August 6, 2007.

Based upon our review and the identification of the Yuba Accord Alternative as the preferred alternative, we have rated this DEIS as Lack of Objections (LO) (see enclosed "Summary of the EPA Rating System"). We commend the signatories and participants of the Yuba Accord for the comprehensive program to provide increased instream flows to benefit fisheries in the Lower Yuba River. The three Yuba Accord components - Fisheries Agreement, Conjunctive Use Agreements, and Water Purchase Agreement - provide an elegant solution in providing increased instream flows, water for these flows, and revenues to implement the Accord and long-term monitoring. EPA also commends the provision for a long-term guaranteed water supply for the Environmental Water Account.

FA1-1

Of note is the thorough environmental documentation of existing conditions, legal and water supply context for the project area, analysis methodology and assumptions, detailed analysis of alternatives compared to different no action baselines, cumulative impact analysis, induced growth analysis, and description of climate change considerations.

FA1

SEP-07-2007 FRI 12:30 PM U.S.E.P.A. FAX NO. 4159478026 P. 03

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one copy to the above address (mail code: CED-2). If you have any questions, please call me at 415-972-3846 or Laura Fujii, of my staff, at 415-972-3852 or fujii.laura@epa.gov.

Sincerely,

Nova Blazej, Manager
Environmental Review Office

Enclosures: Summary of EPA Rating Definitions

cc: Tamara LaFramboise, US Bureau of Reclamation
Curt Aikens, Yuba County Water Agency
Teresa Geimer, California Department of Water Resources
Regional Manager, Region 2, California Department of Fish and Game
Maria Rea, National Marine Fisheries Service
Susan Moore, US Fish and Wildlife Service
Executive Director, South Yuba River Citizens League
Conservation Director, Friends of the River
California Hydro Power Coordinator, Trout Unlimited
Program Director, The Bay Institute

FA1

SEP-07-2007 FRI 12:30 PM U.S.E.P.A. FAX NO. 4159478026 P. 04

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

LETTER FA1: NOVA BLAZEJ, U.S. ENVIRONMENTAL PROTECTION AGENCY

Response to Comment FA1-1:

Comment noted. The lead agencies appreciate the EPA's determinations regarding the adequacy of the Draft EIR/EIS and the rating assigned to it.

FA2

Brown, Carol

From: Simodynes, Dianne
Sent: Thursday, July 19, 2007 9:25 AM
To: O'Connell, Amanda; Brown, Carol
Subject: FW: Proposed Lower Yuba River Accord Draft EIR/EIS

Attachments: GUIDES.COT-RSV.doc

GUIDES.COT-RSV.doc (28 KB)

-----Original Message-----
From: Susan Sinclair [mailto:SINCLAIR@wapa.gov]
Sent: Thursday, July 19, 2007 8:41 AM
To: Simodynes, Dianne
Subject: Proposed Lower Yuba River Accord Draft EIR/EIS

Ms. Simodynes:

Thank you for the opportunity to comment on the Proposed Lower Yuba River Accord Draft EIR/EIS. The United States Department of Energy, Western Area Power Administration (Western), does not have any objections to the proposed project where it crosses Western*s Cottonwood-Roseville 230-kilovolt transmission line easement, but Western will need to review and approve any infrastructure improvements to the 100-foot right-of-way easement and for the issuance of a license agreement prior to any construction activities.

Enclosed is a copy of Western*s general guidelines for the use of the easement area. Please let me know if you need any other information.

Thank you,

Susan Sinclair
Realty Specialist
U.S. Department of Energy
Western Area Power Administration
114 Parkshore Drive
Folsom, California 95630
(916) 353-4600
(916) 985-1935 fax
sinclair@wapa.gov

1

FA2

WESTERN AREA POWER ADMINISTRATION
GENERAL GUIDELINES CONCERNING THE USE OF
ELECTRIC TRANSMISSION LINE RIGHTS-OF-WAY

RE: Cottonwood-Roseville 230-kV Transmission Line

Western Area Power Administration (Western) owns a 100-foot easement along the length of the referenced transmission line. Western's rights within the easement include the right to construct, reconstruct, operate, maintain, and patrol the transmission line.

Rights usually reserved to the landowner include the right to cultivate, occupy, and use the land for any purpose that does not conflict with Western's use of its easement. To avoid potential conflicts, it is Western's policy to review all proposed uses within the transmission line easement. We consider (1) Safety of the public, (2) Safety of our Employees, (3) Restrictions covered in the easement, (4) Western's maintenance requirements, and (5) Protection of the transmission line structures and (6) Road or street crossings.

The outline below lists the considerations covered in the review. Please note that some items may overlap. This outline has been prepared only as a guide; each right-of-way encroachment is evaluated on an individual basis.

1. Safety Of The Public

   A. Approval depends, to a large extent, on the type and purpose of the development. Western takes our obligation to public safety very seriously. To insure our obligation, any use of the easement that will endanger the public will not be allowed or strongly discouraged (e.g., kite flying is prohibited).

   B. Metal fences must be grounded in accordance with applicable safety codes.

   C. Lighting standards shall not exceed a maximum height of 15 feet and not placed directly under the conductors (wires). All lighting standards must be grounded.

   D. All vegetation on the easement shall not exceed a maximum height of 12 feet at maturity.

   E. Structures are not allowed on the easement. Structures include, but are not limited to, buildings, sheds, swimming pools, basketball courts, tennis courts, gazebos, etc.

   F. No ground elevation changes are allowed which would reduce the ground to conductor clearance below 30 feet.

FA2-1

FA2

2. Safety Of Our Employees

   Vegetation and encroachments into our right-of-way requires our crews to take action, which places them at risk. Therefore, any vegetation or encroachments that present a risk to our employees will not be allowed.

3. Restrictions Covered In The Easement

   The easement prohibits the following: (1) any use that will interfere with or damage the equipment of the United States, (2) digging or drilling of a well, (3) erecting buildings or structures, (4) placing or piling up material within the easement boundaries. The easement gives Western the right to remove trees, brush or other objects interfering with the safe operation and maintenance of the line.

4. Maintenance Requirements

   A. Berms shall not be placed next to the base of the transmission line tower.

   B. Any proposed improvements to the easement (including grading, parking lot, lighting, landscaping, fences, etc.), must be reviewed by Western to assure that they will not interfere with the safe operation and maintenance of the transmission line.

   C. A 14-foot gate is required in any fences that cut off access along our easement.

   D. Thirty (30) feet of unobstructed access is to be maintained around towers.

5. Protection Of The Transmission Line Structure (Towers, Guy Wires, etc.)

   A. If the proposed use increases the possibility of a motor vehicle hitting the transmission line structure, an appropriate guard rail shall be installed to protect the structure (e.g., parking lots or roads).

   B. Trench digging, which would weaken or damage the structure, is prohibited.

   C. No ground elevation changes are allowed within 20 feet of the structure, and in no case shall the conductor to ground clearance be reduced below code limitation.

6. Roads Or Street Crossings

   Western's policy is to have roads or streets cross the easement at right angles, or as nearly at right angles as possible, so that a minimum area of the road or street lies within the transmission line easement.

Requests for permission to use the transmission line right-of-way should be submitted to: Western Area Power Administration, Sierra Nevada Regional Office, Attn: Realty Officer, 114 Parkshore Drive, Folsom, CA 95630.

FA2-1 cont.

LETTER FA2: SUSAN SINCLAIR, WESTERN AREA POWER ADMINISTRATION

Response to Comment FA2-1:

The Proposed Lower Yuba River Accord would not involve any construction activities and, thus, would not result in any right-of-way encroachment or otherwise affect Western's rights to its easement for the Cottonwood-Roseville 230-kilovolt Transmission Line.

4.4.2 RESPONSES TO STATE AGENCY COMMENTS

SA1

State of California – The Resources Agency ARNOLD SCHWARZENEGGER, Governor
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
(916) 358-2900

August 24, 2007

Ms. Dianne Simodynes
HDR / Surface Water Resources, Inc.
1610 Arden Way, Suite 175
Sacramento, CA 95815
Fax: (916) 569-1001

Dear Ms. Simodynes:

The Department of Fish and Game (Department) received the Draft Environmental Impact Report / Environmental Impact Statement (DEIR/DEIS) for the proposed Lower Yuba River Accord (Accord). The Draft DEIR/DEIS was developed pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) by the Yuba County Water Agency (YCWA), Bureau of Reclamation (Reclamation), and the California Department of Water Resources (DWR). The purpose of the Accord is to resolve instream flow issues associated with operation of the Yuba River Development Project in a way that protects and enhances lower-Yuba River fisheries and local water supply reliability. The Department has the following comments on the DEIR/DEIS:

1. Section 1.5.1.3 of should be corrected to state "The Department is a CEQA Responsible Agency and Trustee Agency involved in the Fisheries Agreement process. The Department would have the decision-making responsibility of approving and implementing the Fisheries Agreement, and would participate on the River Management Team (RMT). The Department would also be acting as a CEQA Responsible Agency when issuing any permit under the California Endangered Species Act (CESA)." SA1-1

2. The current Federal Regulatory Commission (FERC) license for the Yuba Project expires in 2016. Section 3.1 of the Accord specifies that the term of the Agreement will be from its effective date until FERC issues a new long term license for the Yuba River Development Project, unless the Agreement is terminated earlier, as provided in the Accord. YCWA has applied to the State Water Resources Control Board (SWRCB) for a long term water transfer for the period beginning January 1, 2008, and concluding on December 31, 2025. The DEIR/DEIS does not fully describe and analyze the background conditions and impacts of: (1) termination of the Accord before 2016 or (2) conditions in the SA1-2

Conserving California's Wildlife Since 1870

SA1

Yuba River after 2016 and before December 31, 2025. In order to more fully understand the potential impacts associated with these potential scenarios, the document should provide a more detailed analysis of these conditions. SA1-2 cont.

3. Section 5.2.1(3) of the Accord provides that instream flow requirements at the Marysville Gage may be adjusted downward in a Schedule 5 year to 400 cfs during all or part of the period from October 1 until the February 120 Bulletin forecasts are available, if the parties agree to this change. The DEIR/DEIS does not seem to analyze this potential deviation from the Schedule 5 Accord flows. In order to more fully understand the potential impacts of such a deviation, the DEIR/DEIS should analyze that allowable deviation from the Schedule 5 Accord flows. SA1-3

4. Section 5.1.4 of the Accord allows for flow decreases of up to 20% during March through October if agreed to by YCWA and the RMT. The DEIR/DEIS analyzes the Accord flow schedule but does not seem to analyze the impacts on the fishery resource of a possible 20% decrease in flows if the RMT agrees to decrease the flow pursuant to this section. In order to fully understand the impact of such a decision, the Draft EIR/EIS should analyze any impact of a 20% decrease as provided for in this section. SA1-4

5. Section 6.1.1 of the Accord defines a "Material Violation of Agreement Flow Schedules" as any failure of YCWA to meet specified applicable instream flow requirements for a period of 10 consecutive calendar days, except under certain enumerated situations. The potential therefore exists for Accord flow schedules to not be met for nine days, met for one day, and then not met for nine days in a repeated pattern. The DEIR/DEIS does not analyze this potential deviation from the Accord flows. In order to more fully understand the impacts of any such pattern, should it occur, the DEIR/DEIS should analyze such an allowable flow deviation as specified within the Accord. SA1-5

6. Section 10.1.6.2 should be corrected to state "The California Endangered Species Act (CESA, Fish and Game Code Sections 2050 to 2089) prohibits the taking of any threatened, endangered or candidate species unless allowed by permit where the take is minimized and fully mitigated; the applicant has ensured there is adequate funding to implement the minimization and mitigation measures (including compliance monitoring); and, the Department has determined the permitted take will not jeopardize the continued existence of a species (Fish and Game Code Section 2081(b)). 'Take' under California law means to '…hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill…' (Fish and Game Code Section 86). Where there is an SA1-6

SA1

approved Natural Community Conservation Plan (NCCP), take may also be authorized pursuant to Fish and Game Code Section 2835. California's Fish and Game Commission is responsible for establishing the lists of threatened and endangered species under CESA and for adding or removing species."

SA1-6 cont.

7. The Department disagrees with the conclusion at Section 10.3.1.7-3 (page 10-409, second paragraph) that it is *"not possible to quantitatively ascertain the specific causality or magnitude of cumulative potentially significant impacts, or specific mitigation measures to avoid or minimize these impacts. Therefore, it is concluded that implementation of the Yuba Accord Alternative in combination with other reasonably foreseeable projects could result in potentially significant and unavoidable cumulative impacts to fisheries and aquatic resources in the Delta Region."*

   There is broad recognition that changes must occur in how the Delta is managed in part to address the poor condition of the ecosystem and Delta-dependent fish populations. Past water project operations were a part of the Delta's problems and modifications are being implemented to reduce adverse effects of export pumping. Water transfers to the export service area are a piece of the overall Delta water management picture. Future water project operations, including transfers, must be carried out in a way that is compatible with the conservation of aquatic resource in the Delta. While it is not clear today what future water operations will look like, we do not agree that continued and increased incremental impacts in the Delta will be accepted in the planning and operation of water management systems in the future. With regard to implementation of the proposed Lower Yuba River Accord, careful selection of the times for re-diversion of water from the Yuba River will be critical to minimizing incremental impacts to fish in the Delta.

SA1-7

8. The DEIR/DEIS, Section 23.2.3, contains an incorrect articulation of CESA (instead of stating State policy, it repeats Federal Endangered Species Act (ESA) standards) and does not explain the Department's CEQA Responsible agency role. The following is a suggested correction:

   The California Endangered Species Act (Fish and Game Code Section 2050 et. seq.) establishes state policy to conserve, protect, restore, and enhance threatened or endangered species and their habitats. The Act prohibits the taking of any threatened, endangered or candidate species unless allowed by permit where the take is minimized and fully mitigated; the applicant has ensured there is adequate funding to implement the minimization and mitigation measures (including compliance monitoring); and, the

SA1-8

SA1

Department has determined the permitted take will not jeopardize the continued existence of a species (Fish and Game Code Section 2081(b)). For projects that would affect a species that is both federally and state-listed, compliance with ESA satisfies CESA if the Department determines that the federal incidental take authorization (Biological Opinion) is also consistent with the above requirements of CESA Section 2080.1(b). Otherwise, the project proponent must apply for a take permit under Fish and Game Code Section 2081(b) or receive a permit pursuant to an approved Natural Community Conservation Plan (Fish and Game Code Section 2835).

Unlike the federal ESA, under CESA there are no mandated state agency consultation procedures. However, CEQA requires notice to responsible and trustee agencies regarding the preparation of EIRs and allows for meetings to expedite consultation (Cal. Code Regs., tit. 14, Section 15082). YCWA and Reclamation have had numerous meetings with the Department (see Section 23.2.7), where discussions focused on determining the scope of work, identifying listed and proposed species potentially affected by the Proposed Project/Action, as well as developing a suitable approach for assessing the potential effects of the action on listed and proposed species and their habitat. If the Department issues a permit under CESA for the Proposed Project/Action, it will act as a CEQA Responsible Agency and independently consider the EIR prepared by YCWA. (Cal. Code Regs., tit.14, Section 15096).

SA1-8 cont.

The Department welcomes the opportunity to review and comment on any related or upcoming documentation concerning the proposed project, and encourages the project proponent to meet with the Department and other resource agencies during the development of any such documents. If you have any questions or need further assistance, please contact Mr. Ian Drury, Environmental Scientist, at (916) 358-2030 (idrury@dfg.ca.gov), and/or Mr. Jeff Drongesen, at (916) 358-2919 (jdrongesen@dfg.ca.gov).

Sincerely,

Kent Smith
Acting Regional Manager

SA1

Cc: Mr. Mike Tucker
National Marine Fisheries Service
650 Capitol Mall, Rm 8-300
Sacramento, CA 95814

Mr. David Hu
Habitat Restoration Coordinator
Anadromous Fish Restoration Program
U.S. Fish and Wildlife Service
Stockton, CA 95205

Mr. Jason Rainey
South Yuba River Citizens League
216 Main Street
Nevada City, CA 95959

Mr. Gary Reedy
South Yuba River Citizens League
407 Winter Street
Nevada City, CA 95959

Mr. Curt Aikens
General Manager
Yuba County Water Agency
1220 S Street
Marysville, CA 95901

Mr. Jeff Drongesen
Mr. Ian Drury
Mr. James Navicky
Department of Fish and Game
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

Ms. Nancee Murray
Ms. Tina Cannon Leahy
Office of the General Counsel
Department of Fish and Game
1416 9th Street, Suite 1341
Sacramento, CA 95814

SA1

Ms. Dianne Simodynes
August 24, 2007
Page Six

Cc: Mr. Scott Flint
Department of Fish and Game
1416 9th Street
Sacramento, CA 95814

Mr. Jim White
Department of Fish and Game
830 S Street
Sacramento, CA 95811-7023

LETTER SA1: KENT SMITH, CALIFORNIA DEPARTMENT OF FISH AND GAME

Response to Comment SA1-1:

The referenced text has been edited. See Chapter 5 of the Final EIR/EIS for the revisions to the Draft EIR/EIS text.

Response to Comment SA1-2:

If the Yuba Accord were to terminate before 2016, or before the Federal Energy Regulatory Commission (FERC) issues a new long-term Federal Power Act (FPA) license, then the Yuba Accord flow schedules (which are described in Chapter 3 on page 3-8 of the Draft EIR/EIS, and in Table 1 on page B-55 of Appendix B of the Draft EIR/EIS) would become the required minimum flows for the lower Yuba River in YCWA's water right permits (see Appendix B, page B-74). No additional analyses are required for this scenario, because the lower Yuba River minimum flows would not change.

The term of the Water Purchase Agreement is proposed to extend to 2025. The initial term of the Water Purchase Agreement is anticipated to extend until issuance of a new long-term FERC license to YCWA, which it is anticipated will occur in 2016. The Water Purchase Agreement includes provisions for some continued YCWA deliveries of water, and DWR and possibly Reclamation purchase of such water, through 2025. From 2016 through 2025, the Water Purchase Agreement would allow YCWA to deliver Component 1 (up to 60 TAF/year) and Component 2 through 4 water (up to 140 TAF/year) to DWR (and possibly Reclamation) if the terms of the new FERC long-term license do not affect YCWA's ability make these water supplies available. At a minimum, the Water Purchase Agreement would provide only a guaranteed supply of 20 TAF/year after 2015. If YCWA would be able to make additional supplies of water available consistent with its FERC long-term license and the water supply needs in Yuba County, then YCWA may be able to provide additional Components 1 through 4 water to Reclamation and DWR. Recognizing the range of conditions and constraints that could be in place after 2015, it is assumed in this EIR/EIS that Component 1, 2, 3 and 4 water deliveries to the CVP/SWP potentially could range from a "lower boundary" of 20 TAF/year

up to an "upper boundary" that would include full Yuba Accord deliveries (see Draft EIR/EIS, Chapter 5, page 5-40). For analytical purposes, this approach was taken, so that the entire spectrum of potential hydrologic changes that could occur as a result of water deliveries after 2015 would be analyzed. However, only 20 TAF/year would be guaranteed after 2015.

The lower Yuba River instream-flow regime after 2016 will be determined by the FERC and the SWRCB (through its Clean Water Act (CWA) Section 401 certification process) during the Yuba Project relicensing process. Section 5.4.9 of the Fisheries Agreement provides that all of the Parties to the Agreement would work cooperatively and in good faith, using the agreement's flow schedules and associated rules as a starting point, to try to develop a consensus proposal for the lower Yuba River instream-flow requirements for YCWA's long-term FERC license, and, if consensus is reached, to submit the consensus proposal to the SWRCB and FERC and to ask the SWRCB to include it in its CWA Section 401 water-quality certification and to ask FERC to include it in the new FPA license (see Draft EIR/EIS, Appendix B, page B-35). Accordingly, while there ultimately may be some changes in these flow schedules, the best prediction that can be made today of the instream flow requirements that will be in YCWA's new long-term FERC license if the Yuba Accord goes into effect is that these requirements will be the flow schedules in Exhibit 1 of the Fisheries Agreement. These requirements therefore were used in the evaluations described in the Draft EIR/EIS under the CEQA and NEPA Yuba Accord Alternatives (see Chapters 3, 5, 10 and 21).

Response to Comment SA1-3:

Section 5.2.1(3) was included in the Fisheries Agreement upon recommendation of the Technical Team (which included biologist representatives of the CDFG, NMFS, and USFWS) to provide management flexibility to the River Management Team (RMT) during dry year conditions. Under Exhibits 1 through 5 to the Fisheries Agreement (see Draft EIR/EIS, Appendix B, pages 55-63), the flow schedule that would be used during any particular water year type would be set based on New Bullards Bar Reservoir storage and the predicted inflow to New Bullards Bar Reservoir. The flow schedule that would be set in May of any given year would typically remain in place until February of the following year, when the predicted inflow to New Bullards Bar Reservoir is available from the first DWR Bulletin 120 of the year. In a Schedule 5 year, minimum flows at the Marysville Gage during the November through February timeframe would be 500 cubic feet per second (cfs), as compared to 350 cfs during the same time period in a Schedule 6 year. The Technical Team realized that it would be possible during the course of consecutive dry years to encounter a situation where a Schedule 5 year would be followed by a Schedule 6 year. In that circumstance, two potentially detrimental conditions could occur. First, upon receipt of the first Bulletin 120 forecast in February, calculation of the North Yuba Index would require a drop in flow from 500 cfs to 350 cfs commensurate with a Schedule 6 year. Second, the additional water expended to maintain higher flows of 500 cfs might be sorely missed during the remainder of the Schedule 6 year.

To address these concerns, Exhibit 3 to the Fisheries Agreement provides that during Schedule 5 years when September 30 New Bullards Bar Reservoir storage is less than 400 TAF, the Marysville Gage instream-flow requirement will be 400 cfs from October 1 until the next February Bulletin 120 forecasts are available (see Draft EIR, Appendix B, page B-57). This adjustment is included as an assumption in the hydrological modeling of the Yuba Accord Alternative for the Draft EIR/EIS (see Draft EIR/EIS, Appendix D, page A-20, Table A-8, Footnote e), and is fully analyzed in the Draft EIR/EIS.

For Schedule 5 years with September 30 New Bullards Bar Reservoir storage between 400 and 450 TAF, the Technical Team desired the ability to decide whether or not to make the flow reduction to conserve water for the subsequent spring and summer. In such years, the flow modification therefore would be at the discretion of the biologist representatives of the resource agencies (CDFG, NMFS, and USFWS), and would not occur unless those representatives concluded that this modification would be necessary and beneficial for protection of the fisheries resources of the lower Yuba River (see Draft EIR/EIS, Appendix B, page B-57). Any such modification also would be subject to review by the Chief of the SWRCB's Division of Water Rights under Section 5.2.1 of the Fisheries Agreement (see Draft EIR/EIS, Appendix B, page B-29). Because this flow modification would be a discretionary decision, and might or might not occur, the hydrological modeling for the Draft EIR/EIS does not contain this modification (see Draft EIR, Appendix D, page A-20, Table A-8, Footnote e). Nevertheless, it is reasonable to assume that these resource agency representatives and the Chief of the Division of Water Rights would not allow any such modification if it would have any significant environmental impacts.

Response to Comment SA1-4:

Although this comment refers to a flow "decrease," Section 5.1.4 of the Fisheries Agreement actually provides for a potential 20-percent flow shift of not more than six weeks, which might be allowed sometime during the March through October period. Any flow reduction under this section would have to be offset with a commensurate increase during a six-week period before or after the reduction. Thus, the total instream-flow volume that would occur with the modification would be the same volume as the total instream-flow volume that would have occurred without the modification.

During the development of the Fisheries Agreement, CDFG's biologist asked that this provision be included in the Fisheries Agreement to provide management flexibility to the RMT to allow such a flow shift in response to specific environmental conditions that may occur on the river. The flow shifting could be utilized to make additional water available during a time when it would be necessary to respond to some critical need in the lower Yuba River. Such critical needs could occur because of extended periods of high ambient air temperatures, during periods of unusual immigration or outmigration that might benefit from the availability of additional water flows, or because of conditions relative to redds or juvenile fisheries that would benefit from the availability of additional water flows. Because of these limitations and goals, because all of the biologist representatives of CDFG, NMFS, USFWS would have to agree to any such flow shift (see Draft EIR/EIS, Appendix B, page B-24), and because any such modification also would be subject to review by the Chief of the SWRCB's Division of Water Rights under Sections 5.2.1 and 5.2.2 of the Fisheries Agreement (see Draft EIR/EIS, Appendix B, page B-29), it is reasonable to assume that any such flow shift would not have any significant environmental impacts.

Response to Comment SA1-5:

While Section 6.1.1 of the Fisheries Agreement would provide a definition of a Material Violation, which would then trigger imposition of substantial monetary penalties, Section 6.1.1 would not be the operating standard for flow schedules. Rather, Section 5.1.1 of the Fisheries Agreement would provide the operating standard: "*The instream flow requirements in these schedules will be maintained as measured by a five-day running average of the mean daily stream flows with instantaneous flows never less than 90 percent of the applicable flow requirements specified in the*

schedules. In addition, instantaneous flows will not be less than the applicable flow requirements specified in the schedules for more than 48 consecutive hours unless CDFG concurs to a longer period of time, which may not exceed 5 days" that would control implementation of the instream flow schedules (see Draft EIR/EIS, Appendix B, page B-23). Section 5.1.1 would require consistent and controlled instream flow releases, subject only to minor variations that real world operations may encounter. The operational requirements of Section 5.1.1 of the Fisheries Agreement would be further enforced by Sections 6.2.1 through 6.2.4 of the Fisheries Agreement, which would provide for monetary penalties if the operational requirements were not met, but if flow deviations were not a Material Violation (see Draft EIR/EIS, Appendix B, pages B-38 to B-40). Depending on the extent of the Non-Material Violation, the penalty for each such violation would range up to $1,000 per day, which equals the maximum penalty under Water Code Section 1845 for a violation of a cease and desist order that has been issued for violation of a term or condition of a water-right permit, and the process for assessing these penalties under the Fisheries Agreement would be much faster than the cease-and-desist-order process in Water Code Sections 1825-1845. In addition, Section 5.1.2 of the Fisheries Agreement would authorize CDFG or any of the NGO parties to ask a court to order specific performance to implement the agreement's flow schedules (see Draft EIR/EIS, page B-23). Because of all of these remedies, it is reasonable for the Draft EIR/EIS to assume that the Fisheries Agreement's instream-flow schedules will be implemented without the deviations that are described in this comment.

Response to Comment SA1-6:

The referenced text has been edited. See Chapter 5 of the Final EIR/EIS for the revisions to the Draft EIR/EIS text.

Response to Comment SA1-7:

As discussed in Section 10.1.4.1 of the Draft EIR/EIS, the Draft EIR/EIS acknowledges that there are numerous issues surrounding the pelagic organism decline (POD) and the Draft EIR/EIS recognizes that future Delta operations and management will differ from the operations and management that have been in place under the CEQA Existing Condition and the NEPA Affected Environment. The most recent example of the types of ongoing changes that are affecting conditions in the Delta occurred on August 31, 2007, when the court issued its order in *NRDC v. Kempthorne*. This order directed DWR and Reclamation to make several modifications in CVP/SWP operations to protect delta smelt. This order applies only until the pending OCAP ESA re-consultation is completed, and it is likely that additional changes in CVP/SWP operations in the Delta will occur in the future.

Because of the large uncertainty regarding what future long-term CVP/SWP operations in the Delta may be, the Draft cumulative impact analyses for fisheries and aquatic resources in the Draft EIR/EIS concluded that there is a potential for the Yuba Accord Alternative, in combination with other reasonably foreseeable projects, to result in potentially significant and unavoidable cumulative impacts to fisheries and aquatic resources in the Delta Region. While the current and ongoing efforts to address Delta issues indicate that progress is being made toward ensuring that CVP and SWP operations will be managed so that they will be compatible with the conservation of aquatic resources in the Delta as this comment suggests, the ultimate effects on delta smelt of CVP, SWP and other projects' operations cannot be determined at this time. Therefore, to ensure that the potential cumulative impacts of the Yuba Accord Alternative are adequately identified and disclosed in the Draft EIR/EIS, the conclusion of potentially

significant impacts is appropriate given the current uncertainties about the population status of delta smelt as well as other uncertainties regarding factors that may be contributing to the POD in the Delta.

Response to Comment SA1-8:

The referenced text has been edited. See Chapter 5 of the Final EIR/EIS for the revisions to the Draft EIR/EIS text.

SA2

STATE OF CALIFORNIA -- THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

August 24, 2007

Ms. Dianne Simodynes
HDR/SWRI
1610 Arden Way, Suite 175
Sacramento, CA 95815

SUBJECT: Proposed Lower Yuba River Accord Draft EIR/EIS Project
State Clearinghouse (SCH) Number: 2005062111

Dear: Ms. Simodynes:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (EIR)/ Environmental Impact Statement (EIS) for the subject project. California Department of Water Resources (DWR) staff has reviewed the environmental document and provide the following comments.

General Comments

The area described in the Project Description is protected by federal levees that have been incorporated into the state plan of flood control. The effective operation of federal flood control levees along the Feather, Yuba, and Sacramento River systems as well as the Sacramento-San Joaquin Delta system is essential for the protection of public safety and property located in the floodplain protected by those levees. In California, The Reclamation Board is responsible for operations and maintenance of the Federal Flood Control Project Levees in the Central Valley. DWR is the floodplain manager for the State and also coordinate its activities with the Federal Emergency Management Agency (FEMA) in administrating the federal Flood Insurance Program. SA2-1

A Reclamation Board permit will be required for any plan of work that encroaches on an adopted plan of flood control. Your project may be encroaching on an adopted plan of flood control and thus, an encroachment permit may be required for your project. A permit will also be required for activities outside of the adopted flood control plan if those activities could be injurious to or interfere with the successful execution, functioning or operation of any facilities of an adopted plan of flood control. The attached Fact Sheet provides information on the permitting process. As your draft document states, no project will be created of levees modified.

The EIR should describe in appropriate detail how the regulatory concerns of the Reclamation Board will be addressed. The regulations of the Reclamation Board are found in the California Code of Regulations (CCR) Title 23, Division 1. These

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regulations are designed to protect the integrity and function of the flood control system. Any activity that interferes with the operation, integrity, and function of the adopted plan of flood control is of concern to the Reclamation Board.

State officials, more than ever, are emphasizing public safety and in particular the flood hazard in California. The conditions of the levees that protect many areas are a major concern. Existing levees were constructed decades ago; most of these levees were intended primarily to maintain river flow for navigation and to reclaim overflow land for agricultural production. Non-residential land uses such as agricultural production are compatible with the state plan of flood control for which the levees were constructed.

Detailed knowledge of the physical condition of a given reach of levees is limited. Although the state performs levee inspections, those inspections are conducted to ascertain whether maintenance is being performed according to certain minimum standards and not to evaluate the structural integrity of the levee. Unless obvious, problems with levee integrity may not be identified during the course of state inspections.

SA2-1 cont.

In many cases, the lack of information regarding the integrity of the levee system does not allow the Reclamation Board and/or DWR to assure the communities that there is an adequate level of protection for additional urbanization. Levees sufficient to protect urbanization should be certified as having the minimum protection required for FEMA certification.

The consequences of urban development in a floodplain protected by levees can be significant in terms of not only public safety and protection of property but to the State in terms of financial resources. When it accepts a federal flood control project, the State agrees to indemnify the federal government. Flooding that result from a failure of a portion of the State plan of flood control exposes both the state and the local maintaining agency to significant liability.

Recently, local and national media outlets have been presenting claims the world scientific community recognizes global warming and the effects of these phenomenon. Scientific studies have confirmed the average high tide levels are increasing throughout the world. As concerns of levee stability and safety comes to light after the disastrous effects of hurricane Katrina and the levee failures in New Orleans public safety is an immediate concern.

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Development in areas within a federal and state recognized floodplain should be strongly discouraged. Recent climate change reports have stated the increases in storm intensity and average high tide levels which can be problematic for unforeseen future levee maintenance and improvements. The Reclamation Board recognizes the scientific community concerns and the urgent need to improve and maintain the 100-year flood control levee system. As the world seas increase in height, the average high-tide levels will rise as well. Future plans to address these concerns are a vital component that has been previously overlooked but has been brought to light after the recent disastrous events in New Orleans. Future development should strongly consider the consequences of building in areas with potentially disastrous effects of levee failure compounded by the rising seas and effects of the high tides on these levees.

The Reclamation Board recommends the established design flow criteria throughout the Accord is not exceeded, available seasonal flood storage is maintained, and levee integrity is maintained.

Specific Comments

Levels of flood protection adequate to protect human habitation as project levees are effected by flow variations during normal operations and high water events.

SA2-1 cont.

The Reclamation recommends the following:

- Provide project status of FEMA and the US Army Corps of Engineers certifications of proposed effected levees with regard to the desired project alternatives.
- Discuss the re-evaluation of the Federal and State adopted flood control project levees within the 100-year floodplain/floodway based on the 1997 storms or other 100-year storm event after the construction of the project.
- Discuss re-certification of levees by FEMA and the US Army Corps of Engineers after the proposed project alternative has been selected as the project in light of the current levee safety concerns. The levees affected by the work performed by the Three Rivers Levee Improvement Authority (TRLIA).
- Discuss the treatment of addressing the levee seepage and stability concerns with modification to flow regimes.
- Discuss the affect of potential modifications of flood control structures within the Accord with specific concerns to criteria for high flows and temperature of water releases.

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Ms. Dianne Simodynes
August 24, 2007
Page Four

Thank you once again for the opportunity to comment on the Draft EIR/EIS. If you have any questions or need additional information, please contact Stephen Bradley, Chief Engineer for the Reclamation Board at (916) 574-0680.

Sincerely,

Christopher Huitt
Staff Environmental Scientist

Attachment

Cc: Governors Office of Planning and Research
State Clearinghouse
1400 Tenth Street
Sacramento, California 95814

Nadell Gayou, Senior Environmental Scientist
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901 P Street
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Mark Herald, Chief
Floodway Protection Section
3310 El Camino Avenue
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Stephen Bradley, Chief Engineer
The Reclamation Board
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Sacramento, California 95821

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Fact Sheet

Reclamation Board Encroachment Permit Application Process

Authority
State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

Reclamation Board Jurisdiction
The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at http://recbd.ca.gov/designated_floodway/ and CCR Title 23 Sections 101 - 107.

Regulatory Process
The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board [CCR Title 23 Section 6(c)].

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at http://recbd.ca.gov/ under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at http://recbd.ca.gov/forms.cfm.

Application Review Process
Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

Technical Review
A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the

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additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a "responsible agency" within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the "lead agency" [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (http://www.dfg.ca.gov/1600/),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

August 25, 2006

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In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.

LETTER SA2: CHRISTOPHER HUITT, CALIFORNIA DEPARTMENT OF WATER RESOURCES

Response to Comment SA2-1:

The Proposed Project/Action would not involve any construction activities, would not encroach on any adopted flood control plan, and would not interfere with execution of any adopted flood control plans. Therefore, a Reclamation Board permit does not need to be obtained for implementation of the Proposed Project/Action.

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Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Rights
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Arnold Schwarzenegger
Governor

August 24, 2007

Ms. Dianne Simodynes
HDR-Surface Water Resources, Inc.
1610 Arden Way, Suite 175
Sacramento, CA 95815
Dianne.Simodynes@hdrinc.com

Dear Ms. Simodynes:

PUBLIC COMMENTS REGARDING THE LOWER YUBA RIVER ACCORD DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT (DEIR/DEIS)

The State Water Resources Control Board (State Water Board) is a responsible agency under the California Environmental Quality Act (CEQA) and a regulatory agency with authority over several aspects of the proposed Lower Yuba River Accord (Accord), including the approval authority over changes to Yuba County Water Agency's (YCWA) water rights, and YCWA's proposed transfer of water to benefit the Department of Water Resources's (DWR) State Water Project (SWP) and the Bureau of Reclamation's (BOR) Central Valley Project (CVP). State Water Board staff submits the following comments on the DEIR/DEIS for the proposed Accord.

I. Fisheries and Fisheries Agreement (FA) Issues

Please note that many of the following issues affect the State Water Board's ability to make a finding that the Fisheries Agreement will provide "a level of protection for fishery resources in the Lower Yuba River during the term of [the] Agreement that is equivalent to or better than that which Revised Decision 1644 (RD-1644) would provide." (FA section 4.1.1.) In addition, many of these issues affect the State Water Board's ability to make the required findings under the Water Code, section 1736, and under the reasonable and beneficial use and public trust doctrines.

A. Fisheries Agreement Flows v. RD 1644 Long-Term Flows

The DEIR/DEIS should include a clearer analysis of the difference between the flows that would be provided under the Fisheries Agreement of the Accord (Accord flows) and the RD-1644 long-term flows. Specifically, the DEIR/DEIS needs to explain more clearly the scientific and biological basis for the Accord flows, on a month-by-month and species-by-species basis, including the justification for decreasing May-June flows in nearly all years and months (except in May and June of Schedule 1 years) and for increasing July-September flows. We suggest that the DEIR/DEIS include a month-by-month, species-by-species chart that provides an overview of the life stages of each fish species of concern; the preferred, minimum, and

SA3-1a.

SA3

maximum flows for each species at each of those life stages; and a quantitative comparison of the RD 1644 interim, RD 1644 long-term, and Accord flows.

SA3-1a. cont.

The DEIR/DEIS should address the consequences of this shift from spring to summer flows on all fish species of concern in the Bay-Delta, and on Bay-Delta outflows, including the location of X2. (See also Pelagic Organism Decline section, below.) We are particularly concerned with the potential impacts of a reduction in spring flows on the longfin smelt because they are a Class 1 species of special concern in California (meaning that they qualify for listing as endangered or threatened under the California Endangered Species Act), state and federal listing petitions were recently filed, and their abundance is strongly correlated with spring outflows. The DEIR/DEIS fails to adequately address potential impacts to longfin smelt. (See Moyle 2002, Inland Fishes of California, p. 237.) The DEIR/DEIS should also discuss the ability of BOR and DWR to mitigate for any effects on Bay-Delta resulting from the shift in timing Bay-Delta outflows.

SA3-1b.

Additionally, the DEIR/DEIS notes that the comparison of the Accord flows with RD-1644 long term flows (the CEQA "no project" alternative) claims to apply Water Code Section 1736's requirement that the actions "not unreasonably affect fish, wildlife, or other instream beneficial uses," as opposed to comparing whether either option would have a significant impact compared to the other. (See, e.g. DEIR/DEIS p. 4-14.) The DEIR/DEIS does not describe how it determines whether there is an "unreasonable effect," in contrast to the extensive explanation of what impacts are considered significant. The DEIR/DEIS should describe the differences between the two bases of comparison.

SA3-1c.

It is important to note that the State Water Board will make its own determination of the standards for determining standards for "unreasonable effect" and of whether the Accord flows and the transfer agreement meet the requirements.

B. Pelagic Organism Decline (POD)

The DEIR/DEIS should include a more comprehensive discussion of the POD issue, including a discussion of the most recent scientific data and analysis of the issue and species-specific levels of significance for all four key indicator species identified in the Pelagic Fish Action Management Plan: longfin smelt, delta smelt, striped bass, and American shad. Because the DEIR/DEIS relies on dated science concerning the POD and on a dated methodology for identifying and assessing the significance of impacts to pelagic organisms (the same as was used in the now-invalidated 2005 OCAP BiOp), the DEIR/DEIS's conclusions regarding the significance of impacts to these species are flawed.

SA3-2a.

Throughout the DEIR/DEIS process, YCWA and BOR should incorporate and consider emerging information regarding the Pelagic Organism Decline, including any progress made towards a court-ordered interim remedy proposal and a biological opinion.

SA3-2b.

The DEIR/DEIS's discussion of POD mitigation measures likewise is flawed. In order for the State Water Board to be able to rely on the DEIR/DEIS to meet its public trust obligations, the document should include a reasonable range of mitigation measures to address the impacts of the Accord on the POD, such as holding any additional dry-year southern Delta pumping in abeyance until the cause of the POD is identified in the POD Synthesis Report, and making future pumping subject to the Fish Response Plan which is currently under development. The DEIR/DEIS also should assess any impacts of those mitigation measures; so that the

SA3-2c.

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DEIR/DEIS will provide sufficient information should the State Water Board find it necessary to impose transfer conditions. SA3-2c. cont.

Finally, the POD discussion should recognize that any conclusions about whether the Accord will have a significant impact are limited by the uncertainty in the science regarding the interplay of biological, ecological and hydrological forces in the Delta. The DEIR/DEIS, for example, claims that the Accord would not have a significant impact on a range of species on the Delta (DEIR/DEIS, pp. 10-149 – 10-150). Such assertions should contain a disclaimer that they are highly uncertain. SA3-2d.

C. Permit vs. Contract Flows

The DEIR/DEIS does not acknowledge or address a fundamental premise of the Accord, namely that, during the term of the Fisheries Agreement, the only flows mandated by permit essentially will be the sharply reduced flows requested in the change petition, including the clearly insufficient 1965 DFG Agreement flows in conference years. (See FA, Ex. 7, p. 4; Change Petition.) The Accord anticipates that the flows will only be implemented by contract. This would mean that the State Water Board would not be in a position to enforce any violations of the Accord flows. Therefore, the DEIR/DEIS should discuss the potential environmental consequences of the lack of any enforcement mechanism to address any failures to comply with the Accord flows. We recommend that this be done through the addition of a "permit flow" alternative, which should be compared to the CEQA No-Project Alternative, as well as to the baseline condition. SA3-3

The fact that the Accord flows would only be implemented by contract also means that significant reductions in Accord flows could occur upon termination of the Fisheries Agreement, or if any of the "off ramps" to the Fisheries Agreement are invoked (see Nos. D and E below). These issues should be analyzed in the DEIR/DEIS, including a comparative analysis of the RD-1644 long-term flows with the adjusted flows that are in YCWA's change petition.

D. Fisheries Agreement Back-Up Flows

D.1. The DEIR/DEIS should clearly state that the Accord flows would become the back-up permit flows if the Fisheries Agreement is terminated early (FA section 6.1.5 and Ex. 7, p. 5, "c"). Presumably, these flows would not be subject to the various "off-ramps" in the Fisheries Agreement (see below), since that agreement would have terminated, but the DEIR/DEIS should confirm whether this is the case. SA3-4a.

D.2. The DEIR/DEIS inaccurately indicates that the Fisheries Agreement will expire in 2016. The Fisheries Agreement states that it will expire when the new long-term Federal Energy Regulatory Commission (FERC) license is issued to YCWA, which could be later than 2016. (FA section 3.1.) The DEIR/DEIS should correct this statement throughout the document, and re-analyze any conclusions that depend on 2016 as a firm date for expiration. SA3-4b.

D.3. In addition, the DEIR/DEIS should analyze what may occur when the Fisheries Agreement expires upon issuance of the new FERC license to YCWA sometime on or after 2016. The Accord appears to contemplate that the baseline permit flows and Accord flows will be replaced by the FERC license flows (FA, Ex. 7, p. 7, "d"), and contains no provision to ensure an equivalent level of protection after issuance of the SA3-4c.

SA3

new FERC license. However, FERC may or may not impose restrictions on irrigation rediversions downstream of Englebright Reservoir, as its authority is over power production. Additionally, even if FERC were to take irrigation into account in its relicensing process, there is no guarantee that it would require the same level of protection. The DEIR/DEIS should analyze the environmental consequences of the FERC license flows, in the event that they end up being lower than the Accord flows and RD-1644 interim or long-term flows. SA3-4c. cont.

The State Water Board may be unable to make an equivalency finding based on unknown future flows, the impact of which is unevaluated in the environmental review document. (See, e.g., *Central Delta Water Agency v. State Water Resources Control Board* (2004) 124 Cal.App.4th 245, 253, 261, 265; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 309.)

D.4. The DEIR/DEIS should clarify what minimum flows will be required in a conference year. The documents are inconsistent on this point. For example, Fisheries Agreement section 5.1.5 states that in conference years, YCWA will operate the project in compliance with YCWA's current FERC license, while Exhibit 7 to the agreement states on page 4 that the project will be operated consistent with the 1965 DFG agreement. It is unclear whether or how the FERC license flows differ from the 1965 DFG agreement flows. Fisheries Agreement section 5.2.1, on the other hand, implies that the Planning Group will determine appropriate flows in a conference year. The DEIR/DEIS should analyze the impacts of a failure to agree on conference year flows, including analysis of "worst case scenarios" from a variety of perspectives (e.g. fisheries, irrigation districts that contract with YCWA, SWP/CVP water users), and should also discuss potential mitigation measures which could minimize impacts in conference years. SA3-4d.

D.5. Finally, the DEIR/DEIS should discuss the environmental consequences of having the severely reduced flows proposed in the YCWA's change petition as the only back-up flows in the event of a Force Majeure or Regulatory Change Event that triggers the need for an alternative flow schedule (FA sections 6.4.3 and 6.4.4). SA3-4e.

E. Fisheries Agreement "Off Ramps"

The DEIR/DEIS should analyze what environmental consequences will result if: (a) the various *conditions precedent* listed in the Fisheries Agreement are not met (see FA section 4), and (b) any of the various *conditions subsequent* in the Fisheries Agreement are not met. The DEIR/DEIS erroneously assumes that the Fisheries Agreement flows specified in Exhibit 1 to the agreement and Table 3-3 of the DEIR/DEIS will constantly be in effect during the term of the Fisheries Agreement. However, this assumption is potentially undermined by many terms of the Fisheries Agreement itself. SA3-5

The DEIR/DEIS should address whether each of the conditions precedent has occurred, and, if it has not, should disclose any remaining steps necessary to fulfill the condition. The DEIR/DEIS should also discuss the environmental consequences of the failure to meet any of the conditions listed below. In doing so, it should assess the likelihood that one or more such events will occur and describe the flows that will be in effect if such event occurs.

SA3

E.1. Feather River Point of Diversion/Rediversion

The Fisheries Agreement will not go into effect "unless and until the SWRCB adopts … YCWA's petition … to amend YCWA's water rights Permits … to add an authorized point of diversion/rediversion on the Lower Yuba River near its confluence with the Feather River… or on the Feather River downstream of this confluence…" (FA, § 4.1.3) The State Water Board has received no such petition. Furthermore, the DEIR/DEIS does not address the potential impacts of this diversion, and a project-level CEQA review for the diversion/rediversion has not begun. Thus, the likelihood of this condition precedent for implementation of the Fisheries Agreement occurring in the near future appears slim. SA3-5a.

E.2. Temporary Alterations

Temporary alterations of the Accord flow schedules may be agreed to in the future by the Planning Group of the River Management Team (FA sections 5.1.4 and 5.2.1). These provisions authorize the Planning Group to decrease the Accord flows by up to 20 percent for up to six weeks at a time between March and October. This could result in major alterations of the Accord flow schedules. SA3-5b.

E.3. Significant Regulatory Changes

The Fisheries Agreement ends its flow requirements if there is a "Significant Change due to a Regulatory Change Event," which is "a new court order or regulatory action (including but not limited to, a regulatory action under the federal Endangered Species Act or the California Endangered Species Act) that requires YCWA to make a Significant Change in YCWA's operations of the Yuba Project." (FA sections 5.1.6 and 6.4.2 and Exhibit 10, pp. 5-6.) A "Significant Change" is defined, *inter alia*, as "[a]n ESA, CESA, or other regulatory action that would result in a change in flow Schedules 1-6 and that would result in either a: a) decrease in total Transfer Agreement payment amounts for Components 2-4 water of 5 percent per year or more in any water year, or b) decrease in the amount of flow that can be delivered to YCWA's consumptive users of 5 percent or more in any water year." (FA, Ex. 10, p. 6.) The DEIR/DEIS should evaluate the likelihood of such an event, its potential environmental consequences, and potential mitigation measures. SA3-5c.

E.4. Material and Non-Material Violations

The DEIR/DEIS should address the effects of a Material or Non-Material Violation or Technical Variation of the flow schedules (FA sections 6.1.1, 6.2.1, 6.2.5). In particular, the DEIR/DEIS should include a discussion of the effects that will occur if: (a) there is a Non-Material Violation that results in a *significant change* to the flows, even though it may last less than 10 days; (b) there are repeated Non-Material Violations of less than ten days, interspersed with a few days of compliance; (c) the instream flows vary up to 50 cubic feet per second (cfs) at any given time as authorized under the Technical Variations provision; and (d) there are multiple periods in any given year type in which the Accord flows are not met due to any Material or Non-Material Violation(s) or Technical Variation(s). The document should also assess the potential impacts of successive violations. For example, under the Fisheries Agreement's definition of non-material violation, YCWA could violate the flow schedules for three separate nine day periods during the month, for a total of 27 out of 30 days. The DEIR/DEIS should clarify whether SA3-5d.

SA3

YCWA would still be in compliance with the Accord should this happen. The DEIR/DEIS should evaluate the impact of such variations in different water year types. SA3-5d. cont.

E.5. Dry year storage adjustment

The DEIR/DEIS should analyze the environmental consequences of the provisions entitled "Dry Year Storage Adjustments to Instream Flow Requirements" in Exhibits 3 and 7 to the Fisheries Agreement. These dry year storage adjustment provisions would be amended into YCWA's water right permits. (See FA, Ex. 3 and Ex. 7, p. 7, also attached to the petition for modification of YCWA's water right permits.) The provisions specify that if storage in New Bullard's Bar reservoir on September 30 of a Schedule 5 year is less than 400,000 acre feet, then the Marysville Gage instream flow requirement must be 400 cubic feet per second (cfs) from October 1 until the next February Bulletin 120 forecasts are released (i.e. possibly until March). This is an automatic reduction of 20 percent in the Accord flows to an amount close to the Schedule 6 flows for a 5-6 month period.[1] If New Bullard's Bar storage is between 400,000 and less than 450,000 acre feet on September 30 of any given year, then the Planning Group has the discretion to adjust the Marysville Gage instream flow requirements to 400 cfs during the same time period (i.e. October 1 - February or March).

Thus, the dry year storage adjustment provisions are yet another significant off ramp from the Accord's instream flows which has not been accurately or adequately discussed and analyzed in the DEIR/DEIS. Although page 3-9 of the DEIR/DEIS does reference these provisions in part, the discussion is inaccurate and misleading in that it only mentions the *discretionary* adjustment to instream flows that the Planning Group may decide to make if New Bullards Bar storage is between 400 and 450 thousand acre-feet (TAF), and does not mention the mandatory adjustment in flows if New Bullards Bar storage is less than 400 TAF. SA3-5e.

Moreover, like the other Fisheries Agreement off ramps, the DEIR/DEIS does not appear to discuss or analyze the effect of this reduction in flows on lower Yuba River and Delta fisheries. It also is not clear whether this off ramp has been included in the DEIR/DEIS's modeling results. Did the DEIR/DEIS consider the potential effect on fisheries of this off ramp in its modeling or through some other analytical tool? If not, why not? Finally, how frequently is New Bullard's Bar expected to reach the dry year storage adjustment triggers, given that the amount of storage under the Accord will not only be a function of watershed hydrology but also of the transferring parties' water needs in any given year?

F. Ramping Rates

The DEIR/DEIS should clarify that the ramping rates required in FA sections 4.1.2 and 4.5, in the Accord, and in RD-1644 are all the same. (See DEIR/DEIS p. 5-26 to 5-27.) The DEIR/DEIS should also clarify whether NOAA's approval thus far of the ramping conditions specified in the September 2003 Draft Biological Assessment for the Yuba Project (FERC 2246), which require YCWA to complete several years worth of studies regarding ramping criteria, are sufficient to allow the FA to go into effect. (See FA section 4.5.) SA3-6

[1] The Accord flows, set forth in Exhibit 1 to the Fisheries Agreement and Table 3-3 of the DEIR/DEIS, specify that the normal Schedule 5 flows at Marysville will be 500 cfs for the months of November through March.

SA3

G. Levels of Significance

The DEIR/DEIS should fully document and clearly explain the reasons behind choosing specific levels of significance for fisheries impacts, whether that reason be biological or simply an agreed-upon measure in the face of uncertainty.

For example, the DEIR/DEIS should document the sources for its statement that specific habitat flow relationships are not limiting for juvenile fish rearing under the proposed scenarios. (See DEIR/DEIS p. 10-110.) We assume that this information comes from studies performed for RD-1644, but the DEIR/DEIS should clarify this. It should also state the basis for using a 10 percent reduction in flow as a level of significance, and how different water-year types were accounted for in this decision. The DEIR/DEIS should provide us with the newest available information to support the contention that delta smelt and habitat will not be affected by changes in the location of X2 that are less than those specified in the levels of significance. (See DEIR/DEIS p. 10-104.) SA3-7

Additionally, as noted above, the document should set and clearly explain the reasons behind specific levels of significance for impacts on all four POD indicator species. This should include addressing data presented in the longfin smelt listing petitions which indicates that any shift in the location of X2 in March through June is a significant impact (Stevens and Miller1983; Jassby et al. 1995; Meng and Matern 2001; Kimmerer 2002, 2004; Rosenfield and Baxter, in press).

II. Transfer Agreement Issues

The DEIR/DEIS should analyze the environmental implications of specific provisions of the Transfer Agreement, particularly the provision that Component 1 water need not be used to augment the "regulatory baseline level of protection in place at the time of the EWA action" if the EWA is terminated or if pumping at the Banks Pumping Plant is not approved to be 8500 cfs by December 31, 2008. (See Transfer Agreement sections 5.A.1 and 23.D.) At least one, if not both, of these conditions appears likely to occur. Because these provisions of the Transfer Agreement reveal that it is possible Component 1 water will be used for water supply reliability purposes instead of fisheries protection, the DEIR/DEIS should discuss the environmental consequences of such an occurrence, including the environmental effects of any related water supply reliability projects. SA3-8

III. Conjunctive Use Agreement Issues

The DEIR/DEIS's discussion of water conservation measures is incomplete. The DEIR/DEIS should clarify whether all YCWA member units, including the Wheatland Water District, are currently using applicable agricultural best management practices and CUWA/AG conservation measures. If not, it should clarify which ones are not currently utilizing all available conservation measures and their potential for additional conservation. The DEIR/DEIS should describe the Conjunctive Use Agreement's effect on dry-year conservation. The DEIR/DEIS should include a chart describing existing and potential conservation measures for each type of water use in each member unit. Also, for any YCWA member units which deliver water for M&I purposes, the DEIR/DEIS should discuss whether these member units are fully committed to each of the best management practices identified and recommended in the California Urban Conservation Council's 2007 Memorandum of Understanding regarding urban water conservation in California. SA3-9

SA3

IV. Issues Relevant to Accord as a Whole

A. The DEIR/DEIS should include a clear, readable overview of the agreements that make up the Accord. This overview should include not only the actions that the Accord intends to induce, but also the limits to the agreements, including the conditions upon which they would terminate, the conditions required for them to go into effect, the conditions required for the agreements to stay in effect, lower levels of performance anticipated within the agreements and what would happen if the agreements did end early. In other words, it should describe both the agreement's intended actions and its limits.

Additionally, the overview should include a series of easy-to-read graphs comparing both the minimum and the anticipated Accord flows throughout the year for the different water year types, with the Baseline, No-Project, Modified Flow, and Accord permit flows. The graphs should account for the different water year indexes. For example, the graphs should make clear whether a "dry" year under the Yuba Index correlates with, for example, Schedule 4 flows. When categories do not exactly overlap, the graphs should represent all of the potential options, and explain briefly the circumstances under which these would occur.

SA3-10

B. The DEIR/DEIS states: "because the Proposed Project/Action ... would have a duration of approximately eight years, it would not be in place for a sufficient amount of time to contribute to climate change impacts, or to be potentially influenced by a CVP/SWP system operations resulting from future climate change impacts." (DEIR/DEIS, p 22-1.) However, the DEIR/DEIS does not support the statement that there will be no anticipated climate change impacts in the next eight years that would affect the project. Furthermore, the conjunctive use and transfer agreements will be in effect until 2025, seventeen years after the proposed effective date of 2008, and, as discussed above, the Fisheries Agreement may also be in effect beyond 2016. The DEIR/DEIS fails to address climate change issues over this longer period.

Thus, the DEIR/DEIS does not adequately address the potential impacts of climate change on the assumptions and conclusions regarding project operations under the Accord, such as temperatures in the Lower Yuba River, historical inflow into New Bullard's Bar reservoir (which was used to develop the North Yuba Index), and the 1 percent conference year assumption. The Final EIR/EIS also should incorporate the new Bureau of Reclamation climate protection data, which the DEIR/DEIS notes is due to be released in mid-2007.

SA3-11

C. The DEIR/DEIS improperly describes the New Bullards Bar Dam/Reservoir as a fisheries enhancement project, which is separate from and independent of the Englebright and Daguerre Point Dams. In reality, however, the Yuba River Development Project's operations depend upon these downstream dams and as such they are inter-connected and inter-related projects. The DEIR/DEIS should describe the way in which the Daguerre Point and Englebright dams are linked to New Bullards Bar Dam/Reservoir operations, and the related environmental effects.

SA3-12

D. The DEIR/DEIS should evaluate the risks to instream resources and consumptive uses of the proposed lower carryover storage requirement (650 TAF). In doing so, it should

SA3-13

address the potential for increased frequency of presently unusual weather patterns, due to climate change, and also the potential consequences of lower carryover storage in a period of extended drought. SA3-13 cont.

E. The DEIR/DEIS fails to include the Narrows II Powerhouse Intake Extension Project at Englebright Dam in its Cumulative Impacts section. The State Water Board is concerned that this failure to include the positive temperature impacts aimed for in the project may overstate the temperature benefits of the Accord or may indicate a lack of diligence in pursuit of the project, as is required by RD-1644. The DEIR/DEIS should address the impact of this project in the cumulative impacts section, or provide a more robust explanation for its exclusion. SA3-14

F. The DEIR/DEIS should evaluate the potential effects on whether and when Term 91 is triggered for Delta water users, because of the shift in Accord releases from Spring to Summer flows, and because of the Accord's proposed shift from required instream flows to transfer and contract flows. If any change is found, the DEIR/DEIS should evaluate the environmental impacts of such a change. SA3-15

State Water Board staff thank you for the opportunity to review and comment on the DEIR/DEIS for the proposed Accord.

Sincerely,

Ernest Mona
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LETTER SA3: ERNEST MONA, STATE WATER RESOURCES CONTROL BOARD

Response to Comment SA3-1a:

The Draft EIR/EIS provides a thorough, quantitative analysis of how instream flows, water temperatures and Delta water quality parameters that are predicted to occur under the Yuba Accord Alternative would compare to instream flows, water temperatures and Delta water-quality parameters that are predicted to occur under the Revised Decision (RD)-1644 interim instream-flow requirements (the CEQA Existing Condition) and under the RD-1644 long-term instream-flow requirements (the CEQA No Project Alternative). Exceedance curves, replacement plots and other figures and tables showing the quantitative, monthly differences between Yuba River flows and water temperatures and Delta water-quality parameters under the Yuba Accord Alternative and under these two basis of comparison are provided in Appendices F4 and F5. The page numbers for each type of quantitative model output used to analyze potential flow- and water temperature-related differences in the Yuba River for these two comparisons are listed here:

Appendix F4: Folder for Yuba Accord Alternative compared to the CEQA Existing Condition (Scenario 3 vs. Scenario 1)

- Yuba River Flow – Smartville
  - Monthly Mean Flow Tables – Pages 101-112
  - Flow Replacement Graphs – Pages 113-124
  - Flow Exceedance Tables – Pages 125-136
  - Flow Exceedance Graphs – Pages 137-148
- Yuba River Flow – Marysville
  - Monthly Mean Flow Tables – Pages 273-284
  - Flow Replacement Graphs – Pages 285-296
  - Flow Exceedance Tables – Pages 297-308
  - Flow Exceedance Graphs – Pages 309-320
- Yuba River Water Temperatures – Smartville
  - Monthly Mean Water Temperature Tables – Pages 175-186
  - Water Temperature Replacement Graphs – Pages 187-198
  - Water Temperature Exceedance Tables – Pages 199-210
  - Water Temperature Exceedance Graphs – Pages 211-222
- Yuba River Water Temperatures – Marysville
  - Monthly Mean Water Temperature Tables – Pages 347-358
  - Water Temperature Replacement Graphs – Pages 359-370
  - Water Temperature Exceedance Tables – Pages 371-382
  - Water Temperature Exceedance Graphs – Pages 383-394

Appendix F4: Folder for Yuba Accord Alternative compared to the CEQA No Project Alternative (Scenario 3 vs. Scenario 2)

- Yuba River Flow – Smartville
  - Monthly Mean Flow Tables – Pages 101-112
  - Flow Replacement Graphs – Pages 113-124
  - Flow Exceedance Tables – Pages 125-136
  - Flow Exceedance Graphs – Pages 137-148
- Yuba River Flow – Marysville
  - Monthly Mean Flow Tables – Pages 273-284
  - Flow Replacement Graphs – Pages 285-296
  - Flow Exceedance Tables – Pages 297-308
  - Flow Exceedance Graphs – Pages 309-320
- Yuba River Water Temperatures – Smartville
  - Monthly Mean Water Temperature Tables – Pages 175-186
  - Water Temperature Replacement Graphs – Pages 187-198
  - Water Temperature Exceedance Tables – Pages 199-210
  - Water Temperature Exceedance Graphs – Pages 211-222
- Yuba River Water Temperatures – Marysville
  - Monthly Mean Water Temperature Tables – Pages 347-358
  - Water Temperature Replacement Graphs – Pages 359-370
  - Water Temperature Exceedance Tables – Pages 371-382
  - Water Temperature Exceedance Graphs – Pages 383-394

For each fish species evaluated in the Draft EIR/EIS, species-specific life stages and timings are described in Draft EIR/EIS, Section 10.1.1.1, Overview of Fish Species, and Table 10-2 on page 10-3 of the Draft EIR/EIS provides a summary of the life history timing of Central Valley Chinook salmon runs. Additional graphics showing the species-specific monthly Yuba River flow and water temperature differences between the Yuba Accord Alternative and the two bases of comparison are provided in Appendix G. The page numbers of the summary diagram maps containing species-specific information for fisheries resources in the lower Yuba River for these two comparisons are listed here:

Appendix G3: Folder for Yuba Accord Alternative compared to the CEQA Existing Condition (Scenario 3 vs. Scenario 1)

- Lower Yuba River Spring-run Chinook Salmon
  - Flow Summary Diagrams and Map – Page G-101
  - Water Temperature Summary Diagrams and Map – Pages G-102 to G-104
- Lower Yuba River Fall-run Chinook Salmon
  - Flow Summary Diagrams and Map – Page G-105
  - Water Temperature Summary Diagrams and Map – Pages G-106 to G-107
- Lower Yuba River Steelhead
  - Flow Summary Diagrams and Map – Page G-108
  - Water Temperature Summary Diagrams and Map – Pages G-109 to G-111
- Lower Yuba River Green Sturgeon
  - Flow Summary Diagrams and Map – Page G-108
  - Water Temperature Summary Diagrams and Map – Pages G-109 to G-111

Appendix G1: Folder for Yuba Accord Alternative compared to the CEQA No Project Alternative (Scenario 3 vs. Scenario 2)

- Lower Yuba River Spring-run Chinook Salmon
  - Flow Summary Diagrams and Map – Page G-1
  - Water Temperature Summary Diagrams and Map – Pages G-2 to G-4
- Lower Yuba River Fall-run Chinook Salmon
  - Flow Summary Diagrams and Map – Page G-5
  - Water Temperature Summary Diagrams and Map – Pages G-6 to G-7
- Lower Yuba River Steelhead
  - Flow Summary Diagrams and Map – Page G-8
  - Water Temperature Summary Diagrams and Map – Pages G-9 to G-11
- Lower Yuba River Green Sturgeon
  - Flow Summary Diagrams and Map – Page G-12
  - Water Temperature Summary Diagrams and Map – Page G-13

This comment also asks for "the justification for decreasing May-June flows in nearly all years and months and for increasing the July-September flows." Although this comment does not state which comparison it is asking about, it appears that this comment is asking about the comparison between the Yuba Accord Alternative and the CEQA No Project Alternative (i.e., Yuba Accord Alternative compared to the CEQA No Project Alternative, Scenario 3 vs. Scenario 2).

Although during some months the minimum flow requirements under the Yuba Accord Alternative would be less than the corresponding RD-1644 long-term instream-flow requirements, the actual flows in the river often will be higher than the minimum required flows because YCWA often operates and will operate the Yuba Project to make releases that result in downstream flows that are well above the minimum requirements (see Draft EIR/EIS, Appendix F4, folder for Yuba Accord Alternative compared to the CEQA No Project Alternative, Scenario 3 vs. Scenario 2, pages 100-173 and 272-345). A simple comparison of minimum required flows therefore does not provide a complete analysis of the differences in the effects of the different sets of flow requirements.

To the extent that the Yuba Accord Alternative actually would result in higher July through September flows and lower May through June flows than would occur under the CEQA No Project Alternative, the different flows for the Yuba Accord Alternative were developed after a detailed evaluation of, and prioritization of, the primary stressors on fish in the lower Yuba River. This evaluation and prioritization concluded that water temperatures are a primary concern during July through September (see Draft EIR/EIS, Appendix C for additional details regarding this evaluation and prioritization process). Because of the inverse flow/water temperature relationship during these months, higher flows normally will result in lower water temperatures during these months, when water temperatures can be most stressful to rearing juvenile salmonids.

In addition, monitoring data for outmigrating juvenile salmon in the lower Yuba River demonstrate that "*the vast majority (93.6 percent) of spring-run Chinook salmon emigrate as post-emergent fry during November and December, with a relatively small percentage (6.3 percent) of individuals remaining in the lower Yuba River and emigrating as YOY from January through March. Only 0.6 percent of the juvenile Chinook salmon identified as spring-run was captured during April, 0.1 percent during May, and none were captured during June.*" (see Draft EIR/EIS, page 10-73). Flows during May and June therefore provide little benefit to outmigrating spring-run Chinook salmon, because the vast majority of them outmigrate before May.

The Technical Team also purposefully set the peak spring instream flows earlier in drier years. The reason for this is explained in the Draft EIR, on page 10-111: "*During relatively low to intermediate flow conditions, which generally occur during the drier water year types, the CEQA Yuba Accord Alternative would result in substantively higher flows during early spring (April) and lower flows during later spring (May and June) (Appendix F4, 3 vs. 2, pages 125 through 136 and 297 through 308). This pattern during drier years would occur due to an intentional operational shift in spring peak flows from late-spring to early-spring (e.g., late-May to April). The temporal shift in drier year flows was designed to mimic Yuba River unimpaired flow patterns that would occur during drier year classes. This flow pattern was designed to facilitate the emigration of juvenile spring-run Chinook salmon before warm water temperatures occur during late spring in drier water years in the lower portion of the lower Yuba River, the Feather River, and the Sacramento River as illustrated in Table 10-6.*"

Considering all of these factors, the Technical Team carefully developed the Yuba Accord Alternative's schedules of minimum instream flows for spring and summer months to maximize the benefits to and to minimize impacts on salmonids in the lower Yuba River. Pages 10-108 through 10-121 discuss in detail the effects of the differences in flows between the Yuba Accord Alternative and the CEQA No Project Alternative on spring-run Chinook salmon, fall-run Chinook salmon and steelhead.

Response to Comment SA3-1b:

As discussed on page 10-146 of the Draft EIR/EIS, the evaluation of potential biological impacts on Delta fisheries resources and their habitats used evaluation parameters established by the USFWS, CDFG, NMFS and others, including X2 (2 parts per thousand (ppt) salinity unit isohaline at one meter above the bottom of the Sacramento River Channel) locations, Delta outflows and E/I ratios. For each alternative evaluated, the analysis presented in the Draft EIR/EIS used model output results for several Delta parameters, including: (1) X2 location; (2) Delta outflow; (3) E/I ratio; (4) export pumping; and (5) fish salvage at the CVP/SWP facilities (see discussions of methodology in the Draft EIR/EIS, at pages 10-56 to 10-65, discussions of impact indicators, at pages 10-104 to 10-105, discussions of analyses at pages 10-146 to 10-150, 10-190 to 10-194, 10-234 to 10-238, 10-276 to 10-280, 10-321 to 10-325, and 10-395 to 10-399).

For each alternatives comparison, including the Yuba Accord Alternative compared to the CEQA Existing Condition, and the Yuba Accord Alternative compared to the CEQA No Project Alternative, the quantitative model outputs used to support the analysis, which show the monthly differences in each of these Delta parameters, are presented in Appendix F4. From these model outputs, the monthly differences in X2 location, Delta outflow, export pumping and fish salvage that would occur during the May through June and the July through September periods under the Yuba Accord Alternative, relative to the bases of comparison, were compared to determine the potential resultant effects of the seasonal shifts in Yuba River flow patterns on in-Delta conditions. The page numbers for each type of quantitative model output used to analyze potential fisheries impacts in the Delta for these comparisons are listed here:

Appendix F4: Folder for Yuba Accord Alternative compared to the CEQA Existing Condition (Scenario 3 vs. Scenario 1)

- X2 Location
  - Monthly Mean X2 Location Tables – Pages 1190-1201
  - X2 Location Replacement Graphs – Pages 1202-1213
  - X2 Location Exceedance Tables – Pages 1214-1225
  - X2 Location Exceedance Graphs – Pages 1226-1237
- Delta Outflow
  - Monthly Mean Delta Outflow Tables – Pages 1141-1152
  - Delta Outflow Replacement Graphs – Pages 1153-1164
  - Delta Outflow Exceedance Tables – Pages 1165-1176
  - Delta Outflow Exceedance Graphs – Pages 1177-1188
- Delta E/I Ratio
  - Monthly Mean Delta E/I Ratio Tables – Pages 1239-1250
  - Delta E/I Ratio Replacement Graphs – Pages 1251-1262
  - Delta E/I Ratio Exceedance Tables – Pages 1263-1274
  - Delta E/I Ratio Exceedance Graphs – Pages 1275-1286
- Total Delta Exports
  - Monthly Mean Total Delta Exports Tables – Pages 1228-1299
  - Total Delta Exports Replacement Graphs – Pages 1300-1311
  - Total Delta Exports Exceedance Graphs – Pages 1312-1323

- Delta Fish Salvage at the CVP/SWP Facilities
    - Winter-run Chinook Salmon Tables – Pages 1325-1327
    - Spring-run Chinook Salmon Tables – Pages 1328-1330
    - Steelhead Tables – Pages 1331-1333
    - Striped Bass Tables – Pages 1334-1335
    - Delta Smelt Tables – Pages 1337-1338

Appendix F4: Folder for Yuba Accord Alternative compared to the CEQA No Project Alternative (Scenario 3 vs. Scenario 2)

- X2 Location
    - Monthly Mean X2 Location Tables – Pages 1190-1201
    - X2 Location Replacement Graphs – Pages 1202-1213
    - X2 Location Exceedance Tables – Pages 1214-1225
    - X2 Location Exceedance Graphs – Pages 1226-1237
- Delta Outflow
    - Monthly Mean Delta Outflow Tables – Pages 1141-1152
    - Delta Outflow Replacement Graphs – Pages 1153-1164
    - Delta Outflow Exceedance Tables – Pages 1165-1176
    - Delta Outflow Exceedance Graphs – Pages 1177-1188
- Delta E/I Ratio
    - Monthly Mean Delta E/I Ratio Tables – Pages 1239-1250
    - Delta E/I Ratio Replacement Graphs – Pages 1251-1262
    - Delta E/I Ratio Exceedance Tables – Pages 1263-1274
    - Delta E/I Ratio Exceedance Graphs – Pages 1275-1286
- Total Delta Exports
    - Monthly Mean Total Delta Exports Tables – Pages 1228-1299
    - Total Delta Exports Replacement Graphs – Pages 1300-1311
    - Total Delta Exports Exceedance Graphs – Pages 1312-1323
- Delta Fish Salvage at the CVP/SWP Facilities
    - Winter-run Chinook Salmon Tables – Pages 1325-1327
    - Spring-run Chinook Salmon Tables – Pages 1328-1330
    - Steelhead Tables – Pages 1331-1333
    - Striped Bass Tables – Pages 1334-1335
- Delta Smelt Tables – Pages 1337-1338

This comment also expresses concern that changes in lower Yuba River flows during the spring and summer could adversely affect longfin smelt. This concern is not valid. Although the Yuba Accord Alternative is intended to cause a shift of peak flows from the late spring (May and June) to early spring (April) in drier water years, to facilitate the emigration of juvenile salmonids before the warm water conditions that occur in the Feather and Sacramento rivers during late spring and summer months of dry years, this shift in lower Yuba River flows would not cause a significant reduction in Delta inflows during the spring. The resultant effects of lower Yuba River flow changes on Delta conditions during the May through June and the July through September periods can be determined for each of the alternative comparisons evaluated in the Draft EIR/EIS by reviewing the model output in Appendix F4. Results of the comparisons of the Yuba Accord Alternative to the CEQA Existing Condition and to the CEQA No Project Alternative are provided here:

Yuba Accord Alternative Compared to the CEQA Existing Condition (Scenario 3 vs. Scenario 1)

Long-term average flows in the lower Yuba River at Marysville under the Yuba Accord Alternative would be reduced by 116 cfs (3.5 percent) during March, relative to the CEQA Existing Condition (Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 1, page 272). Under this comparison, the long-term average Sacramento River inflow into the Delta during March would be reduced from 39,658 cfs under the CEQA Existing Condition to 39,535 cfs under the Yuba Accord Alternative, resulting in a flow reduction of 123 cfs, which would be a 0.0 percent change (see Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 1, page 1103). The long-term average X2 location during March would not change under the Yuba Accord Alternative, relative to the CEQA Existing Condition (see Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 1, page 1189).

Comparisons by water year type indicate that the average monthly flows in the lower Yuba River flow at Marysville under the Yuba Accord Alternative would be 275.4 cfs (13.6 percent) lower during March in dry years, relative to the CEQA Existing Condition (see Appendix F4, Folder for Scenario 3 vs. Scenario 1, page 272). The average monthly Sacramento River inflow into the Delta during March in dry years would be 22,337 cfs under the CEQA Existing Condition and 22,006 cfs under the Yuba Accord Alternative, a flow that would be 331 cfs, or a 1.5 percent, lower (see Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 1, page 1103). The average monthly X2 location during March in dry years would be the same for the Yuba Accord Alternative and the CEQA Existing Condition (see Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 1, page 1189).

Yuba Accord Alternative Compared to the CEQA No Project Alternative (Scenario 3 vs. Scenario 2)

Long-term average flows in the lower Yuba River at Marysville under the Yuba Accord Alternative would be 264 cfs (28.2 percent) higher during July, relative to the CEQA No Project Alternative (see Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 2, page 272). Long-term average Sacramento River inflow into the Delta during July would be 18,507 cfs under the CEQA No Project Alternative and 18,724 cfs, which is 217 cfs, or 1.0 percent, higher under the Yuba Accord Alternative (see Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 2, page 1103). Long-term average X2 location during July would be the same under the Yuba Accord Alternative and the CEQA No Project Alternative (see Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 2, page 1189).

Comparisons by water year type indicate that the average monthly flows in the lower Yuba River flow at Marysville under the Yuba Accord Alternative would be 320.8 cfs (47.1 percent) higher during July in dry years, relative to the CEQA No Project Alternative (see Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 2, page 272). The average monthly Sacramento River inflow into the Delta during July in dry years would be 17,803 cfs under the CEQA No Project Alternative and 18,114 cfs, which is 311 cfs, or 2.0 percent, higher under the Yuba Accord Alternative (see Draft EIR/EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 2, page 1103). The average monthly X2 location during July in dry years would be 0.2 km higher under the Yuba Accord Alternative, relative to the CEQA No Project Alternative (see Draft EIR,EIS, Appendix F4, Folder for Scenario 3 vs. Scenario 2, page 1189).

As these two examples illustrate, the differences in flow that would occur in the lower Yuba River under these different scenarios would have little to no downstream effects on Delta

conditions (e.g., Sacramento River inflow, X2) because the increment of change resulting from the Yuba Accord Alternative, relative to the total flow of water into the Delta, would be minimal.

Contrary to this comment, the Draft EIR/EIS does address longfin smelt and analyzes the potential impacts on this species that would be expected to occur from changes in Delta habitat parameters resulting from the Proposed Project/Action and alternatives. The analysis of longfin smelt in Chapter 10 is addressed in the following sections:

- Section 10.1.1.1 Overview of Fish Species, page 10-1
- Section 10.1.1.1 Overview of Fish Species, pages 10-13 – 10-14 (species account information)
- Section 10.1.4.1 Recent Decline of Pelagic Fish Species in the Delta, pages 10-31 – 10-36 (see also responses to Comments SA3-2 and SA3-7)
- Section 10.1.4.2 Analytical Components Evaluated to Address Potential Impacts on Delta Fisheries Resources, pages 10-36 to 10-37

This comment suggests that longfin smelt abundance is strongly correlated with spring outflows, and the longfin smelt listing petition submitted to the USFWS states: "*In years with high spring flows to the Estuary, longfin smelt abundance is higher than in years with lower spring flows.*" However, the regression equation for longfin smelt abundance and spring flows for 1988-2006 has an r^2 value of only 0.487 (see *Petition to List the San Francisco Bay-Delta Population of Longfin Smelt (Spirinchus thalechthys) as Endangered under the Endangered Species Act*, pages 14-15). This comment also cites page 237 of (Moyle 2002). However, while Moyle (Moyle 2002) suggests that a regression equation has been calculated relating [longfin] smelt numbers to Delta outflow, Moyle (2002) does not reference the actual regression equation, indicate a level of significance, or indicate whether the variables are strongly or weakly correlated.

The longfin smelt listing petition indicates that freshwater (or Delta) outflow is measured indirectly in terms of X2. The listing petition also states that "*Many of the threats to the longfin smelt are identical to those known to threaten the delta smelt (Hypomesus transpacificus), a closely related and ecologically similar species that is sympatric to the longfin smelt for much of its life span*." As discussed on page 10-146 of the Draft EIR/EIS, the evaluation of biological impacts on Delta fisheries resources, including delta smelt and longfin smelt, and their habitats used evaluation parameters established by the USFWS, CDFG, NMFS and others, including X2 locations, Delta outflows and E/I ratios. For each alternative evaluated, the analysis presented in the Draft EIR/EIS used model output results for several Delta parameters, including: (1) X2 location; (2) Delta outflow; (3) E/I ratio; (4) export pumping; and (5) fish salvage at the CVP/SWP facilities (see discussion of methodology in Draft EIR/EIS, at pages 10-56 to 10-65, discussion of impact indicators at pages 10-104 to 10-105, analyses at pages 10-146 to 10-150, 10-190 to 10-194, 10-234 to 10-238, 10-276 to 10-280, 10-321 to 10-325, and 10-395 to 10-399). For this Draft EIR/EIS, a detailed evaluation was conducted for potential effects on delta smelt from changes in X2 location during February through June, and a year-round analysis was conducted for all Delta fisheries resources. Using these analyses, potential impacts to longfin smelt associated with changes in Delta outflow and indirectly related to changes in X2 location due to implementation of the Yuba Accord Alternative are thoroughly and adequately addressed in the Draft EIR/EIS.

Response to Comment SA3-1c:

The standards that are used to determine that levels of significance under CEQA and NEPA and the standards that are used to determine whether or not an action would result in an "unreasonable effect" on a particular resource under the Water Code are discussed in Section 4.6 on page 4-14 of the Draft EIR/EIS. These different legal standards also are discussed in each of the resource chapters in the section that describes the impact indicators and significance criteria that were used to evaluate that resource (see Draft EIR/EIS, Section 10.2.2, page 10-106). The resource-specific impact indicators and the corresponding evaluation thresholds (e.g., frequency and magnitude of change) that are presented in these sections of each resource chapter were used for the dual purposes of determining the levels of significance for CEQA/NEPA purposes and determining whether or not there would be any unreasonable effects on fish, wildlife or other beneficial uses, as required by the Water Code. For evaluation purposes related to CEQA/NEPA and the Water Code, the impact indicators identified in the Draft EIR/EIS were applied in the same manner in both of these analyses.

Response to Comment SA3-2a:

The Pelagic Fish Action Plan, including a summary of the actions proposed to improve conditions for the POD indicator species, is discussed on pages 10-32 through 10-33 of the Draft EIR/EIS. As the Draft EIR/EIS states on page 10-33: "*Several actions are currently being implemented and others are being evaluated for future implementation. The next "synthesis" report is scheduled for December 2007. Information and new findings will be made available to agency directors as they become available over the next two years*." (2007). The next paragraph on page 10-33 of the Draft EIR/EIS discusses and cites the meeting notes of the Delta Smelt Working Group (DSWG) that describe how the participating agencies reached the decision to modify Old River and Middle River flow regimes during early 2007. To date, other than the experimental Old and Middle river flow management actions that occurred during early 2007, no new actions from the Pelagic Fish Action Plan have been implemented since release of the Draft EIR/EIS. The experimental actions that were implemented in Old and Middle rivers are discussed on page 10-33 of the Draft EIR/EIS. For additional discussions about the impact assessment methodologies, evaluation parameters and impact indicators that were used in the Draft EIR/EIS to assess potential impacts to Delta fisheries resources resulting from the Proposed Project/Action and alternatives, see the responses to Comments SA3-1b and SA3-7.

To verify that no new information on the POD has become available since the Draft EIR/EIS was released on June 25, 2007, a subsequent review of the declarations that were submitted to the court in the *NRDC v. Kempthorne* litigation was conducted. The results of this review are summarized here:

Declaration of Christina Swanson Ph.D. in Support of Plaintiff's Proposed Interim Remedies (Swanson 2007)

- Page 27: "*…All of the plaintiffs' proposed interim remedy recommendations for changes in water management operations described here are the same as, or very similar to, those already identified by CDWR in their March 2007 Pelagic Fish Action Plan (Exhibit Q; "Water Project Operations Actions" summarized on pages 5-6 of this report), or to specific analysis and/or recommendations made by the DSWG during the past year (see e.g., Exhibits C, D, S, T, V, W, Y (2/9/07 Meeting Notes, and Z (10/30/06 Meeting Notes).*"

Declaration of Jerry Johns in Support of the California Department of Water Resources Interim Remedy Proposal (Johns 2007)

- Fisheries surveys and monitoring data cited in Mr. Johns' declaration include: (1) the Spring Kodiac Trawl; (2) the 20-mm Survey; (3) the Summer Tow Net Survey; (4) the Fall Mid-Water Trawl; and (5) delta smelt salvage at SWP and CVP fish facilities. Much of this data is publicly available on the Interagency Ecological Program's (IEP) website: http://bdat.ca.gov/Php/Data_Retrieval/data_retrieval_by_category_Species.php?category_code=12&category_name=Fisheries, and was reviewed during preparation of the Draft EIR/EIS. On page 10-31 of the Draft EIR/EIS, the first paragraph under Section 10.1.4.1 also discusses IEP monitoring results from 2002 through 2007.

Declaration of Cay Collette Goode (Goude 2007)

- Pages 10 through 14: Attachments to Exhibit 2 include DSWG Meeting Notes from March 26, 2007 and March 27, 2007. This information was available on the USFWS website (http://www.fws.gov/sacramento/es/delta_smelt.htm), and used during preparation of the Draft EIR/EIS to provide background information regarding the decision-making history leading to the experimental actions taken to manage flows in the Old and Middle rivers to protect delta smelt in early 2007.

Because the POD scientific investigations and the litigation on CVP/SWP OCAP operations are ongoing, new research findings will continue to become available over time and management actions related to CVP/SWP operations in the Delta are likely to be continuously evolving. Nevertheless, based on the above summaries of the declarations that were submitted to the court in the *NRDC v. Kempthorne* litigation (which are the latest technical information regarding delta smelt), demonstrate that the Draft EIR/EIS did in fact utilize the best scientific and commercial information that is currently available to evaluate the potential impacts of the Proposed Project/Action and alternatives on the POD indicator species in the Delta Region.

Response to Comment SA3-2b:

Chapter 3 of the Final EIR/EIS describes the project updates that have occurred since publication of the Draft EIR/EIS, including information related to the interim remedies order in *NRDC v. Kempthorne,* which the court issued on August 31, 2007. See also the responses to Comments NP2-2 and NP2-3.

Response to Comment SA3-2c:

The analysis presented in the Draft EIR/EIS shows that the Proposed Project/Action, relative to the bases of comparison, would not result in any significant impacts to Delta fisheries resources and, thus, that mitigation measures for these resources are not required.

Because the interim remedies order in *NRDC v. Kempthorne* was issued on August 31, 2007 and almost certainly will be finalized before the Proposed Yuba Accord would be implemented in April 2008, the Proposed Project/Action would be required to comply with all protective measures and operational constraints that the court imposes on CVP/SWP operations. The Proposed Project/Action also would be required to comply with all protective measures and operational constraints that are developed in the pending OCAP ESA re-consultations. Additional mitigation measures for the Yuba Accord Alternative for Delta fisheries resources are not necessary.

Response to Comment SA3-2d:

See the responses to Comments SA1-7, SA3-2c and SA3-7.

Response to Comment SA3-3:

Contrary to the first sentence of this comment, during the term of the Fisheries Agreement the instream-flow requirements in YCWA's water-right permits normally would be the RD-1644 interim instream-flow requirements, which are the requirements presently in effect. These requirements are not "sharply reduced," but have been in effect since 2001. There would be some minor modifications during April 21 through June 30 of below-normal years, and reversion to the 1965 YCWA/CDFG agreement flows, without the reductions authorized by Section 1.6 of that agreement, during conference years, which have only a 1-percent probability of occurrence (see Draft EIR/EIS, Appendix B, page B-68). The conference-year requirements are discussed in response to Comment SA3-4d.

Although the higher instream flows specified in the Fisheries Agreement would not be included in YCWA's water-right permits, YCWA would be contractually obligated to maintain these flows, and it is reasonable for the Draft EIR/EIS to assume that the other parties to this agreement (the California Department of Fish and Game, South Yuba River Citizens League, Friends of the River, Trout Unlimited and the Bay Institute) would take any appropriate actions to ensure that YCWA maintains these flows. For this reason, and because the "permit flow" alternative that is proposed in this comment would be essentially the same as the CEQA Existing Condition scenario that is analyzed in detail in the Draft EIR/EIS, there is no need to add an additional alternative to the EIR/EIS.

This comment incorrectly states that "significant reductions in Accord flows could occur upon termination of the Fisheries Agreement." If the Fisheries Agreement were terminated early (before FERC issues a new long-term FPA license for the Yuba Project), then the Yuba Accord instream flows would go into effect as requirements in YCWA's water-right permits (see Draft EIR/EIS, Appendix B, page B-74). If the Fisheries Agreement were not terminated early, then it would remain in effect until FERC issues a new long-term license for this project (see Draft EIR/EIS, Appendix B, page B-20), and this new long-term license will contain the instream-flow requirements ordered by FERC and any additional requirements in the SWRCB's CWA Section 401 certification. It is very unlikely that these requirements will authorize any significant reductions in Accord flows. See responses to Comment SA1-2.

Response to Comment SA3-4a:

As discussed in response to Comment SA3-3, and as confirmed in the Draft EIR/EIS, in Appendix B, page B-74, if the Fisheries Agreement were to terminate early, then the Yuba Accord instream flows would go into effect as requirements in YCWA's water-right permits. Any such requirements would not be subject to any "off ramps" in the Fisheries Agreement.

Response to Comment SA3-4b:

This comment correctly states that the Fisheries Agreement would terminate when FERC issues a new long-term FPA license for the Yuba Project. While this is predicted to occur in 2016, it could occur later. For a discussion of the instream-flow requirements that are likely to be included in the new long-term FPA license, see responses to Comments SA1-2 and SA3-4c.

Response to Comment SA3-4c:

Under the Yuba Accord Fisheries Agreement, YCWA would commit to maintain the agreement's flows in the lower Yuba River until FERC issues a new long-term FPA license for the Yuba Project (see Draft EIR/EIS, page 3-10, Appendix B, page B-20). When FERC issues a new long-term FPA license for the Yuba Project, then the instream-flow requirements in it will supersede and replace the instream-flow requirements in YCWA's water-right permits (see Draft EIR/EIS, Appendix B, page B-76) and the instream flows in the Fisheries Agreement. Under Section 401 of the CWA, the new long-term FPA license that FERC issues for the Yuba Project will include any instream-flow requirements specified by the SWRCB in its CWA Section 401 water-quality certification for the Project.

Section 5.4.9 of the Fisheries Agreement provides that all of the Parties to the agreement will work cooperatively and in good faith, using the agreement's flow schedules and associated rules as a starting point, to try to develop a consensus proposal for the lower Yuba River instream-flow requirements for YCWA's long-term FPA license, and, if consensus is reached, to submit the consensus proposal to the SWRCB and FERC and ask the SWRCB to include it in its CWA Section 401 water-quality certification and to ask FERC to include it in the new FPA license (see Draft EIR/EIS, Appendix B, page B-35). Accordingly, while there ultimately may be some changes in these flow schedules, the best prediction that can be made today of the instream-flow requirements that will be in YCWA's new long-term FPA license is that these requirements will be the flow schedules and related provisions in Exhibits 1-5 of the Fisheries Agreement. These flows are analyzed in detail in the Draft EIR/EIS, under the CEQA Yuba Accord Alternative.

Although this comment suggests that the instream-flow requirements in YCWA's new FPA license may not require the same level of protection of fisheries resources in the lower Yuba River as will be provided by the Fisheries Agreement, such a result appears to be very unlikely, considering both FERC's obligations and authority under Section 10 of the FPA and the SWRCB's obligations and authority under Section 401 of the CWA.

This comment assumes that the SWRCB is required to find that the instream-flow requirements in YCWA's new long-term FPA license will provide a level of protection for fisheries resources in the lower Yuba River that is equivalent to the level of protection that would be provided by the long-term requirements in RD-1644. This assumption is incorrect. Section 4.1.1 of the Fisheries Agreement provides that the agreement will not go into effect unless the SWRCB finds that the agreement will provide a level of protection for these fishery resources "during the term of this Agreement" that is equivalent to or better than that which RD-1644 would provide (see Draft EIR/EIS, Appendix B, page B-21). This agreement does not require any similar finding for the period after FERC issues a new long-term FPA license for the Yuba Project.

CEQA also does not require any such finding. Instead, under CEQA, the required impact analysis compares the proposed project with the Existing Condition, which contains the RD-1644 interim instream-flow requirements (see California Code of Regulations, Title 14, Sections 15125(a), 15126.2(a)). California water-rights law also does not require any such finding. Instead, under the public-trust doctrine, the SWRCB must balance the needs of lower Yuba River fisheries for water against competing demands for this water, and this balancing can produce different results at different times (see *National Audubon Society v. Superior Court* (1982) 33 Cal. 419, 447-448).

Response to Comment SA3-4d:

The instream-flow requirements that are specified in Sections 1.5 and 2.2 of the September 2, 1965 agreement between CDFG and YCWA are the same as the instream-flow requirements that are specified in Article 33 of the May 6, 1966 Federal Power Commission Order Amending License for Project No. 2246 (the Yuba Project). Both of these documents will be added to the references listed in Chapter 25 of the Draft EIR/EIS.

This comment suggests that the River Management Team's Planning Group would determine all "appropriate flows" in the lower Yuba River during Conference Years. This suggestion is incorrect. Section 5.1.5 of the Fisheries Agreement provides that, during Conference Years, YCWA would operate the Yuba Project to maintain the lower Yuba River flows specified in YCWA's FERC License (without any of the flow reductions authorized by Article 33(c) of that license), plus any additional instream flows agreed to by the RMT's Planning Group (see Draft EIR/EIS, Appendix B, page B-24). The Planning Group therefore would decide only about additional instream flows, not the base flows required by YCWA's FERC license. For this reason, Section 5.2.1 of the Fisheries Agreement, which is cited in this comment, specifically applies only to "additional instream flows" (see Draft EIR/EIS, Appendix B, page B-28).

During conference years, YCWA would operate the Yuba Project to meet the flow requirements in YCWA's FERC License, which are the same as the flows specified in the 1965 CDFG/YCWA Agreement. Additionally, as described in Section 5.1.5 of the Fisheries Agreement, YCWA would ensure that diversions at Daguerre Point Dam are limited to 250 TAF. Beyond those provisions, the RMT would confer on an appropriate release schedule for potential additional lower Yuba River flows, depending on reservoir storage and projected inflows.

The hydrological analyses in the Draft EIR/EIS for the Yuba Accord Alternative assume that in Conference Years lower Yuba River flows would be the flows specified in the 1965 CDFG/YCWA Agreement, without any additional flows. The Draft EIR/EIS therefore already analyzes the "worst case" scenario for such years.

The Conference Year provisions provide discretion to the RMT to provide for additional Conference Year flows above the minimum levels in the 1965 CDFG/YCWA Agreement, because the Technical Team that developed the Yuba Accord Alternative's instream flow schedules concluded that providing such discretion would be the best way to plan for Conference Years. Under the North Yuba Index, Conference Years will be extremely rare events, anticipated to have a 1 percent (1 in 100) chance of occurrence in any given year. Conference Year conditions could occur under various possible hydrological conditions. For example, a Conference Year could occur because of a single extremely dry year following a moderately dry year, or after a series of several very dry years. Because of these potential differences in hydrology, different amounts of additional lower Yuba River flows above the 1965 CDFG/YCWA Agreement's requirements could be appropriate, depending on the recent river flow history, the amounts of water available, and the conditions of the fisheries. In such years, the RMT would have discretion to focus any water that is available for additional flows towards outmigration (spring flows), temperature control (summer or fall flows), or fall spawning flows, depending on the previous year's or years' conditions, the amounts of additional water available, and the current needs of the fisheries. Giving the RMT this discretion is better than adopting rigid mitigation measures that may not turn out to most effectively use any available water for additional flows.

Response to Comment SA3-4e:

This comment states that the instream flows in YCWA's change petition are "severely reduced." This characterization of these instream flows is incorrect. See response to Comment SA3-3. Also, the statement in this comment that the requirements in YCWA's water-right permits would be "back-up" flow requirements ignores that the fact that, if a Force Majeure or Regulatory Change Event were to occur, then it might be physically impossible for YCWA to maintain lower Yuba River flows at the levels specified in its water-right permits. Instead, under such circumstances, YCWA would petition the SWRCB for any necessary temporary urgency changes in such requirements.

Because it is impossible to predict the extent to which any Force Majeure or Regulatory Change event would affect YCWA's ability to comply with the Fisheries Agreement's instream-flow schedules, it also is impossible to provide the discussion requested by this comment. Moreover, if a Force Majeure or Regulatory Change Event were to occur, then YCWA almost certainly would have the same level of difficulty complying with any instream-flow requirements in YCWA's water-right permits as it would with complying with the instream-flow schedules in the Fisheries Agreement. Therefore, this comment is incorrect to the extent that it suggests that the Fisheries Agreement would provide a lower level of protection for lower Yuba River instream flows and fisheries resources than the level of protection that would be provided by instream-flow requirements in YCWA's water-right permits if any such event were to occur.

Response to Comment SA3-5:

Besides the SWRCB actions listed in Section 4.1 of the Fisheries Agreement (see Draft EIR/EIS, Appendix B, pages B-20 to B-22), the Fisheries Agreement contains four other conditions precedent.

Section 4.2 provides that the Fisheries Agreement will not become effective unless and until the Transfer Agreement (now called the "Water Purchase Agreement") is executed and goes into effect (see Draft EIR/EIS, Appendix B, page B-22). If YCWA decides to approve the Yuba Accord Alternative, then YCWA anticipates that the Water Purchase Agreement will be executed before the December 5, 2007 SWRCB hearing on YCWA's petitions to change its water-right permits to implement the Yuba Accord, and certainly before the SWRCB issues any orders on these petitions.

Section 4.3 provides that the Fisheries Agreement will not become effective unless and until YCWA executes Conjunctive Use Agreements with a sufficient number of YCWA's Member Units so that YCWA can meet its obligations under the Fisheries and Transfer Agreements (see Draft EIR/EIS, Appendix B, page B-22). If YCWA decides to approve the Yuba Accord Alternative, then YCWA anticipates that this condition precedent will be satisfied before the December 5, 2007 SWRCB hearing on YCWA's petitions to change its water-right permits to implement the Yuba Accord, and certainly before the SWRCB issues any orders on these petitions.

Section 4.4 provides that the Fisheries Agreement will not become effective unless and until YCWA executes an agreement, MOU or similar document with Pacific Gas and Electric Company (PG&E) to make the necessary amendments to the 1966 YCWA/PG&E Power Purchase Contract so that YCWA can implement this Agreement (see Draft EIR/EIS, Appendix B, page B-22). PG&E is in the process of preparing an advice letter, which PG&E then will send to the California Public Utilities Commission. If YCWA decides to approve the Yuba Accord

Alternative, then YCWA anticipates that this transmittal and the process to satisfy this condition precedent will be completed before the SWRCB issues any orders on these petitions. YCWA then will advise the SWRCB when this process has been completed.

Section 4.5 of the draft Fisheries Agreement that is in Appendix B of the Draft EIR/EIS provides that the Fisheries Agreement will not become effective unless and until NMFS has issued the incidental-take authorization for the operations and flow-ramping criteria that are described in the September 2003 Draft Biological Assessment for the Yuba Project. NMFS issued this authorization in its November 4, 2005 letter confirming its preliminary biological opinion for the project described in the September 2003 Draft Biological Assessment, so this condition precedent has been met. The NMFS' November 4, 2005 letter and the November 22, 2005 FERC order approving this project will be added to the references listed in Chapter 25 of the Draft EIR/EIS. If YCWA decides to pursue the Yuba Accord Alternative, then, before the final Fisheries Agreement is executed, Section 4.5 of the Fisheries Agreement will be amended to confirm that this condition precedent has been satisfied (see Final EIR/EIS, Appendix M).

For these reasons, the Draft EIR/EIS correctly assumes that the Fisheries Agreement will become effective when the SWRCB approves YCWA's petitions to change its water-right permits to implement the Yuba Accord Alternative.

See responses to Comments SA3-5a through SA3-5e for discussions of the Fisheries Agreement provisions that are discussed in these comments.

Response to Comment SA3-5a:

A YCWA petition for a Feather River Point of Diversion/Rediversion near the confluence of the lower Yuba River and the Feather River is described in Section 4.1.3 of the draft Fisheries Agreement that is included in Appendix B to the Draft EIR/EIS (see Draft EIR/EIS, Appendix B, page B-21). However, after preparation of this draft agreement YCWA, Reclamation and DWR decided not to pursue this facility as part of the Yuba Accord Alternative. Therefore, if YCWA approves the Yuba Accord Alternative, then, before the Fisheries Agreement is executed, Section 4.1.3 will be amended to confirm that this in not a condition precedent for the Fisheries Agreement (see Final EIR/EIS, Appendix M).

In the Draft EIR/EIS, the point of diversion/re-diversion on the Feather River was not described in the project description for the Yuba Accord Alternative. This facility also is not evaluated in the Draft EIR/EIS. To confirm this point, additional text has been added to Section 3.2.1.1 on page 3-6 of the Draft EIR/EIS stating that this facility is not part of the Yuba Accord Alternative (see Final EIR/EIS, Chapter 5).

Response to Comment SA3-5b:

See response to Comment SA1-4.

Response to Comment SA3-5c:

This comment does not accurately describe what would occur under the Fisheries Agreement if there were a "Force Majeure Event" or a "Regulatory Change Event." If such an event were to occur, then the parties to the Fisheries Agreement were be required to work together to try to reach consensus on an acceptable alternative flow schedule for the relevant time period (see Sections 6.4.3 and 6.4.4 of the Fisheries Agreement; Draft EIR/EIS, Appendix B, pages B-43 to B-44). If such an event were to occur and the parties to the Fisheries Agreement were not able

to reach consensus on an alternative flow schedule, then the alternative dispute resolution provisions of Section 6.4.5 of the Fisheries Agreement would apply (see Draft EIR/EIS, Appendix B, pages B-43 to B-44). If the parties still could not reach consensus on the alternative flow schedule, then any party to the agreement could ask a court of competent jurisdiction to specify the appropriate relief. If the event were expected to last for more than 365 days, or did in fact last for more than 365 days, then the court still would have authority to specify the appropriate interim relief, and the SWRCB would issue an order specifying the appropriate long-term relief (see Draft EIR/EIS, Appendix B, pages B-43 to B-44).

Force Majeure Events and Regulatory Change Events do not include events regarding the Delta that do not also directly affect Yuba Project operations and instead are limited to events that directly affect YCWA's operations of the Yuba Project (see Fisheries Agreement, Sections 6.4.1, 6.4.2; Draft EIR/EIS, pages B-42 to B-43). It is very unlikely that any such event would occur during the term of the Fisheries Agreement. Moreover, because it is impossible to predict what such an event would be or what its effects on Yuba Project operations would be, it also is impossible to analyze the potential environmental consequences of such an event or to provide mitigation measures for such events. Instead, the processes described above are the appropriate processes for addressing any such events.

Response to Comment SA3-5d:

For a discussion of Non-Material Violations of Agreement Flow Schedules, please see response to Comment SA1-5. The provisions of the draft Fisheries Agreement regarding Technical Variations of Agreement Flow Schedules would have applied only until the Narrows II Powerhouse Full Flow Bypass was completed (see Fisheries Agreement, Sections 6.2.5-6.2.8; Draft EIR/EIS, Appendix B, pages B-40 to B-41). Because the Narrows II Powerhouse Full Flow Bypass now is complete, if YCWA approves the Yuba Accord Alternative, then, before the Fisheries Agreement is executed, these provisions will be deleted (see Final EIR/EIS, Appendix M).

Response to Comment SA3-5e:

For a discussion of the dry-year storage adjustments to the Fisheries Agreement's instream-flow schedules, see response to Comment SA1-3. Also, the dry-year storage adjustment would be added only to the provisions in YCWA's water-right permits that would apply if the Fisheries Agreement were to terminate early (see Draft EIR/EIS, Appendix B, pages B-74 to B-76).

Response to Comment SA3-6:

As discussed in response to Comment SA3-5, on November 4, 2005, NMFS issued the incidental-take authorization for the operations and flow-ramping criteria that are described in the September 2003 Draft Biological Assessment for the Yuba Project, and on November 22, 2005 FERC issued its order approving these new criteria. Thus, if YCWA decides to approve the Yuba Accord Alternative, then, before the final Fisheries Agreement is executed, Sections 4.1.2 and 4.5 of the Fisheries Agreement will be amended to confirm that these conditions precedent have been satisfied (see Final EIR/EIS, Appendix M). The flow-reduction requirements in the November 22, 2005 FERC order are quantitatively the same as those in RD-1644, although there are some differences in language between the two orders.

Response to Comment SA3-7:

The rationales and cited literature that are relied upon to support the impact indicators and the technical evaluation guidelines used to assess potential impacts to fisheries and aquatic resources are presented in Chapter 10 and in Appendix E of the Draft EIR/EIS. The following discussion summarizes the information regarding these topics that is in various sections of the Draft EIR/EIS:

Flow

The rationale for using a criterion of a 10 percent change to evaluate potential flow-related impacts is based on standards described in the United States Geological Survey (USGS) publication, *Handbook of Hydrology* (Maidment 1993) and previously established significance criteria that have been used in other approved environmental documents (e.g., Freeport Regional Water Project EIR/EIS, Trinity River Mainstem Fisheries Restoration EIR/EIS, San Joaquin River Agreement EIR/EIS). A complete description of this rationale is in the text on pages 10-49 to 10-50 of the Draft EIR/EIS.

As described in Section 10.2.1.2 of the Draft EIR/EIS, "*…Although the environmental documents listed above have been legally certified (i.e., Trinity River Mainstem Fishery Restoration Record of Decision December 19, 2000; San Joaquin River Agreement Record of Decision in March 1999; Freeport Regional Water Project Record of Decision January 4, 2005), biological justifications specific to using a 10 percent change as a criterion for a meaningful change in habitat affecting fisheries resources in a particular river have not been provided. Nevertheless, these documents apparently have resulted in consensus in the use of 10 percent when evaluating flow changes. Accordingly, this fisheries impact assessment relies on previously established information and, therefore, evaluates changes of 10 percent or greater in monthly mean flows under the Proposed Project/Action and alternatives, and the bases of comparison.*"

Water Temperature

As described on page 10-88 of the Draft EIR/EIS, the biological justification and rationale for using the water temperature index values specified in Table 10-5 of the Draft EIR/EIS is provided in Appendix E2 of the Draft EIR/EIS.

The discussion in Chapter 10 further explains that the water temperature index values represent a gradation of potential effects, from reported optimal water temperatures increasing through the range of represented index values for each life stage of a fish species. The introductory text in Appendix E2 states that "*…Water temperature index values were established from a comprehensive literature review to reflect an evenly spaced range of water temperatures, from reported "optimal" to "lethal" water temperatures, for each life stage of Chinook salmon and steelhead. Types of literature examined include scientific journals, Master's theses and Ph.D. dissertations, literature reviews, and agency publications (see Section 4.0, References). …For Chinook salmon, water temperature index values were developed to separately evaluate the following life stages or, where appropriate, combinations of life stages: (1) adult immigration and holding; (2) adult spawning and embryo incubation; and (3) juvenile rearing and smolt emigration. For steelhead, water temperature index values were developed to separately evaluate the following life stages, or where appropriate, combinations of life stages: (1) adult immigration and holding; (2) adult spawning and embryo incubation; (3) juvenile rearing; and (4) smolt emigration*."

As indicated in the preceding paragraph, a complete explanation of the water temperature index value selection rationale for species and lifestages evaluated in the Draft EIR/EIS is

provided in Appendix E2, Water Temperature Index Values for Technical Evaluation Guidelines.

Flow Dependent Habitat Availability

This comment asks that the Draft EIR/EIS document the sources for its statement that specific habitat flow relationships are not limiting for juvenile fish rearing under the proposed scenarios (see Draft EIR/EIS page 10-110) and clarify whether or not this information was derived from studies performed for RD-1644.

Contrary to this comment, the Draft EIR/EIS does not state that "specific habitat flow relationships are not limiting for juvenile fish rearing under the proposed scenarios." Instead, the Draft EIR/EIS states that "physical habitat for this life stage would not be limited under the flow regimes anticipated for either operational scenario." Also, the Draft EIR/EIS goes on to say that "instead, relatively warm water temperatures from spring through fall are typically considered a primary stressor to spring-run Chinook salmon juveniles" (page 10-110 of the Draft EIR/EIS).

The following information regarding weighted usable area calculations for chinook salmon is excerpted from the "Expert Testimony on Yuba River Fisheries Issues by Surface Water Resources, Inc., Jones & Stokes Associates, and Bookman-Edmonston Engineering, Inc., Aquatic and Engineering Specialists For Yuba County Water Agency" from the 2000 SWRCB Water Rights Hearing on Lower Yuba River (YCWA Exhibit 19, 2000 SWRCB Hearing):

> *Beak conducted an extensive fisheries investigation on the lower Yuba River for the CDFG during the period 1986-1988 (Beak 1989). Data produced from this study (including PHABSIM weighted usable area (WUA) calculations for chinook salmon and steelhead) served as the technical basis for the CDFG's 1991 Lower Yuba River Fisheries Management Plan. Jones and Stokes Associates (JSA) (1992) expanded the Beak (1989) chinook salmon WUA-discharge database by relating the WUA calculated for specific instream flows to Englebright release rates.*
>
> *The relationships between the amounts of usable fry rearing habitat for chinook salmon (as defined by WUA) and instream flows during the primary fry-rearing period of February through April show that the flows that maximize WUA for chinook salmon fry rearing vary by both month and river reach. Instream flows ranging from approximately 50 to 200 cfs provide ≥90 percent of the maximum fry rearing WUA, depending on the specific month and stretch of river (above vs. below Daguerre Point Dam) in question. The range of flows that provides ≥90 percent of the maximum WUA for fry rearing during this period are similar above (100-200 cfs) and below (50-175 cfs) Daguerre Point Dam. Flows of 100-150 cfs maximize fry-rearing WUA during the February-April period throughout the lower Yuba River.*
>
> *The relationships between the amount of usable juvenile rearing habitat for chinook salmon (as defined by WUA) and instream flow rates for the months of April through June show that the flows that maximize WUA for juvenile chinook salmon vary by both month and river reach. Instream flows ranging from 100 to 425 cfs can provide ≥90 percent of the maximum juvenile rearing WUA, depending on the specific month and stretch of river. The range of flows that provide ≥90 percent of the maximum WUA for juvenile rearing during the period April-June above and below Daguerre Point Dam are*

100-425 cfs and 100-300 cfs, respectively, with the maximum juvenile-rearing WUA for the entire river provided at flows of 150-250 cfs.

While habitat-flow relationships are used to assess spawning habitat availability for some fisheries resources of primary management concern (see Draft EIR/EIS, pages 10-48 to 10-49) and are based on studies utilizing the Instream Flow Incremental Methodology on the lower Yuba and Feather Rivers (see Appendix E1, Anadromous Salmonid Spawning Habitat – Flow Analyses), they are not applied to the juvenile rearing lifestage. As described in the sentence immediately preceding the statement on page 10-110 of the Draft EIR/EIS that is cited by this comment, specific habitat-discharge relationships for juvenile rearing have not been developed for the lower Yuba River. Therefore, the information used to support the statement in the text was not derived from studies performed for RD-1644. Rather, the model output in Appendix F4 of the Draft EIR/EIS served as the basis for the conclusion presented in the document. Model output showing the long-term average and the monthly mean changes in flow over the 72-year simulation period under the Yuba Accord Alternative and the CEQA No Project Alternative is located in Appendix F4, in the folder for Scenario 3 vs. Scenario 2, at pages 100 to 112 and 272 to 284. Review of the data presented in Appendix F4 indicates that although there would be a few individual months out of the 864 months in the 72-year simulation period when flows under the Yuba Accord Alternative would be less than flows under the bases of comparison, the overall changes in flow would not be expected to limit physical habitat availability for juvenile rearing in the lower Yuba River.

Newest Available Information Regarding Delta Conditions

The fisheries analyses in the Draft EIR/EIS was based on the analytical approach that was used in the USFWS and the NMFS 2005 BOs for the CVP/SWP OCAP. Although both of these documents are currently involved in litigation and may be subject to revision in the future, the August 31, 2007 ruling in *NRDC v. Kempthorne* states that the court did not vacate the 2005 USFWS OCAP BO and, this BO therefore remains valid. Moreover, the court's criticisms of this BO focused on its impact and jeopardy findings and mitigation measures, and not on its biological analyses. Although a hearing on the 2004 NMFS OCAP BO is scheduled for later this year, there have been no proceedings to date. Therefore, the 2004 NMFS OCAP BO also remains in effect. The 2005 USFWS and the 2004 NMFS OCAP BOs still contain the best available information and analyses regarding CVP/SWP system-wide operations.

To the extent feasible with the hydrologic modeling tools that are currently available, the analyses in the Draft EIR/EIS evaluated the same Delta habitat parameters and changes in fish salvage that were evaluated in Reclamation's 2004 OCAP BA (Reclamation 2004), the 2005 USFWS OCAP BO (USFWS 2005) and the 2004 NMFS OCAP BO (NMFS 2004). Evaluated Delta parameters included: (1) X2 location; (2) Delta outflow; (3) E/I ratio; and (4) export pumping and fish salvage at CVP and SWP Delta facilities.[1] Significance levels identified for each of these evaluation parameters were the same as those that were used to assess potential effects on listed species in Reclamation's 2004 OCAP BA and in the 2005 USFWS and 2004 NMFS OCAP BOs, as described on pages 10-56 through 10-65 and pages 10-104 to 10-105 of the Draft EIR/EIS.

[1] Estimated amounts of fish salvage at the CVP and SWP export pumping facilities, as functions of changes in the seasonal volumes of water diverted, are used as indicators of potential impacts resulting from changes in water project operations. Currently, the impacts of export pumping on fish populations are difficult to quantify and estimated fish salvage at the export facilities therefore is used as a substitute parameter to estimate these impacts (Reclamation *et al.* 2004).

Excluding green sturgeon, longfin smelt and American shad salvage estimates (see discussion below), the same impact indicators and technical evaluation guidelines (e.g., movement of X2 by 1.0 km or more) also were used to determine levels of significance for other fish species not evaluated in the OCAP BA/BOs. Salvage estimates used in the Draft EIR/EIS are consistent with the methodology used in Reclamation's 2004 OCAP BA. For each alternatives comparison in the Draft EIR/EIS, fish salvage estimates for delta smelt and striped bass were evaluated (see Appendix F4, folder for Scenario 3 vs. Scenario 1, pages 1334-1338, folder for Scenario 3 vs. Scenario 2, pages 1334-1338, folder for Scenario 4 vs. Scenario 1, pages 1334-1338, folder for Scenario 4 vs. Scenario 2, pages 1334-1338, folder for Scenario 2 vs. Scenario 1, pages 1334-1338, folder for Scenario 6 vs. Scenario 5, pages 1334-1338, folder for Scenario 7 vs. Scenario 5, pages 1334-1338). However, as stated on page 10-58 of the Draft EIR/EIS, potential impacts of the Proposed Project/Action and alternatives due to export pumping were not evaluated for green sturgeon, longfin smelt and American shad because salvage-density relationships are not available for these species.

The longfin smelt listing petition (at pages 33, 39, and 43) also discusses recent research by scientists at USGS that showed relationships between export pumping and Old and Middle river flows (Ruhl *et al.* 2006; Simi and Ruhl 2005). In consideration of the importance of the POD and Delta conditions overall, the actions on combined Old and Middle rivers flows were recognized as a current management tool in the Draft EIR/EIS. As discussed on pages 10-33 to 10-34 of the Draft EIR/EIS, an additional sensitivity analysis was conducted to address concerns regarding potential changes in Old and Middle river flows, based on this research and other information that became available immediately prior to release of the Draft EIR/EIS. The text is provided here for reference:

> *Because the Old and Middle river actions that were implemented in 2007 are still preliminary and experimental, they are not used as an impact indicator or significance criterion in this EIR/EIS. Depending on the outcome of other POD studies, these actions may be further refined or replaced if new information becomes available that indicates significant relationships between POD and these, or other explanatory variables. Nonetheless, for this EIR/EIS a sensitivity analysis was conducted to compare combined Old and Middle River flows during January through June, consistent with the Pelagic Fish Action Plan and current existing condition considerations. Combined Old and Middle River flows by long-term average and average by water year type for these months were used in the sensitivity analysis for the CEQA Yuba Accord Alternative relative to the CEQA Existing Condition. The equation used to perform these calculations is a linear regression based on CALSIM inputs of combined exports at Banks and Jones pumping plants and San Joaquin River flow at Vernalis. Model results for all months are presented in* ***Appendix F6****.*
>
> *Sensitivity analyses results indicate that long-term average reverse flows slightly (0.2 percent) increase during January and February, do not change during April, and decrease by 0.9 percent, 2.5 percent, and 1.1 percent during March, May and June, respectively. During January, slight (0.1 percent, 0.5 percent, and 0.4 percent) increases in reverse flows occur under wet, dry and critical water years, respectively, and do not change during above normal and below normal water years. February exhibits a similar pattern, with no change in the magnitude of reverse flows during wet, above normal and below normal water years, with slight (0.3 and 0.4 percent) increases in reverse flows during dry and critical water years.*

> *From March through May, reverse flows either do not change or are reduced in magnitude under all water year types under the CEQA Yuba Accord Alternative relative to the CEQA Existing Condition. During March, reverse flows decrease (1.5 percent and 1.9 percent) under wet and dry water years, and do not change in above normal, below normal and critical water years. During April, reverse flows do not change under the CEQA Yuba Accord Alternative relative to the CEQA Existing Condition under any water year type. During May, reverse flows decrease 5.8 percent during dry water years, and do not change during other water year types. During June, reverse flows decrease in magnitude during all water year types, ranging from a 0.5 percent decrease during critical water years to a 1.9 percent decrease during above normal water years.*
>
> *To date, the 2007 20-mm survey for juvenile delta smelt has collected record low numbers of juvenile delta smelt. After the fifth of eight surveys, only 25 individuals had been collected, about 7.7 percent of the 326 taken to this point in 2006, and only 7.1 percent of the 2000-2006 average of 353 (DSWG 2007). Coupled with these survey results, the first salvage of delta smelt juveniles were observed at the federal water export facility on May 11, 2007. Similarly, entrainment of juvenile delta smelt was observed at the state water export facility between May 25, 2007 and May 31, 2007. The detection of delta smelt at the CVP/SWP salvage facilities created a very high degree of concern because, for an annual species such as delta smelt, failure to recruit a new year-class is an urgent indicator that the species has become critically imperiled and an emergency response is warranted (DSWG 2007). The combination of these findings prompted DWR to temporarily stop pumping at the SWP Banks Pumping Plant and Reclamation to maintain pumping at the CVP Jones Pumping Plant at a rate of 850 cfs for health and safety purposes rather than increasing pumping to base operations after the VAMP/post-VAMP period to provide maximum protection for delta smelt. Although the exact duration of this action is unknown, it is believed that pumping may be able to resume when water temperatures in the south Delta reach 25°C, which is considered lethal for delta smelt and would indicate that most delta smelt would have moved into the cooler waters of the central Delta.*

As discussed in the preceding paragraphs, information pertaining to species status and recent management actions in the Delta, some of which only became available about one month before the release of the Draft EIR/EIS, is described in the Draft EIR/EIS.

Regarding this comment's request that the Draft EIR/EIS address data presented in the longfin smelt listing petitions, the listing petitions were submitted to the USFWS and the California Fish and Game Commission on August 8, 2007, which occurred after the Draft EIR/EIS was released for public review on June 25, 2007. The USFWS has 90 days to determine whether the petition presents substantial information indicating that the listing is warranted (USFWS and Department of the Interior 2007). Although the petitions are being considered by the respective agencies, no decision has yet been issued on whether or not to grant federal or state ESA protections to longfin smelt. Thus, the listing petitions do not have any jurisdictional standing that would require new or additional analyses at this time.

Moreover, additional clarification is required regarding this comment's statement that "…*this should include addressing data presented in the longfin smelt listing petitions which indicates that any shift in the location of X2 in March through June is a significant impact (Stevens and Miller 1983; Jassby et al. 1995; Meng and Matern 2001; Kimmerer 2002, 2004; Rosenfield and Baxter, in press)*." On page 14 of the longfin smelt listing petition, the text actually states, "…*The San Francisco Bay-Delta*

population of longfin smelt exhibits a strong positive correlation between abundance (measured as the CDFG FMWT abundance index[2]) and the amount of freshwater outflow[3] from the Delta during the spring (Stevens and Miller 1983; Jassby et al. 1995; Meng and Matern 2001; Kimmerer 2002, 2004; Rosenfield and Baxter, in press)."

Clarification also is required regarding the timing discussed in this section of the listing petition. The regression equations showing the relationship between longfin smelt abundance and spring freshwater outflow to the San Francisco Bay-Delta Estuary on page 15 measured outflows in terms of X2 and calculated outflow as the average X2 for the February-May period during 1967-1987 and 1988-2006. Thus, although the petition does report that there is a strong correlation[4] between longfin smelt abundance and Delta outflow, the listing petition does not state that any shift in X2 from March through June will be a significant impact. A summary of the information on X2 that is stated in the source documents that are referenced in the longfin smelt listing petition is provided here:

- **Stevens, D. E. and L. W. Miller. 1983. Effects of river flow on abundance of young chinook salmon, American shad, longfin smelt, and Delta smelt in the Sacramento-San Joaquin river system.** ***North American Journal of Fisheries Management.*** **3:425-437 (Stevens and Miller 1983).**
    - Our annual measurements of longfin smelt abundance varied substantially (page 431).
    - Correlations between longfin smelt abundance and flow were statistically significant ($p<0.05$) for 43 of the 45 combinations of months from December to the following August... Looking at individual months, correlation coefficients for April, May, June and July were somewhat greater than for August and those for the months before April. These results, then, suggest that longfin smelt survival has been controlled primarily by spring and early-summer flows… The abundance of young Chinook salmon, American shad and longfin smelt increased with river flow during the spawning and/or nursery months (pages 432-433).
    - Longfin smelt abundance increased by increments of 38 percent for each 100 m^3/second of daily mean December – August flow (page 435).
    - Regressions provide estimates of how much the abundance of each species is affected by river flow, but the various factors affecting the precision of the data, our inability to detect specific critical periods due to the interrelation of monthly

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[2] CDFG Fall Midwater Trawl (FMWT) abundance indices for longfin smelt are calculated using combined data for juvenile (age-1) fish and adult (age-2) fish. Annual abundance indices for longfin smelt and several other fish species are available at: http://www.delta.dfg.ca.gov/data/mwt/charts.asp.

[3] Freshwater outflow is usually referred to as "Delta outflow" and measured indirectly in terms of "X2", the location of the 2 psu isohaline in km from the Golden Gate.

[4] For the 1967-1987 time period, n=19, $p<0.001$, $r^2=0.729$ (The Bay Institute *et al.* 2007). The listing petition also reports that, "In the late 1980s, the alien clam *Corbula amurensis* became established in the Estuary and has had severe effects on the planktonic food web (Kimmerer and Orsi 1996). For the years since the establishment of the clam (1988-2006), it is reported that the relationship between spring flows and longfin smelt abundance is still highly significant, although the intercept and the slope of the regression are somewhat lower (n=19, $p<0.001$, $r^2=0.487$)" (The Bay Institute *et al.* 2007).

flows and other factors that probably create bounds to fish production all affect this quantification. Nevertheless, we present these estimates to provide a general sense of the flow effects within the limits of our data (page 435).

- **Jassby, A.D., W. J. Kimmerer, S. G. Monismith, C. Armour, J. E. Cloern, T. M. Powell, J. R. Schubel and T. J. Vendlinski. 1995. Isohaline position as a habitat indicator for estuarine populations.** ***Ecological Applications 5:272-289*** **. (Jassby** ***et al.*** **1995)**
  - As is widely understood, statistical relationships are not proof of causal connections, and it is not the intention of this report to suggest that X2 itself or, more generally, the salinity field controls biological resources in the estuary. Rather, the particular hypothesis investigated here is that X2 can serve as an index of those habitat characteristics that do underlie the variability in biological resources (page B-2).
  - In the case of longfin smelt, for example, the average of X2 for the period February – May was used …The variables used, observations available and sources for the data are summarized in Table 1 (longfin smelt annual abundance index, January-June, 1968-1973, 1975-1978, 1980-1991, CDFG) (page B-3 and B-4).
  - The data demonstrate that simple and statistically significant relationships exist between X2 and biological populations at many trophic levels [e.g., longfin smelt: n = 21, df 1, r=0.86; striped bass: n=22, df=2, r=0.84] (page B-5).
  - Although detailed analytical results for longfin smelt were not included in the report, the modeling analysis for striped bass suggests that 73 km is an appropriate threshold value for attaining median survival. The report also concluded that 73 km would have been too stringent a requirement in 12 of the years and *no requirement* would have been effective in the remaining years except insofar as it forced DIVER (the fraction of total inflow diverted) to have been lower (page B-8).
  - X2 has many properties that render it a suitable habitat indicator… Temporal (and spatial) gradients are unusually intense in estuaries compared to other ecosystems and interannual variability in the seasonal pattern is also high (page B-8).
- **Meng, L. and S.A. Matern. 2001. Native and introduced larval fishes of Suisun Marsh, California: the effects of freshwater flow.** ***Transactions of the American Fisheries Society*** **130:750-765. (Meng and Matern 2001)**
  - A group of native fishes (…longfin smelt..) was associated with low temperatures and high outflows, characteristic of early-season conditions in Suisun Marsh (page 759).
  - Native fishes, and many species that use the marsh for spawning, benefited during periods of high outflow if the flows coincided with their spawning times… Catches of longfin smelt were greatest in 1997, one of the driest years in the study, and were probably the result of the high flows in January and February when longfin smelt spawning peaks (page 762).
  - We conclude that freshwater flow and mimicking natural flow regimes in terms of quantity, timing, and positioning of the mixing zone are important for determining estuarine habitat quality for ichthyoplankton and native fishes (page 763).

- **Kimmerer, W. 2002. Effects of freshwater flow on estuarine organisms: physical effects or trophic linkages?** ***Marine Ecology Progressive Series*** **243:39-55. (Kimmerer 2002)**
  - The variation with freshwater flow of abundance or survival of organisms in higher trophic levels apparently did not occur through upward trophic transfer, since a similar relationship was lacking in most of the data on lower trophic levels. Rather, this variation may occur through attributes of physical habitat that vary with flow (page 39).
  - …longfin smelt abundance index had the strongest relationship with X2 and a 4-fold decline after 1987, with no significant change in slope (interaction term 0.018 ±0.022, p>0.1) (page 47).
- **Kimmerer, W. 2004. Open water processes of the San Francisco Estuary: from physical forcing to biological response.** ***San Francisco Estuary and Watershed Science*** **(online serial) Volume 2, Issue 1, Article 1. (Kimmerer 2004)**

  Longfin smelt have the strongest of the fish-X2 relationships, although that relationship has had a lower mean abundance since 1987 (page 84).
  - Monotonic relationships between X2 and abundance have been developed, and found significant at least some of the time, for estuarine-dependent copepods, mysids, bay shrimp (*Crangon franciscorum*), and several fish including longfin smelt, Pacific herring, starry flounder, splittail, American shad, and striped bass (page 88).
  - Regardless of the details of the individual relationships, there is a general trend for abundances of fish and macroinvertebrates to be higher under high-flow conditions than low-flow conditions (Kimmerer 2002a) (page 88).
  - According to the fish-X2 relationships, more flow generally produces more of a certain species… the relative impact of …proposed flow changes could be quite small and should be analyzed; one analysis showed that further movement of X2 using purchased water would be very expensive (Kimmerer 2002b). For example, the entire allocation of the Environmental Water Program (300 TAF or 0.4 km^3), if applied over the 5-month period of the X2 standards (~30 m^3s^{-1}), would result in a movement of X2 about 1 kilometer in a dry year.
- **Rosenfield, J. A. and R. D. Baxter. 2007. Population dynamics and distribution patterns of longfin smelt in the San Francisco Estuary.** ***Transactions of the American Fisheries Society*** **(in press). (Rosenfield and Baxter 2007)**
  - To account for the documented relationship between abundance and freshwater outflow (Stevens and Miller; Jassby *et al*. 1995; Kimmerer 2002b), we conducted an Analysis-of-coveriance (ANCOVA) with Age Class 1 abundance indices (or CPM for the Suisun Marsh Survey) as the dependent variable, a categorical variable representing three time periods (pre-drought, drought (1987-1994), and post-drought), and an estimate of freshwater outflow (calculated after Jassby *et al*. 1995) as a covariate (page 9).
  - The relationship between Delta outflow and FMWT longfin smelt abundance indices is well-established in this Estuary (Stevens and Miller 1983; Kimmerer

2002b) and we found that freshwater outflow was a significant covariate in Bay Study and Suisun March data as well (page 19).

In summary, while the information presented in each of the studies discussed above indicates that there is evidence that longfin smelt abundance is strongly correlated to Delta outflow, none of these studies concluded that any shift in X2 from March through June would result in a significant impact to longfin smelt, as this comment states.

The listing petition (page 57) does identify several proposed activities that would protective of longfin smelt, including the following statements. Our responses to these statements appear after each statement.

- **Increase freshwater flows through the Delta during the spring (February-June) beyond minimum levels currently required by the SWRCB's 1995 Water Quality Control Plan to improve estuarine habitat. Delta outflows should, at a minimum, maintain springtime X2 downstream of 70 kilometers (km).**

  The model output in Appendix F4 of the Draft EIR/EIS indicates that, over the 72-year simulation period, there would no additional increases or decreases in the number of times that the monthly mean X2 location during the February through June period under the Yuba Accord Alternative would move upstream of 70 km, relative to the CEQA Existing Condition or the CEQA No Project Alternative (Draft EIR/EIS, Appendix F4, pages 1189-1198).

- **Increase freshwater outflows during the fall (October-December) to maintain low salinity habitat (as defined by X2) no more than 80 km from the Golden Gate to improve estuarine habitat, and to restrict the invasive clam *Corbula amurensis*.**

  The model output in Appendix F4 of the Draft EIR/EIS indicates that, over the 72-year simulation period, there would no additional increases or decreases in the number of times that the monthly mean X2 location during the February through June period under the Yuba Accord Alternative would move past 80 km, relative to the CEQA Existing Condition or the CEQA No Project Alternative (Draft EIR/EIS, Appendix F4, pages 1189-1198).

These model output results in Appendix F4 of the Draft EIR/EIS, for the Yuba Accord Alternative relative to the bases of comparison, indicate that the Yuba Accord Alternative would not hinder or reduce the operational abilities of Reclamation and DWR to manage the CVP/SWP system in a flexible manner that could be more protective of longfin smelt, if this species is ultimately listed under either the federal or state Endangered Species Acts, and if the thresholds proposed in the listing petition are determined to be protective of longfin smelt in the final ESA documentation issued by USFWS and CDFG. For additional information about how longfin smelt and delta smelt were evaluated in the Draft EIR/EIS, see the response to Comment SA3-1b.

Response to Comment SA3-8:

This comment does not correctly describe Sections 5.1.A and 23.D.1 of the draft of the Water Purchase Agreement that is in Appendix B of the Draft EIR/EIS (see Draft EIR/EIS, Appendix B, pages B-162, B-181 to B-182). Under this draft, even if the EWA were to terminate or the Banks Pumping Plant capacity were not increased to 8,500 cfs by December 31, 2008, the Component 1 water still was to be used "to fulfill fishery obligations necessary to maintain and

enhance water supply reliability of the Delta export facilities" or for other purposes consistent with the funding source from which this water was purchased (see Draft EIR/EIS, Appendix B, page B-182).

In any event, these provisions of the Water Purchase Agreement have been amended to delete the provisions regarding the increase in Banks Pumping Plant capacity to 8,500 cfs and to make it clear that the water will be used for "fishery obligations that supplement regulatory obligations existing in 2006 and are necessary to maintain and enhance water supply reliability of the Delta export facilities" (see Final EIR/EIS, Appendix M). The Draft EIR/EIS fully analyzes the use of Component 1 water for these purposes.

Response to Comment SA3-9:

All of the YCWA Member Units utilize agricultural best management practices (BMPs) to a large degree, including drip irrigation for orchards, laser leveling of rice fields and re-using runoff from rice fields for additional irrigation, although no formal inventory of BMPs either by Member Unit or by individual farmer has been completed. Testimony presented during the 2000 SWRCB hearing that led to RD-1644 (RT, vol. 7, 3/9/00, page 1667, line 13 to page 1670, line 3; page 1686, line 15 to page 1688, linr 5; vol. 8, 4/3/00, page 1813, line 25 to page 1815, line 22; page 1817, line 21 to page 1818, line 15; page 3011, line 23 to page 3012, line 19) provides details on some of the BMPs that were underway at that time.

Under either the CEQA No Project Alternative or the Yuba Accord Alternative, roughly equivalent levels of deficiency pumping will be required of the Member Units. (Deficiency pumping is the use of ground water to make up for deficiencies in surface water deliveries.) The anticipated economic costs of such deficiency pumping will provide incentives for continued and additional water conservation in dry years.

While YCWA and the Member Units will continue to evaluate and implement additional water conservation measures, such measures will not be part of the project that is analyzed in the Draft EIR/EIS. The detailed information that is requested by this comment therefore is not necessary for this EIR/EIS.

None of the Member Units delivers water for municipal or industrial (M&I) purposes and it is not contemplated that any of the Member Units will deliver water for M&I purposes during the terms of the proposed Conjunctive Use Agreements.

Response to Comment SA3-10:

A clear, readable overview of the proposed Yuba Accord agreements is provided in Chapter 3 of the Draft EIR/EIS, at pages 3-5 through 3-20, copies of all of the proposed agreements are included in Appendix B of the Draft EIR/EIS, and copies of the revised Fisheries and Water Purchase Agreements are included in Appendix L of the Final EIR/EIS. Limits on and conditions of the agreements are contained in both the texts of the agreements and responses to Comments SA3-4a through SA3-5e. Easy-to-read tables and graphs of anticipated lower Yuba River flows at the Smartville and Marysville Gages for all of the comparisons listed in Table 4-3 of the Draft EIR/EIS are contained in Appendix F4 of the Draft EIR/EIS. The exceedance tables and figures in this appendix show these comparisons for all water-year types. Because the Draft EIR/EIS already contains several thousand pages, and because hundreds of tables and graphs are necessary to provide the information regarding modeled lower Yuba River flows at

two locations and modeled water temperatures at three locations, these tables and graphs are presented in Appendix F4.

The differences between the Yuba River Index and the North Yuba Index are described in Section A.3.2 of Attachment A to the Modeling Technical Appendix (see Draft EIR/EIS, Appendix D, page A-17). Because the Yuba River Index is based solely on unimpaired flows, the various water-year types that would have occurred under this index during the years of the historical period of hydrological record, 1922 to 1994, can be determined by making calculations based on the unimpaired flows that occurred during this period. On the other hand, because, the North Yuba Index is a function of both unimpaired flows and September 30 storage in New Bullards Bar Reservoir, determination of the water-year types under North Yuba Index for each year of the historical period of hydrological record requires simulation of New Bullards Bar Reservoir operations for a repeat of the hydrology, that is, a repeat of precipitation, runoff and snowmelt conditions, that occurred during this period.

To respond to this comment, these determinations have been made and the following Figure SA3-10.1 was prepared, using the information in the tables in Appendix F of the Draft EIR/EIS. This figure compares the North Yuba Index to the Yuba River Index for each year of the hydrological record. For example, during the hydrologic period there are 8 years that are classified as "dry" under the Yuba River Index. Simulated results for Yuba Project operations under the proposed lower Yuba River Accord show that, for these years, the North Yuba Index would have been classified as a "Schedule 2" year once, as a "Schedule 3" year five times, and as "Schedule 4" year twice.

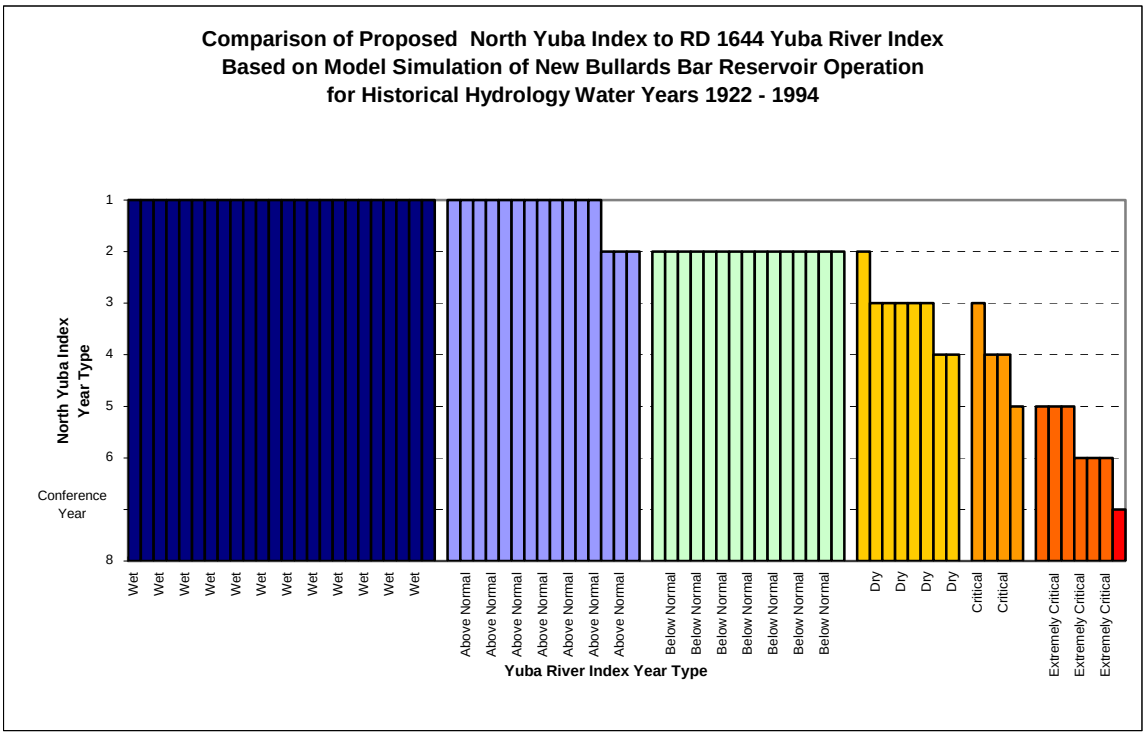

Figure SA3-10.1. Comparison of Proposed North Yuba Index to RD-1644 Yuba River Index Based on Model Simulation of New Bullards Bar Reservoir Operation for Historical Water Years 1922-1994

Response to Comment SA3-11:

California water resources are expected to be affected by climate change. There is evidence that some changes already have occurred. For example, higher temperatures have changed the runoff patterns in several watersheds of the Sierra Nevada. The trend is toward higher runoff during the winter season and lower runoff during the spring and summer seasons. There have been several investigations of California hydrological responses that have focused on changes in stream flows because of climate change. These studies suggest that Sierra Nevada snowmelt-driven stream flows are likely to peak earlier in the season than they have in the past, as a result of global warming caused by increased atmospheric greenhouse gas concentrations.

DWR recently published a report on its progress on incorporating climate change effects into its water resources planning models for California (DWR 2006). To conduct water resources impact analyses for climate change scenarios, the coarse spatial representation of the global climate model data from Global Circulation Models (GCMs) must be refined through a process called downscaling. DWR used a macro-scale hydrological model called the "Variable Infiltration Capacity Model" (VIC) to convert GCM precipitation data into rainfall and snowmelt runoff. The model was developed by Ed Maurer of the University of Santa Clara. The runoff data was further processed by Scripps Institution of Oceanography to produce regional-scale stream flows for the major river of the Central Valley, including the Yuba River.

Perturbation ratios are a method of transferring regional-scale climate change behaviors into local-scale historical data. DWR used this technique to translate average climate change effects observed in VIC regional runoff into historical reservoir inflows. The following **Table SA3-11.1** shows the resulting streamflow perturbations for the Yuba River for 2050 conditions determined for the 4 climate change scenarios selected by the Governor's Climate Action Team. The values show the projected streamflows for 2050 conditions relative to 1976 baseline conditions. For example, the June perturbation ratio for the GFDL A2 results listed in Table 1 for the Yuba River region is 0.49. This shows that, on average, 2050 June streamflows in the Yuba Region are projected to be 51 percent less (0.49 – 1 = -0.51) than the historical 1976 stream flows.

Table SA3-11.1 Streamflow Perturbation Ratios for the Yuba River

Scenario	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
GFDL A2	1.16	0.8	1.37	1.16	1.2	1.24	0.86	0.62	0.49	0.47	0.64	0.77
PCM A2	0.69	1.1	0.82	0.95	1.25	1.14	0.95	0.74	0.67	0.67	0.91	0.91
GFDL B1	0.77	2.04	1.05	1.33	0.81	1.15	0.87	0.64	0.49	0.50	0.70	0.80
PCM B1	0.92	1.09	0.69	1.26	1.1	1.38	1.19	0.94	0.82	0.85	0.97	0.97

Source: DWR (2006)
Note: The four climate change scenarios selected by the CAT consist of two greenhouse gas (GHG) emissions scenarios, A2 and B1, each represented by two different Global Climate Models (GCMs), the Geophysical Fluid Dynamic Lab model (GFDL) and the Parallel Climate Model (PCM).

For the Yuba Region, global climate change scenario PCM A2 would be the most severe, reducing the average annual unimpaired flow at Smartville by approximately ten percent.

The monthly perturbation ratios for the PCM A2 climate change scenario were used to develop the following revised timeseries inflow data for the Yuba Project Model: inflows to New Bullards Bar Reservoir; inflows to Englebright Reservoir, and inflows from Deer Creek into the lower Yuba River. This calculation ignores the ability of upstream storage regulation to mitigate some of the effects of climate change. Also, no attempt was made to adjust model reservoir operating rules to mitigate for climate change effects.

The following **Figure SA3-11.1** compares simulated average monthly storage in New Bullards Bar Reservoir under the Proposed Yuba Accord, with and without the climate change scenario described above. The results are presented by North Yuba Index water-year type. The results show that carryover storage in New Bullards Bar Reservoir may be between 13 TAF to 44 TAF lower by 2050 if there are no changes in reservoir management. For 2025 it would be reasonable to assume that these impacts would be about one third of those projected for 2050 (a 17-year time horizon compared to a 42-year time horizon). A change in New Bullards Bar Reservoir carryover storage of between 4 TAF to 15 TAF would be well within the range of operations modeled for the Yuba Accord Alternative and other alternatives based on the historical period 1922 to 1994.

The following **Figure SA3-11.2** compares simulated average flows in the lower Yuba River at the Marysville Gage under the Proposed Yuba Accord, with and without the climate change scenario described above. These results are presented by North Yuba Index water-year type. The results show that, in the wetter years, lower Yuba River flows under the climate change scenario would be higher in the winter and early spring and lower in the late spring and summer. In all cases, minimum flows in the Accord flow schedules would be met. Deliveries to Yuba Member Units would average 8 TAF/year, which is about 2 percent, lower. Possible changes in flows in the lower Yuba River and changes in deliveries under climate change are within the range of hydrologic conditions modeled for the Yuba Accord Alternative and other alternatives based on the historical period 1922 to 1994.

Because the projected changes in New Bullards Bar Reservoir storage, lower Yuba River flows and deliveries to Member Units under this climate change scenario are within the ranges of storage, flow and delivery values that were modeled for the Yuba Accord Alternative and other alternatives in the Draft EIR/EIS, no further analyses of the potential effects of climate change is necessary.

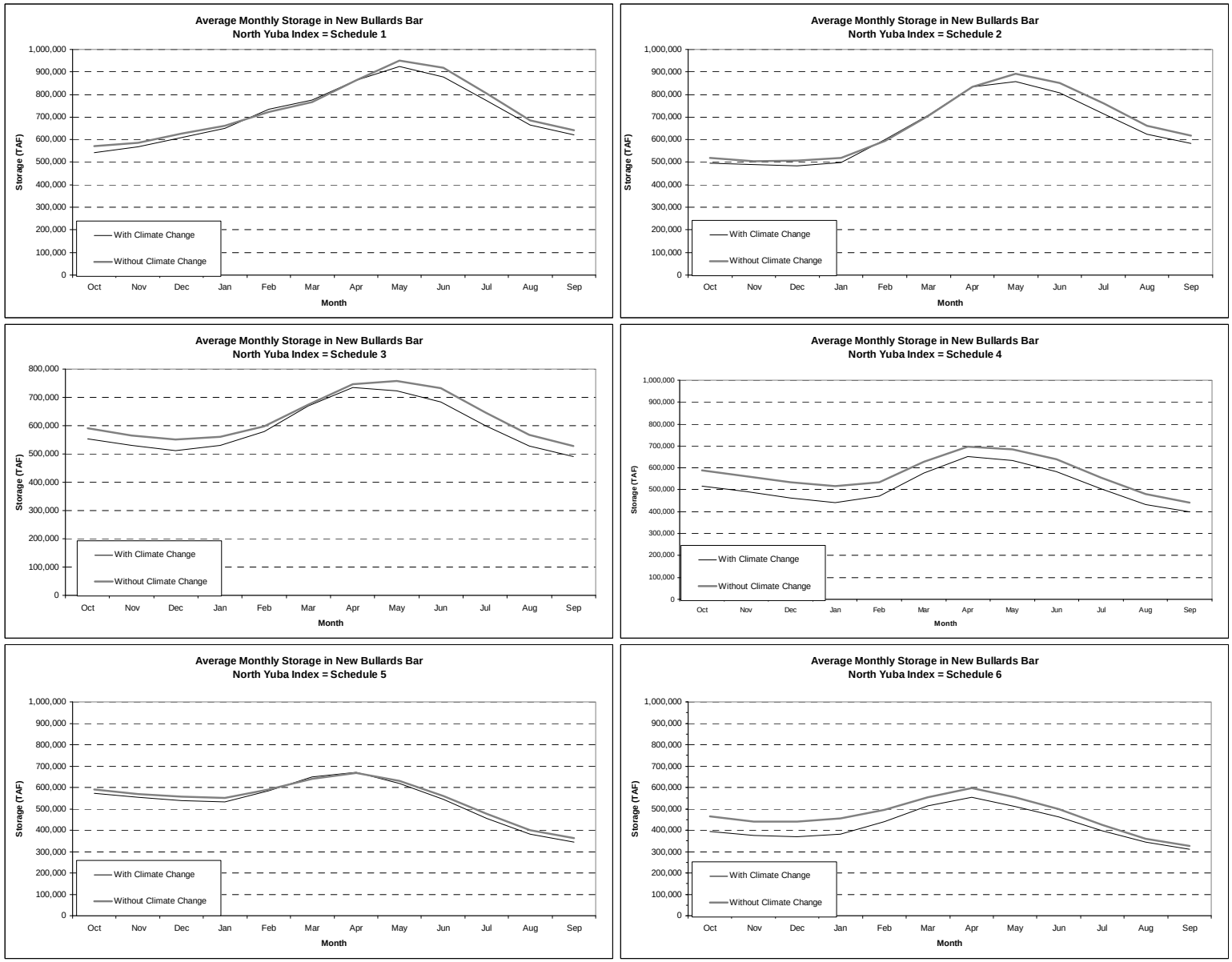

Figure SA3-11.1. Simulated Average Monthly New Bullards Bar Reservoir Storage under a Climate Change Scenario

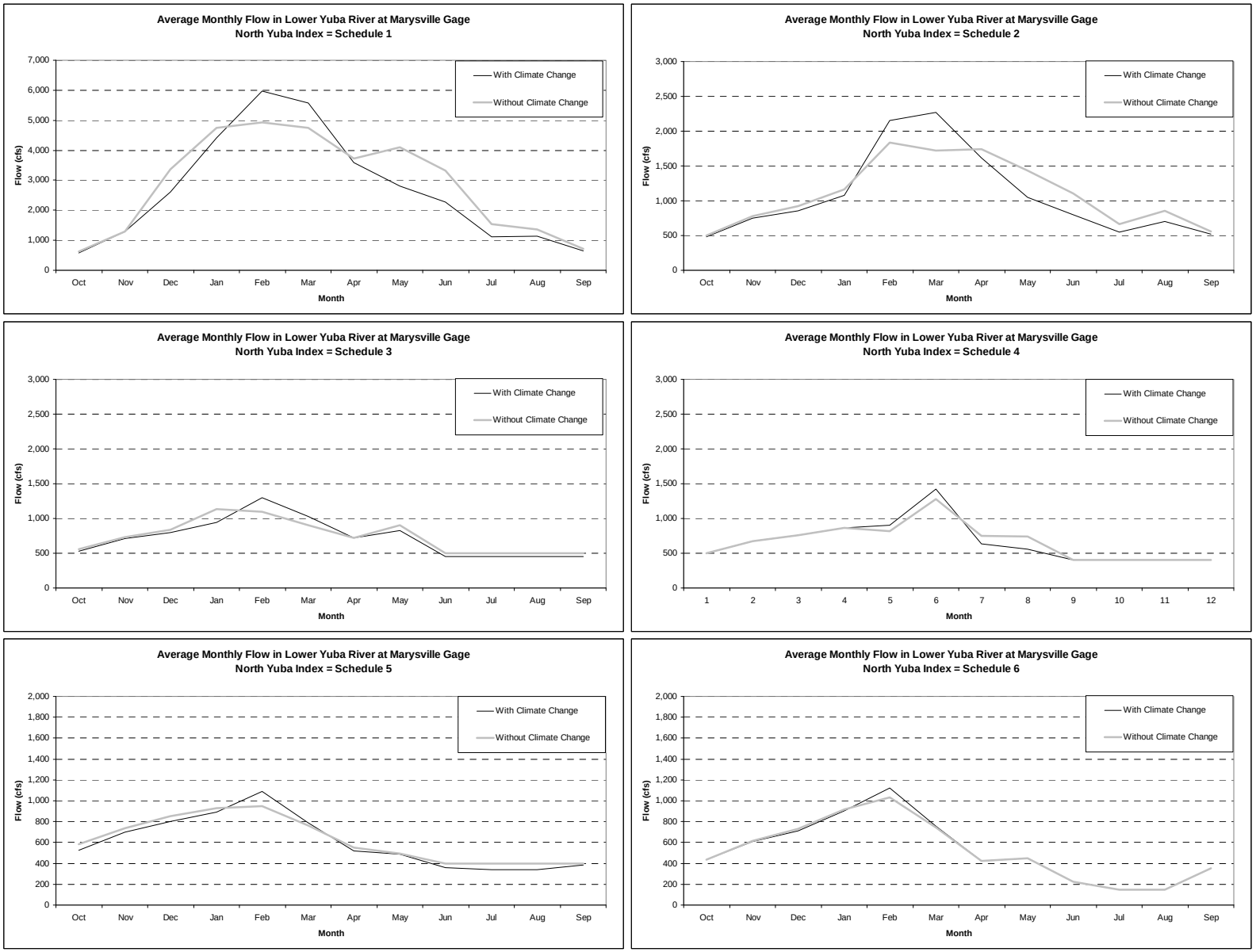

Figure SA3-11.2. Simulated Average Monthly Flow in the Lower Yuba River at the Marysville Gage under a Climate Change Scenario

Response to Comment SA3-12:

This comment does not cite the page of the Draft EIR/EIS that "describes the New Bullards Bar Dam/Reservoir as a fisheries enhancement project," and we are not aware of any such description in the Draft EIR/EIS. The Draft EIR/EIS describes New Bullards Bar and Englebright Reservoirs on pages 2-4 and 5-3 to 5-4. Figure 5-3 of the Draft EIR/EIS shows the configurations of New Bullards Bar, Englebright and Daguerre Point Dams, and the Modeling Technical Memorandum (Appendix D of the Draft EIR/EIS) describes in detail how these facilities are operated and how their operations are modeled. Appendix F of the Draft EIR/EIS contains numerous detailed tables and figures showing how storage in New Bullards Bar Reservoir and diversions at Daguerre Point Dam would vary between the various modeled scenarios. The Draft EIR/EIS uses this model output to describe the environmental effects of the different scenarios.

Although water flows from New Bullards Bar Reservoir to Englebright Reservoir, and from Englebright Reservoir to Daguerre Point Dam, these facilities were constructed by different entities at different times as parts of different projects, and are not "linked." Daguerre Point Dam and Englebright Reservoir were constructed by the California Debris Commission, a unit of the Corps, in 1905 and 1941, respectively, to control sediments in the Yuba River that resulted from upstream mining operations. While some water is diverted at Englebright Dam for hydroelectric power generation, and while some water is diverted at Daguerre Point Dam for irrigation, these dams still are operated by the Corps for primary purpose of control mining debris and sediments in the Yuba River. The amounts of water stored behind each of these dams normally do not vary from month to month, and these storage amounts would not be affected by the Yuba Accord Alternative or any of the alternatives that are analyzed in the Draft EIR/EIS.

New Bullards Bar Dam and Reservoir were constructed by YCWA in 1966-1969 as part of the Yuba River Project, a multi-purpose water and hydroelectric project. This project is operated for flood control, hydroelectric power generation, recreation, and fisheries protection and enhancement, and to supply water for irrigation. The amounts of water stored in New Bullards Bar Reservoir vary substantially from month to month.

Response to Comment SA3-13:

Detailed modeling of YCWA facilities in the Yuba Basin was undertaken for the Draft EIR/EIS using the Yuba Project Model (YPM). This model is described in detail in Attachment A of the Modeling Technical Memorandum, Appendix D of the Draft EIR/EIS. This model simulates operations of New Bullards Bar Dam and Reservoir, New Colgate Powerhouse, Narrows I and Narrows II powerhouses, and the lower Yuba River.

The YPM simulates operations for a multi-year period using a monthly time-stepage The model assumes that facilities, land use, water supply contracts, and regulatory requirements are constant over the simulation period, representing a fixed level of development (e.g., 2001 or 2020). The historical flow record from October 1921 to September 1994, adjusted for the influence of land use changes and upstream flow regulation, is used to represent the possible range of water supply conditions. For example, model results for 1976 to 1977 do not try to represent the historical flow conditions that actually occurred in 1976 to 1977, but rather represent the flow conditions that would occur with operation of the current (or future) facilities under current (or future) regulatory conditions during a repeat of the 1976 to 1977 two-year drought.

YPM output for the simulation of the Yuba Accord Alternative is presented in Appendix F4 of the Draft EIR/EIS. This output shows the consequences of operating New Bullards Bar Reservoir to the proposed lower carryover storage requirement of 650 TAF under a wide range of hydrologic conditions. These hydrologic conditions include the six-year drought of 1929 to 1934, and the six-year drought of 1987 to 1992, and the two-year drought of 1976 to 1977.

The annual and multi-year inflows and associated exceedance probabilities, and the minimum observed inflow during the historical period 1922 to 1994 are presented in Table A-3 of Attachment A of the Modeling Technical Appendix (see Draft EIR/EIS, Appendix D, page A-10). Exceedance probabilities are based on an assumed log-Pearson distribution of flows. The 1977 unimpaired flow corresponds approximately to a 1 in 167 year drought event. The 1976 to 1977 2-year unimpaired flow corresponds to a 1 in 300 year drought event. The 1987 to 1992 6-year unimpaired flow corresponds approximately to a 1 in 100 year drought event. Inclusion of these historical events in the period of analysis addresses the possibility of unusual weather patterns or a period of extended drought occurring during the term of the Proposed Yuba Accord.

Detailed model results presented in Appendix F4 of the Draft EIR/EIS show the impacts of extremely dry events on New Bullards Bar Reservoir storage. For example, page 49 of Scenario 3 v Scenario 2 folder of Appendix F4 is an exceedance plot of "New Bullards Bar Reservoir End of Month Storage During September Under CEQA No Project Alternative and CEQA Yuba Accord Alternative Conditions."

Similarly, model results in Appendix F4 show the impacts of extremely dry events on flows in the lower Yuba River. For example, pages 309 to 320 of Scenario 3 v Scenario 2 folder of Appendix F4 are exceedance plots of "Lower Yuba River Flow at Marysville Under CEQA No Project Alternative and CEQA Yuba Accord Alternative Conditions" by month.

The projected YCWA allocations to its Member Units are used as the metric for assessing water supply impacts in the Draft EIR/EIS (see Section 5.2.3.1). These allocations are reported in Appendix F1.

For these reasons, the Draft EIR/EIS already contains the evaluations that are requested in this comment.

Response to Comment SA3-14:

The Narrows II Powerhouse Intake Extension Project at Englebright Dam was not included in the cumulative impacts analysis because it did not meet the three components of the screening criteria that were established for determining whether a project was reasonably foreseeable and, thus, included in the cumulative impact assessment (see page 21-4 of the Draft EIR/EIS). As discussed on page 21-34 of the Draft EIR/EIS, this potential project has only a conceptual-level design, and no current source of funding for continued design work, permitting or construction.

The Narrows II Powerhouse Intake Extension Project would not change the flow regimes in the lower Yuba River and would be expected to provide slightly cooler water temperatures downstream of Englebright Dam. Although it is unlikely that this project would be constructed before 2016, which is when the Fisheries Agreement would expire, it would provide additional operational flexibility to allow for improved management of water temperature regimes in the lower Yuba River. Thus, if the Narrows II Powerhouse Intake Extension Project were to be implemented some time during the period of implementation of the Yuba Accord Alternative, then improved management of Englebright Dam releases, coupled with the improved in-river water temperature conditions resulting from the Proposed Yuba Accord, would result in overall

beneficial cumulative effects, and no cumulative impacts, on fisheries resources in the lower Yuba River.

Under Section 5.4.4 of the Fisheries Agreement, YCWA would continue to diligently pursue grant funding for this project (see Draft EIR/EIS, Appendix B, page B-34).

Response to Comment SA3-15:

SWRCB Standard Term 91 prohibits permittees and licensees subject to Term 91 from diverting water in the Sacramento-San Joaquin River Delta (Delta) watershed when specified conditions are present. These conditions occur when water is being released from Central Valley Project (CVP) and State Water Project (SWP) reservoirs (supplemental project water) to meet water quality standards and inbasin entitlements in the Delta. The purpose of Term 91 is to ensure that supplemental project water remains available to meet Delta water quality standards.

SWRCB states that as of 2006, the Division of Water Rights has issued 129 water right permits or licenses that include Term 91. Of these permits and licenses about 90 have an authorized diversion season that covers all or a portion of June, July, or August. This smaller group is regularly affected by Term 91 diversion curtailments.

The method for calculating when supplemental water exists was developed in Order 81-15 (SWRCB, 1981) and D-1594 (SWRCB, 1999):

$$SW = SR - (EX + CW)$$

"SR" is the net storage release from Shasta, Oroville, and Folsom Reservoirs plus imports to the Sacramento Valley from the Trinity River CVP facilities, minus exports from the Folsom South Canal. "EX" is the sum of CVP and SWP export diversions at Clifton Court Forebay, Jones Pumping Plant, North Bay Aqueduct, and Contra Costa Canal Intake. "CW" is the project carriage water (i.e., the additional outflow required to maintain water quality standards in the Delta while project exports are occurring). The carriage water term is zero when flow objectives, rather than salinity objectives, control CVP and SWP Delta operations. Reclamation's Central Valley Operations Office (CVOO) publishes daily accounts of project supplemental water (http://www.usbr.gov/mp/cvo). Transfer water is not explicitly included in the formula for Term 91.

Term 91 diversion curtailments are ordered on real-time basis by reviewing calculations of the supplemental project water releases that are presented on Reclamation's web site. Generally, Term 91 is in effect during June through August, although there are significant year-to-year variations. In 1992, Term 91 was in effect from mid-May through mid-November. However, the default end-date for Term 91 is August 31.

As analyzed in the Draft EIR/EIS, the Yuba Accord Alternative could affect the timing of Term 91 through lower Yuba River outflows because of lower instream flow requirements. In wet, above normal, and below normal years, any decrease in Yuba River outflow under the Yuba Accord Alternative during Delta balanced conditions would be offset by increased releases from Oroville Reservoir compared to the CEQA No Project Alternative, allowing CVP and SWP exports to be maintained at the same levels. In dry and critical years, any decrease in Yuba River outflow under the Yuba Accord Alternative during Delta balanced conditions would be offset by a reduction in CVP and SWP exports compared to the CEQA No Project Alternative; Oroville Reservoir releases would be maintained at the same rates.

Under either of these scenarios, there could be a change in the timing of when Term 91 would go into effect. During April through June (when Term 91 normally is implemented), simulated river flows at Marysville would be lower under the Yuba Accord Alternative than under the CEQA Existing Condition in 1 percent of the months of April, 19 percent of the months in May, and 18 percent of the months of June. Similarly, simulated Yuba Accord Alternative flows would be lower than the corresponding CEQA No Project Alternative flows in 5 percent of the months of April, 44 percent of the months of May, and 37 percent of the months of June. The average reduction in flow due to changing from the CEQA Existing Condition to the Proposed Lower Yuba River Accord would be 58 cfs in April, 437 cfs in May, and 79 cfs in May, with maximum reductions of flow of 58 cfs in April 1984, 500 cfs in May of several years, and 158 cfs in June of several years. Changing from the CEQA No Project Alternative to the Yuba Accord Alternative would result in an average reduction in flow of 19 cfs in April, 411 cfs in May, and 133 cfs in June. The maximum changes in these flows would be 50 cfs in April 1994, 755 cfs in May 1939, and 308 cfs in June 1959.

Over the 73-year period of simulation, Term 91 would be in effect in 11 percent of the months of April, 22 percent of the months of May, and 67 percent of the months of June under the CEQA Existing Condition. For Term 91 to be triggered in months when it is not in effect would require an average flow change of 17,000 cfs in April, 9,000 cfs flow change in May, and 6,000 cfs flow change in June.

The decreases in Yuba River outflows under the Yuba Accord Alternative compared to the CEQA Existing Condition or the CEQA No Project Alternative are much smaller than the changes in flows required to trigger Term 91. The potential changes in Yuba River outflows under the Yuba Accord Alternative never would be sufficiently large to significantly change the timing of when Term 91 would go into effect.

SA4

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES
4[illegible] NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791

RECEIVED
JUL -6 2007
YUBA CO. WATER AGENCY

July 2, 2007

Curt Aikens
Yuba County Water Agency
1220 F Street
Marysville, California 95901

Proposed Lower Yuba River Accord
State Clearinghouse (SCH) Number: 2005062111

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at http://recbd.ca.gov/. Please be advised that your county office also has copies of the Board's designated floodways for your review If indeed your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly. SA4-1

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

Christopher Huitt
Staff Environmental Scientist
Floodway Protection Section

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

SA4

Encroachment Permits Fact Sheet

Basis for Authority
State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

Area of Reclamation Board Jurisdiction
The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at http://recbd.ca.gov/designated_floodway/ and CCR Title 23 Sections 101 - 107.

Regulatory Process
The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board.

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at http://recbd.ca.gov/ under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at http://recbd.ca.gov/forms.cfm.

Application Review Process
Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

Technical Review
A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of

SA4

your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a "responsible agency" within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the "lead agency" [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (http://www.dfg.ca.gov/1600/),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board

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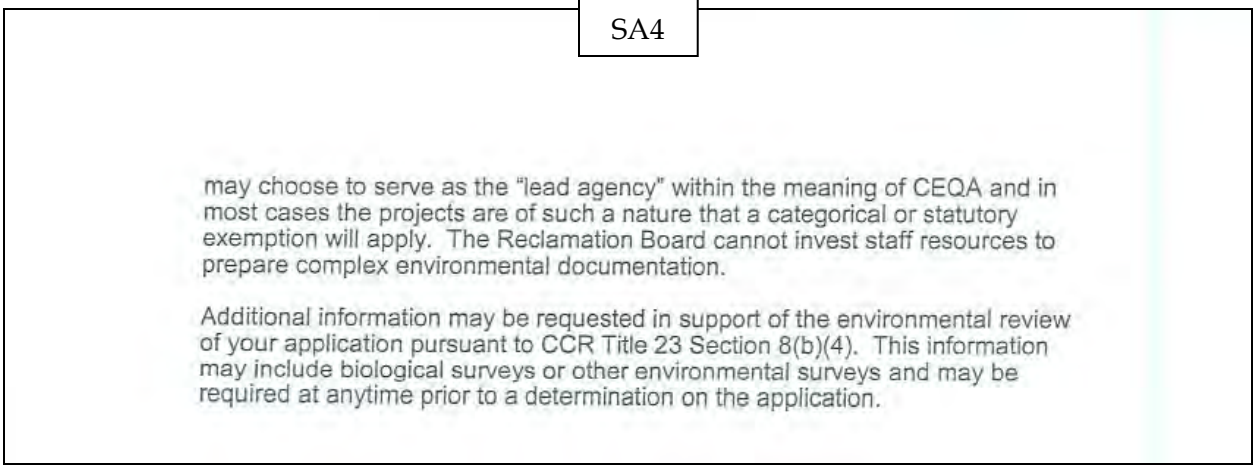

may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.

LETTER SA4: CHRISTOPHER HUITT, CALIFORNIA DEPARTMENT OF WATER RESOURCES (RECLAMATION BOARD)

Response to Comments SA4-1:

This project is not within the authority of the Reclamation Board, so no further response to this comment is necessary.

4.4.3 RESPONSES TO LOCAL AGENCY COMMENTS

LA1

FROST, KRUP & ATLAS
AN ASSOCIATION OF ATTORNEYS
134 WEST SYCAMORE STREET
WILLOWS, CALIFORNIA 95988
TELEPHONE (530) 934-5416
FACSIMILE (530) 934-3508

J. MARK ATLAS JMA@JMATLASLAW.COM CHARLES H. FROST (1912 - 2007)
LEONARD G. KRUP

August 24, 2007

SENT VIA EMAIL: DIANNE.SIMODYNES@HDRINC.COM AND FIRST CLASS MAIL

Ms. Dianne Simodynes
HDR/SWRI
1610 Arden Way, Suite 175
Sacramento, CA 95815

Re: Dry Creek Mutual Water Company
Comments on Proposed Lower Yuba River Accord
Draft EIR/EIS

Dear Ms. Simodynes:

I represent Dry Creek Mutual Water Company, one of the Member Units of the Yuba County Water Agency. I have reviewed the *Proposed Lower Yuba River Accord Draft EIR/EIS* ("EIR/EIS") and have the following comments on behalf of DCMWC.

Chapter 5 – Section 5.2.4

Chapter 5 includes several references to the fact that the Proposed Project/Action "may result in reduced surface water deliveries by YCWA to its Member Units in some years." The EIR/EIS also notes that, "It is assumed that lower surface water deliveries would be offset by greater volumes of groundwater pumping, resulting in no difference in Member Unit water supply." To the extent that groundwater is in fact available in quantities, at a quality, and a price that is comparable to YCWA surface supplies, the assumption is probably correct. A key component of the assumption, and of DCMWC's support of the Accord is based on the further assumption that DCMWC and its waterusers will not suffer any long term adverse physical or economic impact resulting from implementation of the Accord. In this regard, DCMWC is participating in negotiations with YCWA of a conjunctive use agreement that is intended to offset, both in terms of water quantity and cost, the reduction in YCWA surface water deliveries resulting from implementation of the Proposed Project/Action.

LA1-1

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LA1

Dianne Simodynes
August 24, 2007
Page 2

Section 10.3.1.5

DCMWC is one of the Member Units that receives YCWA water deliveries through the South Canal. As such, DCMWC has a direct interest in the ongoing work to determine the feasibility of a new fish screen. The inquiry is a lengthy and complex one due in large measure to the physical conditions on the south bank of the Yuba River. DCMWC is cautiously optimistic that a feasible project will be identified. Nonetheless, we recommend that the fourth sentence of the second paragraph of this section be modified to read as follows:

> Under this letter agreement, CDFG and YCWA, in coordination with environmental and fisheries interests and the local irrigation districts and mutual water companies that receive their water supplies through the South Canal, will collaborate on development and implementation of a plan, if the parties determine that a plan is physically and economically feasible and that they can secure the necessary funding, to construct a new fish screen at the head of this canal that will comply with applicable federal and state fish screen criteria, and that will assure the continuation of water diversions to the Member Units.

LA1-2

Thank you for considering our comments.

Sincerely yours,

J. MARK ATLAS

JMA/kks

cc: DCMWC
Dan Wolk

LETTER LA1: J. MARK ATLAS, ATTORNEY, DRY CREEK MUTUAL WATER COMPANY

Response to Comment LA1-1:

In Section 5.2.4., the CEQA Yuba Accord Alternative is compared to the CEQA No Project Alternative. As the first sentence of this section states, surface-water allocations to Member Units would be higher under the CEQA Yuba Accord Alternative than under the CEQA No Project Alternative (see Response to Comment LA2-5). However, if groundwater-substitution transfers occur as contemplated in the Draft EIR/EIS, then actual surface-water deliveries to Member Units would be lower under the CEQA Yuba Accord Alternative.

In this case, the physical and economic impacts of the additional groundwater pumping for the Yuba Accord would be addressed and fully mitigated in the Conjunctive Use Agreements. If the groundwater-substitution transfers do not occur, then the additional groundwater pumping and associated impacts also will not occur. Under the CEQA Existing Condition (described in Section 2.1.1.5 on pages 2-10 through 2-12 of Chapter 2 in the Draft EIR/EIS), groundwater substitution transfers have occurred at sustainable levels. Implementation of the Yuba Accord Alternative, including the Accord's Conjunctive Use Agreements, would continue to exercise

the aquifer at sustainable levels and would be limited to the aquifer's safe yield (see Response to Comment LA2-2). The differences in the patterns and volumes of groundwater extraction between the CEQA Existing Condition and the Yuba Accord Alternative are described in the Draft EIR/EIS, Chapter 6, and are presented in detail in Appendix F2.

During the implementation of groundwater substitution transfers under the Yuba Accord Alternative, YCWA would participate in close monitoring of the groundwater basin. During the implementation of the Yuba Accord Alternative, if monitoring results indicate any potential short-term significant impacts, YCWA would implement a rapid response program to mitigate the impacts. Under the Yuba Accord Alternative, YCWA also would implement the adaptive management program for future planning of transfers based on the changing conditions of the basin during previous transfers. The adaptive management program would change the location and volume of transfer pumping to avoid adverse impacts to the basin and other groundwater users in the basin (see Response to Comment LA2-2).

Response to Comment LA1-2:

While YCWA supports the goals described in the proposed additional text in this comment, YCWA cannot guarantee that these goals will be achieved, because of uncertainties regarding future funding and future legal and regulatory requirements. The requested modifications to this text therefore have not been made.

LA2

08/24/2007 17:20 FAX 5305330197 M FIRM 001/011

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August 24, 2007

VIA FAX (916) 569-1001 (11 pgs.)

Dianne Simodynes
HSR/Surface Water Resources, Inc.
2031 Howe Avenue
Sacramento, California 95825
ATTN: Proposed Yuba Accord NOP

Re: Comments of Cordua Irrigation District on Proposed Yuba Accord Draft Environmental Impact Report/Environmental Impact Statement

Dear Ms. Simodynes:

I. The Draft EIR Does Not Include a No Groundwater Pumping Alternative. An Agency Providing for the Preparation of an EIR must Provide a Reasonable Range of Alternatives to the Proposed Project.

This EIR considers no alternative in which groundwater pumping is halted if local impacts would occur and it places the interests of the Export users above the interests and protection of the overlying landowners within Yuba County from significant environmental impacts. This is counter to the YCWA Act, the County of Origin laws and is not in accordance with the place of use transferred by the State Filing upon which the Bullards Bar Project is based. LA2-1

An EIR must contain a range of alternatives to permit a reasoned choice. CEQA Guidelines Section 15126.6 subdivision F. It must include alternatives that the lead agency determines could reasonably attain most of the basic objectives of the project. (CEQA Guidelines 15126.6(f)). NEPA is clear that a federal agency may not narrow its view to the project it envisions but must in the EIS expand the alternatives to include other ways to accomplish the project's aim. (*EDF v. Corps of Engineers* (5th Cir. 1974) 492 F.2d 1123, 1135).

Here, no alternatives of curtailing groundwater pumping if certain groundwater

LA2

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conditions in Yuba County evidencing over-pumping or impacts to domestic wells are included. No alternative of curtailing the export of groundwater to the purchasers are included if groundwater conditions within Yuba County result in significant environmental impacts such as localized severe cones of depression and well failures are even considered. This EIR/EIS presumes that the agreement for transfer and purchase of water may not be changed to include such conditions, thus presuming that the uses of the purchasers of water are more important than the uses and avoidance of significant environmental impacts within Yuba County. A reasonable range of alternatives requires that it not be presumed that only the amounts of water under the drought conditions demanded by the purchasers and only the amounts of money paid to the Yuba County Water Agency are the only alternatives. LA2-1 cont.

A number of decisions have held that an EIR can provide sufficient information and meet legal requirements only if a reasonable range of sizes for a project are considered. (*Village Laguna of Laguna Beach v. Board of Supervisors* (4th Dist. 1982) 134 Cal App 3d. 1022, 1028-1032). An EIR must be sufficiently flexible to consider alternatives, but here the Project Proponents have simply, without the benefit of environmental review or groundwater modeling, concluded that a certain amount of water must by contract be guaranteed to the Export customers regardless of the impacts upon the groundwater aquifers, pumping levels and overlying uses within Yuba County.

II. <u>M&I Uses Through Impacts on Private Wells Are Significant and this EIR/EIS Ignores These Significant Impacts</u>.

The absence of a groundwater model in which the draw-downs and effect on domestic wells in areas adjacent to or within the agricultural pumping areas is also evident and results in failing to identify both significant impacts and alternatives.

There are numerous homes in areas in which agricultural pumping would occur which homeowners depend on private wells for their domestic water use. During the previous substitution transfers, complaints have been received of failing wells and inadequate water for these homes due to declining water levels, yet there is no mention of these impacts on pages 6-9 or these uses. The Agency does not propose to pay the costs of building centralized replacement wells or even one-by-one installing new domestic wells. LA2-2

In areas north of the river, a number of house wells failed and had to be re-drilled and outfitted. The only mention of M&I use in the EIR/EIS is of water pumped by municipal purveyors such as City of Wheatland, Linda County Water District and Olivehurst Public Utility District. In fact, there are hundreds of domestic wells serving households in all of the agricultural area and there is no mention of the fact that in past transfers and groundwater

LA2

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pumping which lasted only one year (not the potential three or greater years promised here) of what impacts would arise from the failure of those domestic wells. The passing mention of domestic well failures in other areas on page 6-56 does not describe the potential impacts upon hundreds of private wells over an extended period, and since the amounts pumped in 2001 was far less than potentially possible under this Project, the mention is not legally sufficient.

This is both a failure to describe the baseline environmental conditions property, but also a failure to identify a significant environmental impact, and must be remedied by a Supplemental EIR/EIS. There are many individual homes, buildings and structures so served with documented historical impacts due to much less extensive ground water pumping for transfer than is proposed in this project. These impacts are known to have occurred in the Chicken Hill area near Cordua and Browns Valley and in the subdivisions and rural residential areas to the East of Linda County Water District service area during past transfers. The potential impacts have grown as additional homes have been installed dependent on wells, yet this condition is not even mentioned in the EIR/EIS. The EIR/EIS has to estimate the impacts, present a mitigation plan implemented by the Agency to bring the impacts below significance.

LA2-2 cont.

III. <u>Moving of Well Pumping Is Not Shown to be a Feasible Mitigation Measure or Realistic</u>.

On pages 6-29, the EIR/EIS concludes that monitoring of groundwater conditions as pumping occurs will allow the Member Units and the Agency to alter groundwater pumping if detrimental conditions are observed. Yet the EIR/EIS does not specify, other than moving the pumping to other areas within Yuba County, what would be done for domestic wells and users or provide any evidence that moving well pumping would do anything except cause the impacts to occur in other areas. There is no showing that there are significant electric-powered wells to "move" well water production whin the areas consuming agricultural water. There is no plan as to what "moving" the well pumping would do and into which areas it could be "moved" and why "movement" would not simply cause other significant environmental impacts to affect groundwater users. A reasonable mitigation measure requires that you prescribe where groundwater pumping would be moved to, how that movement would occur and why no significant environmental impacts would arise from that alteration. Where are the 20,000 acre-feet of electric well capacity that will be unused, connected to the electric power grid and ready to serve if impacts are observed in other areas. The obvious absence of a realistic mitigation plan and the refusal to specify the alternative of simply stopping the transfers of water to out-of-County areas if those conditions are observed, evidences that the Project proponents have their mind set and there is no realistic consideration of alternatives and, there is no EIR/EIS which considers alternatives which would avoid potential significant environmental impacts.

LA2-3

LA2

Dianne Simondynes, HDR/Surface Water Resources, Inc.
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IV. Probability of Dry Conditions Misstates the Baseline and Impact Conditions.

The long-term analysis assumption that there would only be one three-year period in which 180,000 acre-feet of water would be pumped from the underground is counter to CEQA's requirements and a misstatement of the Project's potential environmental impacts and baseline. On page 6-50 the Draft EIR/EIS concludes that no significant environmental impacts would arise from the transfers and pumping to make the transfer possible because even if 180,000 acre-feet were pumped in a three-year period out of six years, the historical groundwater dewatered storage would still be 190,000 acre-feet, which is apparently above the historical groundwater dewatered storage amount.

The historic overdraft in Yuba County represented by 300,000 acre-feet of dewatered storage has been cured. It is not the baseline and there is no right to repeat or approximate the errors of the past. This amounts to a misstatement of the project hydrology and baseline, and precludes proper consideration of alternatives. There is nothing within the Project description or proposed contracts for export of water which states that Yuba County will be able to curtail transfers or flows of water past its contractors' diversions and stop groundwater pumping after three years, nor any condition within the proposed orders and contracts that the maximum amount of ground water pumped and dewatered storage will be limited to 180,000 acre-feet. LA2-4

Further, there is nothing in the Appendix documents relative to the Accord or in the Transfer contracts which guarantees that drought conditions will last only for three years or will aggregate a requirement of pumping of 180,000 in any period of consecutive years or non-consecutive years or that dewatered groundwater storage if it exceeds 180,000 acre-feet will result in the Accord flows and transfers being terminated.

If impacts are to be measured, apply pumping of 90,000 acre-feet every year for six or seven years and then describe the impacts because there is nothing in this "Project" which allows pumping to stop in the fourth through sixth years.

Looking at the attached year classifications of historical period years upon the Yuba River and noting that the Agency has the right to provide for curtailment under their contracts with Member Units on the basis of flow year types regardless of the carry-in storage in Bullards Bar Reservoir, the "Project" assumes that the Yuba County Water Agency will not curtail surface deliveries (see EIR/EIS pages 5-6) three out of the six years regardless of water conditions, yet there is no proposal to require that Member Unit contracts be modified to include that condition or that PG&E would agree to these conditions in its operations. Because the "Project" description does not limit groundwater pumping for transfer or Accord flow purposes to the conditions in which groundwater storage dewatering to this level would not be exceeded,

LA2

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an EIR/EIS is presented that does not comply with the law because the baseline conditions are constantly changed. If YCWA is proposing, after 180,000 acre-feet of ground water is removed from the aquifer, to stop pumping for three more years, the Project should call for amendment of the Member Unit contracts with these new terms and evidence of PG&E's and the Transferee's agreement to this term.

As can be seen from the attached classification of Yuba River flows from YCWA, Exhibit 14, between 1985 and 1992, an eight-year period, all years were below normal, dry or critical, except for one wet year. In each of the below normal, dry or critical years for seven years, the YCWA, under its Member Unit service contracts, is permitted to terminate all supplemental water deliveries (approximately 84,000 acre-feet) and curtail base supply deliveries up to an additional amount dependent upon the year type. That can be as much as an additional 50,000 acre-feet.

The EIR/EIS must properly describe the project. If the project in this case is to leave the contractual provisions of the Member Units so that they can be required to pump more than 100,000 acre-feet per year for any number of consecutive years or non-consecutive years without limit to the mentioned "maximum" 180,000 acre-feet in any three years and 190,000 acre-feet of dewatered storage, the impacts of an overdrafted groundwater basin and collapse of the local farm economy must be analyzed.

LA2-4 cont.

Instead, the alternative of managing the groundwater pumping is left to the condition that whatever is needed will be pumped to meet binding requirements which are unalterable in regard to fish flows and transfers when, in fact, the Project could easily include an alternative requiring that transfers be curtailed when two dry years are encountered or groundwater storage is measured and meets certain dewatered storage levels.

V. <u>CEQA Requires That the Baseline Conditions Be Properly and Clearly Described. There is No Clear Schedule of How Much Groundwater Each Member Unit Will Pump to Meet its Needs if This Transfer is Approved</u>.

Nowhere does the EIR/EIS state the number of acre-feet which would be required to be pumped from the underground by each of the Member Units assuming no transfers and application of the Decision 1644 flow criteria. Instead, the authors purport to establish the baseline without project condition as a three-year sequential period in which 140,000 acre-feet of groundwater would have to be pumped by irrigators. On page 5-1, the contractual amounts of water available to each Member Unit are set out and the terms of the contracts in which the Agency based upon predicted runoff of the Yuba River on April 1 of each year is permitted to reduce the contractual deliveries to the Member Units. Those Member Units can in turn be

LA2-5

LA2

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required to provide for groundwater pumping to replace these supplies curtailed. However, California law is clear that if on April 1 there is available in storage, water sufficient to avoid the reduction of supplies delivered to the County of Origin Member Units, that surface water must be delivered to those Member Units and no deficiency declared. The baseline discussion never, as the SWRCB did in Decision 1644, quantify the amounts of groundwater required to be pumped to meet true project shortfalls in Member Unit deliveries as contrasted with shortfalls due to transfers. CEQA requires this.

The "baseline" discussion never explains, however, the use of the very same model by the SWRCB which conclusions are included within Decision 1644 on pages 119 through 124, and conclude that with a demand of 273,000 acre-feet per year, only two deficiency years out of 71 years occurred in which pumping would have to occur in the range of 80,000 acre-feet occurred and three additional deficiency years of approximately 13,000 acre-feet of groundwater pumping occurred. The SWRCB used a demand of 273,000 acre-feet per year and the author of the EIR/EIS claims that a demand of approximately 305,000 acre-feet in present conditions is required and a projected demand of 340,000 acre-feet is reasonable to project for future demand. It is understandable that different demand assumptions can result in different levels of groundwater pumping under the same model, but here the SWRCB has adopted a decision which includes the model and "official" baseline for the Yuba River. If we are now to adopt a different baseline for determining impacts at least an explanation of the environmental impacts caused by the difference must be included to satisfy CEQA. Instead, the EIR raises the project demands, concludes that a great deal of groundwater will need to be pumped and then contrasts that level of pumping with the "project" level.

LA2-5 cont.

The baseline has been engineered in the case of this EIR to assume that the Agency will be authorized legally in a no project alternative to require groundwater pumping even when its Bullards Bar Reservoir is full, to achieve the three-successive year baseline condition of groundwater pumping in the range of 140,000 acre-feet, in order to show a minimal change of 40,000 acre-feet additional groundwater needs to be pumped to achieve the "Project alternative of transferring water south of the Delta" and utilizing the groundwater basin of Yuba County to support these transfers compared to the no project alterative. This differentiation and alteration of the baseline conditions is misleading and counter to both CEQA and NEPA.

The baseline or project description utilizes a shifting and constantly changing description of present conditions. Water Code section 9407, subsection 5.2(a) provides the Agency with the ability to sell water outside of the County so long as "Member Units' contractual requirements" are met. This means the full contract amounts. However, the contracts of the Member Units provide that no matter how much water is stored in Bullards Bar, the Agency may declare deficiencies and reductions in Member Unit deliveries based upon the then current project runoff

LA2

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of the Yuba River. Comparing pumping amounts as if with Bullards Bar full, the Agency can still insist that a Member Unit pump 3/4 of its contracted amount, is misleading and violative of CEQA. The baseline is pumping only when Bullards Bar storage cannot physically deliver full contract amounts with application of Decision 1644 conditions.

The EIR/EIS does not propose to modify the Agency Contracts with its Member Units to remove the hydrology-based authority of the Agency to reduce surface water flows to Member Units and does not explain how much water the Agency would actually be required to deliver to its Member Units if it is to be based upon conditions of "carry-in storage" at Bullards Bar. Instead, it refers to the Member Unit Contracts, the power and authority of the Agency to reduce the surface deliveries based upon projected runoff, regardless of the state of storage in Bullards Bar, and then suggests that the Agency will enter into contracts with the Member Units to pump groundwater. The slippery nature of the description of the baseline and the project itself becomes apparent when the requirements of Water Code section 9407, subsection 5.2C are reviewed in detail.

This section of the YCWA Act requires that for a long-term transfer, the SWRCB find that the water transfer may be made without injuring any legal user of the water. The Member Units are such users. This EIR/EIS does not support the SWRCB making such a finding because the new proposed contracts with the Member Units are not presented as part of the EIR/EIS. Each of the Member Units is entitled to the benefits of the County of Origin law, they are entitled to the benefits as part of the place of use of the Yuba River Project, and entitled to the protection of paragraph 5.2 of the YCWA Act, yet all that the EIR/EIS includes is "the Principles of Agreement" as an Appendix and there is no specification of how the Member Unit contracts would be altered to exclude the ability of the Agency to simply declare deficiencies due to stream runoff and deny the local users entitled to the protection of these laws of the use of surface water.

LA2-5 cont.

A baseline which ignores an adopted decision by the highest administrative agency of the State of California in regard to water and legislative enactments, has to have some legal and factual basis for that rejection. None is given. If it is simply a matter of raising the demand 40,000 acre-feet to approximately 310,000 acre-feet from the reasonable demand figure utilized by the SWRCB, the baseline must be explained. Yet no historic use figures for surface water are provided within the EIR/EIS, instead, the authors rely upon contractual entitlements to delivery of 388,000 acre-feet in Table 5-1. A baseline is not a contractual figure under CEQA; it is a true statement and description of the environmental condition that we will judge the progress and Project impacts against. That baseline currently is full surface water deliveries and small amounts of groundwater pumping in the third year of a drought. The EIR includes none of this information of actual deliveries.

LA2

Dianne Simondynes, HDR/Surface Water Resources, Inc.
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A purported baseline against which to judge groundwater pumping impacts is put forth on pages 6-33, where the EIR attempts to quantify the worst case groundwater pumping condition as 180,000 acre-feet pumped over a three-year consecutive pumping period (with a three-year pattern of 90,000 TAF for Year 1, 60,000 TAF for Year 2 and 30,000 TAF for Year 3) for the transfer project. The authors suggest that without the Project the maximum three-year pumping amount would be 140,000 acre-feet, but the most groundwater pumped north and south of the river is set forth on Figure 6-17 and Figure 6-14 and is a small fraction of that amount.

The groundwater use baseline also affects the requirement that mitigation conditions be reasonable and achievable. An EIR/EIS must include all reasonable mitigation measures. Here, the County of Origin law, the YCWA law, and the place of use prescribed by the SWRCB as a condition of the Agency water rights all require that the right to use surface water by the Member Units for irrigation have first priority. Yet nowhere is the alternative of providing for curtailment or termination of the transfers to the purchasers of water if groundwater levels fall below certain levels, as an example, or a standard that if the amount of dewatered storage exceeds an amount that can be recharged within three years of non-use (about 100,000 acre-feet), that transfers will cease, even mentioned.

LA2-5 cont.

This "Project" does not consider reasonable mitigation measures that conform to the principles of law providing priority to uses within Yuba County. Instead, it presumes that the environmental risks and harm of over-pumping a groundwater aquifer and the consequential injuries to domestic wells, energy consumption and disruption of the local social and economic network must be put at risk because the purchasers of the water demand a reliable supply. An EIR or EIS which ignores the most obvious alternatives and available mitigation measure and means of preventing environmental harm and does not provide an overriding consideration basis for rejecting that mitigation measure is not legally sufficient

VI. <u>No Groundwater Model. Instead a "Spreadsheet Analysis" Based on Past Overdrafting Is Used. The Assumption That No Harm Results from Doing What Has Been Done Before Is Not Justified</u>.

No groundwater model is available or used because, as was stated on page 6-30, "Yuba concluded that existing models do not adequately account for the hydrogeologic conditions within the Yuba River as represented in 'Summary of Groundwater Conditions Yuba River Basin MWH 2005'". There is no explanation of why this most basic and customary tool could not be used to predict the impacts of the massive changes in water use patterns involving groundwater. Even an explanation by the authors of the EIR/EIS as to why the documented overdrafts in the area north of the river and South of the river would have provided a realistic description of the actions of a basin that recharges a woefully inadequate amount of water each

LA2-6

LA2

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year (about 30,000 acre-feet), but in which it is now proposed to pump up to 180,000 acre-feet in any three sequential years. One would at least expect some explanation of what individual pumpers would be experiencing, how many individual wells for homes in the Linda area and in the unincorporated areas adjacent to the pumping areas north and south would find their domestic wells fail. But these impacts can be apparently ignored because no model exists. "Developing a numerical groundwater model . . . was not deemed necessary, given the accuracy of the empirical data." (EIR/EIS p. 6-31)

LA2-6 cont.

VI. Contention that No Air Quality Impacts Because Pumping Will Be Done With Electric-Powered Wells.

The EIR concludes that 98,000 acre-feet per year can be pumped in Yuba County utilizing electric-powered wells (wells which were electric-powered in 2005). There is no information in regard to how many were fitted with fuel-powered sources after 2005 due to high electric standby charges), and therefore, the conclusion is that no impact to local air quality occurs. (EIR, p.15-15).

There is no information about where these electric-powered wells are today and whether the requirement that only electric power will be utilized will create localized cones of depression that may have significant environmental impacts upon adjoining domestic wells. The Project Description does not include any plan for dispersal of the well pumping other than the Agency says that it and the Member Units will provide for such planning and organization as problems are observed.

LA2-7

The idea of an EIR/EIS is to provide for the details of a project plan and not leave mitigation plans to be developed later. (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App.3rd 296). The mitigation plan to bring impacts from well pumping in order to accommodate transfers should be specified as to how much spacing between wells which are pumped, how much water would be pumped over a certain period and similar implementation principles. Otherwise the "plan" is nothing more than a promise to work on it later . . . an approach rejected in *Sundstrom*.

VII. Conclusion.

We respectfully ask that a Supplemental EIR/EIS be prepared and circulated for comment which would remedy these deficiencies or absences.

LA2-8

Very truly yours,

MINASIAN, SPRUANCE,
MEITH, SOARES & SEXTON, LLP

By _____
PAUL R. MINASIAN

PRM/vlh
cc: Clients

LA2

EXHIBIT S-YCWA-14

TESTIMONY OF STEPHEN GRINNELL, P.E., YUNG-HSIN SUN, Ph.D., AND STUART ROBERTSON, P.E.

YUBA RIVER INDEX:

WATER YEAR CLASSIFICATIONS FOR YUBA RIVER

PREPARED FOR

YUBA COUNTY WATER AGENCY

PREPARED BY

BOOKMAN-EDMONSTON ENGINEERING, INC.

LA2

08/24/2007 17:24 FAX 5305330197 MINASI 011/011

YUBA RIVER INDEX: WATER YEAR CLASSIFICATIONS FOR THE YUBA RIVER

APPENDIX B:
YEARLY COMPARISON OF YRI AND SVI YEAR TYPES

Water Year	YRI Year Type	SVI Year Type
1921	Wet	Wet
1922	Wet	Wet
1923	Above Normal	Below Normal
1924	Critical	Critical
1925	Below Normal	Dry
1926	Below Normal	Dry
1927	Wet	Wet
1928	Above Normal	Above Normal
1929	Dry	Critical
1930	Below Normal	Dry
1931	Critical	Critical
1932	Below Normal	Dry
1933	Dry	Critical
1934	Critical	Critical
1935	Above Normal	Below Normal
1936	Above Normal	Below Normal
1937	Above Normal	Below Normal
1938	Wet	Wet
1939	Dry	Dry
1940	Above Normal	Above Normal
1941	Wet	Wet
1942	Wet	Wet
1943	Wet	Wet
1944	Below Normal	Dry
1945	Above Normal	Below Normal
1946	Above Normal	Below Normal
1947	Dry	Dry
1948	Above Normal	Below Normal
1949	Below Normal	Dry
1950	Above Normal	Below Normal
1951	Wet	Above Normal
1952	Wet	Wet
1953	Wet	Wet
1954	Above Normal	Above Normal
1955	Dry	Dry
1956	Wet	Wet
1957	Above Normal	Above Normal
1958	Wet	Wet
1959	Dry	Below Normal
1960	Below Normal	Dry
1961	Critical	Dry
1962	Below Normal	Below Normal
1963	Wet	Wet
1964	Below Normal	Dry
1965	Wet	Wet
1966	Below Normal	Below Normal
1967	Wet	Wet
1968	Below Normal	Below Normal
1969	Wet	Wet
1970	Wet	Wet
1971	Wet	Wet
1972	Below Normal	Below Normal
1973	Above Normal	Above Normal
1974	Wet	Wet
1975	Wet	Wet
1976	Critical	Critical
1977	Critical	Critical
1978	Above Normal	Above Normal
1979	Below Normal	Below Normal
1980	Wet	Above Normal
1981	Dry	Dry
1982	Wet	Wet
1983	Wet	Wet
1984	Wet	Wet
1985	Below Normal	Dry
1986	Wet	Wet
1987	Critical	Dry
1988	Critical	Critical
1989	Below Normal	Dry
1990	Dry	Critical
1991	Critical	Critical
1992	Critical	Critical
1993	Above Normal	Above Normal
1994	Critical	Critical

Bookman-Edmonston Engineering, Inc. B-1 Yuba County Water Agency

LETTER LA2: PAUL MINASIAN, ATTORNEY, CORDUA IRRIGATION DISTRICT

Response to Comment LA2-1:

This comment argues that the "EIR" (presumably actually meaning the Yuba Accord Alternative) "places the interests of the Export users above the interests and protection of the overlying landowners within Yuba County from significant environmental impacts," and that "the agreement for transfer and purchase of water may not be changed" to limit the pumping of groundwater from the Yuba Basin, even if such pumping were to cause significant impacts on local groundwater users.

These arguments are incorrect for several reasons.

First, as shown in Table 6-4 of the Draft EIR/EIS, under the CEQA Yuba Accord Alternative, the estimated average annual groundwater pumping from the Yuba Basin for the 73-year period of hydrological record would be 28 TAF/year. This amount is slightly less than the estimated average annual recharge to the basin of 30 TAF/year, so it unlikely that the CEQA Yuba Accord Alternative would cause any long-term adverse impacts on groundwater storage in the Yuba Basin. The recharge rate of 30 TAF/year is based on the assumptions listed on pages 6-32 and 6-33 of the Draft EIR/EIS.

Second, the Water Purchase Agreement would not require YCWA to implement groundwater-substitution programs at the pumping levels described in the Draft EIR/EIS.

The only two types of groundwater pumping that would have to occur under the Yuba Accord Alternative would be pumping to make up for shortages in surface-water deliveries to Member Units and 30 TAF of groundwater-substitution pumping for Components 2 and 3 water in Schedule 6 water years, which are predicted to occur about 4 percent of the time (see Fisheries Agreement, § 5.1.3 and Exhibit 6; Draft EIR/EIS, Appendix B, pages B-24, B-64). Under the Yuba Accord Alternative, the estimated average annual pumping to make up for shortages in surface-water deliveries to Member Units would be about 3.7 TAF/year, and the estimated average annual groundwater-substitution pumping for Schedule 6 years would be about 1.2 TAF/year. The annual average pumping for these two types of groundwater pumping therefore would total 4.9 TAF/year, which is far less than the Yuba Basin's average annual recharge of 30 TAF/year.

YCWA also normally would supply 15 TAF of Component 2 water in Dry Years and 30 TAF of Component 2 water in critical years, and up to 40 TAF of Component 3 water in certain types of Dry and Critical Years (see Water Purchase Agreement, Sections 6.A, 7.A; Draft EIR/EIS, Appendix B, pages B-164, B-166). While YCWA would provide some of these types of water from its surface-water supplies, groundwater-substitution pumping would be used to provide the remainders. It is estimated that the additional groundwater pumping for this purpose (above the groundwater-substitution pumping of 30 TAF/year in Schedule 6 years) would average about 12.5 TAF/year. This pumping, combined with the pumping described in the preceding paragraph, would total 17.4 TAF/year (4.9 + 12.5 = 17.4), which still would be significantly lower than the Yuba Basin's average annual recharge of 30 TAF/year.

Moreover, YCWA's commitments to provide Components 2 and 3 water would be subject to Section 11 of the Water Purchase Agreement, and Subsection 11.C of that proposed agreement provides that YCWA will comply with Exhibit 3 of the Water Purchase Agreement (see Draft EIR/EIS, Appendix B, page B-172). Although Exhibit 3 had not been prepared when the Draft EIR/EIS was circulated, it now has been prepared and is included in Appendix M of the Final

EIR/EIS. Under Part 2 of this Exhibit 3, YCWA will not pump groundwater to supply Component 2 or Component 3 water if doing so would require more groundwater pumping than YCWA and the Member Units determine is acceptable in any year. Thus, if the difference between the average annual recharge of 30 TAF/year and the contemplated pumping of 17.4 TAF/year described above were to turn out to be insufficient to protect the Yuba Basin's groundwater storage, then YCWA would reduce its groundwater pumping to supply Components 2 and 3 water, and instead would use its surface-water supplies as necessary to supply this water.

The remainder of the predicted groundwater pumping that is described in the Draft EIR/EIS would be for Component 4 water under the Water Purchase Agreement, and YCWA would not be required to supply any of this water (see Water Purchase Agreement, § 8.A.1; Draft EIR/EIS, Appendix B, page B-168). Instead, the amount of Component 4 water, if any, that YCWA would provide under the Water Purchase Agreement each year would be determined by YCWA and participating Member Units on a year-by-year basis, considering local groundwater conditions at that time. If supplying such water would have significant impacts on local users that could not be mitigated, then YCWA and the participating Member Units would not supply that water. The Water Purchase Agreement therefore is structured so that YCWA and participating Member Units would evaluate Yuba Basin groundwater conditions each year and set the amounts of groundwater pumping at levels that would not cause overdrafts of or significant impacts to the basin. Contrary to the arguments in this comment, under the Yuba Accord Alternative YCWA would not place "the interests of the Export users above the interests and protection of the overlying landowners within Yuba County for significant environmental impacts." The Yuba Accord Alternative actually would prioritize the interests of the landowners in Yuba County that use groundwater from the Yuba Basin.

Table LA2-1 at the end of these responses provides the year-by-year information that supports the annual averages discussed in the preceding paragraphs. The column of Table LA2-1 titled "For Local Surface-Water Delivery Shortages" lists the estimated amounts of groundwater pumping that would be necessary to make up for shortages in surface-water deliveries under the CEQA Yuba Accord Alternative. This column shows that the pumping for this purpose would average 3,701 acre-feet (AF) per year under the Yuba Accord Alternative, which is rounded to 3.7 TAF/year in the discussion above. The column of Table LA2-1 titled "Component 2 and 3 for Schedule 6 Requirement" lists the estimated amounts of groundwater-substitution pumping that would be necessary under the Yuba Accord Alternative for Schedule 6 years. This column shows that the pumping for this purpose would average 1,233 AF/year, which is rounded to 1.2 TAF/year in the discussion above. The column of Table LA2-1 titled "Additional Component 2 and 3" lists the estimated additional amounts of additional groundwater pumping for Components 2 and 3 water above the groundwater-substitution pumping 30 TAF/year in Schedule 6 years. This column shows that pumping for these purposes would average 12,519 AF/year, which is rounded to 12.5 TAF/year in the discussion above. The column Table LA2-1 titled "Component 4" lists the estimated amounts of groundwater pumping for Component 4 water. This table shows that pumping for this purpose would average 10,576 AF/year. The column of Table LA2-1 titled "Total Pumping" lists the estimated total amounts of groundwater pumping from the Yuba Basin under the Yuba Accord Alternative. The numbers in this column are the sums of the corresponding numbers in the preceding four columns of Table LA2-1. The last column of Table LA2-1 shows that the estimated total groundwater pumping would average 28,029 AF/year, which is consistent with

the average annual groundwater pumping of 28 TAF/year under the Yuba Accord Alternative in Table 6-4 of the Draft EIR/EIS.

The fact that the total estimated average annual groundwater pumping of 28 TAF/year is less than the total estimated annual Yuba Basin recharge of 30 TAF/year demonstrates that the Yuba Accord Alternative would not be likely to lead to any long-term decline of groundwater levels in the basin. Moreover, as discussed above, YCWA and participating Member Units would reduce or eliminate groundwater-substitution pumping for Component 4 water, and reduce or eliminate groundwater-substitution pumping for Components 2 and 3 water (besides to 30 TAF/year in Schedule 6 years), as necessary to prevent any deleterious short-term declines in groundwater levels in this basin during droughts.

Third, under the third-party impacts plan in Part 3 of Exhibit 3 to the Water Purchase Agreement, YCWA and participating Member Units would mitigate any impacts on third parties that would be caused by groundwater pumping for the Yuba Accord Alternative (see Final EIR/EIS, Appendix M; see also Mitigation Measure 6-1). Actions that could be taken to mitigate such impacts include deepening the third party's wells or lowering the pump bowls in the well, cessation of groundwater pumping for the Yuba Accord Alternative in the vicinity of the impacted well, and providing a temporary or permanent water supply.

For these reasons, the Yuba Accord Alternative would not have any significant, unmitigated impacts on local users of groundwater from the Yuba Basin. It therefore is not necessary to add the proposed new alternative that is described in this comment.

For a discussion of why groundwater modeling is not necessary here, see response to Comment LA2-6.

Response to Comment LA2-2:

As discussed in the response to Comment LA2-1, the average annual amounts of groundwater pumping that would be required to be pumping under the Yuba Accord Alternative would be substantially lower than the average annual recharge to the Yuba Basin. It therefore is unlikely that implementation of the Yuba Accord Alternative would cause any long-term impacts to, or an overdraft of, the Yuba Basin. As also discussed in the response to Comment LA2-1, under the Yuba Accord Alternative YCWA and participating Member Units would limit the amounts of additional, discretionary groundwater-substitution pumping for Component 4 water, and, if necessary, groundwater pumping for Components 2 and 3 water, to avoid adverse impacts to the Yuba Basin. This comment therefore is incorrect when it states that "[n]o alternative of curtailing the export of groundwater to the purchasers are (sic) included if groundwater conditions within Yuba County result in significant environmental impacts." The Yuba Accord Alternative actually does provide for such curtailments, if they turn out to be necessary.

In 1991, 80 TAF of groundwater-substitution occurred, and groundwater levels in the Yuba Basin at that time were significantly lower than they have been since then. Nevertheless, only a few impacts to residential wells were experienced, and within days of each of these impacts, the impact was mitigated by the participating Member Unit with assistance from YCWA.

The Trainer Hills area, which is located at the edge of the foothills on the eastern side of the basin, consists of a hill that recently was developed into a residential subdivision. Because this development only occurred recently, many of the homes in this area, which rely on individual domestic wells, did not experience the lower groundwater levels that occurred in 1991 or 1994 or the much lower levels that occurred in the 1950s to the 1970s. Several of the new wells in this

area were constructed to extend only a short distance into the water table at its level at the time of construction of the well.

Because groundwater levels in this area have been higher in recent years than they were in previous years, and because these domestic wells were not constructed when groundwater was at these lower levels, some of these wells were affected by 2001 groundwater-substitution pumping. The lower groundwater levels caused by this pumping either reduced or eliminated the pumping capacity of some of these domestic wells. In response Cordua Irrigation District, which was the Member Unit conducting the groundwater-substitution program in this area, lowered the pumps in the affected domestic wells or deepened the wells for five residences. As a result of this mitigation, no significant unmitigated impacts to the residents of this area occurred.

For the 2002 groundwater-substitution transfer, residents in this area expressed similar concerns about the potential effects of the transfer on their wells. YCWA and Cordua Irrigation District met with residents and addressed their concerns. To mitigate the impacts of the groundwater-substitution pumping, a surface-water delivery system for residential landscape and pasture irrigation was installed with the assistance of Cordua Irrigation District and a grant from YCWA.

The effects of the 2001 and 2002 transfers on domestic wells are discussed on page 6-56 of the Draft EIR/EIS. During 2001, approximately 61 TAF of groundwater was pumped for the groundwater-substitution transfer. During 2002, approximately 55 TAF of groundwater was pumped for the groundwater-substitution transfer. During these back-to-back transfers, no unmitigated impacts occurred in the Yuba Basin, because YCWA and the participating Member Units immediately responded to, and took actions to fully mitigate, all third-party impacts.

If the Yuba Accord Alternative is approved and implemented, and if any impacts to local groundwater users occur as a result of groundwater pumping for the Yuba Accord Alternative, then YCWA and participating Member Units will take actions similar to the actions similar to the actions that they took during 1991, 2001 and 2002 to fully mitigate any such impacts. This is confirmed by Part 3 of Exhibit 3 to the Water Purchase Agreement (see Final EIR/EIS, Appendix M) and the new mitigation measure that has been added to address this concern (see Mitigation Measure 6-1).

In addition, YCWA's Groundwater Management Plan (GMP), which YCWA adopted in 2005, includes prevention measures for proper well construction practices in the basin. This GMP specifies the actions that YCWA will take in coordination with Yuba County Department of Health Services, Member Units, and M&I water purveyors to assure proper well construction, including sufficient minimum depths for new domestic wells.

For a discussion of why groundwater modeling is not necessary here, see response to Comment LA2-6.

Response to Comment LA2-3:

Part 2 of Exhibit 3 to the Water Purchase Agreement describes the process that YCWA and participating Member Units would follow each year to determine the amounts and locations of groundwater pumping for the Yuba Accord Alternative (see Final EIR/EIS, Appendix M). The amounts of pumping that would occur would be limited to the amounts that would not cause significant impacts or otherwise violate the criteria specified in Part 2 of Exhibit 3.

This comment incorrectly asserts that page 6-29 of the Draft EIR/EIS discusses "moving" groundwater pumping. The last sentence on page 6-29 actually states: "*YCWA and its Member Units would adopt an adaptive management program for taking actions that would determine a safe pumping volume and pumping location based on the considerations of the basin conditions for groundwater levels and storage, groundwater surface water interactions, groundwater quality, and land subsidence.*" This process therefore would involve determining safe pumping volumes and locations before the pumping began each year, rather than haphazardly moving pumping, as suggested by this comment.

See response to Comment LA2-2 for a discussion of the actions that YCWA and participating Member Units would take to mitigate any impacts on domestic wells of groundwater pumping under the Yuba Accord Alternative.

Response to Comment LA2-4:

This comment incorrectly describes the assumptions in the Draft EIR/EIS about the maximum amounts of groundwater pumping that could occur under the Yuba Accord Alternative. As discussed in Section 6.2.2 on pages 6-27 to 6-29 of the Draft EIR/EIS, the maximum assumed groundwater pumping under the CEQA Yuba Accord Alternative would be 180 TAF every three years. The maximum groundwater pumping that could occur during a six-year period that is analyzed in the Draft EIR/EIS therefore is 360 TAF (180+180 = 360). Contrary to statements in this comment, the analysis in the Draft EIR/EIS does not assume that, if 180 TAF total pumping occurred during three years, then no pumping would occur during the next three years.

This comment also incorrectly describes the pumping that is discussed on page 6-50 of the Draft EIR/EIS. As shown in Figure 6-19 of the Draft EIR/EIS, the assumed groundwater pumping for the scenario that is analyzed in this figure would total 360 TAF over six years. (90+60+30+90+60+30 = 360). With this pumping and total recharge of 180 TAF (6x30 TAF = 180), the overall decline in groundwater storage would be 180 TAF (360-180 = 180), which still would be 190 TAF over the historical low condition.

This comment also suggests that the historical overdraft somehow is the baseline for the groundwater analyses in the Draft EIR/EIS. This is incorrect. The baseline for the analysis that is described on page 6-50 is the 2005 groundwater condition, which is substantially higher than the historical low condition.

This comment argues that there is nothing in the project description or the "proposed contracts for export of water" (presumably referring to the Water Purchase Agreement) that would allow YCWA to curtail water transfers and stop groundwater pumping to avoid significant impacts. This argument is incorrect. As discussed in the response to Comment LA2-1, the Water Purchase Agreement actually would give YCWA considerable discretion to determine how much groundwater to pump for groundwater-substitution transfers, and to limit this pumping and change the locations of pumping as necessary to avoid significant impacts. Later, this comment argues that the Yuba Accord Alternative would involve "binding commitments" to transfer water "which are unalterable in regard to fish flows and transfers." This argument is incorrect. As discussed in the response to Comment LA2-1, the Water Purchase Agreement does not contain any such "binding commitments."

This comment's request for analysis of pumping of 90 TAF every year for six or seven years is not appropriate. Nothing in the Water Purchase Agreement would require YCWA to allow pumping at these rates, and, for the reasons discussed in Section 6.2.2 on pages 6-27 to 6-29 of

the Draft EIR/EIS, it is not reasonable to assume that YCWA ever would allow pumping at these rates.

There is no basis for this comment's argument that YCWA's Member Units "can be required to pump more than 100,000 AF/year for any number of consecutive years." Appendix F1 to the Draft EIR/EIS lists the estimated surface-water deliveries to YCWA's Member Units under the various scenarios that are analyzed in the Draft EIR/EIS. Table LA2-1 at the end of these responses lists the estimated amounts of groundwater pumping that would be required to make up for shortages in surface-water deliveries. The data in Appendix F1 and the information in Table LA2-1 demonstrate that large amounts of pumping deficiencies discussed in this comment would not occur under the Yuba Accord Alternative. Similarly, there is no basis for this comment's argument that "collapse of the local farm economy" could occur from implementation of the Yuba Accord Alternative. For these reasons, this comment's argument that the Draft EIR/EIS must consider amendments of YCWA's contracts with its Member Units is incorrect.

Response to Comment LA2-5:

As listed in Table 3-1 on page 3-3, and as discussed on page 3-30, of the Draft EIR/EIS, under the CEQA No Project Alternative, no surface-water transfers would occur, because with the RD-1644 long-term instream-flow requirements in place YCWA would not have any surplus surface-water supplies that could be used for such transfers. Nevertheless, groundwater-substitution transfers still could occur under the CEQA No Project Alternative, because sufficient groundwater would be present in the Yuba Basin for such transfers while maintaining groundwater levels at sustainable levels. Because many of YCWA's Member Units (including Cordua Irrigation District) asked YCWA to administer such groundwater-substitution transfer in the past, the Draft EIR/EIS correctly assumes that such transfers may occur in the future under the CEQA No Project Alternative.

As shown in Table 6-3 on page 6-28 of the Draft EIR/EIS, the Draft EIR/EIS assumes that the maximum groundwater-substitution pumping under the CEQA No Project Alternative would be 140 TAF every three years. Although it is estimated that the Yuba Basin could sustain pumping of up to 180 TAF every three years, no long-term conjunctive-use agreements would be in place under the CEQA No Project Alternative, and, without any such agreements, implementing groundwater-substitution transfers would be institutionally more difficult. Considering these difficulties, the 140 TAF maximum amount was used for the CEQA No Project Alternative because it is similar to the maximum pumping during any historical three-year period. This comment claims that the "most groundwater pumped north and south of the river is set forth in Figure 6-17 and Figure 6-14 and is a small fraction of that amount." This claim is incorrect. The amounts shown in these two figures for 2001 and 2002 total 119.3 TAF for these two consecutive years, so it was reasonable for the Draft EIR/EIS to assume that the maximum amount that could occur during three consecutive years would be 140 TAF.

Because Table 6-4 on page 6-47 of the Draft EIR/EIS just lists the total groundwater pumping volumes under the different scenarios for different water-year types, and because this comment asks about the amounts of groundwater that would have to be pumped to make up for shortages in local deliveries, **Table LA2-2** is provided at the end of these comments. This table lists the estimated amounts of groundwater that would have to be pumped to make up for shortages in deliveries of surface water to Member Units, for each year of the 73-year period of hydrological record, for the CEQA Existing Condition, the CEQA No Project Alternative and the Yuba Accord Alternative. Because no surface-water transfers would occur under the CEQA

No Project Alternative, and because the RD-1644 long-term instream-flow requirements would be in place under this alternative, this table lists the amounts of groundwater pumping that would be required with no surface-water transfers and with the RD-1644 long-term instream-flow requirements in place, as requested by this comment.

Table LA2-2 shows that groundwater pumping to make up for shortages in deliveries of surface water to Member Units would average 6,219 AF/year under the CEQA No Project Alternative and 3,701 AF/year under the Yuba Accord Alternative. Both of these amounts are considerably less than the average annual Yuba Basin recharge of 30 TAF/year. This comment therefore is incorrect when it states that "a great deal of groundwater will need to be pumped" for local deliveries. Also, these numbers demonstrate that less groundwater pumping to make up for shortage in deliveries of surface water would be required under the Yuba Accord Alternative than under the CEQA No Project Alternative, so this comment's suggestions to the contrary are incorrect. This comment also is incorrect when it states that the CEQA No Project Alternative would "require groundwater pumping even when its New Bullards Bar Reservoir is full." As shown in Table LA2-2, groundwater pumping for shortages would occur only in certain years, and in these years New Bullards Bar Reservoir would not be full. For these reasons, the EIR/EIS does not need to consider the proposed contract modifications that are discussed in this comment.

The demands that were assumed in the hydrological modeling for the Draft EIR/EIS are discussed on pages 5-8 to 5-9 of the Draft EIR/EIS. This comment correctly states that the present total demand of 303,881 AF/year that is listed in Table 5-3 of the Draft EIR/EIS is higher than the demand of 273,000 AF/year that the SWRCB used in its hydrological modeling for RD-1644. Because annual amounts of water used by YCWA's Member Units already have reached almost 300,000 AF/year (see Draft EIR/EIS, page 5-9, Fig. 5-2), use of the 303,881 AF/year total demand rather than the 273,000 AF/year demand for modeling present conditions is correct. Because these historical demands are shown in this figure, this comment is incorrect when it states that "no historical use figures for surface water are provided within the EIR/EIS." Use of the future total demand of 344,736 AF/year also is correct, because this future demand includes projected future deliveries of water to the Wheatland Water District.

Cordua Irrigation District has filed a lawsuit challenging many aspects of RD-1644, including the SWRCB's use of the 273,000 AF/year demand estimate in its modeling of the hydrological impacts of the RD-1644 instream-flow requirements (see Petition for Writ of Mandamus and Complaint for Declaratory Relief and Injunction in *South Yuba Water District, Brophy Water District and Cordua Irrigation District v. State Water Resources Control Board*, Yuba County Superior Court No. 03-0000634 (now consolidated with other cases in San Joaquin County Superior Court No. CV 026505), pages 19-20). This challenge belies this comment's argument that the 273,000 AF/year demand figure should have been used in the hydrological modeling for the Draft EIR/EIS. Moreover, although the SWRCB submitted very extensive comments on the Draft EIR/EIS, the SWRCB did not raise this argument in its comments.

As discussed in the response to Comment LA2-1, under the Yuba Accord Alternative YCWA and participating Member Units would limit the amounts of additional, discretionary groundwater-substitution pumping for Component 4 water, and, if necessary pumping for Components 2 and 3 water, to avoid adverse impacts to the Yuba Basin. This comment therefore is incorrect when it states that "nowhere is the alternative of providing for curtailment or termination of the transfers to the purchasers of water if groundwater levels fall below

certain levels." The Yuba Accord Alternative actually does provide for such curtailments, if they are necessary.

This comment also is incorrect when it argues that the Yuba Accord Alternative would put local groundwater users and the local economy "at risk because the purchasers of the water demand a reliable supply." As discussed in the response to Comment LA2-1, groundwater pumping to make up for shortages in deliveries of surface water to Member Units actually would have priority over groundwater-substitution pumping. And, as discussed in the response to Comment LA2-2, YCWA and participating Member Units would have a plan in place to mitigate any impacts of groundwater pumping for the Yuba Accord Alternative on domestic wells.

Response to Comment LA2-6:

This comment states that the Yuba Accord Alternative would involve "massive changes in water use patterns involving groundwater." This statement is not correct. To the contrary, the anticipated groundwater pumping patterns under the Yuba Accord Alternative are similar to the groundwater pumping patterns that have occurred in the past. The Draft EIR/EIS does analyze higher groundwater pumping levels than have occurred in the past, to assure that it has analyzed the "worst case" situation. However, pumping patterns and levels under the Yuba Accord Alternative probably would be similar to the patterns and levels that have occurred in the past.

This comment states that the average annual recharge of 30 TAF/year is "woefully inadequate" compared to the maximum anticipated pumping of 180 TAF in three consecutive years under the Yuba Accord Alternative. This statement ignores the fact that the Yuba Accord Alternative would include measures to ensure that groundwater pumping would not cause an overdraft of, or significant impacts to, groundwater in the Yuba Basin. Under a repeat of the 73 years of hydrology that were analyzed for the Draft EIR/EIS, the need to pump 180 TAF in three consecutive years would occur only once, and these measures would prevent an overdraft or significant impacts during such an infrequent event.

This comment also is incorrect when it states that the potential impacts of the Yuba Accord Alternative on domestic wells have been ignored. See response to Comment LA2-2.

For the reasons discussed on pages 6-30 to 6-31 of the Draft EIR/EIS, it was concluded that the available empirical data and the calculations discussed in Chapter 6 of the Draft EIR/EIS could be used to adequately analyze the potential impacts of the Yuba Accord Alternative and other alternatives on groundwater in the Yuba Basin. Beyond simply arguing that groundwater modeling should have been conducted, this comment does not describe any potential impacts that would have been predicted through such modeling and that are not described in Chapter 6 of the Draft EIR/EIS.

Fundamentally, determining the response of a groundwater basin to pumping stresses using a model involves estimating many parameters and then calibrating the model to observed, historical responses of the basin to these stresses. For any such model, simplifying assumptions and simplified physical relationships must be used because of the variations in and complexity of the basin geology, and the because of the complexities of the interactions of water flows, recharges and pumping extractions. Conversely, the historical occurrences of groundwater pumping from and natural recharge to the Yuba Basin have allowed detailed observations of the relevant parameters in the basin. For example, we know precisely how the basin will respond to and recover from pumping stresses because we have monitoring data from three

years of past groundwater-substitution transfers. We also know precisely how the basin will recover from overdraft, because we have been able to observe the recovery that started in 1984 when surface water deliveries began to lands overlying the Yuba South Subbasin. The historical data that were collected during these events can be used to directly and accurately estimate the potential impacts of future pumping events, and this is the approach that was taken in the Draft EIR/EIS. Because a groundwater model would have to have many simplifying assumptions, it could very well have less accuracy in predicting how the basin will respond to future pumping scenarios.

Response to Comment LA2-7:

As discussed in the responses to Comments LA2-1, LA2-2 and LA2-3, Part 2 of Exhibit 3 to the Water Purchase Agreement describes the procedures that would be used under the Yuba Accord Alternative to determine the total amount of water that could be pumped each year without contributing to long-term overdraft and without resulting in significant unmitigated impacts to other groundwater users in the basin (see Draft EIR/EIS, Appendix M). These procedures also would be used to determine the locations of the groundwater-substitution pumping.

According to a 2005 survey, wells in the Yuba Basin that could be used for a groundwater-substitution program have a total pumping capacity of 98,000 AF/year, approximately 77,500 AF/year of which is for wells with electric pumps (see YCWA unpublished survey, 2005). The actual annual pumping volumes under the Yuba Accord would be determined through the procedures described in Part 2 of Exhibit 3 to the Water Purchase Agreement. For groundwater-substitution pumping to occur under the Yuba Accord Alternative, each participating Member Unit would have to approve the proposed pumping in its area. Without such approval, the pumping would not occur.

For a discussion of how impacts to domestic wells would be addressed under the Yuba Accord Alternative, see the response to Comment LA2-2.

Response to Comment LA2-8:

Sections 15162 and 15163 of the CEQA Guidelines specify the circumstances when a supplemental EIR is required. However, these guidelines apply only when an EIR already has been certified. They do not apply here, because the Yuba Accord EIR/EIS has not yet been certified. Section 15088.5 specifies the circumstances a draft EIR must be re-circulated before the final EIR is certified. This guideline generally requires re-circulation of a draft EIR when significant new information is added to the EIR after the public notice of availability of the draft EIR for public review has been issued. This guideline states that "significant new information" includes a disclosure that a "feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it." This guideline does not require re-circulation here, because the proposed project would not have any significant impacts on groundwater resources that require the development of a new alternative or new mitigation measures under sections 15126.4 and 15126.6 of the CEQA Guidelines.

Section 1502.9(c) of the CEQ regulations provides that a NEPA lead agency shall prepare a supplement to a draft EIS if the lead agency makes substantial changes in the proposed action that are relevant to environmental concerns or if there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. This regulation does not require a supplement to the Draft EIR/EIS here.

Table LA2-1. Estimates of Annual Groundwater Pumping During 1922-1994 Hydrological Conditions

Water Year	Yuba River Index Year Type	North Yuba Index	Groundwater Pumping Volumes (AF)				
			For Local Surface-Water Delivery Shortages	Component 2 and 3 for Schedule 6 Requirement	Additional Component 2 and 3	Component 4	Total Pumping
1922	Wet	1	0	0	0	0	0
1923	Above Normal	1	0	0	0	0	0
1924	Extremely Critical	5	54,631	0	37,017	20,931	112,578
1925	Below Normal	2	7,422	0	30,000	0	37,422
1926	Below Normal	2	0	0	30,000	0	30,000
1927	Wet	1	0	0	0	0	0
1928	Above Normal	1	0	0	0	0	0
1929	Dry	4	0	0	69,547	20,453	90,000
1930	Below Normal	2	0	0	55,000	5,000	60,000
1931	Extremely Critical	6	15,175	30,000	0	0	45,175
1932	Below Normal	2	2,062	0	54,000	0	56,062
1933	Dry	3	0	0	64,512	25,488	90,000
1934	Extremely Critical	5	0	0	17,969	18,031	36,000
1935	Above Normal	2	0	0	0	0	0
1936	Above Normal	1	0	0	0	0	0
1937	Above Normal	2	0	0	0	0	0
1938	Wet	1	0	0	0	0	0
1939	Dry	4	0	0	55,000	35,000	90,000
1940	Above Normal	1	0	0	0	0	0
1941	Wet	1	0	0	0	0	0
1942	Wet	1	0	0	0	0	0
1943	Wet	1	0	0	0	0	0
1944	Below Normal	2	0	0	42,627	47,373	90,000
1945	Above Normal	1	0	0	0	0	0
1946	Above Normal	1	0	0	0	0	0
1947	Dry	2	0	0	1,792	88,208	90,000
1948	Above Normal	2	0	0	0	0	0
1949	Below Normal	2	0	0	0	90,000	90,000
1950	Above Normal	1	0	0	0	0	0
1951	Wet	1	0	0	0	0	0
1952	Wet	1	0	0	0	0	0
1953	Wet	1	0	0	0	0	0
1954	Above Normal	1	0	0	0	0	0
1955	Dry	3	0	0	52,999	37,001	90,000
1956	Wet	1	0	0	0	0	0
1957	Above Normal	1	0	0	0	0	0
1958	Wet	1	0	0	0	0	0
1959	Dry	3	0	0	0	0	0
1960	Below Normal	2	0	0	73,743	16,257	90,000
1961	Critical	3	0	0	0	60,000	60,000

Table LA2-1. Estimates of Annual Groundwater Pumping During 1922-1994 Hydrological Conditions (continued)

Water Year	Yuba River Index Year Type	North Yuba Index	Groundwater Pumping Volumes (AF)				
			For Local Surface-Water Delivery Shortages	Component 2 and 3 for Schedule 6 Requirement	Additional Component 2 and 3	Component 4	Total Pumping
1962	Below Normal	2	0	0	0	0	0
1963	Wet	1	0	0	0	0	0
1964	Below Normal	2	0	0	66,195	23,805	90,000
1965	Wet	1	0	0	0	0	0
1966	Below Normal	2	0	0	0	0	0
1967	Wet	1	0	0	0	0	0
1968	Below Normal	2	0	0	0	0	0
1969	Wet	1	0	0	0	0	0
1970	Wet	1	17,934	0	0	0	17,934
1971	Wet	1	2,375	0	0	0	2,375
1972	Below Normal	2	0	0	0	0	0
1973	Above Normal	1	0	0	0	0	0
1974	Wet	1	0	0	0	0	0
1975	Wet	1	0	0	0	0	0
1976	Extremely Critical	5	0	0	66,178	23,822	90,000
1977	Extremely Critical	7	120,000	0	0	0	120,000
1978	Above Normal	1	50,538	0	0	0	50,538
1979	Below Normal	2	0	0	0	0	0
1980	Wet	1	0	0	0	0	0
1981	Dry	3	0	0	15,000	75,000	90,000
1982	Wet	1	0	0	0	0	0
1983	Wet	1	0	0	0	0	0
1984	Wet	1	0	0	0	0	0
1985	Below Normal	2	0	0	15,000	53,063	68,063
1986	Wet	1	0	0	0	0	0
1987	Critical	4	0	0	54,612	35,388	90,000
1988	Extremely Critical	6	0	30,000	30,000	0	60,000
1989	Below Normal	2	0	0	30,000	0	30,000
1990	Dry	3	0	0	0	90,000	90,000
1991	Critical	4	0	0	52,801	7,199	60,000
1992	Extremely Critical	6	0	30,000	0	0	30,000
1993	Above Normal	1	0	0	0	0	0
1994	Critical	0	0	0	0	0	0
Average of All Years (AF):			3,701	1,233	12,519	10,576	28,029

Table LA2-2. Estimates of Annual Groundwater Pumping for Shortages During 1922-1994 Hydrological Conditions

Water Year	Yuba River Index Year Type	Groundwater Pumping for Shortages (AF)		
		CEQA Existing Condition	CEQA No Project Alternative	Yuba Accord Alternative
1922	Wet	0	0	0
1923	Above Normal	0	0	0
1924	Extremely Critical	0	0	54,631
1925	Below Normal	0	0	7,422
1926	Below Normal	0	9,105	0
1927	Wet	0	1,237	0
1928	Above Normal	0	0	0
1929	Dry	0	12,140	0
1930	Below Normal	0	1,649	0
1931	Extremely Critical	0	12,140	15,175
1932	Below Normal	0	1,649	2,062
1933	Dry	0	0	0
1934	Extremely Critical	0	0	0
1935	Above Normal	0	0	0
1936	Above Normal	0	0	0
1937	Above Normal	0	0	0
1938	Wet	0	0	0
1939	Dry	0	36,420	0
1940	Above Normal	0	4,948	0
1941	Wet	0	0	0
1942	Wet	0	0	0
1943	Wet	0	0	0
1944	Below Normal	0	0	0
1945	Above Normal	0	0	0
1946	Above Normal	0	0	0
1947	Dry	0	12,140	0
1948	Above Normal	0	1,649	0
1949	Below Normal	0	0	0
1950	Above Normal	0	0	0
1951	Wet	0	0	0
1952	Wet	0	0	0
1953	Wet	0	0	0
1954	Above Normal	0	0	0
1955	Dry	0	0	0
1956	Wet	0	0	0
1957	Above Normal	0	0	0
1958	Wet	0	0	0
1959	Dry	0	63,736	0
1960	Below Normal	0	8,659	0
1961	Critical	0	0	0
1962	Below Normal	0	0	0
1963	Wet	0	0	0

Table LA2-2. Estimates of Annual Groundwater Pumping for Shortages During 1922-1994 Hydrological Conditions (continued)

Water Year	Yuba River Index Year Type	Groundwater Pumping for Shortages (AF)		
		CEQA Existing Condition	CEQA No Project Alternative	Yuba Accord Alternative
1964	Below Normal	0	0	0
1965	Wet	0	0	0
1966	Below Normal	0	0	0
1967	Wet	0	0	0
1968	Below Normal	0	0	0
1969	Wet	0	0	0
1970	Wet	0	0	17,934
1971	Wet	0	0	2,375
1972	Below Normal	0	0	0
1973	Above Normal	0	0	0
1974	Wet	0	0	0
1975	Wet	0	0	0
1976	Extremely Critical	0	0	0
1977**	Extremely Critical	120,000	120,000	120,000
1978	Above Normal	20,463	57,660	50,538
1979	Below Normal	0	0	0
1980	Wet	0	0	0
1981	Dry	0	48,561	0
1982	Wet	0	6,597	0
1983	Wet	0	0	0
1984	Wet	0	0	0
1985	Below Normal	0	12,140	0
1986	Wet	0	1,649	0
1987	Critical	0	18,210	0
1988	Extremely Critical	0	2,474	0
1989	Below Normal	0	0	0
1990	Dry	0	0	0
1991	Critical	0	0	0
1992	Extremely Critical	0	0	0
1993	Above Normal	0	0	0
1994	Critical	0	21,245	0
Average of all years (AF)		**1,924**	**6,219**	**3,701**

** Groundwater pumping during the 1977 drought is limited to 120,000 AF. Model estimated surface water shortage (i.e., model estimated groundwater pumping for meeting surface water shortage) during 1977 is 143,632 AF for the CEQA Existing Condition; 274,650 AF for the CEQA No Project Alternative; and 273,153 AF for the Yuba Accord Alternative. The maximum groundwater pumping of 120,000 AF in a single year is a constraint established for the upper bound of pumping volumes and to limit groundwater pumping during dry conditions.

LA3

CONTRA COSTA WATER DISTRICT

1331 Concord Avenue
P.O. Box H20
Concord, CA 94524
(925) 688-8000 FAX (925) 688-8122

August 24, 2007

Ms. Dianne Simodynes
HDR|SWRI
1610 Arden Way, Suite 175
Sacramento, CA 95815

Subject: Proposed Lower Yuba River Accord Draft EIR/EIS

Dear Ms. Simodynes:

Contra Costa Water District (CCWD) appreciates the opportunity to comment on the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Proposed Lower Yuba River Accord (Accord). The purpose of the Accord is to resolve in-stream flow issues associated with the operation of the Yuba River Development Project in a way that protects and enhances lower Yuba River fisheries and local water-supply reliability. The Accord also generates revenue for local flood control and water supply projects, water for the CALFED Bay-Delta Program to use for protection and restoration of Sacramento-San Joaquin Delta fisheries, and improvements in state-wide water supply management, including supplemental water for the federal Central Valley Project and California's State Water Project.

CCWD's primary comment is to request that the project description in the EIR/EIS be broadened to include potential delivery of transfer supplies to CCWD. In prior years, CCWD has successfully partnered with Yuba County Water Agency (YCWA) for delivery of transfer water. A more generally written environmental document would maximize delivery options while avoiding additional and unnecessary environmental analysis if future deliveries were to include CCWD. LA3-1

CCWD is aware of the delivery priorities (tiers) that have been established as part of the Accord and previous agreements. As expressed in CCWD's May 22, 2007 letter to the U.S. Bureau of Reclamation, CCWD wishes to work with DWR, USBR, and YCWA within this priority framework and participate in the relevant discussions as the water transfers are implemented.

The analysis of the proposed project does not need to be modified because of the close proximity of CCWD's intakes to those intakes already analyzed in the EIR/EIS (i.e., the CVP and SWP export locations) and the nature and timing of the proposed transfers. CCWD recommends that the project description in the EIR/EIS simply be expanded to include potential delivery to CCWD. Also, in the modeling assumptions section of the LA3-2

LA3

Ms. Dianne Simodynes
Proposed Lower Yuba River Accord Draft EIR/EIS
August 24, 2007
Page 2

document, mention should be made that deliveries to CCWD were not explicitly modeled because it is reasonable to assume that no changes to potential environmental impacts would occur when compared to the existing assumption of all deliveries occurring at the export facilities. No additional technical work would need to be completed.

LA3-2 cont.

If you have any questions, please do not hesitate to call Leah Orloff at (925) 688-8083.

Sincerely,

David A. Briggs
Water Resources Manager

DB\LHS:wec

cc: Tim Rust, USBR
Teresa Geimer, DWR

LETTER LA3: DAVID BRIGGS, CONTRA COSTA WATER DISTRICT

Response to Comment LA3-1:

In the Petition for Long Term Transfer of Water filed by YCWA to implement the Yuba Accord Alternative, the proposed new points of rediversion for the Yuba Accord Alternative are the Clifton Court Forebay (State Water Project) and Jones Pumping Plant (Central Valley Project). The proposed new places of use cited in the petition include the service areas of the State Water Project (as shown on maps 1878-1, 2, 3, and 4 on file with Application No. 5629) and the Central Valley Project (as shown on map 214-208-12581 on file with Application No. 5626) As currently structured, the Water Purchase Agreement component of the Yuba Accord Alternative would be between YCWA and DWR (on behalf of the SWP and EWA), with the potential addition of Reclamation (on behalf of the CVP) in the future. DWR and Reclamation would subsequently enter into agreements with various contractors for portions of the Yuba Accord Alternative water deliveries.

The Draft EIR/EIS for the Proposed Lower Yuba River Accord analyzes the environmental impacts of the Yuba Accord Alternative agreements that would implement the long term transfer of water, including deliveries of water to the SWP and CVP pumping facilities in accordance with the Water Purchase Agreement.

Because the general locations of the CCWD intake facilities are close to the SWP facilities, any additional environmental impacts associated with moving some water through CCWD facilities instead of CVP or SWP facilities might not be significant. Nevertheless, the specific impacts of moving some portion of the water made available by the Yuba Accord Alternative through CCWD facilities are not analyzed in the Draft EIR/EIS. The change to the project description that is requested in this comment therefore was not made.

If necessary, after YCWA's pending petitions to the SWRCB for the Proposed Lower Yuba River Accord are approved and after CCWD has entered into an agreement with Reclamation or DWR to acquire a portion of the Yuba Accord Alternative water supply, then an addendum or supplement to this EIR/EIS, analyzing potential deliveries to CCWD, can be prepared, and YCWA can file a new petition with the SWRCB, requesting an order to add CCWD's intakes to the authorized points of diversion.

Response to Comment LA3-2:

See response to Comment LA3-1. While CCWD's intakes are close to the intakes already analyzed in the EIR/EIS, some additional analyses and related technical work would be necessary for CCWD's intakes.

4.4.4 RESPONSES TO SPECIAL INTEREST GROUP COMMENTS

NP1

DOBBINS/OREGON HOUSE ACTION COMMITTEE

PO BOX 703 OREGON HOUSE CA 95962 PHONE (530) 692-0110

July 27, 2007

Ms. Dianne Simodynes
HDR/Surface Water Resources
1610 Arden Way, Suite 175
Sacramento, CA 95815

Dear Ms. Simodynes:

The Dobbins/Oregon House Action Committee (DOACT) acts as a forum where citizens in our communities (Dobbins and Oregon House in the Sierra foothills of Yuba County, California) can address issues of interest to them, achieve consensus and represent that consensus to those having jurisdiction. Our area of influence includes approximately 3,000 residents who are eligible to participate. At our regular meeting of July 26, 2007 we addressed the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Proposed Lower Yuba River Accord.

The Yuba County Water Agency (YCWA) is highly regarded in our community. Their efforts related to protecting Yuba County citizens from flooding, and also from wildland fires, are greatly appreciated. They have committed their resources to help improve the levee systems and to make strategically located water available for fire suppression. In fact, they restored the Lake Frances Dam at a great expense that they are never likely to recover. This primarily due to its strategic value as a source of water for the fire trucks and for its accessability to fire fighting helicopters. Since restoring the lake there have been at least three wild fires that would likely have burned much larger areas, possibly even destroying homes, if it were not for the helicopters being able to dip out of Lake Frances. Add to this the fact that YCWA continuously goes an extra mile to make its lakes available and well maintained for recreational use by the public.

NP1-1

Because of YCWA's dedication to public safety and commitment to appropriate use of its facilities for recreation we support the Lower Yuba River Accord itself. We believe this accord satisfies the environmental concerns of the people, the needs of affected water users and the agency's own economic requirements. Our members have identified no issues of concern to them related to the Draft EIR/EIS for this accord.

Sincerely:

Greg Crompton

Greg Crompton, Chairman
Dobbins/Oregon House
Action Committee

LETTER NP1: GREG COMPTON, DOBBINS/OREGON HOUSE ACTION COMMITTEE

Response to Comment NP1-1:

Comment noted. YCWA appreciates DOACT's support of the Proposed Lower Yuba River Accord.

NP2

THE BAY INSTITUTE
TROUT UNLIMITED

August 24, 2007

Submitted via email followed by
Hard copy in U.S. Mail

Ms. Dianne Simodynes
HDR/Surface Water Resources, Inc.
1610 Arden Way, Suite 175
Sacramento, CA 95815

Re: Conservation Group Comments on Proposed Lower Yuba River Accord

Dear Ms. Simodynes:

This letter includes the comments of The Bay Institute and Trout Unlimited (Conservation Groups) on the Proposed Lower Yuba River Accord (Proposed Accord). Our groups are signatories to the "Statement of Support for the Fisheries Agreement" component of the Proposed Accord. Thank you in advance for your time in consideration of our comments.

In April 2005, Conservation Groups joined with our environmental organization allies Friends of the River and South Yuba River Citizens League, Yuba County Water Agency (YCWA), California Department of Fish and Game, NOAA, National Marine Fisheries Service, and United States Department of the Interior, Fish and Wildlife Service, and signed a "Statement of Support for the Fisheries Agreement." Conservation Groups remain as committed today as we were in 2005 to the goals of providing local water-supply reliability, protecting and improving lower Yuba River fisheries, and providing water-transfer revenues for local flood-control and water-supply projects. NP2-1

Our support was specifically directed towards the instream flow and habitat provisions of the Fisheries Agreement related to the Lower Yuba River. Conservation Groups only participated in the Fisheries Agreement process. That Agreement provides for revisions to the instream flow requirements in YCWA's water rights permits and to some of the other requirements in RD-1644, to improve flows in the lower Yuba River for fisheries and to ensure water transfers occur in an environmentally benign manner. The Fisheries Agreement is the cornerstone of the Accord.

However, much has changed since 2005. There is general consensus that a pelagic organism decline (POD) is underway in the Delta. *See e.g.*, Draft EIR/EIS, pp. 10-31 to 10-32. Since the release of the Pelagic Fish Action Plan by the Resources Agency earlier in April, Conservation Groups have had to examine the likelihood of significant changes in Delta operations and the effect such changes might have on the NP2-2

NP2

success of the Yuba Accord, specifically the "Signed Memorandum of Understanding for Water Purchase Agreement." It appears clear that future changes will mean reduced ability to move water in and through the Delta.

We thank YCWA for providing us the opportunity as signatories to the Fisheries Agreement Statement of Support to engage in early and consistent consultation on DEIR/DEIS preparation and analysis. We also thank YCWA for its continued commitment since the March 2005 Fisheries Agreement Statement of Support to include in the scope of analysis potential environmental effects of the Accord in the Bay-Delta. Our standard is that the Accord's Water Purchase Agreement and its water transfers not cause Delta impacts. Based on the analysis, it appears that significant aspects of the Water Purchase Agreement will meet that standard. For example, most of the transfers under the Water Purchase Agreement would occur using dedicated priority Environmental Water Account (EWA) capacity in summer months, which would result in no new incremental increases in export or export-related impacts. However, given the vulnerable state of Delta fisheries, we continue to remain concerned about reasonably foreseeable future situations outside of the summer EWA pumping window where contemplated transfers would cause incremental new export impacts.

NP2-2 cont.

We request that the Final EIR/EIS include additional analysis and further specification on these concerns. We also request that the Final EIR/EIS include a finding to adopt a program for monitoring, reporting, and, if necessary, altering implementation of the Accord Water Purchase Agreement as a condition of certification so that no aspect of that agreement causes significant environmental effects in the Delta or further contributes to POD. This request goes beyond additional testing or experimentation for testing's sake alone. Instead, we propose an additional specific approach that would provide better ways to manage future events to avoid or mitigate significant Delta or pelagic species impact. *See* CEQA Guidelines, § 15204. This request would also have the benefit of making the final environmental document more useful and informative to the decision-makers when they consider that document and the project itself.

NP2-3

We look forward to continuing to work with YCWA as it prepares the final EIR/EIS. We respectfully request that YCWA provide an opportunity for review of the final EIR before approving the project. Thank you again for your time in consideration of these limited comments. Please feel free to contact either of us with questions or concerns.

Sincerely yours,

Gary Bobker
The Bay Institute

Charlton H. Bonham
Trout Unlimited

LETTER NP2: GARY BOBKER AND CHARLTON BONHAM, BAY INSTITUTE AND TROUT UNLIMITED

Response to Comment NP2-1:

Comment noted. YCWA appreciates the Conservation Groups' continued support of the goals described in this comment.

Response to Comment NP2-2:

Comment noted. The Pelagic Organism Decline is discussed in the Draft EIR at pages 10-31 to 10-36 and 10-57, and in the Final EIR at pages 4-17 (Response to Comment SA1-7), 4-38 (Response to Comment SA3-1b), and 4-42 through 4-44 (Response to Comment SA3-2).

Chapter 3 of the Final EIR/EIS provides additional information about how the recent court order in *NRDC v. Kempthorne* will affect near-term operations in the Delta under the Yuba Accord Alternative.

Under the Yuba Accord Alternative, CVP and SWP operations in the Delta would occur under the terms and constraints of the OCAP Biological Opinions (BO's), and, in the near term, the provisions of the court's interim remedies order. Because export pumping for the Yuba Accord would be subject to these constraints, it is unlikely that it would have any significant impacts. Under the Yuba Accord Alternative instream releases from the Yuba Project facilities generally would be higher than they would be under the otherwise applicable regulatory baseline. The extra water released from the Yuba Project facilities would flow down the Yuba, Feather and Sacramento Rivers to the Delta, providing fisheries benefits along the way. When the Yuba Accord water would reach the Delta, it either would continue through the Delta, contributing to Delta outflow, or would be moved through the CVP or SWP pumps if conditions would allow pumping and if there were spare pump capacity to move the Accord water. Accounting for any Accord water transfers would be completed in arrears. Under these conditions, the Yuba Accord Alternative would not require any operational changes in the Delta, nor would it require any exports of water.

It is quite possible that different or additional operational constraints will be imposed on Delta water transport operations over the course of the Yuba Accord Alternative's 8-year time horizon. However, the Yuba Accord would be subject to all future operational constraints that are set for the Delta, and thus would be unlikely to have any significant impacts.

Response to Comment NP2-3:

In the responses to comments on pages 4-17 (Response to Comment SA1-7), 4-38 (Response to Comment SA3-1b), and 4-42 through 4-44 (Response to Comment SA3-2) there are additional discussions of the Pelagic Organism Decline and its relationship to the Yuba Accord. Also as described in the response to Comment NP2-2, the Yuba Accord Alternative would not require any operational changes the Delta, nor would it require any export of Accord water. Delta operations will continue to proceed under the guidance and protections of the OCAP, Biological Opinions, and the provisions of the court order. Only if surplus export capacity exists, and only in accordance with the guidance and protections of the operational limitations for the Delta, would Accord water be exported and subsequently accounted for.

Because the Yuba Accord Alternative would follow, and would not dictate, CVP and SWP operations in the Delta, and because the Yuba Accord Alternative exports would only be accounted after the fact, it would be virtually impossible to develop specific monitoring and operations adjustment protocols specific to the Yuba Accord Water Purchase Agreement.

4.4.5 RESPONSES TO INDIVIDUAL COMMENTS

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Licensed by the CA Board for Professional Engineers and Land Surveyors
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August 7, 2007

Ms. Dianne Simodynes
HDR| Surface Water Resources, Inc.
1610 Arden Way, Suite 175
Sacramento, California 95815-4041

Ladies and Gentlemen:

SUBJECT: EIR/EIS for the Proposed Lower Yuba River Accord: 1 Comment.

This 'approximately 15,527-page' book, certainly the newest candidate for putative avatar of environmental-impact disquisition, is ironic on so many levels. In the end, I shall have only one 'comment' in a CEQA/NEPA sense of that term, but after subjecting me to a forced march through 16,000 pages in only 60 days, you're going to have to wade through two or three of mine to get to it.

1. It is ironic, first of all, because it was sent to me for review for no reason I know, other than -- like 17 million others -- I am a resident of the GYR[1]. I can only guess someone may have heard that -- unlike many other commenters -- I hold three degrees in this type of engineering, I practiced that trade for 40 years in California and across the world, I was licensed by California and two adjacent states to perform such work, and I am an avocational student of how we humans slip and slog from era to era in baby steps, or alternatively daydream through many of them in idyllic stupor.

2. It is ironic because it purports to explain, at what we shall just call 'length,' a proposed set of activities involving hydrologic manipulation that nobody I have ever met could possibly understand -- in 60 days or ever.

3. It is ironical that it was prepared at all, at any length whatever, given that the activities it accounts and whose impacts numerous resource managers have here struggled to valuate, are all activities that the very same parties have practiced for years, sometimes in greater than the proposed quantities, absent any apparent need to elaborate or justify impacts in either an EIR or an EIS. (See p. 2-14, Table 2-2; and pp. 5-12 and 5-19, Tables 5-7 and 5-9, respectively.)

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[1] *i.e.*, the Great Yellow Area of Figure 2-1, p. 2-2.

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Yuba Accord Comment, 08/07/07, p. 2.

4. It is ironic because it was always going to be nothing short of hubris to include the GAA[2] in the list of areas of impact -- given that so little water is involved *vis a vis* the needs of those in the GAA. But perhaps the writers who included us here at the 'bottom' of the map could not at early moments in the analytical journey have predicted that the Titanically monumental modeling effort to be undertaken would end-up 'predicting'[3] that the *impacts* to the Export Service Area would be trivially tiny and negative at that -- not realistically larger than the error of the estimate -- not truly different from zero.

   It is beyond ironic, it is impossible that -- as this 'book' implies -- I could turn on my kitchen sink faucet for eight years and, even with many pots, pans and glasses in the sink full, empty, and partially both, then measure throughout that period **less** water going down the drain than I would have measured during the 15 preceding years during which the water was off. Isaac Newton would call such an engineering outcome not just an artifact of overzealous precision but 'wrong'... a defiance of the conservation-of-matter law. (See Table 5-24, p. 5-45 as well as Tables F1-43 and -44, p. F1-38 .)

5. It is ironic because we of the UYD[4] don't care what result is predicted for the Harvey O. Banks Pumping Plant and our area, if the best you can do is let loose 60,000 acre-feet per year, mostly in dry periods -- almost all of which, up to and including: more than all of which, is going to flow out through the Golden Gate. There are 17 million of us 'down' here; we require 'approximately 4.25000 million' acre-feet of water per year[5]. Sixty TAF per year is equivalent to 82.82 cubic feet per second (cfs), which wouldn't quite fill a 47-inch diameter pipe flowing at 7 feet per second. You do us little good unless we can get the four and a quarter MAF/yr, equivalent to 'approximately 5,866.42' cfs, which would just overfill a 267-inch pipe flowing at 15 ft/sec. Give us a break. Oh, and there are 17,000,000 more folks headed here (and 9,000,000 more headed to Yuba City and round about). *Ironically*, they're in their cars now, about to head out here from the East because they are tired of environmental factors like 6 to 9 months of stultifying heat and concurrent humidity each year, 4 months of blizzards or repeated hurricanes and their aftermath, and 10-day ice-storm events that occur at 'approximately 31.8 to 32°F.' and knock down their power lines, at which point it invariably turns really cold while they shiver unprotected in their unheated apartments and homes and wait the 8-10 days for the power company to

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[2] *i.e.*, the Great Amarillo Abyss, where I live -- the ESA.

[3] ... and there was only a flawed conception of looking ahead used ...

[4] *i.e.*, the Ugly Yellow Drain.

[5] ... because everybody knows: One A-ft of water supports one family of 4 for a year.

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Yuba Accord Comment, 08/07/07, p. 3.

restore their wires. We're aware that 200,000,000 others won't come because we have earthquakes in California, but what they forget is: Earthquakes are over in 10 seconds and you can then drive your little cart on toward the next tee.

6. It is ironic that this is really all about fish and MOSTLY it's about fisherpersons. Recall that all this began with, "In February 1988, a coalition of fishery groups... filed a complaint..." (App. A, N.O.P., p. 1). I personally find fishing ignoble, involving the literal *luring* of prehistoric animals with near-microscopic brains and nervous systems still breathing through gills, which obviate the placement and growth of a voice-box, to snap at a disguised treble-barbed hook -- creatures whose prehistoric development features cause them not even to yelp as bears gleefully eat their sides off. I prefer homing pigeons as the embodiment of amazing nonhuman creatures; I once had a bird return to my loft in eastern Tennessee from New Orleans in a day and a half (over 500 miles). Lance Armstrong couldn't do that with a bicycle and a map. But for truly human avocation, I much prefer golf, which involves Galileo's 1608 discovery of a parabola to describe launched object's trajectories ($y = ax^2 + bx - c$) and Newton's 1687 trigonometric restatement of it as a function of launch angle (for example clubface loft) and initial velocity, U: $y = x \tan \theta - \sec^2 \theta \ g/2 \ (x^2/U^2)$. [x = distance down-range, of course.] I find 1642, the year Galileo died and Newton was born, the avatar of moments when human endeavor changed from one of its eras to a *very* much different one -- more symbolic actually than 9/11[6], 1492, or 1066.

   What I find *truly* ironic, though, is that someone can write -- in a not very engineering syntax, to be sure: "Maximum water temperature for adults holding, while eggs are maturing, is **approximately 59°F to 60°F**..." (p. E2-5, emphasis added). Here we have found someone who may or may not like to fish but a person who just *loves fish* and is prepared to spend his or her final breath protecting their right to exist and be left alone, unstressed. To each his or her own. I suppose, in the end, whether this convoluted Accord can be implemented -- and that sounds very much over-constrained and likely impossible to me, these fish might just be proved actually to be worth all this time, 30.9 million dollars, and all this paper. Right here's the hero (p. E2-5).

7. It is ironic because this is all about "instream flow requirements" (p. 3-30 and throughout), while during the Comment Period the world has moved on to label this term "dated"[7] and to replace it with "Environmental Flows."

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[6]ironically my date of birth.

[7]Andrew T. Warner, 2007. "Incorporating Environmental Flows into Water Management," AWRA *Water Resources Impact (Environmental Flows)*, Vol. 9, No. 4, p. 6.

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Yuba Accord Comment, 08/07/07, p. 4.

8. I find it ironic that this EIR/EIS appears at my 40th anniversary of arriving in California to do water planning[8], and it appears at the 24th year of my living in the Great Yellow Abyss[9], and that I can also bring news to these deliberations: This very same year, the Santa Ana Regional Water Quality Control Board's Executive Officer has announced (and I was there when he did so) that further recharge of State Project Water in this basin (and most particularly the *salts* therein) will have to be accompanied by Waste Discharge Requirements for such placement.[10] Mr. Thibeault insisted (slide 33) that 'salts' are what is to be regulated, but he made mention of the wastewater effluent fom Sacramento (in particular) that was inherent in the northern California "imported" water. Yuba City and Marysville as well have a 'sewage disposal' plant in the gore point of the (Lower) Yuba and Feather Rivers[11], which must be discharging its effluent to the same waters to be transferred south (if any) via the extant project.

   Maybe it's time to consider removing the ESA or at least to consider changing its most unfortunately selected color. We're NOT the drain, by the way; my house is 1,000 ft above Yuba City and 1,019 ft above the HOB pumping plant.

9. Ironically, Gregory Bald in the Great Smoky Mountains (where I camped one night as a 15-year-old) lies at 4,948 ft above mean sea level (msl). Albuquerque, NM (which I spotted in the Rand McNally road atlas a few years ago while armchair scouting some Victorio and Geronimo sites) lies at 4,958 ft msl -- 'approximately 6,895,059 ft' west of Gregory Bald. It is ironic how flat the continental U.S. is and how easy it would be to construct and operate a transcontinental excess-flood-water redistribution system of canals and closed conduits, rivaling the interstate highway system, a system required for 50,000,000 people to live in California -- which I did not have to move here from the East to tell anyone, nor did Frémont, Vallejo, or Balboa. THAT would be a 'project,' an 'action' whose construction should have started in 'approximately 1493,' even if some ants were going to get squashed and some coyotes had to scoot.

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[8]...my first project being a study of the feasibility of modeling the movement, accumulation, and removal of salts (TDS) from the groundwaters of the Santa Ana River basin.

[9]...where I came to work on an EIS about nuclear ballistic missiles in WY and NE silos... missiles whose warheads were NOT guided but were to fall from the sky along Galileo's 399-year-old parabolas. THAT was a 'project' -- an 'action.'

[10]Gerard Thiebault. 2007. "Proposed General Waste Discharge Requirements for Salts from Injection/Percolation of Imported Water," PowerPoint Presentation, Am. Ground Water Trust Conf., Ontario, CA, 2/5/07, 40 slides.

[11]http://www.topozone.com/print.asp?lat=39.13479&lon=-121.6262... Accessed on 7/20/2007.

I1

Yuba Accord Comment, 08/07/07, p. 5.

10. Isn't it ironic that only fish do well here, except for the farmers (pp. 17-7 and 17-8) who will "net" about the same amount of money for participating in this Accord as the Tier One payment for the 480 TAF -- around 30 million dollars (p. 17-14)? Does this whole thing amount to a penny-ante poker game (in which, I repeat, I have no dog), and in which fish and farmers end-up somewhat better-off and everybody else gets through in a 'washing-each-others'-shirts' sort of tie? Wow. Maybe that's all an 'accord' is.

11. It took me about 30 days to find Exhibit 6 in the appendix (App. B, p. B-64); and then I realized I had read right past it, and its significance, in Chapter 3 (p. 3-7). Would it not have been possible, and plenty accurate enough, ironically, to have muliplied 8 years by each of the frequencies in that table to have determined that during the Tier One period -- the only nonspeculative one -- there would be 8 x 0.56 = 4.48 yr of Schedule 1 flow, 8 x 0.22 = 1.76 yr of Schedule 2 flow, 8 x 0.07 =0.56 yr of Schedule 3 flow, 8 x 0.05 = 0.40 yr of Schedule 4 flow (and Schedule 5 flow), 8 x 0.04 = 0.32 yr of Schedule 6 flow, and 8 x 0.01 = 0.08 yr of 'Conference' flow -- analyze that -- and, as they still say in *Common Sense*'s Thomas Paine's England: 'Job done... and Bob's your uncle!?!' Wouldn't that have saved about 12,000 pages?

12. It's ironic that the ONLY potentially significant impact (Chapter 7, p. 7-14) was for power *consumption* -- found in the same chapter where previously NO significant impacts for power *generation* had been found; and that the magnitude for this impact is described with a term whose justification is wholly absent: "unreasonable." Who says? If you got it, what's unreasonable about using (some of) it?

My only comment is:

Someone, possibly one of the proponent-organizations' attorneys, should petition the U. S. Supreme Court -- probably through a "complaint" of some kind -- to issue a Permanent Injunction or something to reinstate the Negative Declaration aspect of environmental impact enumeration, which somebody appears to have repealed inadvertently, so that no studies have to be performed or tomes written and disseminated when benign arrangements, plans, or schemes such as this one -- or even more convoluted or malevolent ideas -- comprising no activities whatsoever are floated that do not involve anybody going outside or any insect, weed, bird, or bison missing a single hot meal.

I1-1

Respectfully submitted,

Michael B. Sonnen, PhD, P.E.

Yuba Accord Comment, 08/07/07, p. 6.

P.S. The Climate Change chapter is completely irrelevant and immaterial, except for what it critically implies but never really says, *vis a vis* the entire modeling effort of the period "October 1921 to September 1994" (p. A-6), namely, contrary to what is assumed here and what every Hydrology textbook for a hundred years listed as a basic assumption -- that history will repeat itself -- is no longer regarded as either valid or useful; the number of water years in the Oct. 1921 through Sept. 1994 period is (and I've checked this by onezies; Sept. 1925 is FOUR water years after Oct. 1921): **73** [1994-1921], although the number at numerous spots throughout is given as 72, occasionally as 71, and once that I found, ironically, as 73; the word "affects" at the bottom of p. 11-45 should be "effects;" and 'CEQ' on p. 17-21 should be either CEQA or first spelled-out and defined before it's abbreviated. (Council on Environmental Quality? CEQ does not appear in the Glossary.)

I1-2

LETTER I1: MICHAEL B. SONNEN

Response to Comment I1-1:

Comment noted.

Response to Comment I1-2:

Any incorrect statements of the number of years in the hydrological record were inadvertent and the correct numbers can be determined by referring to the appropriate data in Appendix F. "Affects" on page 11-45 has been changed to "effects". "CEQ" is in the list of acronyms on page iv of the Draft EIR/EIS.

I2

Written Comments to EIR of the Yuba Accord

I request that my name, and address be withheld from public disclosure

Principles of Agreement with the Agency Member Units in connection with the Proposed Settlement of the SWRCB Decision-1644.

1) Voluntary Participation.

All member units (including Wheatland Water District) would be invited to participate in the settlement by entering into conjunctive use agreements with the Agency.

Voluntary participation in the Yuba Accord should not be limited to just Member Units, but include individual land owners who never agreed to join a member unit. Landowners that never volunteered to join a Member Unit and choose not to participate in the Conjunctive Use and Long-term Water Transfers Agreement of the Yuba Accord, should not have their land, future land use, and groundwater use compromised by any current or future project associated with the Yuba Accord Agreements or projects between Member Units and the YCWA. The landowners who never volunteered to participate should not have their land or easement across their land acquired by Eminent Domain. I2-1

5) Allocation of Scheduled 6 Pumping.

The ability of the Member Units to participate in the conjunctive use program will depend on the extent to which Member Units can make arrangements with landowners within it's service area to provide the groundwater pumping capacity required.

Member Units should not be allowed to pump groundwater from any land, or adjacent to any land, (if the pumping effects the groundwater level, current or future land use of the property) if the landowner never agreed to participate in the Member Unit, or in the Conjunctive Use Program. I2-2

11) CEQA Compliance for and SWRCB Approval of the Groundwater Substitution Water Transfer Program.

The Agency's EIR for the settlement, and petition to the SWRCB for approval of a long-term water transfer, adding the SWP and the CVP to the place of use under the Agency's water rights, would include the long-term groundwater substitution water transfer program. I2-3

Although groundwater may be pumped for use within the county during some years, nothing within the Yuba Accord should add the SWP or the CVP as place of use for any implied groundwater rights the agency has. SWRCB 1644 should not be used as a means to imply that the SWP and/or the CVP as the place of use of Yuba County groundwater rights within the long-term water transfer agreement.

I2

Agreement for the Long-term Purchase of Water from Yuba County Water Agency by the Department of Water Resources and the Bureau of Reclamation.

RECITALS

G. ***The Contracting Parties believe that this Agreement is consistent with: (1) Yuba's commitments to utilize water management tools (such as conjunctive use of groundwater) to create operational efficiencies, and manage water shortage risks in new ways that would benefit the fisheries and augment water supplies for downstream users; and (2) the Projects' need for additional water supplies.***

No Water from the Long-Term Purchase of Water from YCWA should be used to create an additional benefit or future benefit to downstream users at the expense of landowners within Yuba County. Additional irrigation acreage in the CVP or new Home Development with the service area of the SWP or downstream users should not take place if it has any adverse consequences to any landowner within Yuba County. The landowners within Yuba County should not have they property seized or easement taken by an Eminent Domain process for a conjunctive water use project that benefits downstream users and landowners anymore than what is currently in place. Taking groundwater from Yuba County to benefit farmers and home developers in Southern California was never the reason for SWRB Decision-1644.

I2-4

Section 6. Component 2 Water

Is not needed to satisfy Decession-1644, but is rather a drought protection plan for CVP and SWP, and not for the EWA or Fishery Agreement.

Section 7. Component 3 Water

Is not needed to satisfy Decession-1644, and the EWA or Fishery Agreement.

I2-5

Section 8. Component 4 Water

Is not needed to satisfy Decession-1644, and the EWA or Fishery Agreement.

Section 17 Approvals and Conditions Precedent to the Performance of the Agreement.

Yuba represents that Yuba has complied with the provisions of Section 5.2 of the Yuba Act, which requires that, prior to entering into this agreement, the Board of Directors of Yuba to: (1) determine that water to be purchased under this Agreement

I2-6a.

I2

would be surplus to the amount of water available to meet the contractual requirements of the Member units.

Conditions that would require selected groundwater pumps to supply water to other landowners within the county should not be considered a surplus condition. When landowners within the county have to rely on the pump from another landowner's property, then the Agency should not consider themselves to have surplus water available to meet the requirements of the Long-term Water Transfer Agreement. I2-6a. cont.

(2) hold public meetings to receive and consider comments on and objections to this Agreement:

YCWA should **"act in good faith to properly educate all the citizens of the county"** of the true and total scope of the Conjunctive Groundwater Use, and the Long-Term Water Transfer Agreements that the Agency is contracting into. Good faith should not be limited to simple meeting announcements in local newspapers that draw only six citizens, or require that citizens spend hours of self-research to educate themselves of the Agreements. I2-6b.

(3) confirm that a majority of the registered voters residing within Yuba County have not filed written protests against this Agreement.

The Agency should not enter into these Agreements without the full and knowledgeable consent of a majority of the registered voters in the county. Instead of keeping the citizens in the dark, and measuring the objections of a few self-informed citizens, the Agency should invest sufficient resources into educating all the citizens of the extent of the Agreements, and placing the Agreements on an upcoming public ballot, which would be a true and honest means of measuring support of entering into the contracts. Such ballot measure should be free of campaign financing by any interest outside of Yuba County. I2-6c.

Section 19. Hold Harmless

This whole section should be changed to ensure that landowners and citizens inside or outside Yuba County have some recourse, in the event that this Agreement causes adverse effects to the property, property value and future land use, that may arise from the Agreements. For all the contracting parties to agree not to hold anybody accountable is only in their interest, and not in the interest of the citizens they are to be serving. I2-7

Section 24. General Contracting Provisions.

E. No Third-party Beneficiaries, Except as Expressly Provided. I2-8a.

The words "permitted transferees and assigns" should be removed. Decession-1644 was not intended to create a benefit to private parties through Long-term Contracts.

Q. Officials Not to Benefit

This should include any Employee or Director of YCWA, or (publicly or non-disclosed) campaign contributor to the Yuba County Supervisors/ YCWA Director, State Legislature or Governor of the State of California, which makes appointments to Contracting Parties. I2-8b.

Written comments to the EIR of the Yuba Accord continued

Chapter 6. Groundwater Resources

Conclusions Based on Long-Term Analysis

Even if the maximum pumping volumes were implemented over 6 years consecutively under the Yuba Accord Alternative (e.g., 3-year 180 TAF pumping), the estimated total groundwater storage after the maximum groundwater decline of 180 TAP (Figure 6-19) would be much higher than historical low conditions. Figure 6-20 demonstrates conceptually how groundwater storage in the South Yuba Subbasin would change as a result of the worst case groundwater storage decline of 180 TAF. Assuming 2005 represents the baseline year…

If 2005 is considered the baseline year and the analysis claims that maximum groundwater pumping would result in worst case conditions only half that of the historic lows of 1983, then it should be clearly stated that individual wells could never be pumped to create groundwater levels more then 50% of the difference between the levels of 2005 and 1983. I2-9

Chapter 8. Flood Control

Impact 8.2.5-1 increases in New Bullards Bar Reservoir end-of-month storage volumes that could affect flood control releases

Any increases to the end-of-month storage volumes at Bullards Bar that could increase the likelihood of flows exceeding 4,170 cubic feet (uncontrolled flows) should not be an acceptable component of the Yuba Accord. Although Yuba Accord would provide revenues to Yuba County for flood control projects, they are not the only counties (Sutter and Sacramento) who would be subject to flooding associated with the management of end-of-month storage volumes at Bullards Bar. I2-10

LETTER I2: NAME WITHHELD BY REQUEST

Response to Comment I2-1:

YCWA's current operations involve delivery of surface water from the lower Yuba River to Member Units for use within the Member Units. The conjunctive use program under the Yuba Accord Alternative would involve groundwater substitution transfers and deficiency pumping. Only those entities (i.e., Member Units) currently receiving surface water from YCWA would have opportunities to pump groundwater in lieu of receiving their surface water deliveries. Therefore, there would be no opportunity for individual land owners to participate in a groundwater substitution transfer unless they belong to one of YCWA's Member Units. For a discussion of potential impacts to groundwater users, not participating in the Yuba Accord, please refer to the response to Comment LA2-2. The Yuba Accord would not cause any significant impacts on the lands, land uses and groundwater uses of landowners not participating in the Yuba Accord, and the Yuba Accord would not involve any acquisitions of lands by eminent domain.

Response to Comment I2-2:

The conjunctive use program under the Yuba Accord would involve groundwater pumping only by willing landowners.

Response to Comment I2-3:

The Yuba Accord Alternative is intended to improve water supply reliability for Reclamation and DWR through the purchase of additional water in drier years. To assure that YCWA's water supply reliability would not be reduced by the higher instream flow requirements, YCWA and its participating Member Units would implement the Conjunctive Use Agreements. These agreements would establish a comprehensive conjunctive use program that would integrate the surface water and groundwater supplies of the local irrigation districts and mutual water companies that YCWA serves in Yuba County. Under the Conjunctive Use Agreements, YCWA Member Units would participate in a conjunctive use program and substitute groundwater for some surface water supplies.

If YCWA and a Member Unit decided to enter into a conjunctive use agreement, then the Member Unit would arrange for its respective water users to reduce their use of surface water diversions by amounts to be determined by YCWA and its Member Units during the water accounting year, and to pump equivalent amounts of groundwater from approved wells as replacement supplies for the groundwater substitution component of the YCWA water transfer to Reclamation and DWR.

The Yuba Accord Alternative would not involve the transfer of groundwater from Yuba County directly to the CVP or SWP, or to any other place of use outside of the county. Pumped groundwater would be used to irrigate lands within the Member Units' service areas that otherwise would have been served by surface water between March 1 and December 31. These operations would be consistent with the implementation of YCWA's Groundwater Management Plan (YCWA 2005) and within the safe yields of the groundwater basins. Additionally, the Member Units would not lose or forego any existing surface water rights by participating in the Yuba Accord.

Response to Comment I2-4:

Integration of Yuba County's groundwater and surface water supplies has been a key element of the YCWA transfer program for the past 14 years. Under the Yuba Accord Alternative, this integration would be formalized to assure a supplemental dry year supply of groundwater to irrigate local farmland and to allow storage in New Bullards Bar Reservoir to be more fully exercised to meet: (1) the instream flow requirements in the Fisheries Agreement; and (2) the commitments to deliver water under the Water Purchase Agreement. Under the Water Purchase Agreement, DWR, in dry and critical years, would purchase from YCWA the surface water made available by participating Member Units' use of groundwater as a substitute supply. Although the Proposed Yuba Accord is intended to improve water supply reliability and provide a supplemental water supply during drier years, the actions (e.g., increased flows, water transfers) required to implement these benefits only would occur during a relatively short period of time (i.e., 8 years). Additionally, Component 2, 3 and 4 water deliveries would only provide a supplemental supply, not to exceed the maximum existing SWP Table A amounts or CVP contract entitlements, which would improve reliability, particularly during dry years (see Chapter 3, Chapter 5 and Appendix F1 of the Draft EIR/EIS for additional detail). Therefore, no increases in long-term water supply reliability necessary to facilitate growth in the export service area would occur due to implementation of the Yuba Accord Alternative.

In Yuba County, YCWA would compensate participating Member Units for: (1) associated groundwater pumping; and (2) electric standby charges incurred to implement the conjunctive use program (if the wells were not used to provide water for a groundwater substitution water transfer during the period when the standby charge was incurred). YCWA also would provide financing to assist in modernizing local diesel groundwater pumps through conversions to more efficient and cleaner electric pumps. Meeting the Yuba Accord Alternatives instream flow requirements may result in occasional surface water deficiencies under YCWA's contracts with participating members. To mitigate such deficiencies, YCWA would compensate participating Member Units for the costs associated with groundwater pumping determined necessary to irrigate crops and avoid irrigation deficiencies, thereby effectively assuring that no adverse impacts to any landowner occur within the Yuba Region. No seizing of property or taking of easements is proposed as part of the Yuba Accord Alternative.

Response to Comment I2-5:

Under the Yuba Accord Alternative, water releases in the lower Yuba River would occur for the primary purpose of meeting the Fisheries Agreement flow schedules. As described on page 3-13 of the Draft EIR/EIS, portions of the water used to implement Schedules 1 through 6 of the Fisheries Agreement under the Yuba Accord Alternative would be delivered as Component 1, 2, 3 and 4 water as part of the Water Purchase Agreement. The Yuba Accord Alternative includes three separate but interrelated agreements that would result in enhancement of fisheries protection on the lower Yuba River, increase certainty of local supply reliability, and provide Reclamation and DWR with increased operational flexibility for protection of fisheries resources through the EWA Program or an equivalent program, and provision of supplemental dry-year water supplies to state and federal water contractors (see page 1-9 of the Draft EIR/EIS). For these reasons, water releases necessary to meet the instream flow schedules in the lower Yuba River under the Proposed Project/Action would occur regardless of how the transfer volumes would be characterized for CVP and SWP accounting purposes (e.g., Component 1, 2, 3 and 4 water) under the Water Purchase Agreement. Additionally, because of the interrelated nature of the three Proposed Yuba Accord agreements, the portion of water that may be provided to CVP and SWP for use by the EWA Program or an equivalent program (Component 1 water) or CVP and SWP contractors (e.g., Components 2, 3 and 4 water) cannot be separated from the other elements of the Proposed Project/Action (i.e., Yuba Accord Alternative).

Response to Comment I2-6a:

YCWA will comply with Section 5.2 of the Yuba County Water Agency Act.

It is not contemplated that groundwater pumping for the Yuba Accord would cause landowners to have to use groundwater pumped on other landowner's properties to meet their local needs. Instead, groundwater-substitution pumping would be arranged to avoid any unreasonable local groundwater impacts. See responses to Comment LA2-2.

Response to Comment I2-6b:

YCWA and Reclamation circulated a NOP/NOI to prepare a joint EIR/EIS for the Proposed Yuba Accord on July 20, 2005.

The NOP was filed with the California State Clearinghouse, the NOI was published in the Federal Register, and both notices were published in local newspapers, including the Sacramento Bee and the Marysville Appeal Democrat. Additionally, a separate notice of

scoping meetings was distributed to over 800 individuals on the Yuba Accord mailing/distribution list.

Scoping is used under both CEQA and NEPA to determine the focus and content of an EIR or EIS. The main objective of the scoping process is to provide the public and potentially affected resource agencies with information on the proposed project and to solicit public input regarding the issues and concerns to be evaluated in the environmental documentation. The scoping process is generally intended to provide the lead agencies with information regarding the range of actions, alternatives, resource issues, and mitigation measures that are to be analyzed in depth in the EIR/EIS and to eliminate from detailed study those issues found not to be significant. The Yuba Accord scoping process was designed to elicit comments from public agencies, other interested organizations and the public on the scope of the potential environmental effects and issues to be addressed in the Draft EIR/EIS.

Reclamation and YCWA held four public scoping meetings over two days: two on July 19, 2005 in Sacramento, California, and two on July 20, 2005 in Marysville, California. Attendees at the meetings included various federal, state, and local agency representatives, NGO representatives, and local residents. The first portion of each meeting was an informal discussion and display session. Four information stations were set up around the meeting room displaying information related to the three agreements comprising the Proposed Yuba Accord and explaining the EIR/EIS process. Lead agency representatives and consultant team members answered questions related to the Proposed Yuba Accord and EIR/EIS process, and collected public comments. A brief slide presentation of the history and overview of the Proposed Yuba Accord was made. At the conclusion of the slide presentation, meeting attendees were given the opportunity to make verbal comments. The meetings concluded with additional time for meeting attendees to view, ask questions, and comment upon the information display stations and meeting materials. Questions and comments were taken throughout each meeting and attendees were encouraged to provide their comments to the lead agencies in writing.

A Notice of Availability of the Draft EIR/EIS was published in the Federal Register, filed with the California State Clearinghouse, and published in local newspapers, including the Sacramento Bee, the Appeal Democrat, and the Grass Valley Union on July 26, 2007. The purpose of the notice was to inform interested parties of the availability of the Draft EIR/EIS document for public review and comment. A separate Notice of Public Hearings was distributed by Reclamation to all agencies and individuals on the Yuba Accord mailing/distribution list.

As part of the NEPA/CEQA process, two public hearings were held which allowed individuals an opportunity to provide verbal or written comments on the Draft EIR/EIS. The hearings occurred from 2:00pm to 3:00 pm and from 6:00 pm to 7:00 pm on Wednesday, August 1, 2007 in Marysville, California.

Also, copies of the Draft EIR/EIS were made available for public review at the following locations:

- Bureau of Reclamation, 2800 Cottage Way, Sacramento, CA 95825
- Yuba County Water Agency, 1220 F Street, Marysville, CA 95901
- Department of Water Resources, Division of Environmental Services, 1416 Ninth Street, Sacramento, CA 95814
- Sacramento Public Library, 828 I Street, Sacramento, CA 95814

- Yuba County Library, 303 2nd Street, Marysville, CA 95901

Ample opportunities for public involvement, questions, and comments have been provided throughout the environmental compliance process. Refer also to Chapter 2 of this Final EIR/EIS for further information regarding the public outreach efforts conducted during the EIR/EIS process. Also, the Draft EIR/EIS describes the Yuba Accord Alternative and its potential impacts in detail. Therefore, YCWA has indeed acted "in good faith to properly educate all the citizens of the county" and other citizens potentially affected by implementation of the Yuba Accord Alternative.

Response to Comment I2-6c:

YCWA has complied with all applicable CEQA and NEPA notice requirements for the Draft EIR/EIS and generally has made the Draft EIR/EIS available for public review and comment in Yuba County. YCWA will comply with the notice and other requirements of Section 5.2 of the Yuba County Water Agency Act. The ballot measure that is requested in this comment is not required by law.

Response to Comment I2-7:

The comment refers to Section 19 of the draft Water Purchase Agreement, which sets forth the contractual provisions related to the delivery and sharing of purchased water and related integrated operations of the CVP/SWP system that will be agreed upon by YCWA, Reclamation and DWR (see page 1-11 of the Draft EIR/EIS). While the Water Purchase Agreement is one of the three interrelated agreements of the Yuba Accord Alternative, the Conjunctive Use Agreements between YCWA and the Member Units specify the contractual provisions that would pertain to conditions in Yuba County.

With respect to the commentor's concerns regarding the protection of local interests in Yuba County and the underlying groundwater aquifer, protective provisions are identified in the Signed Memoranda of Understanding (MOU) for Conjunctive Use Agreements, which are provided in Appendix B3 of the Draft EIR/EIS. Excerpts from these MOUs that pertain to landowner participation and the measures that have been established to protect groundwater resources are provided below.

- The last paragraph of **Item 5. Allocation of Schedule 6 Pumping** states that…"*The ability of a Member Unit to participate in the conjunctive use program will depend on the extent to which the Member Unit can make arrangements with landowners within its service area to provide the groundwater pumping capacity required for the conjunctive use program. The proposed groundwater pumping allocation set forth in this section could be adjusted to reflect the ability of Member Units to provide this pumping capacity.* "

- **Item 15. The Conjunctive Use Program** states that …"*The Agency's conjunctive use program would monitor groundwater pumping to avoid long-term impacts to the safe yield of the aquifer and impacts to domestic and municipal wells. The maximum annual amount of groundwater pumping for the Schedule 6 year commitments, for the Phase 8 settlement commitments, to mitigate for deficiencies in supplemental water supplies, and for groundwater substitution transfers would not exceed approximately 120,000 AF per year, to avoid long-term impacts to the safe yield of the aquifer. The Agency would coordinate with the Member Units in developing a program for efficiently providing the groundwater needed to implement the settlement (including the designation of wells that would participate in the program). To avoid air quality impacts from the implementation of the settlement (including the groundwater*

substitution water transfer program), the Agency would coordinate with the Member Units in the development and implementation of a program to convert certain diesel pumps to electrical pumps. The Agency would reimburse the Member Units for electricity standby charges incurred to implement the conjunctive use program if the wells were not used to provide water for a groundwater substitution water transfer during the period of years that the standby charge coverage. The Agency would work with the Member Units to avoid (or mitigate for) impacts to domestic and municipal wells. The Agency would use funds from the Phase 8 settlement implementation agreement to fund the conjunctive use program. "

For additional information related to concerns about potential impacts to private wells and individual landowners in Yuba County, see the response to Comment LA2-2.

Response to Comment I2-8a:

The reference to "permitted transferees and assigns" is appropriate here. Regardless of the intent of RD-1644, this language is appropriate for this section of the Water Purchase Agreement.

Response to Comment I2-8b:

The additional language requested by this comment is not required by law and will not be added to the Water Purchase Agreement. The people listed in this comment would be subject to all applicable laws regarding conflicts of interest and prohibitions on benefits from public-agency actions.

Response to Comment I2-9:

Estimates of groundwater pumping for shortages under the CEQA Existing Condition, the CEQA No Project Alternative and the Yuba Accord Alternative during the hydrologic period are presented in **Table I2-9.1**. The statement about overall groundwater storage in the Yuba Basin that is on page 6-50 of the Draft EIR/EIS and that is quoted in this comment is correct. However, the conclusion about individual wells that is stated in this comment may or may not be correct. During the period of the Yuba Accord Alternative, groundwater levels in any particular individual well would be determined by many factors, including pumping of that well and neighboring wells for purposes unrelated to the Yuba Accord. Also, the mix of wells used for the Yuba Accord Alternative's groundwater-substitution program could affect groundwater levels in different wells in different ways. To prevent the implementation of the Yuba Accord Alternative from having any significant effects on individual wells, the actions in Exhibit 3 to the Water Purchase Agreement will be implemented (see Final EIR/EIS, Appendix M).

Table I2-9.1. Estimates of Groundwater Pumping for Shortages During the Hydrological Period

Water Year	Yuba River Index Year Type	Groundwater Pumping for Shortages (AF)		
		CEQA Existing Condition	CEQA No Project Alternative	Yuba Accord Alternative
1922	Wet	0	0	0
1923	Above Normal	0	0	0
1924	Extremely Critical	0	0	54,631
1925	Below Normal	0	0	7,422
1926	Below Normal	0	9,105	0
1927	Wet	0	1,237	0
1928	Above Normal	0	0	0
1929	Dry	0	12,140	0
1930	Below Normal	0	1,649	0
1931	Extremely Critical	0	12,140	15,175
1932	Below Normal	0	1,649	2,062
1933	Dry	0	0	0
1934	Extremely Critical	0	0	0
1935	Above Normal	0	0	0
1936	Above Normal	0	0	0
1937	Above Normal	0	0	0
1938	Wet	0	0	0
1939	Dry	0	36,420	0
1940	Above Normal	0	4,948	0
1941	Wet	0	0	0
1942	Wet	0	0	0
1943	Wet	0	0	0
1944	Below Normal	0	0	0
1945	Above Normal	0	0	0
1946	Above Normal	0	0	0
1947	Dry	0	12,140	0
1948	Above Normal	0	1,649	0
1949	Below Normal	0	0	0
1950	Above Normal	0	0	0
1951	Wet	0	0	0
1952	Wet	0	0	0
1953	Wet	0	0	0
1954	Above Normal	0	0	0
1955	Dry	0	0	0
1956	Wet	0	0	0
1957	Above Normal	0	0	0
1958	Wet	0	0	0
1959	Dry	0	63,736	0
1960	Below Normal	0	8,659	0

Table I2-9.1. Estimates of Groundwater Pumping for Shortages During the Hydrological Period

Water Year	Yuba River Index Year Type	Groundwater Pumping for Shortages (AF)		
		CEQA Existing Condition	CEQA No Project Alternative	Yuba Accord Alternative
1961	Critical	0	0	0
1962	Below Normal	0	0	0
1963	Wet	0	0	0
1964	Below Normal	0	0	0
1965	Wet	0	0	0
1966	Below Normal	0	0	0
1967	Wet	0	0	0
1968	Below Normal	0	0	0
1969	Wet	0	0	0
1970	Wet	0	0	17,934
1971	Wet	0	0	2,375
1972	Below Normal	0	0	0
1973	Above Normal	0	0	0
1974	Wet	0	0	0
1975	Wet	0	0	0
1976	Extremely Critical	0	0	0
1977**	Extremely Critical	120,000	120,000	120,000
1978	Above Normal	20,463	57,660	50,538
1979	Below Normal	0	0	0
1980	Wet	0	0	0
1981	Dry	0	48,561	0
1982	Wet	0	6,597	0
1983	Wet	0	0	0
1984	Wet	0	0	0
1985	Below Normal	0	12,140	0
1986	Wet	0	1,649	0
1987	Critical	0	18,210	0
1988	Extremely Critical	0	2,474	0
1989	Below Normal	0	0	0
1990	Dry	0	0	0
1991	Critical	0	0	0
1992	Extremely Critical	0	0	0
1993	Above Normal	0	0	0
1994	Critical	0	21,245	0
Average of all years (AF)		**1,924**	**6,219**	**3,701**

** Groundwater pumping during the 1977 drought is limited to 120,000 AF. Model estimated surface water shortage (i.e., model estimated groundwater pumping for meeting surface water shortage) during 1977 is 143,632 AF for the CEQA Existing Condition; 274,650 AF for the CEQA No Project Alternative; and 273,153 AF for the Yuba Accord Alternative. The maximum groundwater pumping of 120,000 AF in a single year is a constraint established for the upper bound of pumping volumes and to limit groundwater pumping during dry conditions.

Response to Comment I2-10:

For the purposes of the evaluations conducted in the Draft EIR/EIS, in the Yuba River, a substantial increase in the number of potential flood control releases (i.e., reservoir storage reaches flood control target value) from New Bullards Bar Reservoir under the Proposed Project/Action and alternatives, relative to the bases of comparison, was considered significant. Additionally, a substantial increase in mean monthly flows exceeding 4,170 cfs was evaluated as an indicator of a potential increase in the magnitude of flood flows.

Minimum storage space reserved for flood control purposes in New Bullards Bar Reservoir is set for the September through April time period (see Section 8.2.1 Impact Assessment Methodology, pages 8-6 through 8-7). Over the 72-year simulation period, New Bullards Bar Reservoir would reach minimum flood control storage levels 49 times under the Yuba Accord Alternative compared to 54 times under the CEQA No Project Alternative (Appendix F4, 3 vs. 2, pages 2 - 8, and 13), 51 times under the CEQA Existing Condition (Appendix F4, 3 vs. 1, pages 2 - 8, and 13), and 55 times under the NEPA No Action Alternative (Appendix F4, 6 vs. 5, pages 2 - 8, and 13).

4.4.6 RESPONSES TO COMMENTS MADE DURING PUBLIC HEARINGS

PH – Transcript 1

YUBA COUNTY PUBLIC HEARING

COPY

YUBA COUNTY PUBLIC HEARING

Richard Woodley, presiding

Wednesday, August 1, 2007

Reported by: Leian R. Ellis, CSR

BRITT & ASSOCIATES
Certified Shorthand Reporters
822 RICHLAND ROAD, SUITE A
P.O. BOX 3488
YUBA CITY, CA 95991
(530) 671-5001
FAX: (530) 671-1549

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YUBA COUNTY PUBLIC HEARING

YUBA COUNTY PUBLIC HEARING

Marysville, Yuba County, California, Wednesday, August 1, 2007.

Hearing called to order at 2:00 o'clock p.m. of this day.

Before Richard Woodley, presiding.

Leian R. Ellis, Certified Court Reporter, No. 7431.

APPEARANCES:

RICHARD J. WOODLEY
Regional Resources
Manager, Regional Office
2800 Cottage Way, MP-400
Sacramento, CA 95825

CURT AIKENS
General Manager
Yuba Conty Water Agency
1220 F Street
Marysville, CA 95901

BRITT & ASSOCIATES (530) 671-5001

PH – Transcript 1

Wednesday, August 1, 2007

--oOo--

MR. AIKENS: I'm Curt Aikens, and I'm the General Manager of the Yuba County Water Agency. And this is a public hearing for the Yuba County EIR/EIS. Rick Woodley is with the Bureau of Reclamation, and he's going to be the person leading the hearing, and he's got a pretty scripted process that the Bureau goes through. So what I'm going to do is turn it over to Rick to move things forward, then we'll just go through the process.

MR. WOODLEY: Okay. Some of this we may have to adjust a little bit as we go through it, but welcome to the public hearing on the Proposed Lower Yuba River Accord, Draft Environmental Impact Report/Environmental Impact Statement. This is one of two meetings being held in accordance with the requirements of National Environmental Policy Act.

My name is Rick Woodley. I'm the Regional Resources Manager for the Bureau of Reclamation's Mid-Pacific Region. I will be serving as a hearing officer, and a court reporter is recording the proceedings. At the table is Curt Aikens, General Manager of the Yuba County Water Agency.

Today we're accepting verbal and written

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comments on the draft EIR/EIS. To provide verbal comments you should have completed a Speaker's Card, that would be like these blue ones. If you want to comment verbally, but did not complete a Speaker's Card, please go to the registration desk and Janet will take care of it. If you've completed a Speaker's Card, but didn't turn it in at the registration table, just go back and take it there.

If you've already -- if you -- you may provide written comments today, and there's a comment card here, that would be one of these yellow ones. Those are available at the registration table. If you're speaking from written comments, we'd like you to submit them to us; please fill out the top portion of your comment card and attach your comments and provide them before you leave. Again, if you want to provide comments, but do not have -- but haven't submitted a speaker card, just go to the registration table.

And I think with that we're pretty well ready to go. Understand as we go through the speaking as far as calling up the folks -- Mr. Moss, who is County Supervisor, I understand you've declined to provide any verbal comments?

MR. MOSS: Just came to hear what everybody

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had to say.

MR. WOODLEY: Okay, sir. First we'll go just in order of the people that have signed up. James Butler, Freda Calert and Sig Boss. And if we have any additional people that show up, we'll just add them to the list as we go. So, if Mr. Butler would like to provide your comments.

MR. BUTLER: I want to talk about the Lower Yuba region, does that mean below the Englebright Dam? Anyway, I lived on the Yuba River 32 years now, and own a mining claim right there at the confluence of Deer Creek and Yuba River, and I'm very familiar with the environment and the so-called to protect the salmon spawn habitat.

PH1-1

We have a situation there where the shot rock, that's the blast rubble from the construction of the Narrows Two Project was piled up on the banks early on, but the floods of '55, '64 and then '97 has scoured off this shot rock off the banks and carried it downstream a mile and a half and buried, use the words of the Fish and Games armored over the salmon spawning habitat. So you have this rubble rock. Mr. Aikens is very familiar with the situation that I spoken of for better than 20 years, 25 years, is that the shot rock has precluded the salmon spawn, and the

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only place where the salmon will spawn, which is where you clear away the shot rock. And I happen to have a gold treasurer, and I open up an area there, and then the gravel goes through my dredge and out the bank and filters out, and here comes the salmon. The salmon come in and spawn my dredge, but can't spawn in the shot rock.

Now, I put forth a proposal back in December '99 to the Yuba County Board of Supervisors to remove the shot rock and restore the salmon habitat, and that 2,000 feet of road would have to be constructed, but I couldn't get any easement from either U.C. Davis or PG&E. It's just, they just stiff-arm me over the place and that shot rock still sits there. But however, the Yuba County Water Agency hired Jones and Stokes to do a field report, which concurs my proposal to remove the shot rock and return size -- to the right size gravel to the river that the salmon can spawn in.

PH1-1 cont.

So as the situation stands, you won't see any fish there. We might dredge a little bit in Deer Creek up the side there, salmon, maybe a handful of fish came up there last -- last year. And the -- and also recently though just finished a bypass in the Englebright Power House there to, says to provide

PH1-2

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colder water. Now, the river is ice cold right now. And formerly if you go up to Bridgeport and up above Englebright, the river up there is 70, 75 degrees. You can go swimming and all kinds of fish and everything. And then you go below Englebright, it's ice cold, it's 50 degrees.

Now, that has -- I brought a sample of the rock. It's just moss, slime-colored rock at the bottom of the river, no bugs, no organisms, nothing for the salmon or trout or the bass or anything to feed on. You got a dead river, my dad said that back in 1970 to Mr. Landerman when he was Supervisor. However, the powers that be, they are, in my opinion are insisting that the world is flat by -- by persisting in perpetual ice water year around. The salmon aren't there in July and August. The salmon come in after the equinox, September 21st later on and early October the salmon will come up that part of the Yuba River. So I can't understand it, this is beyond my comprehension why they insist on providing or sending the ice water down the Yuba River 365 days a year. They don't come up there until October. That's when the temperatures cool naturally anyhow. So what you have is a flat temperature regime, the shot rock, there's no place for the salmon to spawn.

PH1-2 cont.

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PH1-2 cont.

So I -- now, when I read that article, that 12 and a half million dollars was spent to provide for this new tunnel bypass there at Englebright, I couldn't believe it. For a one hundredth of that, a road could be built down, the machinery can be brought and the shot rock can be removed. It could be sold as aggregate. Even Teichert's interested in it.

Do you know Jennie Brown by any chance? Okay.

MR. AIKENS: Uh-huh.

MR. BUTLER: She's spearheading that organization.

Okay. So the shot rock can be removed and used as aggregate. There's a plus there, win, win. So anyway, when the main thrust of my input here is that the perpetual ice water has killed off all other organisms that thrive in the river when the normal temperatures rise, which is called a bell curve. This is the winter, the temperatures drop in degrees, but then you get to May, June, July, the temperature rises. When the temperature rises, all these other organisms thrive and breed and multiply that provide food, and you have for other fish. Those other fishes are gone.

I rode up and down the river, and I looked

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PH1-2 cont.

down, and I went up and down, couldn't see any fish. I don't see any fish. So the ice water doesn't do any good.

Thank you.

MR. AIKENS: Thanks, Jim.

MR. WOODLEY: Next speaker would be Miss Calert.

MS. CALERT: My name is Freda Calert, and I have a couple of questions, Mr. Aikens. The Lower River, would that also be considered the Dairy Dam where the fish ladder is?

MR. AIKENS: Deer Dam?

MS. CALERT: Sorry, excuse me.

MR. AIKENS: That's part of the Lower Yuba River.

PH2-1

MS. CALERT: There used to, years ago, I believe in the early '80s we had a trout-raising facility out there, and they done quite well because of low temperatues in the 60s. And to the best -- to my recollection way back then we had roughly about 40,000 salmon coming down the river every year, like the gentleman said, around early October. They were -- looked just like cord wood, it was beautiful to see to come down that. And I realize some of it -- we went down to about 4,000, but I believe as we grow in

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PH2-1 cont.

this community there could be a really great tourist attraction that we have this kind of available and like that on the south side of the river. You seen them from Parks Bar all the way through the public land there. It was just -- it was -- it was just beautiful. So I'd like you to consider something like that too.

MR. AIKENS: Thank you, Freda.

MR. WOODLEY: Janet, do you have any more sign-in's?

MS. SIERZPUTOWSKI: No.

MR. WOODLEY: We'll go with Mr. Boss.

PH3-1

MR. BOSS: Yeah. My main concern, the rivers, Yuba and Feather providing the main change to the water table. I depend on it, thousands of other people depend on it. And what I hear by talking to people who are concerned about the overusage of water by selling it and by diverting it and sinking new wells such as the rice farmers, they -- I don't know if they know their density surface water and/or selling it, or if they are passing on it and then go ahead and take it out of the -- out of the ground and by so doing is possibly lowering the water table.

MR. AIKENS: Uh-huh.

MR. BOSS: Those are my major concerns.

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PH3-1 cont.

It's when I hear something like it -- this project like Yuba Highland sinking three bills right beside the river, it -- I can't imagine that it would draw water from the river and in from the aquifer. And that you gentlemen need to strongly represent us public and make damn sure that we -- that there are plans in the -- in the making which would, if the resource is overused that it can be rejuvenated by injecting water so people like us who have three, five, 10 acres don't have to shower with sand.

So that's -- that's my main reason for being here. Thank you.

MR. AIKENS: Thank you very much.

MR. WOODLEY: No other speakers?

MS. SIEZPUTOWSKI: No other speakers. The hearing will stay open until 3:00 o'clock in case someone else does come, but at this point we --

MR. WOODLEY: Just make a few comments. Written comments can be -- if you have them can be submitted at this hearing. If -- if you've given your verbal presentation, and if you'll notice on the bottom of the yellow comment card, the comments can be sent to that address or FAXed or e-mailed to where indicated on the comment card. These comments will need to be submitted by the close of business on

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Friday, August 24th, 2007 if you choose to do that. And please understand that written, verbal comments will receive equal consideration.

As far as the rest of the process, take a moment to explain what will happen from here. All the comments will be reviewed and responses to the comments will be prepared. Assuming all major issues can be addressed, a final EIR/EIS will be prepared which will include the responses to the comments. If major issues remain unresolved, a supplemental EIR/EIS could be prepared. A record of decision will then be prepared, and that is when the final decision will be made.

And at this point, as Janet says, we'll remain open for any additional speakers that may choose to come until 3:00 o'clock. And you're welcome to stay.

MR. BUTLER: I didn't know what was going to take place here today, but I brought a sample of shot rock. I want you to see what that looks like. Can you -- can I come up and bring it up to you?

MR. WOODLEY: Sure.

MR. BUTLER: Since we're all waiting. This is what shot rock looks like. This is coming down off from the Englebright Dam. And this is what's armored

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over the salmon spawn habitat. It doesn't tumble. It's a like a ribrap. It needs to be removed from the riverbed, and it's on my property, and it's damaged me tremendously, not the mechanics, the salmon habitat. And so I see no interest in removing this, nobody wants to step up to the plate. The Fish and Gamec Corps of Engineers, I've written letters to senators, congressmen ad nauseum. And so I'm stuck with this stuff on my property, 150,000 cubic yards of it.

I got a picture here of my dad back in '72, and he's standing on, there's Englebright Dam. And this is all shot rock that came down earlier, way back in the '70s, but now there's another big bar of shot rock back here now. But there's an example of the --

MR. BOSS: How did it come to being in shot rock?

MR. BUTLER: Anybody want to see it?

MS. CALERT: Yes.

MR. BUTLER: This is -- that's just the rubble rock is washed down out from the Englebright construction, and it's armored over the gravel bed. The normal river gravel underneath is just layered over with that shot rock rubble.

(Recess)

MR. AIKENS: 2:50 and we've got until 3:00

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o'clock. I have got, okay, looks like 40 minutes.

MR. BUTLER: Last one, last one, if you do not mind it being an informal question and answer. I would like to know do the farmers have water surface rights, and do they decline or it be taken away from them? Could you enlighten us on them?

MR. AIKENS: In the -- the process here is this is really for us to receive some comments, and I think we wanted to stay true to that process.

MR. WOODLEY: That would be true.

MR. BUTLER: Last one to look at one, not saying anything.

MR. AIKENS: I could volunteer to step out and have a side conversation with you, and if, you know, we have some public comments, I'd come back. So I'm willing to do that, to chat with you on an informal basis.

MR. WOODLEY: That would probably be better.

MS. CALERT: Could you please tell me if the Yuba County Water Agency is a private company or a public company? There's a lot --

MR. AIKENS: Just go outside.

(End of proceedings)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) SS.
COUNTY OF YUBA)

I do hereby certify that the foregoing transcript, consisting of 15 pages hereof, was taken by me in shorthand at the time of the proceedings therein, and that the foregoing is a full, true and correct transcription of the proceedings held at said time.

Dated: August 10, 2007.

LEIAN R. ELLIS
Certified Court Reporter,
CSR License No. 7431.

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Proposed Lower Yuba River Accord Draft Environmental Impact Report/Environmental Impact Statement, August 1, 2007

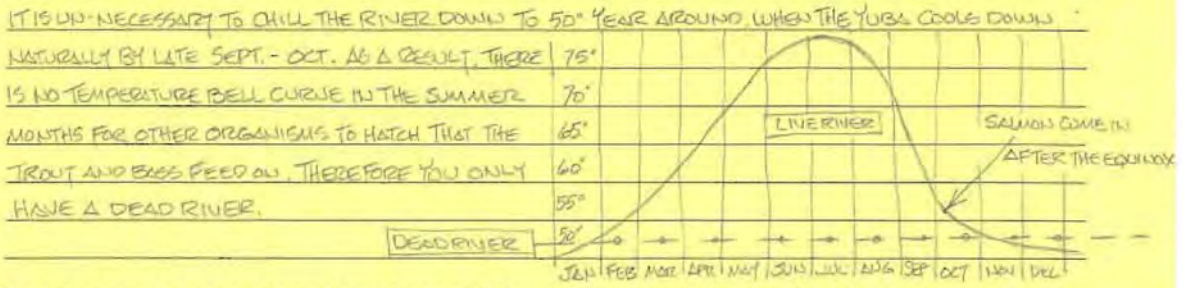
Public Hearings Comment Card

Name JAMES L. BUTLER	Address 12347 MOONEY FLAT RD.
Title MINING CLAIM HOLDER (SINCE 1951)	City SMARTVILLE
Organization SELF	State CALIF
E-mail	Zip Code 95977
Telephone No. 432-6744	Fax No.

Please provide your comments below – Please print legibly

DURING THE CONSTRUCTION OF THE NARROWS II PROJECT IN THE 1960'S THE BLAST RUBBLE (SHOT ROCK) WAS DUMPED ALONG THE BANK OF THE NARROWS. THIS SPOIL DUMP IS ON P.G.&E PROPERTY. RECENT FLOODS HAS BEEN SCOURING OFF THIS ALIEN ROCK RUBBLE AND MIGRATED DOWNSTREAM 1½ MILES "ARMORING" OVER THE SALMON SPAWNING HABITAT (NATURAL RIVER GRAVELS, RESIDUAL HYDRAULIC DEBRIS, IN MY PROPOSAL TO THE YUBA CO. BOARD OF SUPERVISORS IN DECEMBER 1999, WAS TO REMOVE SOME 150,000 CU.YDS. CUBIC YARDS OF THE SHOT ROCK DEPOSIT ON MY MINING CLAIMS, GREIVIOUSLY DAMAGING ME AND THE SALMON SPAWNING HABITAT. A MARINE BIOLOGIST WAS SENT UP TO THE SITE ON THE YUBA RIVER FROM JONES & STOKES. THE FIELD REPORT CONCURRED WITH MY PROPOSAL THAT THE AGENCY AND BOARD ENDORSED.

A ROAD CAN BE GRADED DOWN THE SIDE OF THE CANYON FROM THE NARROWS II ROAD APPROX. 2,000 FT TO THE UPPER END OF THE SHOT ROCK DEPOSIT. U.C. DAVIS REFUSES ACCESS, P.G.&E REFUSES ACCESS AND IS THE ONLY FEASABLE WAY TO HAUL OUT THE SHOT ROCK, OR BRING IN EQUIPMENT TO DO SO. THIS ALL CAN BE DONE FOR A MERE FRACTION OF THE 12½ MILLION SPENT ON THE BYPASS AT ENGLEBRIGHT, OSTENSIBLY TO PROVIDE COLDER WATER FOR THE SALMON, THAT DONT MIGRATE UP THE YUBA UNTIL OCT. IT IS UN-NECESSARY TO CHILL THE RIVER DOWN TO 50° YEAR AROUND. WHEN THE YUBA COOLS DOWN NATURALLY BY LATE SEPT. - OCT. AS A RESULT, THERE IS NO TEMPERATURE BELL CURVE IN THE SUMMER MONTHS FOR OTHER ORGANISMS TO HATCH THAT THE TROUT AND BASS FEED ON. THEREFORE YOU ONLY HAVE A DEAD RIVER.



PH1-1

Submit comments by close of business Friday, August 24, 2007, to: Ms. Dianne Simodynes, HDR/SWRI, 1610 Arden Way, Suite 175, Sacramento, CA 95815 or fax to 916-569-1001 or e-mail to Dianne.Simodynes@hdrinc.com

PH – Transcript 1

P. 2

Proposed Lower Yuba River Accord Draft Environmental Impact Report/Environmental Impact Statement, August 1, 2007

Public Hearings Comment Card

Name JAMES L. BUTLER	Address
Title MINING CLAIM HOLDER (SINCE 1951)	City
Organization SELF	State
E-mail	Zip Code
Telephone No.	Fax No.

Please provide your comments below – Please print legibly

SINCE THERE IS NO SPAWNING GRAVELS AVAILABLE FOR THE SALMON AND STEELHEAD THERE HAS BEEN TALK OF "GRAVEL INJECTION", IN THIS AREA BELOW ENGLEBRIGHT. BUT THERE IS ADEQUATE GRAVEL IN THE RIVER 10'-15' DEEP RESIDUAL HYDRAULIC DEBRIS UNDER THE SHOT ROCK LAYER 5'-10'-15' DEEP IN SPOTS. JUST REMOVE THE SHOT ROCK. LATER IF NECESSARY GRAVEL CAN BE BARGED DOWN FROM THE S. FORK BELOW BRIDGEPORT (AS THERE IS ESTIMATED 13 MILLION CUBIC YARDS IN THAT DELTA) THAT COULD BE INJECTED INTO THE YUBA BELOW ENGLEBRIGHT.

I AM ENCLOSING SOME COPIES OF LETTERS I HAVE WRITTEN OVER THE PAST 7 OR 8 YEARS. THAT REITERATES WHAT I'VE BEEN SAYING HEREIN. ALL IN ALL, IN MY OPINION, MY LETTERS SEEM TO FALL ON DEAF EARS. NOBODY WANTS TO STEP UP TO THE PLATE. HOWEVER IF THIS SHOT ROCK MESS WERE OF MY DOING AND WASHED DOWN ONTO P.G.&E. PROPERTY, I WOULD BE BEHIND BARS, FINED AND MADE TO CLEAN UP THE MESS. MEANWHILE I AM DEPRIVED OF THE USE OF MY MINING CLAIMS BY THIS SHOT ROCK RUBBLE, WITHOUT COMPENSATION AS I AM SEVERELY DAMAGED PARTY.

PH1-1 cont.

Submit comments by close of business Friday, August 24, 2007, to: Ms. Dianne Simodynes, HDR/SWRI, 1610 Arden Way, Suite 175, Sacramento, CA 95815 or fax to 916-569-1001 or e-mail to Dianne.Simodynes@hdrinc.com

PH – Transcript 1

SOPER - WHEELER CO.
TREE FARMING SINCE 1904

19855 Barton Hill Road, Strawberry Valley, CA 95981-9700
Phone (530) 675-2343
Fax (530) 675-0843

April 3, 2000

Mr. James L. Butler
C O Appeal Democrat
1530 Ellis Lake Drive
Marysville, CA 95501

Dear Mr. Butler:

I really enjoyed your recent Forum article, "Proposed Yuba Flows Will Do Nothing for Salmon." I especially liked your emphasis on the history of water flows and the problems that you have encountered trying to discuss the matter with the "experts."

Unfortunately, this type of problem is being repeated all around the state. The mis-information concerning salmon and land use practices have been freely flowing for a long time. Science and facts are seemingly far less important than feelings and perception. I have become convinced that the agencies are really not interested in solving problems because as long as there is a problem, there is a need for an agency.

PH1-1 cont.

I have enclosed two items that I hope you will find interesting. The first is the publication, "Forests and Salmon" which was printed in 1998 by the California Forest Products Commission. It gives an in depth look into the history of salmon runs on the California North Coast and the apparent lack of affect from logging on their populations. The second is a videotape, "Killing the Salmon" which documents the Oregon Fish and Game killing salmon at a hatchery in Oregon. I am told that similar practices are employed here is California.

The point of both the report and the video is that there is a huge difference between fact and what the agencies and their allies in the environmental industry want us to believe.

Keep up the good work. If you would like to discuss these matters further, please feel free to call

Sincerely yours,

Jim

James Holmes, President

PH – Transcript 1

Proposed Yuba flows will do nothing for salmon

James L. Butler
For the Appeal-Democrat

FORUM

With all these recent articles regarding the "Future of the Yuba River," the bickering lawyers, semantics and arguments, none of it has created any habitat for the Chinook salmon. The only thing the environmentalists are creating is their own job security.

If the state Department of Fish and Game would simply look up the hydrograph records of the Yuba River prior to 1940 and dam construction, they would find that the lower Yuba flows were as low as 250 to 300 cubic feet per second (cfs) after 1940, usually 700 cfs below Englebright by July and August and a tepid 70 to 75 degrees. But after the equinox in early October, the river temperatures dropped to below 60 degrees. And that's when the Chinook salmon migrated upstream to spawn in the upper branches of the Yuba above Sierra City on the north fork and the town of Washington on the south fork, where there used to be a salmon cannery. But when Englebright was built in 1940, originally to impound hydraulic debris, that industry died, and the salmon habitat too.

As I see it, Fish and Game is trying to coerce the Yuba County Water Agency to release a flood of ice water down the Yuba all summer when the salmon are still out in the Pacific Ocean. They refuse to face the fact that Chinook salmon don't migrate upstream in July and August when the river is flowing at 2,000 cfs, but when the Yuba is at its lowest in early fall, when water temps are cooling naturally. The Fish and Game philosophy – its temperature and flow regimens – do not create more fish. It's all upside down. I've been trying to tell these "experts" this for 25 years now. But it doesn't fit their agenda.

Back in December, I put forth a proposal to the Board of Supervisors and the YCWA to remove the shot rock that has washed down from the Englebright project in recent floods. It has ruined the salmon spawning habitat 1½ miles downstream. By removing the shot rock that has "armored" over the gravel bars, you will restore or enhance the spawning beds. This deleterious rubble rock does nothing for the so called "aquatic resources."

Both the Board and the Agency were in favor of my proposal, and it would be cheap too. The Agency sent William Mitchell of Jones and Stokes to study the situation here. During the dry spell in January, I gave Mr. Mitchell the grand tour. By modest calculations there are up to 100,000 cubic yards of shot rock deposited on my mining claims which has caused me serious damage, not to mention the spawning habitat.

Before Bullards Bar Dam went on line in 1970, the temperature of the Yuba had a "Bell curve" creating a "bloom" for all organisms that lived in the river and that trout and bass feed on during the summer. Now with the "flat" temperature regimen dictated by Fish and Game of 50 degrees, they have destroyed this normal resource and, as a result, you have nothing but a "dead" river. The 20-degree drop since 1970 has been catastrophic. The old timers will tell you that at one time you could walk across the Yuba on the backs of the spawning salmon above Smartsville, but you'll never see that today.

Even the rice growers are complaining that the cold water is adversly affecting their crops too.

James L. Butler is a resident of Smartville and has operated mining claims on the Yuba River and its tributaries for 25 years.

PH1-1 cont.

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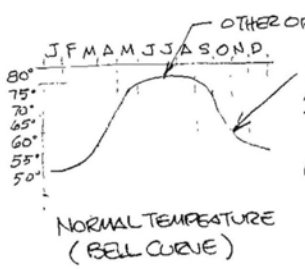
29 APRIL 2002

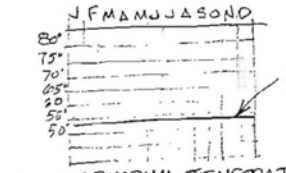
MR. DON SCHRADER
YUBA CO. WATER AGENCY
MARYSVILLE, CALIF

DEAR MR. SCHRADER;

I SAVED YOUR ARTICLE FROM LAST SUMMER WHERE YOU BOAST OF THE FISHERY'S HEALTH IS THE COLDER WATER FLOWS PRODUCED BY BULLARDS BAR DAM. UNFORTUNATELY THIS MANTRA THAT THE FISH LIKE COLDER WATER IS PSEUDO SCIENCE. WHAT HAPPENS TO THE OTHER SPIECES OF THE SO CALLED AQUATIC RESOURCES, AND ORGANISMS THAT LIVED IN THE YUBA WHEN THE NATURAL TEMPERATURE IS ARTIFICIALLY DROPPED 20-25°?

AS I TOLD THE L.Y.R.T.W.G. LAST MAY AND JUNE THAT, "THE LOWER YUBA RIVER IS DEAD." OF COURSE JOHN NELSON DISAGREED. HE NOR ANYONE ELSE IS GOD.





FOR THE COST OF THE NEW TEMPERATURE CONTROL DEVICE DESIGN $170 K. THE SHOT ROCK COULD HAVE BEEN REMOVED AND SALMON SPAWNING HABITAT RESTORED. READ MY ARTICLE.

HAVE YOU TAKEN A SWIM IN THE YUBA LATELY?

Yuba River flows 4/25/02

I see Cal-Fed is funding $220,000 for yet another study to improve the "fishery" (buzz word) in the Yuba. It's only obvious to me these "interest groups" involved are making a career out of these studies.

Heck, I've been studying the Yuba for 27 years and I can't get a dime out of Cal-Fed. Back in December 1999, I made a proposal to the Board of Supervisors, (that they endorsed) to remove the 100,000 cubic yards of shot rock from the Yuba below Englebright. For the $220,000 Cal-Fed hoondoggle study, a road can be graded from the PG&E Narrows Road facilitating the removal of the shot rock that's armoring over vital spawning habitat 1½ miles downstream.

I read in a article in the San Francisco Chronicle in November 2000 Shawn Garvey of South Yuba River Citizens League lamented that the fish ladders at Daguerra Point Dam are inadequate. "Sickening," he said.

In April 2000 I got a letter from Jim Holms, president of Soper-Wheeler Co., commending my forum article, "Proposed Yuba Flows will do nothing for salmon." Holms said he is convinced that the agencies are really not interested in solving problems, "because as long as there is a problem, there is a need for an agency." To wit, these studies, meetings and hearings have been going on for years now. Not 1 square yard of spawning habitat has been restored. And like I've said, increased flows and lower temperatures is idiotic – pseudo science.

I noted in my journal last Oct. 13 and 24 watching the salmon spawning in Deer Creek, "their backs and tail fins above water they're so big. It's funny, the salmon only spawn where there is suitable gravel, like where I dredged, and not in the boulders, and in the Yuba I watched the salmon beating themselves to death in the shot rock trying to find some gravel, not increased flows or colder water. That ruined the ecology for the past 32 years." Study this, Cal-Fed.

James L. Butler
Smartville

PH1-1 cont.

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bright Project and "armored" over the salmon spawning habitat on Landers Bar)."

In the face of salmon being put on the "endangered species list," the group ignored my proposal. All they came up with is colder water and increased flows. They ignore the fact that the 20-25 degree drop during the summer months precludes all other living organisms the trout and bass feed on.

There is no spring run salmon. There's a fall run when the stream temperatures are cooler naturally (it doesn't need to be man-made). Their "scientifically valid" biological needs of the fish that Fish and Game worships is flawed and in error. The past 30 years have proven that. I wonder what liberal-socialist school they went to?

Even Janet Cohen of South Yuba River Citizens League was disappointed at the low fish count. I wrote to her about restoring the salmon habitat in the lower Yuba. She has ignored my letters.

It's only obvious that neither Fish and Game, SYRCL or the "group" are interested in restoring the salmon habitat. They've created the crisis to keep themselves in office. None of these low fish counts existed 30, 40 or 50 years ago, when all these environmentalists were still in diapers, when the Yuba River was warmer below the Englebright Dam.

Meanwhile, our livelihoods and property rights are being violated by these eco-nazis, similarly like the farmers up on the Klamath for a sucker fish.

James L. Butler
Smartville

Yuba River

Recently I read where Mr. Nelson of Fish and Game and other officials were lamenting low fish count at Duguerre Point Dam.

It doesn't take a rocket scientist to figure that out. Since 1970, when Bullards Bar Dam went on line, Fish and Game's "opinion" was the fish needed cooler water.

In 30 years this experiment has been a miserable failure. The ice cold water has done nothing to "enhance aquatic resources." I told Mr. Nelson and other members at the Lower Yuba River Technical Working Group meetings in May and June that "the lower Yuba is dead (when I proposed removing the shot rock that has washed out of the Engle-

PH1-1 cont.

PH – Transcript 1

Thursday, June 7, 2007

River rock, fish

Last month, I almost puked when I saw the article "Bypass saves lives." Whose lives – people or fish? I thought, what a farce; $12.5 million was spent to provide colder water for the salmon and steelhead, what a waste of money. As I've said for the past 30-plus years, all the ice water in the Arctic isn't going to create more fish when there is no spawning gravel. What all these "experts" are bragging about is compounding their error. They keep insisting the world is flat.

Colder water (it's 50 degrees now) and increased flows do not benefit their so-called "aquatic resources." If it were so, the Yuba River should be teeming with all kinds of fish. I've been told that in 2006 was the lowest fish count ever. Prior to 1970 (when Bullards Bar Dam went on line), the Yuba had various species of fish in the tepid summer months and all kinds of organisms thrived that trout and bass fed on, which are now destroyed by the ice water.

Back in December 1999, I made a proposal to the Board of Supervisors and the water agency to remove the shot rock that migrated downstream from the Narrows II project in recent floods ('86 and '97) and which has "armored over" the spawning habitat. The board and the agency endorsed my proposal. They also sent a marine biologist from Jones and Stokes onto the site, where upwards of 150,000 cubic yards of shot rock prevents salmon spawning. The biologist report concurred with my proposal. Yet it is ignored by Fish and Game.

Ironically, the salmon come in to spawn in my Placer gold dredge tailings, and other fish swarm in to feed where I've removed the shot rock. In 2005, I was told by Fish and Game that the Legislature (in all its wisdom) arbitrarily closed the lower Yuba to all gold dredging back in 1994, which Fish and Game didn't know about until 2005. However, not one fish died, and nobody was injured or damaged from my gold dredging, which creates more spawning beds. They have accomplished nothing but robbing me of my livelihood, which is called "a taking without just compensation." If I had the money, I would sue them.

For a mere fraction of the $12.5 million, the shot rock could be removed and viable spawning habitat restored. But that doesn't fit their agenda.

James L. Butler
Smartville

PH1-1 cont.

PH – Transcript 1

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KARUK TRIBE VS. CALIFORNIA DEPARTMENT OF FISH & GAME

On November 9th, the parties to this litigation had a case management conference with Judge Bonnie L. Sabraw of the Alameda County Superior Court.

In this case the Karuk Tribe brought an action against the Ca. Dept. of Fish & Game challenging the pattern and practice of the Department in issuing Suction Dredge Mining Permits for rivers and streams in northern California. The Karuk Tribe claimed that suction dredge mining imperials the Coho Salmon and other state and federally listed threatened and endangered species in violation of the California Fish & Game Code and the California Environmental Quality Act. (CEQA). After the Department secretly agreed with the Tribe to severely limit suction dredge mining, but before Judge Sabraw signed their proposed judgment, PLP's president Jerry Hobbs intervened in the case. After much legal work by PLP's attorney David Young, Judge Sabraw refused to sign the proposed judgment presented to her by the Fish & Game Department and the Karuk Tribe For the time being suction dredge mining in California was saved!

Now the Department of Fish & Game has tried a new tactic to end suction dredge mining in California. The Department has informed Judge Sabraw that they are indeed in violation of the Fish & Game Code and CEQA, after just denying that they were not in violation are now prepared to have judgment taken against them. Based on this admission of liability by the Department, and a judgment by the court, the Department is prepared to go to the legislature to get money to conduct environmental studies, which would in any case impact suction dredge mining in California. Judge Sabraw is now considering their proposals and will circulate a proposed judgment for comment.

What is crucial is that there is no judicial determination that suction dredge mining harms fish. While some miners are prepared to stipulate to a judgment that there is "fair argument" supporting the need for additional environmental analysis on this issue, PLP WILL NOT!

Obliviously the battle goes on!

The Department of Fish & Game is determined to curtail suction dredge mining in California.

We need your help more than ever to protect your legal rights to engage in lawful mining in California

PLP2.ORG Our website has been down for almost a month. We have learned that a hacker hit the PLP and took down several other sites the web server handles. The site is donated by one of our members and is at the mercy of the web server to get it back up. All I can say is keep checking from time to time.

Mike Smith, Editor

PH1-1 cont.

PH – Transcript 1

Photo 11. Mr Butler's photograph.

NOTE:

PH1-1 cont.

PH – Transcript 1

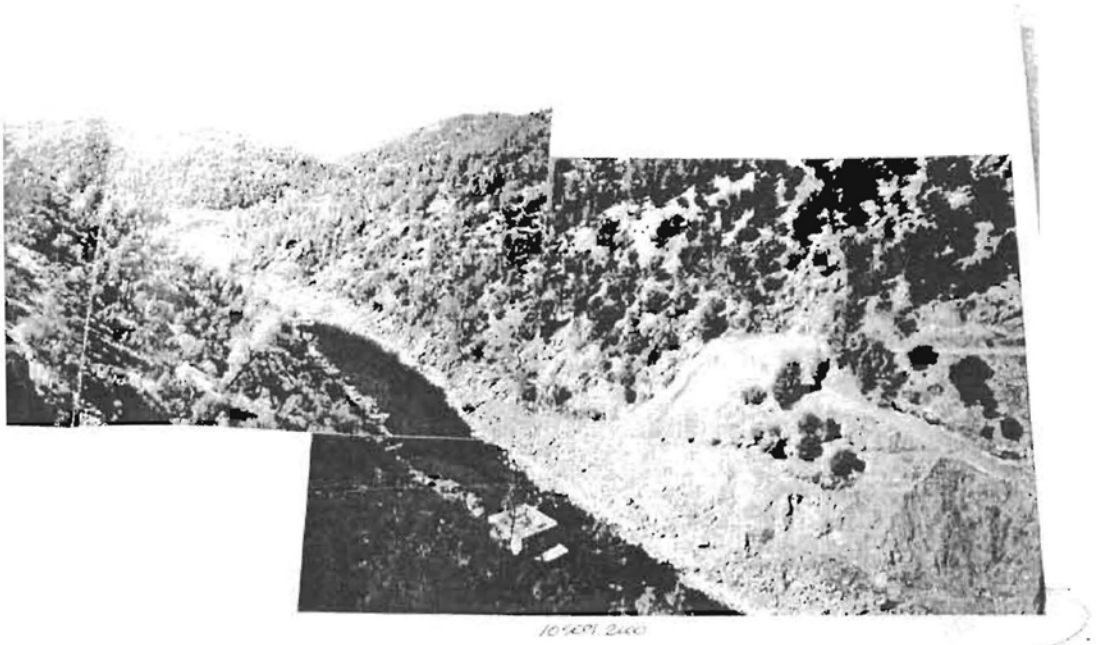
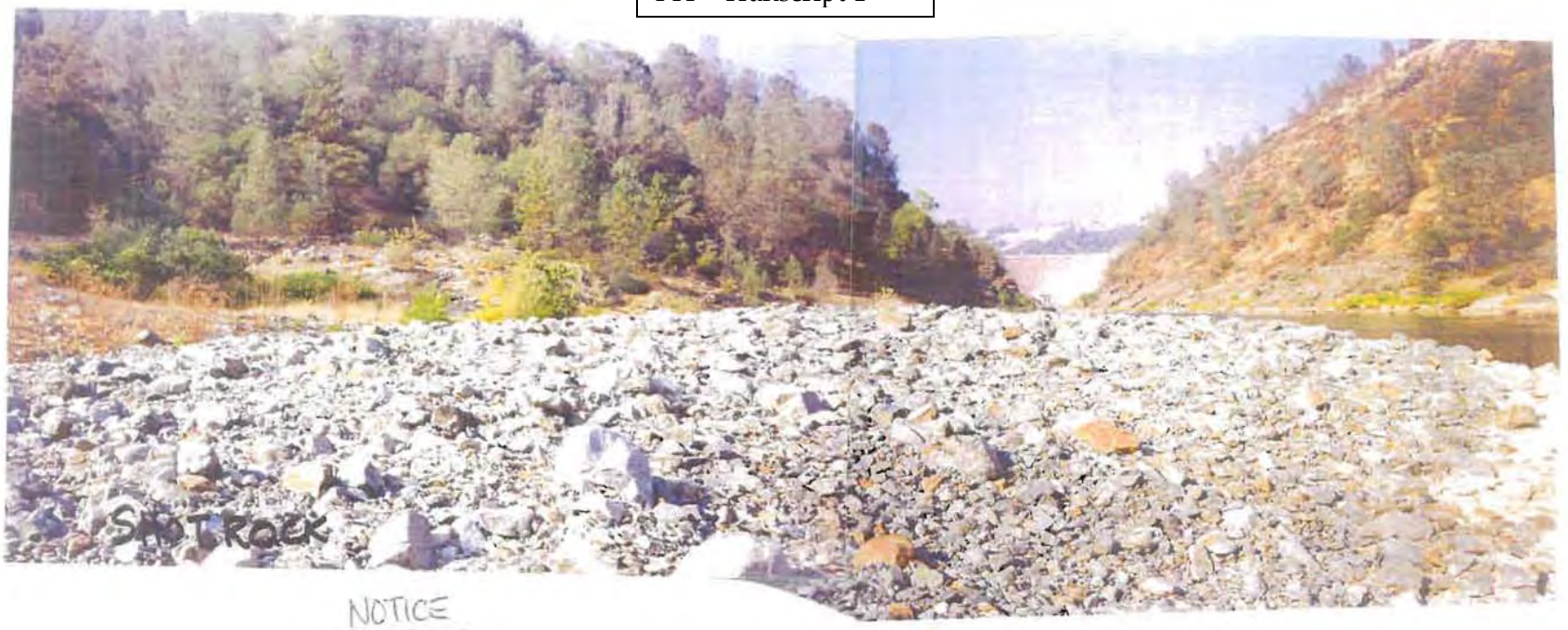


Photo 12. Mr Butler's photograph.

PH1-1 cont.

PH – Transcript 1



PH1-1 cont.

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YUBA COUNTY PUBLIC HEARING

COPY

YUBA COUNTY PUBLIC HEARING

Richard Woodley, presiding

Wednesday, August 1, 2007

Reported by: Leian R. Ellis, CSR

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YUBA COUNTY PUBLIC HEARING

YUBA COUNTY PUBLIC HEARING

Marysville, Yuba County, California, Wednesday, August 1, 2007.

Hearing called to order at 6:00 o'clock p.m. of this day.

Before Richard Woodley, presiding.

Leian R. Ellis, Certified Court Reporter, No. 7431.

APPEARANCES:

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Yuba Conty Water Agency
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BRITT & ASSOCIATES (530) 671-5001

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Wednesday, August 1, 2007

--oOo--

MR. AIKENS: Everybody knows I'm the General Manager of the Yuba County Water Agency, and we're here for a public hearing. And Mr. Woodley can take over.

MR. WOODLEY: Thank you, sir. Okay. Hello. Welcome to this public hearing on the Proposed Lower Yuba River Accord, Draft Environmental Impact Report/ Environmental Impact Statement. This is one of two hearings being held in accordance with the requirements of the National Environmental Policy Act. This is the second one. We've had one earlier.

My name is Rick Woodley, and I am the Regional Resources Manager for the Bureau of Reclamation's Mid-Pacific Region. I'll be serving as a hearing officer, and a court reporter is recording the proceedings. At the table would be Curt Aikens, the General Manager of the Yuba County Water Agency.

Today we're accepting verbal and written comments on the draft EIR/EIS. To provide verbal comments, you should have completed a Speaker's Card, which would be this green sheet if you wanted to do that. And if you want to provide comment verbally, but have not completed a Speaker's Card, go to the

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registration table now. If you completed a Speaker's Card, but didn't turn it in to the Registration Table, please take it there right away.

You may also provide written comments today, and on the yellow card which is available at the registration table. And if you're speaking from your written comments, we would like you to submit them, please. Fill out the top portion of the comment card and attach your comments and provide them before you leave. Written comments can be submitted at this hearing or to the address, FAX or E-mail indicated on the comment card. If you're doing so, you need to submit your comments by the close of business Friday, August 24th, 2007. Please understand that written and verbal comments receive equal consideration.

And as far as the process that goes on, all of the comments will be reviewed and responses to comments will be prepared. Assuming all major issues can be addressed, a final EIR/EIS will be prepared, which will include responses to the comments. If major issues remain unresolved, a supplemental EIR/EIS could be prepared. A Record of Decision will then be prepared. When that -- that is when a final decision will be made.

Since we don't have any speakers, I won't go

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through the process of speakers being called. And I think that pretty much covers it as far as formalities. If there were any speakers, anybody shows up, we'll be here until 7:00, and we'll take any comments then. We can go off the record now.

(Recess)

MR. WOODLEY: Since we've had no requests for comments or written comments, we'll close this hearing and call it a day.

(End of proceedings)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) SS.
COUNTY OF YUBA)

I do hereby certify that the foregoing transcript, consisting of 5 pages hereof, was taken by me in shorthand at the time of the proceedings therein, and that the foregoing is a full, true and correct transcription of the proceedings held at said time.

Dated: August 10, 2007.

LEIAN R. ELLIS
Certified Court Reporter,
CSR License No. 7431.

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LETTERS PH1 AND PH2: PUBLIC HEARING COMMENTORS

Response to Comment PH1-1:

The deposition of shot rock in the lower Yuba River is not associated with the Yuba Accord Alternative. In addition, the Yuba Accord Alternative will not increase the occurrence or severity of flood events which could cause the mobilization and downstream movement of large gravels, rocks and boulders in the lower Yuba River (see Chapter 7 for detailed analysis).

Response to Comment PH1-2:

The flow schedules under the Proposed Project/Action were developed based on known stressor analyses and resource agency collaboration, to attempt to improve habitat conditions and maximize aquatic resource benefits for multiple fish species in the lower Yuba River. The flow and water temperature changes expected to occur as part of the Proposed Project/Action have been evaluated in detailed, species and life stage specific evaluations that consider a range of potential conditions and resultant impacts that are anticipated to occur. Overall, the species specific analyses included in Chapter 10 of the Draft EIR/EIS, and the flow and water temperature data in Appendices F4 and G of the Draft EIR/EIS, support the conclusions that no significant impacts would occur to the fisheries resources of the lower Yuba River.

Response to Comment PH2-1:

The creation of tourist attraction sites in Yuba County is not the responsibility of the lead agencies or the intent of the Proposed Project/Action. The Proposed Yuba Accord is designed to enhance fisheries resources in the lower Yuba River, but it would not involve any construction activities nor would it involve any activities related to the creation of recreational viewing areas along the Yuba River. Although one of the objectives of the Proposed Yuba Accord is to resolve instream flow issues associated with operation of the Yuba Project in a way that protects and enhances lower Yuba River fisheries, the protection of fisheries resources is not implicitly for development of tourist or recreational opportunities. Additionally, the majority of lands surrounding the lower Yuba River are privately owned and public access is limited. Thus, designation of a recreation area or tourist attraction along the river, including construction of a facility for fish and wildlife viewing purposes, would require separate planning and permitting activities, which are beyond the scope of this project.

Response to Comment PH3-1:

YCWA participated in four groundwater-substitution transfers. The annual groundwater pumping for these transfers ranged from approximately 26 TAF to 85 TAF. During these past transfers, no short-term or long-term unmitigated impacts occurred on surface water flows including on the Feather and Yuba rivers. Historical and recent groundwater elevation data and subsurface lithologic data analyzed and presented in this Draft EIR/EIS indicate that recharge from the Feather River to the Yuba Basin is small. Along the western boundary of the Yuba Basin, groundwater appears to occur in confined layers, and thus there probably is only a limited connection between surface water and the groundwater pumping zone in the vicinity of the Feather River. Only small changes in groundwater levels occurred along the Feather River during the past groundwater substitution transfers and no groundwater-substitution pumping occurred in the vicinity of the Feather River. For these reasons, impacts of groundwater-substitution pumping for the Yuba Accord Alternative on Feather River flows would be less than significant.

For the Yuba River, analyses presented in the Draft EIR/EIS show that no correlation exists between historical groundwater pumping and Yuba River flows. In addition to the analysis presented in the Draft EIR/EIS, YCWA's GMP, adopted in 2005, protects groundwater resources in the Yuba Basin. In the GMP, YCWA adopted objectives to protect groundwater from adverse impacts. To supplement the GMP, Part 1 of Exhibit 3 to the final Yuba Accord Water Purchase Agreement would specify additional monitoring requirements for Yuba Accord groundwater-substitution pumping (see Final EIR/EIS, Appendix M). Also, Part 2 of this Exhibit 3 would specify the process that YCWA and the Member Units would follow to determine the amount of groundwater-substitution pumping that could occur each year without causing a long-term overdraft or any significant unmitigated third-party impacts on other groundwater users in the basin (see Final EIR/EIS, Appendix M).

CHAPTER 5
REVISIONS TO THE DRAFT EIR/EIS

The information presented in this chapter describes the revisions that have been made to the Draft EIR/EIS. These changes are minor modifications and clarifications to the Draft EIR/EIS, and do not change the environmental impact conclusions in the Final EIR/EIS. The majority of the changes are made to ensure the accuracy of the document.

To indicate that text has been removed from the document, the words that have been deleted are identified by a solid line through the text. The words in italics indicate that new text has been added. The revisions to the Draft EIR/EIS are listed by chapter and page number. None of these changes constitute a substantial change to the project, as defined by CEQA.

5.1 EXECUTIVE SUMMARY

- Page ES-7: The first paragraph under Environmental Impacts/Consequences is revised as follows:

  This EIR/EIS includes analytical sections for the following ~~17~~*16* resource categories: surface water supply and management, groundwater resources, power production and energy consumption, flood control, surface water quality, fisheries and aquatic resources, terrestrial resources, recreation, visual resources, cultural resources, air quality, land use, socioeconomics, growth inducement, environmental justice, and Indian Trust Assets.

- Some of the information presented on pages ES-14 to ES-16 in Table ES-1 was mislabeled, and did not correctly reflect the information that was presented in Chapter 9 of the Draft EIR/EIS. The analyses in Chapter 9 of the Draft EIR/EIS (e.g., pages 9-60, 9-89 to 9-90, 9-118, 9-147, 9-176 to 9-177, 9-206, 9-235) acknowledged that carriage water would be used to maintain salinity and chloride concentrations in the Delta. Section 9.5 (pages 9-264 to 9-265) of the Draft EIR/EIS also described how carriage water would be used as a protective measure to maintain water quality in the Delta. Therefore, as discussed in Chapter 9 of the Draft EIR/EIS, any potentially significant impacts to salinity and chloride concentrations in the Delta as a result of implementing one of the action alternatives would be avoided or minimized. To more accurately present the information in Table ES-1, the labeling of impacts for several of the locations that evaluated salinity and chloride concentrations under the action alternatives, relative to the bases of comparison, are changed from "LTS" to "LSM". Additionally, carriage water also would likely be used to maintain Delta conditions under the CEQA No Project Alternative, relative to the CEQA Existing Condition. However, it is not the responsibility of this project to mitigate for potential impacts that would be caused by other actions that are unrelated to the Proposed Yuba Accord and, thus, where appropriate, the labeling of impacts for the CEQA No Project Alternative, relative to the CEQA Existing Condition, in Table ES-1 are changed from "LTS" to "PS".

  Because the information contained in Table ES-1 of the Draft EIR/EIS also is used in this Final EIR/EIS, the changes in labeling of impacts that have been made to reflect these changes are presented in Table 1-2 of the Final EIR/EIS.

5.2 CHAPTER 1 – INTRODUCTION

- Page 1-1: The sentence in the middle of the second paragraph is revised as follows:

  ~~and~~ Reclamation and the California Department of Water Resources (DWR) have a goal to obtain water for the CALFED Bay/Delta Program (CALFED) to use for protection and restoration of Sacramento-San Joaquin Delta (Delta) fisheries and for improvements in statewide water supply reliability, including supplemental water for the Central Valley Project (CVP) and the State Water Project (SWP).

- Page 1-21: In response to Comment SA1-1, the second paragraph on page 1-21 is revised as follows:

  ~~CDFG is a CEQA responsible agency and trustee agency involved in the Fisheries Agreement process. CDFG would have the decision-making responsibility of approving and implementing the Fisheries Agreement, including participating on the RMT. YCWA also would pursue coordination and consultation with CDFG for California Endangered Species Act (CESA) compliance.~~

  CDFG is a CEQA Responsible Agency and Trustee Agency involved in the Fisheries Agreement process. CDFG would have the decision-making responsibility of approving and implementing the Fisheries Agreement, and would participate on the River Management Team (RMT). CDFG would also be acting as a CEQA Responsible Agency when issuing any permit under the California Endangered Species Act (CESA).

5.3 CHAPTER 2 – ENVIRONMENTAL SETTING AND CEQA EXISTING CONDITION/NEPA AFFECTED ENVIRONMENT

- Throughout Chapter 2, the reference (~~Reynolds et al. 1993~~) is replaced with (*DWR and Reclamation 2004).*

- Page 2-2: Figure 2-1 is revised, and is included in Chapter 6 of this Final EIR/EIS as Figure 6-1.

- Page 2-18: The last sentence of the final paragraph on page 2-18 is revised as follows:

  Since 2002, routine fish surveys have registered sharp declines in several pelagic (open-water) species, including the delta smelt, a species listed as a threatened species under the federal and state Endangered Species Acts ~~provided in Chapters 4 and 5~~.

5.4 CHAPTER 3 – PROPOSED PROJECT/ACTION AND ALTERNATIVES

- Page 3-6: The following new sentence is added at the end of the first paragraph in Section 3.2.1.1:

  The latest draft of the proposed Fisheries Agreement is included in the Final EIR/EIS as Appendix M-2.

- Page 3-6: In response to Comment SA3-5a (see Chapter 4) and to provide clarification regarding the status of the Feather River Point of Diversion/Rediversion that was proposed in the draft Fisheries Agreement, the following text has been added to Section 3.2.1.1 of the Draft EIR/EIS. This additional text is inserted after the second paragraph in Section 3.2.1.1:

A YCWA proposed petition for a Feather River Point of Diversion/Rediversion near the confluence of the lower Yuba River and the Feather River is described in Section 4.1.3 of the draft Fisheries Agreement that is included in Appendix B to the Draft EIR/EIS (see Draft EIR/EIS, Appendix B, page B-21.) However, after preparation of this draft agreement YCWA, Reclamation and DWR decided not to pursue this facility as part of the Yuba Accord Alternative. Therefore, this facility is not described or analyzed in this EIR/EIS.

- Page 3-10: The first sentence of Section 3.2.1.2 is changed as follows:

  YCWA would enter into individual Conjunctive Use Agreements with *any* ~~each of the~~ participating Member Units~~:~~ *These participating Member Units could include some or all of the following Member Units:* BWD, BVID, DCMWC, HIC, RWD, SYWD, and WWD. *Alternatively, YCWA may decide instead to enter into annual agreements with some or all of these participating Member Units, which would be similar to the proposed Conjunctive Use Agreements but each only for one year, for the groundwater-substitution programs necessary to satisfy YCWA's obligations under the Fisheries and Water Purchase Agreements, and for any additional groundwater-substitution transfers that would be agreed to by YCWA and the Member Units. "Participating members" in the following paragraphs refer to the Member Units that have annual or longer-term conjunctive-use agreements with YCWA that are in effect for the year in question.*

- Page 3-12: The typographical error in the last sentence of the third full paragraph (i.e., no period at the end of the sentence) has been corrected.

- Page 3-12: The fourth full paragraph is revised as follows:

  The Water Purchase Agreement would require a petition to *the* SWRCB to add the CVP (Jones Pumping Plant) and SWP (Banks Pumping Plant) as new points of diversion/rediversion and the CVP and SWP as new places of use, as necessary to implement the Water Purchase Agreement.

- Page 3-23: The following new Section 3.2.1.6 is added immediately before the old Section 3.2.1.6:

3.2.1.6 PHASED WATER PURCHASE AGREEMENT

As a result of the August 31, 2007 interim remedies order in the NRDC v. Kempthorne litigation, Reclamation has decided to delay completion of its ESA compliance for the Proposed Project/Action, and to wait to complete its ROD for the Proposed Project/Action until the ESA re-consultations for OCAP are completed. Until Reclamation issues its ROD, the Yuba Accord Alternative therefore would be implemented with just YCWA and DWR being parties to the Water Purchase Agreement. During this first phase, DWR and Reclamation would not execute the Tier 2 Agreement, and Reclamation would not execute its Tier 3 Agreements with CVP contractors. The same amount of Component 1 water still would go to the EWA Program. For Components 2, 3 and 4 water, DWR still would execute Tier 3 agreements with SWP contractors, and DWR also would execute water-purchase agreements with interested CVP contractors. The latest draft of the Water Purchase Agreement for this first phase is included in the Final EIR/EIS as Appendix M-1.

After Reclamation issues its ROD, Reclamation would consider joining the Water Purchase Agreement. If Reclamation were to decide to join the Water Purchase Agreement, then, during this second phase of the Yuba Accord Alternative, YCWA, DWR and Reclamation all would be parties to the Water Purchase Agreement, DWR and Reclamation would execute the Tier 2

Agreement, and Reclamation and the CVP contractors would execute their Tier 3 agreements, as described in Section 3.2.1.3

Even with this proposed phasing, the Fisheries Agreement and YCWA's obligations to maintain the lower Yuba River flows that are specified by the agreement would not change. Similarly, none of the Yuba Project operations or lower Yuba River flows that are described in the Draft EIR/EIS for the Yuba Accord Alternative would change. The effects of this phasing on the Delta Region and Export Service Area are discussed in Section 3.2 of the Final EIR/EIS.

- Pages 3-23: The heading "~~***3.2.1.6, OTHER PERTINENT PROJECTS AND AGREEMENTS***~~" is changed to "***3.2.1.7, OTHER PERTINENT PROJECTS AND AGREEMENTS"***.

- Page 3-27: The last full sentence of the last paragraph on page 3-27 is revised as follows:

  The continuation of *the* EWA Program as a long-term management tool also is being considered by the EWA Agencies[11].

- Page 3-28: The second to last sentence in the carryover paragraph on page 3-28 is revised as follows:

  For this reason, the analyses in this EIR/EIS that concern future conditions assume that a long-term EWA Program or a program equivalent to the EWA will be implemented, with conditions similar to those for the existing EWA *P*~~p~~rogram, and this ~~EIS/EIR~~*EIR/EIS* identifies the Delta fish protection actions at the CVP and SWP pumping facilities as "the EWA Program or an equivalent program."

- Page 3-28: The heading "Modified Flow Alternative" is changed to "**3.2.2, MODIFIED FLOW ALTERNATIVE**".

- Pages 3-28 to 3-29: Section numbers 3.2.1.7 through 3.2.1.11 are changed to "3.2.1 through 3.2.5".

- Pages 3-29 to 3-31: "3.2" in all of the section numbers on these pages are changed to "3.3".

- Page 3-31: The heading "**3.3, SUMMARY OF COMPARISON OF ALTERNATIVES**" is changed to "**3.4, SUMMARY OF COMPARISON OF ALTERNATIVES**".

- Pages 3-32 to 3-34: "3.4" in all of the section numbers on these pages are changed to "3.5".

- Page 3-34: The heading "**3.5, PREFERRED ALTERNATIVE**" is changed to "**3.6, PREFERRED ALTERNATIVE**".

- Page 3-36: The heading "**3.6, ENVIRONMENTALLY SUPERIOR OR PREFERABLE ALTERNATIVE**" is changed to "**3.7, ENVIRONMENTALLY SUPERIOR OR PREFERABLE ALTERNATIVE**".

- Page 3-11: In Section 3.2.1.2 of the Draft EIR/EIS, the following text has been added after the second sentence in the fourth paragraph to describe the protective measures that would be implemented to ensure that the aquifer is maintained at sustainable levels:

  The principal means of doing so would be through YCWA's and DWR's Groundwater Monitoring and Reporting Program that would be implemented as part of the Proposed

Project/Action. The Groundwater Monitoring and Reporting Program includes the following three components: (1) groundwater transfer monitoring and reporting specifications; (2) a groundwater pumping operations plan; and (3) a third-party impacts action plan. A summary of each component is presented below, and the complete Groundwater Monitoring and Reporting Program is presented in Exhibit 3 to the Water Purchase Agreement, which is in Appendix M2.

Groundwater Monitoring

In cooperation with DWR, YCWA has monitored Yuba County groundwater conditions for many years, and many aspects of the groundwater resources are well known. YCWA and DWR have worked cooperatively to develop a groundwater transfer monitoring and reporting program specific to Yuba County for past groundwater substitution water transfers. YCWA has also developed a Groundwater Management Plan (GMP), which was adopted on March 1, 2005 pursuant to Water Code Sections 10750 et seq. The GMP formalizes a monitoring program that includes measuring water levels in wells that are part of a dedicated monitoring well network, a plan to expand the network, annual reporting provisions and other groundwater monitoring activities. Since 2005, YCWA has constructed eight additional groundwater monitoring wells for this program (see DWR, Memorandum Report, "Monitoring Well Construction Technical Assistance," April 2007). Information gathered from the activities specified in the GMP, along with the activities described in Exhibit 3 to the Water Purchase Agreement, will be used to assess effects of groundwater pumping on groundwater resources, and to provide reasonable assurances that any water pumped and accounted for as part of any groundwater substitution is in lieu of surface water delivered by YCWA to its Member Units. YCWA will continue to work with DWR and the Member Units to identify and resolve any new groundwater monitoring issues.

Groundwater Pumping Operations Plan

The Groundwater Pumping Operations Plan in Exhibit 3 to the Water Purchase Agreement sets forth the procedures by which the total amount of water to be transferred will be determined. These amounts include Components 1, 2, 3 and 4 water. A portion of the water will be from surface water and a portion may be provided through groundwater substitution pumping. YCWA will determine the amount of water to be provided through groundwater substitution pumping (in consultation with the Member Units) by: (1) estimating the amount of surface water that will be transferred for the year by operation to the flow schedules in the Fisheries Agreement and the September 30 target New Bullards Bar Reservoir storage level; (2) determining the amount of water from groundwater substitution pumping that Member Units can make available through wells of farmers who are willing to participate in the program and whose farms are located within a participating Member Unit; and (3) determining the amount of water that can be pumped within the safe yield of the basin without contributing to long-term overdraft and without resulting in significant unmitigated impacts to other groundwater users in the basin.

The procedures that will be used to determine the amount of water that can be pumped within the safe yield of the basin without contributing to long-term overdraft, and without resulting in any significant unmitigated third-party ("Third Party" or "Third Parties") impacts to other groundwater users in the basin will be determined by the groundwater pumping operations plan. The monitoring plan will be used to obtain information from which the determination will be made of the condition of the groundwater basin in the spring of the year during which groundwater substitution pumping is planned. Based on this condition, YCWA will determine the expected response of the basin to the proposed pumping for that year and the resulting condition of the basin at the conclusion of the pumping. Determination of the expected condition at the conclusion of the pumping will be made by examining the historic response of the basin during previous years when pumping occurred and by examining the recovery of the basin

during pumping years and successive years, and by comparing these basin responses with the planned pumping. Analysis of the historical responses of the basin to pumping will be used to develop empirical relationships between pumping and basin drawdown and recovery. These empirically derived relationships will be the formulas that will be used to determine basin response to the proposed pumping.

The determination of basin response to the proposed pumping will result in an estimated basin condition at the end of pumping and an estimated condition for the spring of the next year. This estimated condition will be compared to historical groundwater levels in the basin. In 1991, YCWA and the Member Units completed a groundwater substitution transfer to provide water to other parts of California under the Governor's Emergency Drought Water Bank in response to a severe statewide drought. The groundwater levels that occurred in the fall of 1991 at the end of pumping did not result in any overdraft of the groundwater basin or any significant unmitigated Third-Party impacts. Groundwater levels had been lower than these levels during the 1980's, but the extent of effects of these lower levels on groundwater users in the basin is not well known. Therefore, the fall 1991 groundwater levels will be used for comparison with the estimated condition of the basin that will result from the proposed groundwater pumping under the Yuba Accord Alternative.

If the estimated levels are above the fall 1991 levels, then significant unmitigated Third- Party impacts will not be expected. If the estimated levels are below the fall 1991 levels, then further examination of potential impacts and consultation with the Member Units and the GMP Water Advisory Group[1] will be required. Even if the determination is that estimated levels resulting from proposed pumping will be above the fall 1991 levels, the Member Units still will be consulted, and each Member Unit must individually approve the proposed pumping in its area or such pumping will not occur. If the amount of proposed pumping that will not cause fall groundwater levels to drop below 1991 levels cannot be confirmed using the procedures described above, then a lower amount of pumping that satisfies the conditions of this section will be determined using these procedures. The YCWA Board reserves the right to restrict the maximum amount of groundwater substitution pumping and the right to resolve any disputes in the Water Advisory Group regarding maximum amount of groundwater pumping.

If for any year the total amount of groundwater pumping that is determined to be acceptable under this section is less than the total amount of Components 1, 2 and 3 water that is provided for in the Agreement, minus the amount of surface water to be transferred, then YCWA may either: (1) use additional surface water through supplemental surface water transfer to provide Components 1, 2 and 3 water; or (2) advise DWR that the total unmet amount of Components 1, 2 and 3 water will not be provided during the present year and instead will be owed to the Buyers and repaid in a manner detailed in the Water Purchase Agreement.

Third-Party Impacts Action Plan

The Third-Party Impacts Action Plan describes actions that will be undertaken by YWCA and Member Units to respond to impacts to Third Parties that occur because of groundwater substitution pumping for transfers under this Agreement. Third Parties include local

[1] *The GMP Water Advisory Group is a group that was formed under the GMP to provide input and guidance on groundwater issues. The GMP Water Advisory Group comprises representatives from local groundwater users, including municipal water purveyors, Member Units, reclamation districts and others. Groundwater substitution pumping that would result in levels near the fall 1991 levels will occur only if the Member Units and the GMP Water Advisory Group agree to allow such pumping.*

groundwater users that could be affected by fluctuations in groundwater levels because of the pumping of such groundwater substitution water. YCWA and the Member Units agree that prompt responses to and mitigation of potential impacts to Third Parties are an important requirement for YCWA's present and future groundwater substitution transfers.

A series of steps will be taken to ensure that the groundwater substitution component of the Yuba Accord Alternative does not cause significant, unmitigated impacts to Third Parties. Under the action plan, groundwater substitution pumping must not produce significant unmitigated impacts on Third Parties, impacts must be identified and mitigated as quickly as possible, and there must be ongoing, open communications with affected Third Parties. Because not all potential impacts can be known in advance, this plan provides a process for responding to concerns expressed by local groundwater users who believe that their water-production facilities are being or will be impacted by groundwater substitution pumping under the Yuba Accord Alternative. Upon either YCWA or the Member Unit receiving notification of a potential Third-Party impact, YCWA or the Member Unit will immediately notify the other party of the nature of the potential impact. The Member Unit will promptly (within one day) contact the Third Party and obtain all available information regarding the nature and extent of the potential impact, and provide that information to YCWA. The Member Unit also will regularly update YCWA on the status of the Member Unit's response.

If the Third Party is not within the boundaries of any Member Unit of YCWA, then YCWA will either: (1) determine if it is evident that the Third Party is in close proximity to the groundwater-production facilities within a Member Unit that are involved in the groundwater substitution program, and designate the Member Unit or Member Units responsible for responding to the potential impact; or (2) consult with an Advisory Group[2] concerning which Member Unit or Member Units should be designated for responding to the potential impact.

After the Third Party has been contacted and the relevant information regarding the potential impact has been received, the Member Unit will develop an approach (subject to approval by YCWA) to: (1) determine whether the Third Party has actually been impacted by groundwater pumping by the Member Unit, and, if so; (2) mitigate for the impact. YCWA will be available to provide assistance to the Member Unit in developing the foregoing approach. YCWA and the Member Unit will consult with the applicable Advisory Group in developing the approach referred to in this section.

YCWA will resolve any dispute concerning implementation of this action plan, including which Member Unit will be responsible for mitigating a potential impact, whether it is reasonably likely that there was a Third-Party impact, and the measures to be taken by the Member Unit to mitigate the impact. If a Member Unit fails to carry out its responsibilities under this action plan, then YCWA will be authorized (but not required) to perform the responsibilities of the Member Unit and recover its reasonable costs in doing so from the Member Unit, including deducting these costs from payments due the Member Unit for the groundwater substitution transfer. YCWA will consult with the applicable Advisory Group in carrying out its responsibilities under this section.

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2 As a contractual condition of a Member Unit participating in the groundwater substitution component of this Agreement and the Yuba River Accord, the Member Unit will identify a contact person or persons who will be responsible for initially responding to a notification of a potential Third-Party impact, and take the other action specified in this section. The contact persons for the Member Units will also serve on a Yuba Groundwater Substitution Program Advisory Group ("Advisory Group") for either the area north of the Yuba River or the area south of the Yuba River.

It is the intention of this action plan that: (1) any Third-Party impact that is reasonably likely to have been caused by implementation of the groundwater substitution program will be promptly and substantially mitigated; (2) as to any Third-Party impact that is not reasonably likely to have been caused by implementation of the groundwater substitution program, the Third Party will be provided information to reasonably demonstrate the reasons that there were no impacts; and (3) YCWA, the Member Units and the Advisory Group will be involved in the implementation of this action plan. Actions that will be taken to mitigate an impact include, but are not limited to, deepening of the impacted Third Party's well or lowering of pump bowls, cessation of pumping in the area of the impacted well, and providing a temporary or permanent alternative water supply to the Third Party.

5.5 CHAPTER 4 – OVERVIEW OF ANALYTICAL APPROACH

- Page 4-18: The following text is inserted under a new heading titled, **4.11, ADDITIONAL ANALYSES OF THE YUBA ACCORD ALTERNATIVE BECAUSE OF PHASING**:

  Chapter 3.2 of the Final EIR/EIS discusses the effects of phasing the Yuba Accord Alternative.

5.6 CHAPTER 5 – SURFACE WATER SUPPLY AND MANAGEMENT

- Pages 5-50 and 5-51 of Table 5-32 is revised as follows:

Table 5-32. Breakdown of Annual Water Transfer Components for the Yuba Accord Alternative

Year	SVI Year Type	CEQA Yuba Accord Alternative								NEPA Yuba Accord Alternative							
		SWP Alloc.	CVP Alloc.	C1	C2	C3A	C3B	C4	Total	SWP Alloc.	CVP Alloc.	C1	C2	C3A	C3B	C4	Total
		%	%	TAF	TAF	TAF	TAF	TAF	TAF	%	%	TAF	TAF	TAF	TAF	TAF	TAF
1922	AN	94%	86%	60				9	69	78%	92%	60				9	69
1923	BN	95%	72%	60				8	68	85%	64%	40					40
1924	C	14%	0%	60	30	40		21	151	14%	0%	60	30	40		12	142
1925	D	40%	43%	60	15		35		110	38%	48%	60	15	40			135
1926	D	73%	15%	36	15	15			66	67%	8%	41	15	15			71
1927	W	93%	78%	83					83	80%	86%	79					79
1928	AN	77%	66%	61				16	77	73%	72%	77					77
1929	C	24%	6%	60	30	40		20	150	24%	0%	46	30	40		20	136
1930	D	68%	33%	43	15	40		5	103	65%	31%	52	15	40		5	112
1931	C	23%	3%	47	13				60	22%	4%	47	13				60
1932	D	31%	14%	58	15	39			112	28%	17%	58	15	39			112
1933	C	31%	0%	60	30	40		25	155	29%	4%	60	30	40		25	155
1934	C	34%	11%	60	30	40		18	148	33%	12%	60	30	40		18	148
1935	BN	94%	35%	48					48	89%	36%	60			5		65
1936	BN	91%	55%	60				9	69	83%	51%	76					76
1937	BN	86%	41%	60			11		71	72%	39%	60			16		76
1938	W	93%	100%	62					62	77%	100%	62					62
1939	D	90%	58%	59	15		40	35	149	84%	68%	60	15			76	151
1940	AN	94%	52%	60			21		81	84%	62%	83				3	86
1941	W	92%	86%	48					48	80%	93%	60				4	64
1942	W	93%	87%	71					71	86%	95%	55					55
1943	W	89%	85%	24					24	78%	92%	58					58
1944	D	96%	45%	60	15		40	47	162	92%	52%	46	15			75	136
1945	BN	94%	75%	75					75	86%	73%	61					61
1946	BN	94%	64%	59					59	88%	77%	36					36
1947	D	68%	41%	60	15		40	88	203	67%	39%	60	15		40	90	205
1948	BN	69%	66%	77					77	66%	77%	104				7	111
1949	D	54%	64%	60	15			97	172	52%	71%	59	15		40	26	140
1950	BN	80%	30%	60		17			77	74%	34%	60		16			76
1951	AN	95%	71%	56					56	87%	78%	56					56
1952	W	92%	99%	40					40	80%	100%	56					56
1953	W	93%	74%	55					55	87%	81%	55					55
1954	AN	95%	70%	124					124	88%	84%	73				69	142
1955	D	37%	46%	60	15		40	37	152	35%	45%	48	15	40		35	138
1956	W	93%	75%	73					73	82%	82%	72				2	74
1957	AN	82%	78%	60				10	70	76%	83%	60				10	70
1958	W	93%	97%	22					22	82%	99%	59					59
1959	BN	80%	72%	77					77	78%	74%	61				18	79
1960	D	54%	32%	0	15	40		16	71	53%	31%	1	15	40		35	91
1961	D	57%	61%	60	15			253	328	57%	62%	60	15		40	193	308
1962	BN	84%	66%	88					88	79%	92%	88					88
1963	W	93%	75%	55					55	82%	96%	55					55
1964	D	78%	48%	0	15			64	79	76%	61%	43	15			75	133
1965	W	82%	83%	104					104	74%	87%	113				32	145
1966	BN	95%	67%	42					42	87%	77%	30					30
1967	W	93%	99%	30					30	79%	99%	83					83
1968	BN	86%	78%	30					30	79%	82%	45					45
1969	W	92%	100%	81					81	81%	100%	69					69

Table 5-32. Breakdown of Annual Water Transfer Components for the Yuba Accord Alternative (continued)

Year	SVI Year Type	CEQA Yuba Accord Alternative								NEPA Yuba Accord Alternative							
		SWP Alloc.	CVP Alloc.	C1	C2	C3A	C3B	C4	Total	SWP Alloc.	CVP Alloc.	C1	C2	C3A	C3B	C4	Total
		%	%	TAF	TAF	TAF	TAF	TAF	TAF	%	%	TAF	TAF	TAF	TAF	TAF	TAF
1970	W	93%	72%	109					109	87%	79%	73				38	111
1971	W	93%	71%	77					77	87%	84%	60				17	77
1972	BN	68%	68%	72					72	66%	76%	60				25	85
1973	AN	94%	78%	83					83	83%	86%	60				9	69
1974	W	93%	80%	24					24	83%	89%	55					55
1975	W	93%	77%	25					25	84%	93%	55					55
1976	C	75%	15%	60	30	40		24	154	75%	24%	0					0
1977	C	3%	3%	13					13	3%	5%	60	30	28			118
1978	AN	94%	99%	57					57	75%	99%	56					56
1979	BN	94%	78%	55					55	80%	67%	55					55
1980	AN	92%	87%	56					56	79%	95%	56					56
1981	D	87%	74%	42	15			75	132	81%	78%	13	15			75	103
1982	W	93%	98%	79					79	80%	100%	67					67
1983	W	92%	99%	0					0	83%	99%	0					0
1984	W	93%	78%	16					16	84%	86%	27					27
1985	D	94%	59%	30	15			53	98	90%	69%	0					0
1986	W	85%	72%	99					99	73%	65%	125					125
1987	D	68%	41%	60	15		40	35	150	67%	31%	60	15	40		35	150
1988	C	11%	10%	51	30	30			111	11%	1%	51	30	30			111
1989	D	81%	40%	0	15		14		29	80%	43%	39	15		15		69
1990	C	23%	0%	60	30	40		105	235	22%	0%	60	30	40		66	196
1991	C	20%	12%	60	30	40		7	137	20%	13%	60	30	40		7	137
1992	C	37%	33%	36	30				66	35%	23%	33	30				63
1993	AN	94%	69%	57					57	81%	85%	58					58

Note: CVP allocations are for South of Delta agricultural contractors.
Transfer volumes as simulated using environmental impact modeling tools.

5.7 CHAPTER 6 – GROUNDWATER RESOURCES

- In response to comments received on the Draft EIR/EIR (see the response to Comment LA2-1 in Chapter 4), the following text has been added to the end of Section 6.4 on page 6-90 of the Draft EIR/EIS:

  To protect groundwater resources that may be affected by the Proposed Project/Action, the following measures have been incorporated into the project to continue to maintain the quality of groundwater resources in the North Yuba and South Yuba basins.

  - *Mitigation Measure 6-1: A Groundwater Monitoring and Reporting Program will be implemented to minimize and/or avoid potential impacts to local groundwater users in the Yuba Region*
  - *Mitigation Measure 6-2: A Third-Party Impacts Action Plan will be implemented to minimize and/or avoid potential impacts to local groundwater users in the Yuba Region*

  A full description of each mitigation measure, including the implementation commitments that are described in Exhibit 3 to the Water Purchase Agreement, is provided in Section 6.2.1 and in Appendix M2 of the Final EIR/EIS.

5.8 CHAPTER 9 – SURFACE WATER QUALITY

- Related to the changes in labeling of impacts described in Table ES-1 of the Draft EIR/EIS (see Section 5.2 above), text was added to several of the analytical sections in Chapter 9 of the Draft EIR/EIS that evaluated changes in salinity and chloride concentrations in the Delta to provide additional clarification regarding the use of protective measures to maintain Delta conditions. The analyses in Chapter 9 of the Draft EIR/EIS (e.g., pages 9-60, 9-89 to 9-90, 9-118, 9-147, 9-176 to 9-177, 9-206, 9-235) acknowledged that carriage water would be used to maintain salinity and chloride concentrations in the Delta. Section 9.5 (pages 9-264 to 9-265) of the Draft EIR/EIS also described how carriage water would be used as a protective measure to maintain water quality in the Delta. Therefore, as discussed in Chapter 9 of the Draft EIR/EIS, any potentially significant impacts to salinity and chloride concentrations in the Delta as a result of implementing one of the action alternatives would be avoided or minimized.

  For those evaluations that addressed salinity and chloride concentrations in the Delta for Water Code purposes, the text in Chapter 9 of the Draft EIR/EIS is revised as follows:

  > While refined modeling studies conducted for years showing impacts under the simplified modeling assumptions indicate that, despite more detailed examination, there could still be impacts, it is anticipated that real-time operational changes *(see Section 9.5)* would further reduce impacts to a level that would not unreasonably affect Delta water quality.

  For those evaluations that addressed salinity and chloride concentrations in the Delta for CEQA/NEPA purposes, the text in Chapter 9 of the Draft EIR/EIS is revised as follows:

  > While refined modeling studies conducted for years showing impacts under the simplified modeling assumptions indicate that, despite more detailed examination, there could still be impacts, it is anticipated that real-time operational changes *(see Section 9.5)* would further reduce impacts to less than significant levels…

  Additionally, carriage water also would likely be used to maintain Delta conditions under the CEQA No Project Alternative, relative to the CEQA Existing Condition. However, it is not the responsibility of this project to identify, or make commitments of mitigation for potential impacts that would be caused by other actions that are unrelated to the Proposed Project/Action and other action alternatives evaluated in the Draft EIR/EIS. It also cannot be assumed that other actions under the CEQA No Project Alternative would implement a similar type of mitigation. Therefore, where appropriate, the labeling of these impacts for the CEQA No Project Alternative, relative to the CEQA Existing Condition, in Table ES-1 is changed from "LTS" to "PS". For consistency purposes in Chapter 9 of the Draft EIR/EIS, text in Section 9.2.7.1 that relates to the evaluations of salinity and chloride concentrations for the CEQA No Project Alternative, relative to the CEQA Existing Condition, is modified as follows:

  > While refined modeling studies conducted for years showing impacts under the simplified modeling assumptions indicate that, despite more detailed examination, there could still be impacts~~, it is anticipated that real-time operational changes would further reduce impacts to less than significant levels.~~ Therefore, the CEQA No Project Alternative, relative to the CEQA Existing

Condition, would have a ~~less than~~ *potentially* significant impact on Delta water quality.

5.9 CHAPTER 10 – FISHERIES AND AQUATIC RESOURCES

- Throughout Chapter 10, the reference ~~(SWRCB 1994)~~ is replaced with *(CDFG Website 2007)*.
- Throughout Chapter 10, the reference ~~(IEP 2007)~~ is replaced with *(CALFED Website 2007)*.
- Throughout Chapter 10, the reference ~~(WWWCO website)~~ is replaced with *(DWR Website 2007)*.
- Throughout Chapter 10, the reference ~~(CDFG 1994)~~ has been removed.
- Throughout Chapter 10, the reference ~~(Hurley 1975)~~ has been removed.
- Page 10-44: In response to Comment SA1-6, the first paragraph under Section 10.1.6.2 on page 10-44 is revised as follows:

  ~~The California Endangered Species Act (CESA, Fish and Game Code Sections 2050 to 2089) establishes various requirements and protections regarding species listed as threatened or endangered under state law. California's Fish and Game Commission is responsible for maintaining lists of threatened and endangered species under CESA. CESA prohibits the "*take*" of listed and candidate (petitioned to be listed) species (Fish and Game Code Section 2080) "*Take*" under California law means to "*…hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch capture, or kill…*" (Fish and Game Code Section 86).~~

  CESA, Fish and Game Code Sections 2050 to 2089 contains various provisions to protect species listed as threatened or endangered species under the act. Section 2080 prohibits the take of any threatened or endangered species, except as authorized by the act. Such authorization may be by an incidental-take statement under Section 2080.1, an Incidental Take Permit under Section 2081, a permit, memorandum of understanding or plan under Section 2081.1, or a Natural Community Conservation Plan under Section 2835. Section 86 of the Fish and Game Code defines "take" to mean "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." California's Fish and Game Commission is responsible for establishing the lists of threatened and endangered species under CESA and for adding species to these lists and removing species from these lists.
- Page 10-400: The first paragraph under Section 10.3, Cumulative Impacts, is revised as follows:

  For analytical purposes of this EIR/EIS, the projects that are considered well defined and "reasonably foreseeable" are described in Chapter ~~20~~*21*, Cumulative Impacts.
- Page 10-400: The second paragraph under Section 10.3, Cumulative Impacts, is revised as follows:

  Although most of the proposed projects described in Chapter ~~20~~*21* could have project-specific impacts that will be addressed in future project-specific environmental documentation, future implementation of these projects is not expected to result in cumulative impacts to regional water supply operations, or water-related and water

dependent resources that also could be affected by the Proposed Project/Action or alternatives (see Chapter ~~20~~*21*).

- Page 10-401: The last sentence of Section 10.3, Cumulative Impacts, is revised as follows:

  These projects are described in Chapter ~~20~~ *21* and qualitatively addressed below.

5.10 CHAPTER 11 – TERRESTRIAL RESOURCES

- Throughout Chapter 11, the reference ~~(Detrich 1980)~~ is replaced with *(Detrich 1980, as cited in DWR 2005)*.
- Throughout Chapter 11, the reference ~~(DWR 1988)~~ is replaced with *(YCWA et al. 2005)*.
- Throughout Chapter 11, the reference ~~(Gittens 1968)~~ is replaced with *(Gittens 1968, as cited in DWR 2005)*.
- Throughout Chapter 11, the reference ~~(Lehman 1979)~~ is replaced with *(Lehman 1979, as cited in DWR 2005)*.
- Page 11-45: The second sentence under Section 11.2.3 on page 11-45 and Section 11.2.4 on page 11-57 has been revised as follows in response to Comment I1-2:

  Because the assessment methodologies are primarily community based, potential ~~affects~~ *effects* on vegetative communities are assumed to also apply to those plant and wildlife species that could potentially utilize or reside within those communities.

5.11 CHAPTER 14 – CULTURAL RESOURCES

- Throughout Chapter 14, the reference ~~(Baldrica 2000)~~ is replaced with *(Reclamation et al. 2003)*.
- Throughout Chapter 14, the reference ~~(Deal 1980)~~ is replaced with *(Reclamation et al. 2003)*.
- Throughout Chapter 14, the reference ~~(Hines 1987)~~ is replaced with *(DWR 2001)*.
- Throughout Chapter 14, the reference ~~(Riddell and Olsen 1966)~~ is replaced with *(Reclamation et al. 2003)*.
- Page 14-6: The first sentence of the first paragraph under Existing Cultural Resources is revised as follows:

  Many prehistoric and/or ethnographic sites ~~were~~ *have been* recorded along the banks of the lower Sacramento River. ~~in 1934 by R.F. Heizer~~, ~~who~~ *Many of these sites have been* described ~~them~~ as burial mounds ~~which had~~ *that have* been partially or completely leveled for agriculture or other development ~~(Heizer 1934)~~.

5.12 CHAPTER 20 – INDIAN TRUST ASSETS

- Throughout Chapter 20, the reference ~~(Meals 1978)~~ is replaced with *(Reclamation et al. 2003)*.

5.13 CHAPTER 21 – CUMULATIVE IMPACTS

- Page 21-6: A typographical error in Table 21-1 on page 21-6 has been corrected as follows:

54~~f~~	YCWA Flood Control Operations Obligations

5.14 CHAPTER 23 – CONSULTATION AND COORDINATION

- Pages 23-4 and 23-5: In response to Comment SA1-8, the text on page 23-4 and 23-5, paragraphs 4 and 5 has been revised as follows:

~~The CESA (CDFG Code Section 2050 et. seq.) establishes state policy to conserve, protect, restore, and enhance threatened or endangered species and their habitats. The CESA mandates that state agencies should not approve projects that jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. Unlike the federal ESA, under CESA there are no mandated state agency consultation procedures. For projects that would affect a species that is federally and state-listed, compliance with ESA satisfies CESA if CDFG determines that the federal incidental take authorization is consistent with CESA (CDFG Section 2080.1). For projects that would result in take of a state-listed species, the project proponent must apply for a take permit under CDFG Section 2081(b).~~

~~YCWA and Reclamation have had numerous meetings with CDFG (see Section 23.2.7,), where discussions focused on determining the scope of work, identifying listed and proposed species potentially affected by the Proposed Project/Action, as well as developing a suitable approach for assessing the potential effects of the action on listed and proposed species and their habitat. Upon review of the Proposed Project/Action and associated mitigation measures (where applicable), CDFG will issue a written finding based upon it's determination of whether the Proposed Project/Action would jeopardize the continued existence of any listed species or result in the destruction or adverse modification of habitat essential to the continued existence of the species. The written finding will also include CDFG's determination of whether the Proposed Project/Action would result in any taking of an endangered or threatened species incidental to the Proposed Project/Action (Fish and Game Code Section 2081).~~

CESA (Fish and Game Code Sections 2050 to 2089) establishes state policy to conserve, protect, restore, and enhance any threatened or endangered species and its habitat. CESA contains various provisions to protect species listed as threatened or endangered species under the act. Section 2080 prohibits the take of any threatened or endangered species, except as authorized by the Act. Such authorization may be by an Incidental Take Statement under Section 2080.1; an Incidental Take Permit under Section 2081; a permit, memorandum of understanding or plan under Section 2081.1, or a Natural Community Conservation Plan under Section 2835.

Unlike the federal ESA, under CESA there are no mandated state agency consultation procedures. However, CEQA requires notice to responsible and trustee agencies regarding the preparation of EIRs and allows for meetings to expedite consultation (California Code of Regulations, Title 14, Section 15082). YCWA and Reclamation have had numerous meetings with CDFG (see Section 23.2.7), where discussions focused on determining the scope of work, identifying listed and proposed species potentially affected by the Proposed Project/Action, as well

as developing a suitable approach for assessing the potential effects of the action on listed and proposed species and their habitat. If CDFG issues any permit under CESA for the Proposed Project/Action, then, in issuing the permit, CDFG will be acting as a CEQA Responsible Agency and will independently consider the EIR prepared by YCWA (California Code of Regulations, Title 14, Section 15096).

5.15 CHAPTER 25 – REFERENCES

5.15.1 GENERAL EDITS

- The following reference: ~~(Jones & Stokes 2003)~~ is revised to read as (*Reclamation and Freeport Regional Water Authority 2003*).

  ~~Jones & Stokes. 2003. Freeport Regional Water Project. Volume 1: Draft Environmental Impact Report/Environmental Impact Statement. July 2003. Prepared by Jones & Stokes Associates. Available at http://www.freeportproject.org.~~

  Reclamation and Freeport Regional Water Authority. 2003. Volume 1: Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Freeport Regional Water Project. July 2003. Prepared by Jones & Stokes Associates. Available at http://www.freeportproject.org.

- The following reference: (~~USFWS 2004~~) is revised to read as (*USFWS 2005*):

  USFWS. ~~2004~~ *2005*. Long-Term Central Valley Project and State Water Project Operations Criteria and Plan Biological Opinion for Delta Smelt.

5.15.2 EXECUTIVE SUMMARY

- The following references are added at the top of Page 25-1 under a new heading, *Executive Summary*:

  Council on Environmental Quality. 2007. NEPA's Forty Most Asked Questions. Available at http://www.nepa.gov/nepa/regs/40/40p3.htm. Accessed on June 12, 2007.

  Reclamation. 2000. Public Review Draft National Environmental Policy Act Handbook.

  Reclamation, DWR, USFWS, NMFS, and CDFG. 2003. Environmental Water Account Draft Environmental Impact Statement/Environmental Impact Report. State Clearinghouse No. 1996032083.

5.15.3 CHAPTER 2 – ENVIRONMENTAL SETTING AND THE CEQA EXISTING CONDITION/NEPA AFFECTED ENVIRONMENT

- The following reference: ~~Reynolds, F. L., T. Mills, R. Benthin, and A. Low. 1993. Central Valley Anadromous Fisheries and Associated Riparian and Wetlands Areas Protection and Restoration Action Plan. Draft.~~ is removed and is replaced with: *DWR and Reclamation. 2004. Administrative Draft Sacramento Valley Water Management Program Short-Term Program Environmental Impact Statement/Environmental Impact Report.*

5.15.4 CHAPTER 10 – FISHERIES AND AQUATIC RESOURCES

- The following reference: (~~SWRCB. 1994. Technical Report, Lower American Court Reference.)~~ is removed and is replaced with: *CDFG. 2007. Sacramento River Late-Fall Chinook Salmon. Website. http://www.dfg.ca. gov/hcpb/species/ssc/sscfish/.*
- The following references are removed:

  ~~CDFG. 1994. Central Valley Anadromous Sport Fish Annual Run Size, Harvest, and Population Estimates, 1967 through 1991. Inland Fisheries Technical Report, Third Draft. Sacramento, CA.~~

  ~~Hurley, G. V. 1975. The Reproductive Success and Early Growth of Smallmouth Bass, Micropterus Dolomieu Lacepede, at Baie Du Dore, Lake Huron, Ontario. Toronto, Canada: University of Toronto.~~

- The following references are added:

  CALFED. 2007. Website. Souza, K.; Hieb, K.; Fleming, K.; Bryant, M.; Baxter, R. Apparent Growth Rates of Pelagic Fishes and Relationship to Abundance (2.b.)

  CDFG and YCWA. 1965. Stream Flow Release Agreement between Yuba County Water Agency and the California Department of Fish and Game. September 2, 1965.

  DWR. 2007. WOMT Summary 3/6/2007. WOMT Meeting Notes – Website wwwoco.water.ca.gov/calfedops/womt/2007/03_06_2007_summary.pdf

  Federal Power Commission. 1966. Federal Power Commission Order Amending License for YCWA Project No. 2246.

  NMFS. 2005. Final Biological and Conference Opinion for the Proposed Yuba River Development Project License Amendment for FERC License No. 2246 and its Effects on Central Valley Spring-run Chinook Salmon and Central Valley Steelhead

5.15.5 CHAPTER 11 – TERRESTRIAL RESOURCES

- The following reference: ~~Detrich, P. J. 1980. Pit 3,4,5 Bald Eagle Study. United States Department of Agriculture, Forest Service, Redding, California. Unpublished Report.~~ is removed and is replaced with: *Detrich, P. J. 1980. As cited in DWR. 2005. Application for New License Oroville Facilities FERC Project No. 2100 Volume IV PDEA Appendices Part 1 - Appendices A,B,C,D,E,F.*
- The following reference: ~~DWR. 1988. Initial Study for the Transfer of Water From the Yuba County Water Agency to the Department of Water Resources of the State of California. Redding, CA.~~ is removed and is replaced with: *YCWA et al. 2005. Environmental Analysis for the Proposed Temporary Transfer of Water from the Yuba County Water Agency, Yuba River Development Project to the California Department of Water Resources CALFED Environmental Water Account Project/2005 Dry Year Water Purchase Program*
- The following reference: ~~Gittens, E. F. 1968. A Study on the Status of the Bald Eagle in Nova Scotia. M.S. Thesis, Acadia University, Wolfville, Nova Scotia.~~ is removed and is replaced with: *Gittens. 1968. As cited in DWR. 2005. Application for New License Oroville Facilities FERC Project No. 2100 Volume IV PDEA Appendices Part 1 - Appendices A,B,C,D,E,F.*

- The following reference: ~~Lehman, R. N. 1979. A Survey of Selected Habitat Features of 95 Bald Eagle Nests in California. Prepared for CDFG Wildlife Management Branch, Administrative Report 79-1. Sacramento. 23 pp.~~ is removed and is replaced with: *Lehman, R. N. 1979. As cited in DWR. 2005. Application for New License Oroville Facilities FERC Project No. 2100 Volume IV PDEA Appendices Part 1 - Appendices A,B,C,D,E,F.*

5.15.6 CHAPTER 14 – CULTURAL RESOURCES

- The following reference: ~~Baldrica, M. 2000. Pendola Fire Salvage Time Sale. Ms. 05-17-1398, on file with the Tahoe National Forest Downieville Ranger District, Camptonville, California.~~ is removed and is replaced with: *Reclamation, DWR, USFWS, NMFS, and CDFG. 2003. Environmental Water Account Draft Environmental Impact Statement/Environmental Impact Report. State Clearinghouse No. 1996032083.*
- The following reference: ~~Deal, K. 1980. Elbow Timber Sale. Ms. 05-17-287, on file at the Tahoe National Forest, Downieville Ranger District, Camptonville, California.~~ is removed and is replaced with: *Reclamation, DWR, USFWS, NMFS, and CDFG. 2003. Environmental Water Account Draft Environmental Impact Statement/Environmental Impact Report. State Clearinghouse No. 1996032083.*
- The following reference: ~~Hines, P.W. 1987. Lake Oroville State Recreation Area, Statewide Resources Management Plan, Project 118-151-1, 1986-1987. MS on file at the Department of Parks and Recreation, Cultural Heritage Division, Sacramento.~~ is removed and is replaced with: *DWR. 2001. Initial Information Package, Relicensing of the Oroville Facilities. FERC License Project No. 2100.*
- The following reference: ~~Riddell, F. and Olsen. 1966. New Bullards Bar Reservoir Archaeological Reconnaissance. On file with the Tahoe National Forest Downieville Ranger District, Camptonville, California.~~ is removed and is replaced with: *Reclamation, DWR, USFWS, NMFS, and CDFG. 2003. Environmental Water Account Draft Environmental Impact Statement/Environmental Impact Report. State Clearinghouse No. 1996032083.*
- ~~The following reference: Heizer, R. F. 1934. Archaeological Site Survey Records for CA-SAC 26, 28, 29, 30, 41, 42, 43, 44, 46~~ is removed.

5.15.7 CHAPTER 20 – INDIAN TRUST ASSETS

- The following reference: ~~Meals, H. 1978. Bullards Bar Trail. Ms. 05-17-208, on file at the Tahoe National Forest, Downieville Ranger District, Camptonville.~~ is removed and is replaced with: *Reclamation, DWR, USFWS, NMFS, and CDFG. 2003. Environmental Water Account Draft Environmental Impact Statement/Environmental Impact Report. State Clearinghouse No. 1996032083.*

5.16 APPENDIX B – PROPOSED LOWER YUBA RIVER ACCORD AGREEMENTS

- Some of the provisions of the Lower Yuba River Fisheries Agreement have been amended since the Draft EIR/EIS was issued in June 2007. Although the final provisions of the Fisheries Agreement are still being negotiated and likely will not be finalized until the agreement is executed, the modifications that have been agreed upon by the parties involved to date are included in Appendix M1 of the Final EIR/EIS.

- Some of the provisions of the Water Purchase Agreement have been amended since the Draft EIR/EIS was issued in June 2007. Although the final provisions of the Water Purchase Agreement are still being negotiated and likely will not be finalized until the agreement is executed, the modifications that have been agreed upon by the parties involved to date are included in Appendix M2 of the Final EIR/EIS.

5.17 APPENDIX D – MODELING TECHNICAL MEMORANDUM

- Page A-18: The sentence in the middle of the last paragraph is revised as follows:

  This step has been taken ~~to~~ so that the Smartville flow requirement controls New Bullards Bar Reservoir operations when appropriate.

- Page A-25: The sentence in the middle of the second paragraph under Section A.4.4, Yuba Accord Alternative is revised as follows:

  In the first 8 years of the agreement (~~2007~~*2008* through December 31, 2015), Reclamation and DWR would purchase 60 TAF per year of Component 1 water, for a total of 480 TAF.

5.18 APPENDIX F1 – WATER SUPPLY AND MANAGEMENT MODEL OUTPUT

- Tables F1-3, F1-11, F1-19, F1-27, F1-28, F1-43, and F1-51 of Appendix F1 are revised to read as follows:

ENVIRONMENTAL IMPACTS/ENVIRONMENTAL CONSEQUENCES OF THE CEQA YUBA ACCORD ALTERNATIVE COMPARED TO THE CEQA NO PROJECT ALTERNATIVE

Table F1-3. Surface Water CVP South-of-Delta Water Service Contractor and Refuge Deliveries

Year Type	Deliveries (TAF)											
	CEQA No Project Alternative			CEQA Yuba Accord Alternative			Change (CEQA Yuba Accord Alternative-CEQA No Project Alternative)			Percent Change (CEQA Yuba Accord Alternative-CEQA No Project Alternative)		
	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge
Wet	1,508	142	289	1,508	142	289	0	0	0	0%	0%	0%
Above Normal	1,318	137	289	1,318	137	289	0	0	0	0%	0%	0%
Below Normal	1,157	128	289	1,155	128	289	-2	0	0	0%	0%	0%
Dry	871	112	284	860	112	284	-11	0	0	-1%	0%	0%
Critical	405	83	243	382	83	243	-23	0	0	-6%	0%	0%
All Years	1,093	123	280	1,086	123	280	-7	0	0	-1%	0%	0%

ENVIRONMENTAL IMPACTS/ENVIRONMENTAL CONSEQUENCES OF THE CEQA MODIFIED FLOW ALTERNATIVE COMPARED TO THE CEQA NO PROJECT ALTERNATIVE

Table F1-11. CVP South-of-Delta Water Service Contractor and Refuge Deliveries

Year Type	Deliveries (TAF)											
	CEQA No Project Alternative			CEQA Modified Flow Alternative			Change (CEQA Modified Flow Alternative-CEQA No Project Alternative)			Percent Change (CEQA Modified Flow Alternative-CEQA No Project Alternative)		
	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge
Wet	1,508	142	289	1,508	142	289	0	0	0	0%	0%	0%
Above Normal	1,318	137	289	1,318	137	289	0	0	0	0%	0%	0%
Below Normal	1,157	128	289	1,155	128	289	-2	0	0	0%	0%	0%
Dry	871	112	284	860	112	284	-11	0	0	-1%	0%	0%
Critical	405	83	243	382	83	243	-23	0	0	-6%	0%	0%
All Years	1,093	123	280	1,086	123	280	-7	0	0	-1%	0%	0%

ENVIRONMENTAL IMPACTS/ENVIRONMENTAL CONSEQUENCES OF THE CEQA YUBA ACCORD ALTERNATIVE COMPARED TO THE CEQA EXISTING CONDITION

Table F1-19. CVP South-of-Delta Water Service Contractor and Refuge Deliveries

Year Type	Deliveries (TAF)											
	CEQA Existing Condition			CEQA Yuba Accord Alternative			Change (CEQA Yuba Accord Alternative-CEQA Existing Condition)			Percent Change (CEQA Yuba Accord Alternative-CEQA Existing Condition)		
	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge
Wet	1,516	142	289	1,508	142	289	-8	0	0	-1%	0%	0%
Above Normal	1,329	137	289	1,318	137	289	-11	0	0	-1%	0%	0%
Below Normal	1,165	128	289	1,155	128	289	-10	0	0	-1%	0%	0%
Dry	869	112	284	860	112	284	-9	0	0	-1%	0%	0%
Critical	389	83	243	382	83	243	-7	0	0	-2%	0%	0%
All Years	1,095	123	280	1,086	123	280	-9	0	0	-1%	0%	0%

ENVIRONMENTAL IMPACTS/ENVIRONMENTAL CONSEQUENCES OF THE CEQA MODIFIED FLOW ALTERNATIVE COMPARED TO THE CEQA EXISTING CONDITION

Table F1-27. CVP South-of-Delta Water Service Contractor and Refuge Deliveries

Year Type	Deliveries (TAF)											
	CEQA Existing Condition			CEQA Modified Flow Alternative			Change (CEQA Modified Flow Alternative-CEQA Existing Condition)			Percent Change (CEQA Modified Flow Alternative-CEQA Existing Condition)		
	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge
Wet	1,516	142	289	1,508	142	289	-8	0	0	-1%	0%	0%
Above Normal	1,329	137	289	1,318	137	289	-11	0	0	-1%	0%	0%
Below Normal	1,165	128	289	1,155	128	289	-10	0	0	-1%	0%	0%
Dry	869	112	284	860	112	284	-9	0	0	-1%	0%	0%
Critical	389	83	243	382	83	243	-7	0	0	-2%	0%	0%
All Years	1,095	123	280	1,086	123	280	-9	0	0	-1%	0%	0%

ENVIRONMENTAL IMPACTS/ENVIRONMENTAL CONSEQUENCES OF THE CEQA NO PROJECT ALTERNATIVE COMPARED TO THE CEQA EXISTING CONDITION

Table F1-28. CVP South-of-Delta Water Service Contractor and Refuge Deliveries

Year Type	Deliveries (TAF)											
	CEQA Existing Condition			CEQA No Project Alternative			Change (CEQA No Project Alternative-CEQA Existing Condition)			Percent Change (CEQA No Project Alternative-CEQA Existing Condition)		
	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge
Wet	1,516	142	289	1,508	142	289	-8	0	0	-1%	0%	0%
Above Normal	1,329	137	289	1,318	137	289	-11	0	0	-1%	0%	0%
Below Normal	1,165	128	289	1,157	128	289	-8	0	0	-1%	0%	0%
Dry	869	112	284	871	112	284	2	0	0	0%	0%	0%
Critical	389	83	243	405	83	243	17	0	0	4%	0%	0%
All Years	1,095	123	280	1,093	123	280	-2	0	0	0%	0%	0%

ENVIRONMENTAL IMPACTS/ENVIRONMENTAL CONSEQUENCES OF THE NEPA YUBA ACCORD ALTERNATIVE COMPARED TO THE NEPA NO ACTION ALTERNATIVE

Table F1-43. CVP South-of-Delta Water Service Contractor and Refuge Deliveries

Year Type	Deliveries (TAF)											
	NEPA No Project Alternative			NEPA Yuba Accord Alternative			Change (NEPA Yuba Accord Alternative-NEPA No Project Alternative)			Percent Change (NEPA Yuba Accord Alternative-NEPA No Project Alternative)		
	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge
Wet	1,619	143	289	1,619	143	289	0	0	0	0%	0%	0%
Above Normal	1,435	140	288	1,435	140	288	0	0	0	0%	0%	0%
Below Normal	1,215	129	289	1,213	129	289	-2	0	0	0%	0%	0%
Dry	924	115	284	912	115	284	-12	0	0	-1%	0%	0%
Critical	411	82	239	388	82	239	-23	0	0	-6%	0%	0%
All Years	1,165	124	280	1,158	124	280	-7	0	0	-1%	0%	0%

ENVIRONMENTAL IMPACTS/ENVIRONMENTAL CONSEQUENCES OF THE NEPA MODIFIED FLOW ALTERNATIVE COMPARED TO THE NEPA NO ACTION ALTERNATIVE

Table F1-51. CVP South-of-Delta Water Service Contractor and Refuge Deliveries

Year Type	Deliveries (TAF)											
	NEPA No Project Alternative			NEPA Modified Flow Alternative			Change (NEPA Modified Flow Alternative-NEPA No Project Alternative)			Percent Change (NEPA Modified Flow Alternative-NEPA No Project Alternative)		
	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge	Ag	M&I	Refuge
Wet	1,619	143	289	1,619	143	289	0	0	0	0%	0%	0%
Above Normal	1,435	140	288	1,435	140	288	0	0	0	0%	0%	0%
Below Normal	1,215	129	289	1,213	129	289	-2	0	0	0%	0%	0%
Dry	924	115	284	912	115	284	-12	0	0	-1%	0%	0%
Critical	411	82	239	388	82	239	-23	0	0	-6%	0%	0%
All Years	1,165	124	280	1,158	124	280	-7	0	0	-1%	0%	0%

5.19 APPENDIX F4 – GATAER MODEL OUTPUT

- Page 1336 (for all comparative modeling scenarios): The headings for columns 2, 3, 6 and 7 in the delta smelt salvage projections model output are revised to indicate *median salvage* for each alternative, not ~~average salvage~~.

CHAPTER 6
MITIGATION, MONITORING AND REPORTING PROGRAM/ ENVIRONMENTAL COMMITMENTS PLAN

6.1 INTRODUCTION

CEQA (Public Resources Code, Section 21081.6) requires that when a CEQA lead agency makes a finding that changes, or alterations have been required in or incorporated into the project to mitigate or avoid the significant effects on the environment, and the CEQA lead agency approves the project, then the CEQA lead agency also must adopt a mitigation monitoring and reporting program for the project. This program must ensure compliance with mitigation measures during project implementation. A reporting program consists of written compliance review and guarantees that the approving agency is informed of compliance. A monitoring program consists of a project oversight process and guarantees that compliance is checked regularly.

Although not expressly required by NEPA, CEQ directs all federal agencies to include in an EIS the appropriate means to mitigate any adverse environmental impacts (40 CFR 1502.14(f), 1502.16(h)). The final ROD must state whether all practicable means to avoid or minimize environmental harm were adopted and include a monitoring and enforcement plan for any proposed mitigation (40 CFR 1505.2(c)).

YCWA is the lead agency and project proponent for CEQA compliance purposes and Reclamation is the lead agency and project proponent for NEPA compliance purposes. For the Proposed Project/Action (i.e., Yuba Accord Alternative), YCWA would be responsible for implementing the actions and commitments that are identified in the MMRP/ECP for the Yuba Region. Because DWR is a CEQA responsible agency and would be a participant in the first phase (see Final EIR/EIS, Chapter 3) of implementing the Yuba Accord Alternative, DWR would be responsible for implementing the actions and commitments described in the MMRP/ECP that relate to the EWA Program (or an equivalent program) and SWP operations. If Reclamation decides to participate in the second phase (see Final EIR/EIS, Chapter 3) of the Yuba Accord Alternative, then Reclamation would be responsible for implementing measures related to CVP operations.

6.1.1 PURPOSE AND OBJECTIVES OF THE MITIGATION MONITORING AND REPORTING PROGRAM

YCWA, Reclamation and DWR developed this chapter to guide mitigation compliance before, during and after implementation of the Proposed Project/Action, as required by CEQA and NEPA. Project approvals include environmental protection and mitigation measures to minimize or eliminate potentially adverse impacts to the project study area. These measures are described in the Draft EIR/EIS and in Chapter 5 of the Final EIR/EIS.

If the Proposed Project/Action is approved, then compliance monitoring and evaluation will be performed by YCWA, Reclamation or DWR, as indicated in the description of each measure. The objectives of this MMRP/ECP are to provide the following:

- Compliance requirements for the environmental protection and mitigation measures specified in the Draft EIR/EIS or Chapter 5 of the Final EIR/EIS;
- A reference document containing the environmental protection and mitigation measures for the Proposed Project/Action;
- A list of lead agency and responsible agency contacts; and
- The timing of mitigation measure implementation.

6.1.2 PROJECT LOCATION

The project study area includes those regions that might benefit from or potentially be affected by implementation of the Proposed Project/Action, which would involve changes in Yuba Project operations and water management of the lower Yuba River. As described in the Draft EIR/EIS, the project study area includes: (1) Yuba Project facilities and the lower Yuba River; (2) the YCWA Member Units and their service areas; (3) local groundwater basins; (4) CVP and SWP storage reservoirs and rivers downstream of these reservoirs; and (5) the Delta. Additionally, San Luis Reservoir and areas served by downstream CVP/SWP contractors (the Export Service Area) are considered. Therefore, the geographic areas influenced by implementation of the Proposed Project/Action are described and evaluated in the following four primary regions:

- Yuba Region
- CVP/SWP Upstream of the Delta Region
- Delta Region
- Export Service Area

YCWA would release water from New Bullards Bar Reservoir and through Englebright Reservoir into the lower Yuba River to: (1) implement the flow schedules under the Yuba Accord Alternative; and (2) provide Yuba Accord transfer water to Reclamation and DWR. Reclamation and DWR would receive and convey Yuba Accord transfer water from YCWA in the Sacramento River and the Delta, and potentially may store a portion of this water in San Luis Reservoir before delivering it to the federal and state water contractors in the Export Service Area (**Figure 6-1**).

6.1.3 PROJECT DESCRIPTION

The Yuba Accord Alternative is the result of over two years of work and discussions by Yuba River stakeholders to resolve the controversies regarding RD-1644. The goal of the negotiations and discussions was to find a solution to the challenges of competing interests. The Yuba Accord Alternative includes three separate but interrelated agreements that would protect and enhance fisheries resources in the lower Yuba River, increase local supply reliability, and provide Reclamation and DWR with increased operational flexibility for protection of Delta fisheries resources through the EWA Program and provision of supplemental dry-year water supplies to federal and state water contractors. These agreements, which are in Appendix B and discussed in detail in Chapter 3 of the Draft EIR/EIS, are:

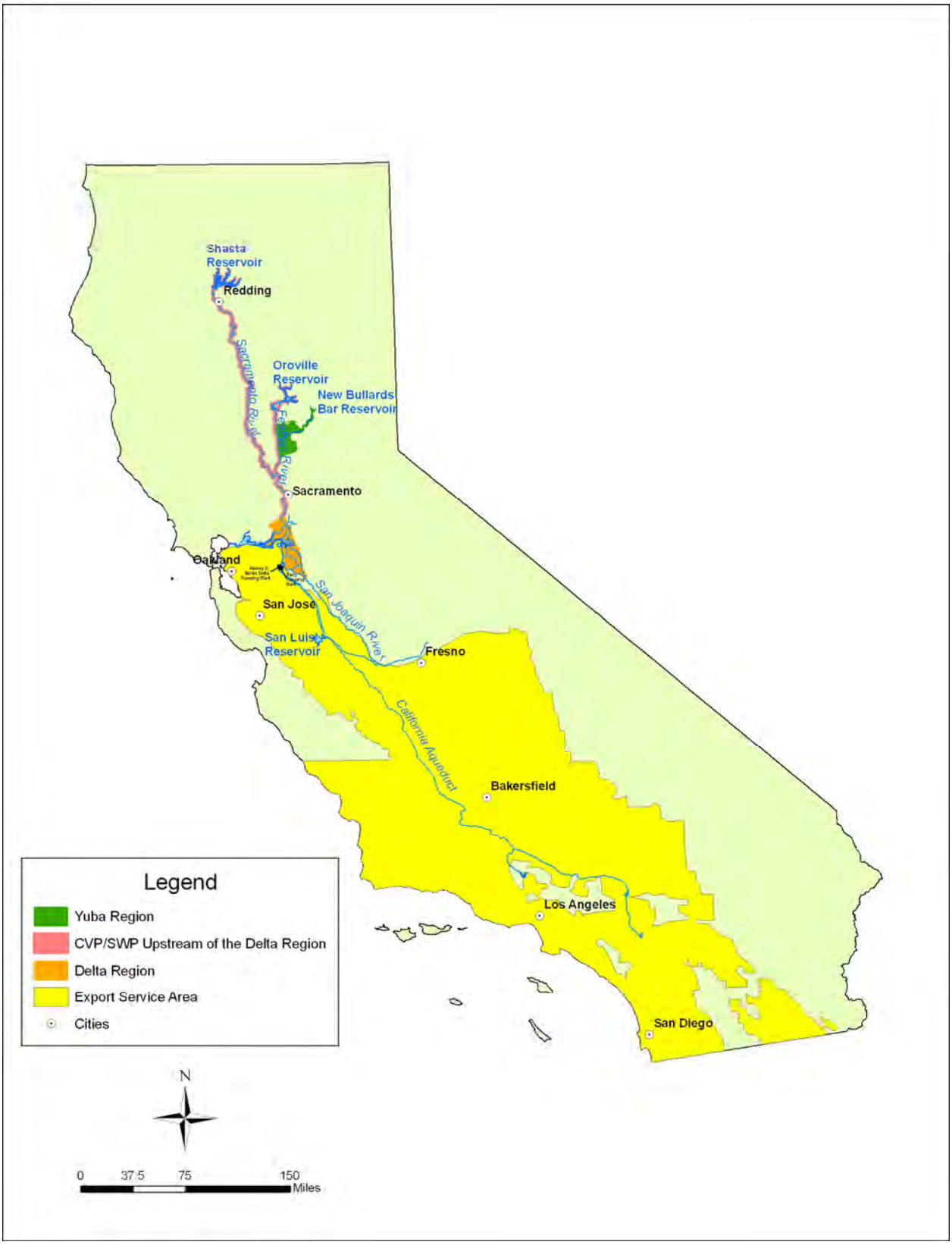

Figure 6-1. Project Study Area

- *Principles of Agreement for Proposed Lower Yuba River Fisheries Agreement* (Fisheries Agreement);
- *Principles of Agreement for Proposed Conjunctive Use Agreements* (Conjunctive Use Agreements); and
- *Principles of Agreement for Proposed Long-term Transfer Agreement* (Water Purchase Agreement).

YCWA, SYRCL, TU, TBI, FOR, CDFG, USFWS, and NMFS developed the Fisheries Agreement. The Fisheries Agreement is the cornerstone of the Yuba Accord Alternative. The Fisheries Agreement contains proposed new instream flow schedules for the lower Yuba River that are intended to increase protection of the river's fisheries resources. In addition to the best available science and data, the interests of the participating state, federal, and local fisheries biologists, fisheries advocates, and policy representatives were considered during development of the Yuba Accord Alternative. A fundamental precept of the Yuba Accord Alternative is the provision of instream flows during specified periods of the year that are higher than the interim instream-flow requirements of RD-1644. Under the Yuba Accord Alternative, YCWA also proposes to execute and implement Conjunctive Use Agreements, which would establish a conjunctive use program that would provide for comprehensive management of the surface water and groundwater supplies within Yuba County, in coordination with the local irrigation districts and mutual water companies that YCWA serves in the county. Under the Water Purchase Agreement, Reclamation and DWR would purchase water from YCWA to improve water supply reliability for the CVP and SWP and to contribute to the security of a long-term EWA Program or a program equivalent to the EWA. Some of the water obtained by the CVP and SWP under the Water Purchase Agreement may be used for fish and wildlife purposes, which may include meeting refuge water supply commitments and helping to achieve Delta outflow requirements.

The analysis in the Draft EIR/EIS for the Yuba Accord Alternative is based on the concept that the Yuba Accord water transfer amounts would be shared equally between the CVP and SWP, and thereafter would be divided among the respective projects' contractors. It is expected that contractual arrangement between the CVP and SWP (the Tier 2 Agreement) would recognize the potential that one project could receive more than 50 percent of the Yuba Accord transfer water, up to 100 percent of the total amount of such water, in a particular year, depending on the relative allocations of each project's supplies to its contractors in that year, and on the willingness of the other project to relinquish some or all of its share of Yuba Accord transfer water in that year.

During the course of the preparation of the Draft EIR/EIS for the Proposed Yuba Accord, some circumstances related to water supplies and water delivery in Northern California have changed, and some of those changes may have implications for the Yuba Accord Alternative. These changed circumstances are discussed in Chapter 3 of the Final EIR/EIS.

6.1.4 SUMMARY OF PROJECT PURPOSE, NEED, AND OBJECTIVES

The purpose of the Yuba Accord Alternative is to resolve instream flow issues in a way that protects and enhances lower Yuba River fisheries, increases local water supply reliability, and protects Delta resources. Additionally, YCWA has a goal of providing revenues for local flood control and water supply projects. As a state agency party to the Yuba Accord Alternative,

DWR also would be involved in the purchase of Yuba Project water for use in the EWA Program (or an equivalent program), and for SWP state water contractor supplies. If Reclamation decides to participate, it would be involved with DWR in the purchase of Yuba Accord transfer for CVP federal water contractor supplies. Meeting the objectives of protecting and enhancing the Yuba River fisheries also is intended to resolve all or almost all of the pending litigation challenging RD-1644.

Various signatories and participants in the Yuba Accord Alternative, as a consequence of their various authorities, may prioritize the above objectives differently. For example, Reclamation and DWR are seeking to enable a long-term acquisition of water for the Delta, for use in the EWA Program or an equivalent program, and to improve water supply reliability for state and federal water contractors. NMFS, USFWS and CDFG are seeking to protect and enhance lower Yuba River fisheries resources and aquatic habitat. YCWA and its participating Member Units are seeking to: (1) protect local water supply reliability; (2) protect the Yuba River fisheries in a way that will settle the litigation challenging RD-1644; and (3) provide a revenue stream to support needed flood control and water-resource improvements in Yuba County.

6.1.5 RESPONSIBLE PARTIES

YCWA, Reclamation, and DWR are responsible for implementation of the environmental commitments and mitigation measures identified in this MMRP/ECP. YCWA, as the CEQA lead agency, would be primarily responsible for MMRP/ECP elements that apply to the Yuba Region. DWR, as a CEQA responsible agency for the Proposed Yuba Accord, would be responsible for the MMRP/ECP elements that relate to the EWA Program and SWP operations. If Reclamation decides to participate in the Yuba Accord, then Reclamation would be responsible for the MMRP/ECP elements that relate to CVP operations.

Representatives of each agency are listed below:

Yuba County Water Agency
Mr. Curt Aikens
General Manager
Yuba County Water Agency
1402 F Street
Marysville, CA 95901
(530) 741-6278

Bureau of Reclamation
Mr. Tim Rust
Program Manager
U.S. Bureau of Reclamation
Resources Management Division
2800 Cottage Way MP-400
Sacramento, CA 95825
(916) 978-5516

California Department of Water Resources
Ms. Delores Brown
DWR Environmental Specialist
Department of Water Resources
3251 S Street
Sacramento, CA 95816
(916) 227-2407

6.2 ENVIRONMENTAL PROTECTION AND MITIGATION MEASURES

Environmental commitments are measures or practices adopted by a project proponent to reduce or avoid adverse effects that could result from project operations. The following sections describe the environmental commitments, including impact avoidance or mitigation measures that will be implemented by YCWA, Reclamation or DWR to ensure no significant impacts result from the Proposed Yuba Accord.

The lead and responsible agencies have adopted these measures and incorporated them as part of the Proposed Project/Action (i.e., Yuba Accord Alternative) in compliance with applicable federal, state, and local policies or regulations that apply to the project activities. These measures will ensure that the Yuba Accord Alternative will minimize or avoid potentially significant environmental impacts, to the extent feasible. These measures include YCWA monitoring commitments that were developed during the preliminary planning and design phases of the Yuba Accord, and mitigation and monitoring commitments identified by Reclamation and DWR in the Final EWA EIS/EIR (Reclamation *et al*. 2004).

The CEQA Environmental Checklist identifies the conditions under which a project's evaluation may rely upon an earlier analysis of potential impacts. An earlier analysis of a project may be relied upon if the potential impacts were within the scope of the previous analysis, and the impacts were adequately addressed.

Reclamation, DWR, USFWS, NMFS and CDFG (Reclamation *et al.* 2003) completed an environmental analysis of the EWA Program, including characterization of probable water transfer volumes from YCWA. EWA agencies acquire and manage assets to maximize benefits to at-risk native fish species, but asset management can change river flows, Delta outflows and the amount of seasonal wetlands within agricultural areas. The manner in which the EWA agencies apply, acquire, and manage assets will be monitored to ensure that EWA fisheries benefit objectives are met while potential adverse impacts to other species and their habitats, because of EWA actions, are minimized or avoided. To address these considerations, compliance and effectiveness monitoring components (Mitigation Plan) were identified in the Final EWA EIS/EIR (Reclamation *et al.* 2004). Data associated with EWA monitoring efforts are used to support adaptive management decisions that could change how some assets are managed should the overall goals of the EWA Program related to fish species, habitats, and terrestrial species not be met. Because the EWA Mitigation Plan identified several environmental protection and mitigation measures related to the YCWA component of EWA acquisitions (e.g., the Yuba Accord Alternative), these EWA measures also have been incorporated into this MMRP/ECP, and are discussed below.

A summary of the proposed environmental protection and mitigation measures described in this MMRP/ECP are provided in **Table 6-1**.

The mitigation measures identified in Table 6-1 and described in the Draft EIR/EIS are designed to reduce impacts to less-than-significant levels. YCWA, Reclamation and DWR also participate in other activities and programs that serve to protect or enhance the natural environment within their respective project and service areas. These activities include involvement in lower Yuba River flow monitoring activities and annual adult salmonid escapement surveys.

Table 6-1. Summary of Mitigation Measures and Environmental Commitments Incorporated into the Proposed Project/Action (Yuba Accord Alternative)

Mitigation Measures/ Environmental Commitments	Implementing Agency	Timing
GROUNDWATER RESOURCES		
Mitigation Measure 6-1. A Groundwater Monitoring and Reporting Program will be implemented to minimize and/or avoid potential impacts to local groundwater users in the Yuba Region	YCWA, DWR and the Member Units	Before, during and after transfer
Mitigation Measure 6-2: A Third-Party Impacts Action Plan will be implemented to minimize and/or avoid potential impacts to local groundwater users in the Yuba Region	YCWA and the Member Units	Before, during and after transfer
WATER QUALITY		
Mitigation Measure 9-1. Carriage water will be used to maintain salinity and chloride concentrations in the Delta	Reclamation[1] and DWR	During transfer
Mitigation Measure 9-2. YCWA operational flexibility will be utilized to ensure that refilling of the reservoir will not adversely affect water quality in the Delta	YCWA	Continuous, year-round
FISHERIES AND AQUATIC RESOURCES		
Environmental Commitment 10–1: The RMT would oversee various environmental actions for the lower Yuba River, including operation of water temperature devices, the planning of fisheries monitoring and studies, and habitat enhancement measures	YCWA, CDFG, NMFS, USFWS, Reclamation, and SYRCL	Continuous and year-round over the duration of the project
• RMT Monitoring Measure 1: VAKI RiverWatcher Fish Monitoring	YCWA	Continuous, year-round
• RMT Monitoring Measure 2: Proposed Lower Yuba River Chinook Salmon Escapement Survey	CDFG	Annually from October through December
• RMT Monitoring Measure 3: Develop in-river salmonid production indices by monitoring the downstream movement of juvenile salmonids in the lower Yuba River using rotary screw traps	YCWA	Continuous, year-round
Environmental Commitment 10–2: EWA mitigation plan for protecting Delta fisheries resources - continuation of actions identified by the Delta Smelt Working Group	Reclamation[1] and DWR	Continuous, year-round
Environmental Commitment 10-3: EWA mitigation plan for protecting Delta fisheries resources - continuation of actions identified by the Water Operations Management Team	Reclamation[1] and DWR	Continuous, year-round
AIR QUALITY		
Mitigation Measure 15-1. Provide certification documentation to Reclamation and DWR indication that groundwater pumping sources would not increase emissions, to ensure that no net impacts to air quality would occur.	YCWA and approved by Reclamation[1] and DWR	Annually, if groundwater substitution operations occur

[1] To become effective as part of the second phase of the Yuba Accord Alternative (see Chapter 3).

In addition to the activities in the Yuba Region, the Yuba Accord Alternative would have the ability to allocate more water for the Delta and for CVP wildlife refuges. These environmental commitments would not be mitigation for potential impacts resulting from the Yuba Accord Alternative, but they would support fisheries management activities in the project study area.

In the Draft EIR/EIS, the analyses showed that implementation of the Yuba Accord Alternative would have the potential to cause significant environmental impacts on some resources. Additionally, some of the commentors that provided comments on the Draft EIR/EIS also requested additional information about the protective measures built into the project to minimize or avoid these impacts. The mitigation measures and environmental commitments for each potentially affected resource are described here.

6.2.1 GROUNDWATER RESOURCES

Mitigation Measure 6-1: A Groundwater Monitoring and Reporting Program will be implemented to minimize and/or avoid potential impacts to local groundwater users in the Yuba Region

Action/Commitment: For past groundwater substitution water transfers, YCWA and DWR developed a Groundwater Transfer Monitoring and Reporting Program specific to Yuba County. YCWA has also developed a GMP, which was adopted in March 2005 pursuant to Water Code Sections 10750 *et seq*. Since 2005, YCWA has constructed eight additional groundwater monitoring wells for this program (see DWR, Memorandum Report, "Monitoring Well Construction Technical Assistance," April 2007). Information gathered from the activities specified in the GMP, along with the activities described in this exhibit, will be used to assess effects of groundwater pumping on groundwater resources in the Yuba Region. YCWA will continue to work with DWR and the Member Units to identify and resolve any new groundwater monitoring issues.

Responsible Parties: YCWA, DWR and the Member Units

Location: Yuba Region (North Yuba and South Yuba basins)

Timing: Before, during and after transfer

Monitoring: Groundwater monitoring activities in the Yuba Region would involve:

(1) The water levels in selected production wells geographically dispersed throughout each Member Unit participating in the groundwater substitution program will be measured by the Member Unit prior to the initial pumping for each year during which a groundwater substitution transfer will take place. Selection of these wells will be by mutual agreement by DWR and Yuba, in consultation with the member Unit. Upon termination of

pumping for the year, the water levels will be measured by the Member Units, and such measurements will continue on a monthly basis until water levels have recovered to the pre-pumping levels, or have stabilized. In no case will water-level measurements be required following spring high water levels in the year following the year of the groundwater substitution pumping. The Member Units will provide the water-level readings to YCWA within 15 days of each reading.

(2) To supplement the GMP-specified monitoring program, water levels in each monitoring well in the YCWA network will be measured at least every two months by YCWA in each year during which a groundwater substitution transfer is to take place, commencing no later than April. Upon termination of pumping, the monitoring well water levels will be measured, and such measurements will continue on a monthly basis until water levels have recovered to the pre-pumping levels, or have stabilized. In no case will water-level measurements be required following spring high water levels in the year following the year of the groundwater substitution pumping. DWR and YCWA will cooperate in obtaining these measurements.

(3) Readings of flow meters on the discharges of the wells will be recorded every month during the pumping period by Member Units for each production well. In addition, electric meter readings and fuel consumption for diesel pumps will be recorded by the Member Units, and made available to YCWA upon request. The quantities of water pumped between successive readings will be calculated by Member Units and reported to YCWA.

(4) Electrical Conductivity (EC) will be measured for water pumped from selected production wells at the initiation of pumping (or as soon thereafter as practicable), two months after the initial EC measurements and at the termination of pumping.

(5) For selected production wells (to be identified before the monitoring plan is finalized) near YCWA monitoring wells, drawdown analyses (of distance and time) will be completed, and comparisons made to monitoring well water levels.

Reporting Requirements: All monitoring data will be reported on a semi-monthly basis, and in an annual final summary report prepared by YCWA that will evaluate the impacts of the groundwater substitution pumping transfer program for that year. The final report will include water-level contour maps for the groundwater basin showing initial water levels and final, recovered water levels.

Description of Activities: See above for a description of the groundwater monitoring activities that would be implemented when groundwater substitution transfers are occurring.

Using data obtained from the monitoring activities, YCWA will determine the amount of water that can be pumped within the safe yield of the basin without contributing to long-term overdraft, and without resulting in any significant unmitigated third-party impacts to other groundwater users in the basin. Section 1 of Exhibit 3 to the Water Purchase Agreement (see Appendix M of this Final EIR/EIS) describes the monitoring plan that will be used to obtain information from which the determination will be made of the condition of the groundwater basin in the spring of the year during which groundwater substitution pumping is planned. Based on this condition, YCWA will determine the expected response of the groundwater basin to the proposed pumping for that year and the resulting condition of the basin at the conclusion of the pumping. Determination of the expected condition at the conclusion of the pumping will be made by examining the historic response of the basin during previous years when pumping occurred and by examining the recovery of the basin during pumping years and successive years, and by comparing these basin responses with the planned pumping. Analysis of the historical responses of the basin to pumping will be used to develop empirical relationships between pumping and basin drawdown and recovery. These empirically derived relationships will be the formulas that will be used to determine basin response to the proposed pumping.

Effectiveness Criteria: The determination of the groundwater basin response to the proposed pumping will result in an estimated basin condition at the end of pumping and an estimated condition for the spring of the next year. This estimated condition will be compared to historical groundwater levels in the basin. In 1991, YCWA and the Member Units completed a groundwater substitution transfer to provide water to other parts of California under the Governor's Emergency Drought Water Bank in response to a severe statewide drought. The groundwater levels that occurred in the fall of 1991 at the end of pumping did not result in any overdraft of the groundwater basin or any significant unmitigated third-party impacts. Groundwater levels had been lower than these levels during the 1980's, but the extent of effects of these lower levels on groundwater users in the basin is not well known. Therefore, the fall 1991 groundwater levels will be used for comparison with the estimated condition of the basin that will result from the proposed groundwater pumping under the Yuba Accord Alternative.

If the estimated levels are above the fall 1991 levels, then significant unmitigated third-party impacts will not be expected.

If the estimated levels are below the fall 1991 levels, then further examination of potential impacts and consultation with the Member Units and the GMP Water Advisory Group (discussed below) will be required.

The GMP Water Advisory Group is a group that was formed under the GMP to provide input and guidance on groundwater issues. The GMP Water Advisory Group comprises representatives from local groundwater users, including municipal water purveyors, Member Units, reclamation districts and others. Groundwater substitution pumping that would result in levels near the fall 1991 levels will occur only if the Member Units and the GMP Water Advisory Group agree to allow such pumping. Even if the determination is that estimated levels resulting from proposed pumping will be above the fall 1991 levels, the Member Units still will be consulted, and each Member Unit must individually approve the proposed pumping in its area or such pumping will not occur. If the amount of proposed pumping that will not cause fall groundwater levels to drop below 1991 levels cannot be confirmed using the procedures described above, then a lower amount of pumping that satisfies the conditions of this section will be determined using these procedures.

The monitoring requirements and the associated adaptive management strategy discussed above together will reduce any potential unforeseeable impacts occurring as a result of transfers to less than significant levels. Under the Yuba Accord Alternative, YCWA also would implement the adaptive management program for future planning of transfers based on the changing conditions of the basin during previous transfers. If necessary, the adaptive management program would change the volumes and locations of future groundwater-substitution pumping to avoid adverse impacts to the basin and other groundwater users in the basin.

Mitigation Measure 6-2: A Third-Party Impacts Action Plan will be implemented to minimize and/or avoid potential impacts to local groundwater users in the Yuba Region

Action/Commitment: The purpose of this Third-Party Impacts Action Plan is to describe actions that will be undertaken by YCWA and the Member Units to respond to impacts to third parties that occur because of groundwater substitution pumping for transfers under the Water Purchase Agreement. Third parties include local groundwater users that could be affected by fluctuations in groundwater levels because of the pumping of such groundwater substitution water. YCWA and the Member Units agree that prompt responses to and mitigation of potential impacts to third parties are an important requirement for YCWA's present and future groundwater substitution transfers.

The action plan includes a series of steps that will be taken to ensure that the groundwater substitution component of the Water Purchase Agreement does not cause significant, unmitigated impacts to third parties. Under this action plan, groundwater substitution pumping must not produce significant unmitigated impacts on third parties, impacts must be identified and mitigated as quickly as possible, and there must be ongoing, open communications with affected third parties. Because not all potential impacts can be known in advance, this plan provides a process for responding to concerns expressed by local groundwater users who believe that their water-production facilities are being or will be impacted by groundwater substitution pumping under the Water Purchase Agreement that is part of the Yuba Accord Alternative.

Responsible Parties: YCWA and the Member Units

As a contractual condition of a Member Unit participating in the groundwater substitution component of the Water Purchase Agreement, the Member Unit will identify a contact person or persons who will be responsible for initially responding to a notification of a potential third-party impact, and take the other action specified in this section. The contact person for a Member Unit will be the person designated by the Member Unit.

The responsibilities of YCWA will be carried out by the General Manager, or by a person designated by the General Manager. The contact persons for the Member Units will also serve on a Yuba Groundwater Substitution Program Advisory Group ("Advisory Group") for either the area north of the Yuba River or the area south of the Yuba River.

Location: Yuba Region

Timing: Before, during and after transfer

Monitoring: Upon either YCWA or the Member Unit receiving notification of a potential third-party impact, YCWA or the Member Unit will immediately notify the other party of the nature of the potential impact. The Member Unit will promptly (within one day) contact the third party and obtain all available information regarding the nature and extent of the potential impact, and provide that information to YCWA. The Member Unit also will regularly update YCWA on the status of the Member Unit's response.

If the third party is not within the boundaries of any Member Unit of YCWA, then YCWA will either: (a) determine if it is evident that the third party is in close proximity to the groundwater-production facilities within a Member Unit that are involved in

the groundwater substitution program, and designate the Member Unit or Member Units responsible for responding to the potential impact; or (b) consult with the Advisory Group concerning which Member Unit or Member Units should be designated for responding to the potential impact.

Reporting Requirements: No specific reporting requirements

Description of Activities: It is the intention of this action plan that: (a) any third-party impact that is reasonably likely to have been caused by implementation of the groundwater substitution program will be promptly and substantially mitigated; (b) as to any third-party impact that is not reasonably likely to have been caused by implementation of the groundwater substitution program, the third party will be provided information to reasonably demonstrate the reasons that there were no impacts; and (c) YCWA, the Member Units and the Advisory Group will be involved in the implementation of the action plan.

After the third party has been contacted and the relevant information regarding the potential impact has been received, the Member Unit will develop an approach (subject to approval by YCWA) to: (a) determine whether the third party has actually been impacted by groundwater pumping by the Member Unit, and, if so; (b) mitigate for the impact. YCWA will be available to provide assistance to the Member Unit in developing the foregoing approach. YCWA and the Member Unit will consult with the applicable Advisory Group in developing the approach.

Actions that will be taken to mitigate an impact include, but are not limited to, deepening of the impacted third party's well or lowering of pump bowls, cessation of pumping in the area of the impacted well, and providing a temporary or permanent alternative water supply to the third party.

Effectiveness Criteria: Groundwater transfers should not result in unmitigated third party impacts or cause overdraft.

YCWA will resolve any dispute concerning implementation of this action plan, including which Member Unit will be responsible for mitigating a potential impact, whether it is reasonably likely that there was a third-party impact, and the measures to be taken by the Member Unit to mitigate the impact. If a Member Unit fails to carry out its responsibilities under this action plan, then YCWA will be authorized (but not required) to perform the responsibilities of the Member Unit and recover its reasonable costs in doing so from the Member Unit, including deducting these costs from payments due the Member Unit for the groundwater substitution transfer. YCWA will consult with the

applicable Advisory Group in carrying out its responsibilities described in Exhibit C to the Water Purchase Agreement (see Appendix M of this Final EIR/EIS).

6.2.2 WATER QUALITY

Pursuant to the provisions originally identified for the EWA Program (Reclamation *et al.* 2003), the following protective measures have been incorporated into the project to continue with standard operating procedures and to improve the water quality to users in and south of the Delta.

Mitigation Measure 9-1: Carriage water will be used to maintain salinity and chloride concentrations in the Delta

Action/Commitment: As an example, if an entity like the EWA Program (or an equivalent program), wanted to pump 80 AF of water from the Delta, then the entity would have to buy 100 AF of water. The 100 AF of water would be provided as inflow to the Delta and 20 AF of this water would be used to increase Delta outflow to ensure that chloride concentrations would not increase due to the 80 AF of increased pumping from the Delta.

Responsible Parties: Reclamation and DWR

Location: Delta Region

Timing: During transfer

Monitoring: In the last two years, Reclamation and DWR have developed a method of using DSM2 on a real time basis to estimate the amount of carriage water needed in that year to pump EWA water (or any other water supply including SWP water users, the CVP, and other entities purchasing water upstream from the Delta) without causing an increase in chloride concentration in the Delta.

Reporting Requirements: Yearly

Description of Activities: Reclamation's and DWR's work over the past few years indicates that the carriage water percentage required to maintain Delta water quality can range from 0 to 25 percent, or more. Given these newly developed techniques, the EWA can purchase water upstream from the Delta, but for every acre-foot purchased, 0 to 25 percent or more of that acre-foot must be dedicated to increase Delta outflow. The remainder may be pumped at the CVP/SWP pumping plants without causing any increase in chloride concentrations within the Delta due to the EWA Program.

Effectiveness Criteria: Potential increases in concentrations in the Delta due to increased SWP and CVP pumping of EWA water during the summer

months would not occur because of the utilization of carriage water to ensure no significant changes in Delta water quality during the periods of increased pumping.

Mitigation Measure 9-2: YCWA operational flexibility will be utilized to ensure that refilling of the reservoir will not adversely affect water quality in the Delta and export service areas south of the Delta

Action/Commitment: Refill conditions in New Bullards Bar Reservoir generally occur during February and March. During this time, YCWA has the operational flexibility to ensure that refilling of the reservoir will not adversely affect water quality in a manner that could potentially impact beneficial uses in the Delta and export service areas south of the Delta.

Responsible Parties: YCWA

Location: New Bullards Bar Reservoir and the Delta Region

Timing: Continuously, year-round over the duration of the project

Monitoring: If it is anticipated that reductions in lower Yuba River flow during the refill period would impact water quality conditions in the Delta, then YCWA would apply a water accounting procedure to determine the volume of water that would have been stored in the reservoir during the winter refill period. The amount of water foregone will be accounted for and repaid by YCWA via the refill accounting mechanisms described in Appendix E2, Exhibit 5.

Reporting Requirements: No specific reporting requirements

Description of Activities: The refilling of New Bullards Bar Reservoir would be based on conditions beginning in January of the current water year.

Effectiveness Criteria: Concentration levels of any state or federal criteria pollutants do not increase due to implementation of the Yuba Accord Alternative.

6.2.3 FISHERIES AND AQUATIC RESOURCES

Environmental Commitment 10–1: The RMT would oversee various environmental actions for the lower Yuba River, including operation of water temperature devices, the planning of fisheries monitoring and studies, and habitat enhancement measures

Action/Commitment: The Yuba Accord would provide for the continuation of the RMT and the River Management Fund (RMF). The RMT is composed of representatives from YCWA, CDFG, NMFS, USFWS, Reclamation, and SYRCL, and is charged with providing a forum for consensus-based decisions and actions for management of the

lower Yuba River. Primary fisheries resources of concern for monitoring and habitat enhancement in the Yuba River include Central Valley steelhead, spring-run Chinook salmon, fall run Chinook salmon, American shad, and Southern DPS of North American green sturgeon.

Upon implementation of the Yuba Accord the RMT would modify flow schedules, when necessary, in accordance with the terms of the Fisheries Agreement and would oversee various environmental actions for the lower Yuba River, including operation of water temperature gages, the planning of fisheries monitoring and studies, and habitat enhancement measures. The RMF, which is administered by the RMT, would be funded by YCWA ($6 million for fisheries monitoring and studies) to finance a long-term fishery monitoring, study, and enhancement program for the lower Yuba River. The purposes of the RMF specifically include:

- Evaluating the condition of fish resources in the lower Yuba River;
- Evaluating the viability of lower Yuba River fall-run Chinook salmon, as well as the lower Yuba River populations of the Central Valley steelhead Distinct Population Segment (DPS) and the spring-run Chinook salmon Evolutionarily Significant Unit (ESU);
- Evaluating the effectiveness of implementation of the Lower Yuba River Accord flow schedules on the condition and viability of lower Yuba River fish resources;
- Implementing habitat improvement and non-flow enhancement actions and activities;
- Implementing flow-based enhancement actions; for example, purchasing water for flows above the flows required by implementation of the Accord flow schedules;
- Retaining expert advise for specific technical questions;
- Retaining expert(s) for disputed resolution process; and
- Paying local shares of grant-funded projects for fish or fish habitat in the lower Yuba River, specifically to facilitate unique grant-matching opportunities

Responsible Parties: YCWA, CDFG, NMFS, USFWS, Reclamation, and SYRCL

Location: New Bullards Bar Reservoir and the lower Yuba River

Timing: Continuously, year-round over the duration of the project; the timing of each monitoring activity will vary depending on when species-specific life stages are present in the lower Yuba River

Monitoring: The core monitoring activities to be implemented rely upon specific sampling procedures including a VAKI RiverWatcher fish viewing system (VAKI) in both the north and south Daguerre Point Dam fish ladders, adult Chinook salmon carcass surveys upstream and downstream of Daguerre Point Dam, rotary screw trapping of downstream moving juvenile Chinook salmon and steelhead upstream and downstream of Daguerre Point Dam and streamflow and water temperature monitoring stations at strategically placed locations.

Because the major objective of the core monitoring is to assess population trends in response to implementation of the Accord, the core monitoring activities generally are anticipated to be conducted for the duration of the Yuba Accord Alternative, unless otherwise determined by the RMT Planning Group. The proposed fish monitoring programs are explained below:

- ***RMT Monitoring Measure 1: VAKI RiverWatcher Fish Monitoring***

  Fish immigrating past Daguerre Point Dam are monitored year-round at both the north and south fish ladders with VAKI RiverWatcher systems. Core information collected during this monitoring includes:

  - Daily counts and lengths of adipose fin-clipped and non-adipose fin-clipped Chinook salmon and Steelhead;
  - Photographs of all adult Chinook salmon and Steelhead immigrating past Daguerre Point Dam for visual assessment of physical condition (e.g., exhibiting signs of disease, parasites, and/or lesions; and

- Daily counts, lengths, and photographs of all other fish species migrating past Daguerre Point Dam.

- ***RMT Monitoring Measure 2: Proposed Lower Yuba River Chinook Salmon Escapement Survey***

  The Lower Yuba River Chinook Salmon Escapement Survey will provide information crucial to assess the status and condition of Chinook salmon populations in the lower Yuba River, and to evaluate the effectiveness of the Yuba Accord Alternative's annual and long-term effectiveness in benefiting

the fish resources of the lower Yuba River. Core information collected during the escapement surveys includes:

- Weekly estimates of the number of adipose fin-clipped and non-adipose fin-clipped Chinook salmon carcasses upstream of Daguerre Point Dam;
- Weekly estimates of the number of adipose fin-clipped and non-adipose fin-clipped Chinook salmon carcasses downstream of Daguerre Point Dam;
- Sex identification of carcasses;
- Visual assessment of the physical condition (e.g., exhibiting signs of disease, parasites and lesions) of fresh (i.e., clear-eyed) carcasses;
- Visual estimates of egg retention within adult female Chinook salmon upstream and downstream of Daguerre Point Dam; and
- Weekly estimates of the geographical distribution of carcasses upstream and downstream of Daguerre Point Dam.

Additional information collected during this survey may include:

- Length measurements of fresh (i.e., clear-eyed) carcasses;
- Scale samples from fresh (i.e., clear-eyed) carcasses for age structure determination;
- Otolith samples for determinations of age structure, juvenile size at emigration and natal stream origin; and
- Coded-wire tag recovery to support CDFG effort, and to assess hatchery straying into the lower Yuba River from other systems.

The escapement survey will be conducted in the 20-mile reach of the lower Yuba River extending approximately from the Deer Creek and Yuba River confluence downstream to Simpson Lane Bridge. Field data collection activities for the escapement survey will be conducted from approximately October through December on an annual basis throughout the duration of the Yuba Accord. A data summary report that details methods and results will be prepared following the

conclusion of the field survey and will be available to the public and agencies affiliated with the RMT.

- ***RMT Monitoring Measure 3: Develop in-river salmonid production indices by monitoring the downstream movement of juvenile salmonids in the lower Yuba River using rotary screw traps***

  The primary objective of monitoring downstream movement of juvenile salmonids in the lower Yuba River using rotary screw traps (RSTs) is to develop in-river salmonid (Chinook salmon and steelhead) production indices. In addition to estimated juvenile salmonid abundance, information necessary to develop the indices includes adult escapement estimates (provided by the on-going VAKI and carcass survey) and streamflow and water temperature monitoring data techniques. The in-river production indices will be represented by a ratio of estimated adult escapement to estimated juvenile abundance (estimated at a RST).

  The rotary screw traps will be operated year-round at two locations in the lower Yuba River: one near Hallwood Boulevard (approximately RM 7.5) and the other at Hammon Grove, which is about two miles upstream of Daguerre Point Dam.

  Secondary objectives for RST monitoring include:

  - Characterize the emigration timing (temporal patterns) of the various runs and life stages of juvenile salmonids and evaluate potential relationships with streamflow and water temperature;

  - Estimate the abundance (and relative abundance) of the various runs of emigrating juvenile salmonids and evaluate potential relationships with streamflow and water temperature;

  - Characterize the individual condition (length, weight, condition factor, life stage, visible health) of emigration juvenile salmonids to assess physical condition stability and evaluate potential relationships with streamflow and water temperature;

  - Provide opportunities to collect juvenile Chinook salmon tissue for genetic analysis to develop lower Yuba River-specific length-at-date tables; and

- Provide opportunities to collect juvenile green sturgeon to determine whether green sturgeon spawning occurs in the lower Yuba River.

Reporting Requirements: Requirements are dependent on monitoring and/or management strategies

Description of Activities: The RMT will conduct regular meetings to review monitoring data, completed and ongoing fisheries actions in the lower Yuba River, and to advise YCWA to make additional instream flows depending on water availability for the purposes of meeting fisheries resources needs.

Effectiveness Criteria: Through communication with regulatory and management agencies, use reporting mechanisms to determine whether current flow fluctuation and reduction criteria adequately protect Chinook salmon and steelhead redds from dewatering and fry from stranding or isolation. Effectiveness criteria also would be developed in coordination with the RMT.

Environmental Commitment 10–2: EWA mitigation plan for protecting Delta fisheries resources - continuation of actions identified by the Delta Smelt Working Group

Action/Commitment: EWA agencies acquire and manage assets to maximize benefits to at-risk native fish species, but asset management can change river flows and Delta outflows. The manner in which the EWA agencies apply, acquire, and manage assets will continue to be monitored to ensure that EWA fish benefit objectives are being met while adverse effects to other species and their habitats because of EWA actions (or an equivalent program) are being minimized or avoided.

Responsible Parties: The DSWG consists of experts on delta smelt biology and is comprised of representatives from the following agencies: (1) CDFG; (2) USFWS; (3) Reclamation; (4) DWR; and (5) EPA. The responsibilities of each EWA agency may include data collection, analysis, interpretation, findings, and recommendations for changing EWA water asset acquisition and management strategies.

Location: Delta Region

Timing: Continuous, year-round; the Delta Smelt Working Group (DSWG) generally convenes at least once a month, or more as necessary.

Monitoring: Monitoring programs in place under this category include the Fall Midwater Trawl Survey, 20-mm survey, Delta smelt larva survey, Summer Townet Survey and the Spring Kodiak trawl. Data collected and reviewed as part of EWA monitoring efforts is used

to support adaptive management decisions that could change how some assets are managed should the overall goals of the EWA program related to fish species, habitats, and terrestrial species not be met.

Reporting Requirements: Requirements dependent on monitoring and/or management strategies

Description of Activities: The purpose of the DSWG is to take actions to protect delta smelt in a proactive manner prior to salvage events at the CVP and SWP export pumping facilities in the Delta. Reclamation and/or DWR are responsible for monitoring the criteria established in the Delta Smelt Risk Assessment matrix (DSRAM) and reporting back to the USFWS and the DSWG if DSRAM criteria are triggered, which would necessitate a meeting to determine whether to recommend changes in CVP/SWP water project operations (referred to as a "fish action").

Delta Smelt

As described in the EWA EIR/EIS (Reclamation et al. 2004), delta smelt are vulnerable to entrainment at the CVP and SWP export facilities. The EWA agencies initiate pumping reductions after recommendations from the Data Assessment Team (DAT)[1], which uses data from various fish surveying methods and distribution indicators such as year-type hydrology, rate of export pumping, salvage estimates, location of X2, water quality, water flows and temperature, to assess population and distribution. These multiple data sources are used because salvage estimates alone are a less effective sampling method for larval and early juvenile fish (pers. comm., Poage 2003). The EWA agencies also use these data to determine the effectiveness of EWA actions taken to protect delta smelt. The EWA agencies have incorporated measures into the EWA program to protect and facilitate the recovery of delta smelt. EWA agencies will avoid increased exports when delta smelt are vulnerable by monitoring fish proximity to the Delta pumps.

The EWA agencies will specifically monitor salvage numbers during July before the export of any EWA water. Monitoring data from several surveying methods will be used to estimate population of various life-stages of delta smelt. For adult fish, these tools include the fall and spring mid-water trawls, beach seining, the Chipps Island trawl, and estimation of gonadal

[1] The DAT is an open forum of people representing multiple government agencies (EWA agencies, U.S. Environmental Protection Agency, Western Area Power Administration), water districts (Contra Costa Water District, Westlands Water District, and Santa Clara Valley Water District), and environmental interest groups (Environmental Defense, The Bay Institute). It reviews information on the distribution and abundance of fish, CVP and SWP operations, and Delta water quality (Reclamation et al. 2004).

development. For larval delta smelt, these methods will include light trapping and 20-mm surveys. For juvenile fish, these methods will include the 20-mm and summer tow-net surveys (pers. comm., Poage 2003). The EWA agencies will utilize data collected from these surveys to monitor delta smelt recovery after EWA measures have been implemented.

Anadromous Salmonids

The EWA agencies have incorporated measures into the EWA for protection of salmon and steelhead in the Delta and upstream rivers. Many programs monitor the presence of adult and juvenile salmonids in the Sacramento River and the Delta (CALFED 2003). The EWA agencies utilize data collected from these surveys to monitor abundance, escapement, spawning distributions, and juvenile stranding. The EWA agencies use salvage estimates at the Delta export facilities to adhere to biological opinions and permits for Project operations.

Effectiveness Criteria: As described in Reclamation (2004), the EWA agencies initiate fish actions based on a range of data collected in the Delta and upstream rivers. If a fish action is taken, the EWA agencies and the DSWG will then follow up on the action to attempt to ascertain its effectiveness of protecting delta smelt and anadromous salmonids. The EWA agencies rely upon the same data used to initiate a fish action to monitor the effectiveness of EWA actions on delta smelt. The EWA agencies also use data from several sources to decide when and how to take fish actions to protect salmon and steelhead in the Delta and upstream rivers. Fisheries biologists collect data on fish passage through the Delta from the catch of juvenile salmon, and various monitoring stations measure environmental parameters, such as flow, water temperature, precipitation, and turbidity. The EWA agencies use this information to trigger closures of the Delta Cross Channel gates and alter export pumping patterns. This information also is used to monitor the effectiveness of EWA actions.

Environmental Commitment 10-3: EWA mitigation plan for protecting Delta fisheries resources - continuation of actions identified by the Water Operations Management Team

Action/Commitment: The EWA agencies, in collaboration with the CALFED Science Program (including the Interagency Ecological Program [IEP]), collect, synthesize, and apply scientific information relevant to the biological needs and population dynamics of anadromous and Delta fish species and to factors affecting the health and function of the Bay-Delta ecosystem. Annual EWA actions and assets are tracked closely throughout the year by the EWA program partners through the DAT and the Water Operations Management Team (WOMT).

Responsible Parties: Reclamation, USFWS, NMFS, DWR and CDFG

Location: Delta Region

Timing: Continuous, year-round

Monitoring: Water operations monitoring includes those IEP monitoring program elements that generate data and information used in managing CVP and SWP water project operations. Reservoir releases, Delta export levels, and operation of the Delta cross channel gates are all part of water project operations. Water operations monitoring programs include Delta flow and water temperature monitoring and database management, Sacramento and Chipps Island fish trawl surveys, CVP and SWP fish salvage programs.

Reporting Requirements: No specific reporting requirements

Description of Activities: Implementation of possible actions related to CVP/SWP water project operations utilize the decision-making process in place for the existing EWA Program (which may continue or be revised for an equivalent program in the future). EWA actions are taken following discussions involving biologists, project operators, and stakeholders on the DAT, using all available information and the criteria outlined in the decision trees for salmonids and delta smelt (Reclamation *et al.* 2004). The DAT and the DSWG consider incidental take at the pumps, in-stream and Delta environmental conditions, distribution and abundance of the fish species (as indicated by a variety of sampling programs), and, if appropriate, formulate a recommendation for modification of project operations to reduce adverse effects on fish (a "fish action"). Recommendations are taken to the WOMT for discussion and final approval at the management level of the EWA agencies (DWR, Reclamation, CDFG, USFWS and NMFS). Based on an evaluation of this recommendation and the supporting information, the agencies may implement a "fish action," either as recommended or with adjustments. Although the goal of WOMT is to achieve consensus on decisions, the individual agencies retain their authorized roles and responsibilities.

Effectiveness Criteria: Annual accomplishments include the successful completion of all monitoring programs. Successful near-real time reporting of data on water conditions (e.g., flows and temperature) and fish distributions to the DAT and WOMT for use in managing water project operations (CALFED Bay-Delta Program 2006).

6.2.4 AIR QUALITY

Mitigation Measure 15-1: Provide certification documentation to Reclamation and DWR indicating that groundwater pumping sources would not increase emissions, to ensure that no net impacts to air quality would occur

Commitment: To ensure that no net impact air quality would result from groundwater substitution pumping in addition to deficiency pumping during extremely dry years, YCWA will provide to the EWA agencies (i.e., Reclamation and DWR) a statement, with appropriate supporting documentation, demonstrating that the total volume of groundwater to be pumped within Yuba County can be conducted using pumping sources that will not contribute to a air quality impacts. In addition, if the EWA agencies obtain water from groundwater substitution, the EWA agencies and willing sellers would work together to implement one, or a combination, of the following mitigation measures that is appropriate to reduce impacts to a less-than-significant level. The mitigation measures will be implemented within the willing seller's air district.

EWA agencies will require willing sellers to use only electric pumps.

EWA agencies will require willing sellers to use electric or propane-fueled pumps. For each propane-fueled pump, a diesel engine within the district that is not a part of the EWA must be replaced with a propane or electric pump to 'offset' the emissions from the project-related pump.

EWA agencies will require the willing sellers to purchase offsets to compensate for producing project-related emissions.

Responsible Parties: YCWA, and approved by Reclamation and DWR

Location: Yuba Region (Sacramento Valley Air Basin - Feather River Air Quality Management District)

Timing: Monthly, if groundwater substitution operations occur, over the duration of the project

Monitoring: Verify that water pumped for groundwater substitution transfers either would be obtained: (1) from electric-powered motors; or (2) from diesel-powered motors operating according to an emission offset. YCWA would obtain readings from the groundwater pump flow meters through monthly site visits to the participating Member Unit wells during groundwater substitution operations.

Certification shall be furnished to the Technical Committee, pursuant to the requirements of the Yuba Accord agreements.

During the implementation of groundwater substitution transfers under the Yuba Accord Alternative, YCWA would participate in close monitoring of the groundwater basin. As stated in the EWA Final EIS/EIR released in January 2004, future groundwater transfers to the EWA require an established measurement and monitoring program for groundwater levels and storage, groundwater quality, land subsidence, and groundwater and surface water interactions (Reclamation *et al.* 2004).

Reporting Requirements: YCWA would note the type of power used for the groundwater substitution operations pumping during the monthly site visits. Member Units utilizing a diesel-powered motor would be required to show that a diesel engine (likely a diesel-powered ditch pump) that normally would have been in use, instead is not being used, thereby providing an emission offset.

Description of Activities: During the implementation of the Yuba Accord Alternative, if monitoring results indicate any potential short-term significant impacts, YCWA would implement a rapid response program to mitigate the impacts. Under the Yuba Accord Alternative, YCWA also would implement the adaptive management program for future planning of transfers based on the changing conditions of the basin during previous transfers. The adaptive management program would change the location and volume of transfer pumping to avoid adverse impacts to the basin and other groundwater users in the basin.

Effectiveness Criteria: No net impacts to air quality.

CHAPTER 7
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CHAPTER 8
LIST OF PREPARERS

Table 8-1. List of Agency Representatives Who Contributed to the Preparation of the Final EIR/EIS

Yuba County Water Agency	
Curt Aikens	General Manager
Thomas Johnson	Independent Consultant
Bureau of Reclamation	
Mike Heaton	Deputy Regional Resources Manager
Tim Rust	Program Manager
Tammy LaFramboise	Environmental Specialist
Department of Water Resources	
Teresa Geimer	Chief of Water Supply and Transfers Branch
Curtis Spencer	Principal Engineer
Bob Aldridge	State Water Project Analysis Office

Table 8-2. List of Persons Primarily Responsible for the Preparation of the Final EIR/EIS

HDR|Surface Water Resources, Inc.	
Paul Bratovich	Vice President/Principal Fisheries Biologist/Project Manager
George “Buzz” Link	Vice President/Principal Engineer
Bill Smith	Principal Engineer
Dianne Simodynes	Senior Environmental Scientist/Project Manager
Amanda O’Connell	Associate Environmental Planner
Carolyn Bragg	Environmental Planner
Kelli Angell	Environmental Scientist
Padma Paan	Engineer
Carol Brown	Senior Administrative Assistant
Debra Hoek	Administrative Assistant
MWH Americas, Inc.	
Steve Grinnell	Water Resources Engineer
Andy Draper	Water Resources Engineer
Jeffrey Weaver	Water Resources Engineer
Sevim Onsoy	Hydrogeologist
Bartkiewicz, Kronick and Shanahan Law Offices, P.C.	
Alan Lilly	Legal Counsel
Paul Bartkiewicz	Legal Counsel
PacificComm	
Rich Golb	Public Information

Final Supplemental EIR

for the

Extension of the Yuba Accord Long-Term Water Transfer Program

State Clearinghouse No. 200506211

YUBA WATER AGENCY

September 2024

Final Supplemental EIR

for the

Extension of the Yuba Accord Water Transfer Program

State Clearinghouse No. 200506211

Yuba County Water Agency
1220 F St, Marysville, CA 95901

Contact:
JoAnna Lessard
Project Manager

20200080.02

September 2024

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LIST OF ABBREVIATIONS

AEM	Airborne Electromagnetic
af	acre-feet
CCWD	Contra Costa Water District
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CNDDB	California Natural Diversity Database
COA	Coordinated Operations Agreement
CVP	Central Valley Project
Draft SEIR	draft supplemental environmental impact report
DSR	draft staff report
DWR	Department of Water Resources
EBMUD	East Bay Municipal Utilities District
EC	electric conductivity
ESA	Endangered Species Act
EWA	Environmental Water Account
FERC	Federal Energy Regulatory Commission
FPA	Federal Power Act
GDE	groundwater dependent ecosystem
GHG	greenhouse gas
GSP	groundwater sustainability plan
HR&L Program	Healthy Rivers and Landscapes Program
MMRP	mitigation monitoring and reporting program
NEPA	National Environmental Policy Act
NOA	notice of availability
NOD	notice of determination
NOP	notice of preparation
PORD	point of rediversion
PRC	Public Resources Code
SDF	streamflow depletion factor
SGMA	Sustainable Groundwater Management Act
SVSDFMG	Sacramento Valley Streamflow Depletion Factor Management Group
SWP	State Water Project
SWRCB	State Water Resources Control Board
TAF	thousand acre-feet
VA	Voluntary Agreement
WWD Project	Wheatland Water District In-Lieu Recharge Project
YGM	Yuba Groundwater Model
YRDP	Yuba River Development Project
Yuba Water	Yuba County Water Agency

1 INTRODUCTION

This final supplemental environmental impact report (Final SEIR) has been prepared by the Yuba County Water Agency (Yuba Water), as lead agency, in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (CCR Section 15132). This Final SEIR contains responses to comments received on the draft supplemental environmental impact report (Draft SEIR) for the Proposed Extension of the Yuba Accord Long-Term Water Transfer Program (Proposed Extension). The Final SEIR consists of the Draft SEIR and this document (response to comments document), which includes comments on the Draft SEIR, responses to those comments, and revisions to the Draft SEIR.

1.1 PURPOSE AND INTENDED USES OF THIS FINAL SEIR

CEQA requires a lead agency that has prepared a Draft EIR (or SEIR) to consult with and obtain comments from responsible and trustee agencies that have jurisdiction by law with respect to the project, and to provide the public with an opportunity to comment on the Draft EIR (or SEIR). The Final EIR (or SEIR) is the mechanism for responding to these comments. This Final SEIR has been prepared to respond to comments received on the Draft SEIR, which are reproduced in this document; and to present corrections, revisions, and other clarifications and amplifications to the Draft SEIR made in response to these comments. The Final SEIR will be used to support Yuba Water's decision regarding whether to approve the Proposed Extension.

This Final SEIR will also be used by CEQA responsible and trustee agencies to ensure that they have met their requirements under CEQA before deciding whether to approve or permit elements of the Proposed Extension over which they have jurisdiction. It may also be used by other state, regional, and local agencies that may have an interest in resources that could be affected by the Proposed Extension or that have jurisdiction over portions of the Proposed Extension.

Responsible agencies may include the Department of Water Resources (DWR), State Water Resources Control Board (SWRCB), Contra Costa Water District (CCWD), East Bay Municipal Utilities District (EBMUD), and six of the eight member units (Brophy Water District, Browns Valley Irrigation District, Cordua Irrigation District, Ramirez Water District, South Yuba Water District, and Wheatland Water District[1]).

1.2 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. Yuba Water certified a detailed EIR (State Clearinghouse No. 200506211; Yuba Water et al. 2007) 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 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).

[1] Dry Creek Mutual Water Company and Hallwood Irrigation Company are private companies that are not subject to CEQA.

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) rediversion of transfer water at authorized points of rediversion (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) 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/EBMUD Water Transfer Option Agreement (Water Transfer Option Agreement), and will expire on December 31, 2025, consistent with Corrected Order WR 2008-0014.

1.3 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 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 rediversion, including the three CCWD Delta intakes as long-term places of use and PORDs, 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, chose to prepare an SEIR to evaluate the potential environmental effects of 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.

1.4 MAJOR CONCLUSIONS OF THE ENVIRONMENTAL ANALYSIS

The Draft SEIR evaluated 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.

Public Resources Code (PRC) Section 21081.6(a)(1) requires lead agencies to "adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." A mitigation monitoring and reporting program (MMRP) has not been prepared for the Proposed Extension because no mitigation measures are required.

1.5 CEQA PUBLIC REVIEW PROCESS

1.5.1 Notice of Preparation

In accordance with PRC Section 21092 and CCR Section 15082, Yuba Water issued a notice of preparation (NOP) on January 12, 2023 to inform agencies and the general public that an SEIR was being prepared and to invite comments on the scope and content of the document. The NOP was submitted to the State Clearinghouse, which then distributed the NOP to potential responsible and trustee agencies; posted on Yuba Water's website (https://www.yubawater.org/157/Lower-Yuba-River-Accord); and posted with the applicable County Clerks. In addition, the NOP was distributed directly to public agencies (including potential responsible and trustee agencies), interested Native American Tribes, and individuals requesting to be notified. The NOP was circulated for a 45-day review period, with comments accepted through February 27, 2023.

In accordance with CCR Section 15082(c), two noticed scoping meetings for the SEIR occurred: an in-person meeting in Marysville on February 7, 2023 and a virtual meeting on February 9, 2023.

1.5.2 Draft SEIR

In accordance with the State CEQA Guidelines Section 15087 and 15105, the Draft SEIR was circulated for public review and comment for a period of 45 days, from April 5, 2024 to May 20, 2024. The Draft SEIR was submitted to the State Clearinghouse, which then distributed the Draft SEIR to potential responsible and trustee agencies; posted on Yuba Water's website (https://www.yubawater.org/157/Lower-Yuba-River-Accord); and made available for review during normal business hours at Yuba Water Headquarters (1220 F Street, Marysville, CA 95901-4740). In addition, a notice of availability (NOA) of the Draft SEIR was posted with the applicable County Clerks; distributed directly to public agencies (including potential responsible and trustee agencies), interested Native American Tribes, and individuals requesting to be notified; and made available on Yuba Water's website. Additionally, the NOA was published in the *Sacramento Bee* and the *Appeal Democrat*.

1.5.3 Final SEIR

As a result of these notification efforts, written comments were received from 10 agencies, 2 organizations, and 1 Tribe on the content of the Draft SEIR. Chapter 3, "Responses to Comments," identifies these commenting parties, their respective comments, and responses to these comments. None of the comments received, or the responses provided, constitute "significant new information" by CEQA standards (State CEQA Guidelines CCR Section 15088.5).

As required by State CEQA Guidelines Section 15088(b), Yuba Water has provided a printed or electronic copy to each public agency that submitted written comments on the Draft SEIR with written responses to that public agency's comments at least 10 days prior to certifying the Final SEIR.

1.6 ORGANIZATION OF THE FINAL SEIR

This Final SEIR is organized as follows:

- **Chapter 1, "Introduction,"** describes the purpose of the Final SEIR, summarizes the Proposed Extension and the major conclusions of the Draft SEIR, provides an overview of the CEQA public review process, and describes the content of the Final SEIR.
- **Chapter 2, "Responses to Comments,"** contains a list of all parties who submitted comments on the Draft SEIR during the public review period, copies of the comment letters received, and responses to the comments.
- **Chapter 3, "Revisions to the Draft SEIR,"** presents revisions to the Draft SEIR text made in response to comments, or to amplify, clarify or make minor modifications or corrections. Changes in the text are signified by ~~strikeouts~~ where text is removed and by <u>underline</u> where text is added.
- **Chapter 4, "References,"** identifies the documents used as sources for the analysis.
- **Chapter 5, "List of Preparers,"** identifies the lead agency contacts as well as the preparers of this Final SEIR.

2 RESPONSES TO COMMENTS

This chapter contains comment letters received during the public review period for the Draft SEIR, which concluded on May 20, 2024. In conformance with Section 15088(a) of the State CEQA Guidelines, written responses were prepared addressing comments on environmental issues received from reviewers of the Draft SEIR.

2.1 LIST OF COMMENTERS ON THE DRAFT SEIR

Table 2-1 presents the list of commenters, including the numerical designation for each comment letter received, the author of the comment letter, and the date of the comment letter.

Table 2-1 List of Commenters

Letter No.	Commenter	Date
	TRIBES	
T1	Shingle Springs Band of Miwok Indians Kara Perry, Director of Site Protection	May 20, 2024
	AGENCIES	
A1	US Department of the Interior, Bureau of Reclamation Robert Ward, Acting Regional Resources Manager	May 20, 2024
A2	California Department of Fish and Wildlife, North Central Region Morgan Kilgour, Regional Manager	May 17, 2024
A3	Delta Stewardship Council Jeff Henderson, Deputy Executive Officer	May 20, 2024
A4	State Water Resources Control Board Erik Ekdahl, Deputy Director, Division of Water Rights	May 20, 2024
A5	State Water Contractors Jennifer Pierre, General Manager	May 20, 2024
A6	Contra Costa Water District Kyle Ochenduszko, Assistant General Manager	May 17, 2024
A7	East Bay Municipal Utility District Michael T. Tognolini, Director of Water and Natural Resources	May 17, 2024
A8	Metropolitan Water District of Southern California Jennifer Harriger, Manager, Environmental Planning Section	May 20, 2024
A9	Nevada Irrigation District Jennifer Hanson, General Manager	May 16, 2024
A10	San Luis & Delta-Mendota Water Authority Pablo Arroyave, Chief Operating Officer	May 20, 2024
	ORGANIZATIONS	
O1	American Rivers, California Sportfishing Protection Alliance, Friends of the River, Northern California Council, Fly Fishers International, and the South Yuba River Citizens League Meghan Quinn, Director, California Hydropower and Dam Removal, American Rivers Chris Shutes, Executive Director, California Sportfishing Protection Alliance Keiko Mertz, Policy Director, Friends of the River Jann Dorman, Executive Director, Friends of the River Mark Rockwell, President & VP Conservation, Northern California Council, Fly Fishers International Aaron Zettler-Mann, Executive Director, South Yuba River Citizens League	May 20, 2024
O2	AquAlliance Barbara Vlamis, Executive Director	May 20, 2024

2.2 COMMENTS AND RESPONSES

The individual comments received on the Draft SEIR and the responses to those comments are provided below. The comment letters are reproduced in their entirety and are followed by the response(s). Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying number in the margin of the comment letter.

2.2.1 Tribes

Letter T1 Shingle Springs Band of Miwok Indians
Kara Perry, Director of Site Protection
May 20, 2024

Shingle Springs Band of Miwok Ind
Shingle Springs Rancheria (Verona Tract), Califor

Letter T1

5281 Honpie Road • Placerville, CA 95667
(530) 698-1400 • shinglespringsrancheria.com

CULTURAL RESOURCES

May 20, 2024

Ascent Environmental

RE: Extension of the Yuba Accord Long-Term Water Transfer Program

Dear Joanna Lessard,

Thank you for your letter dated April 5, 2024 in regard to the above mentioned project. Based on the information provided, the Shingle Springs Band Of Miwok Indians is not aware of any known cultural resources on this site. However, SSR would like to have continued consultation through updates, as the project progresses. This will foster a greater communication between the Tribe and your agency.

SSR would also like to request any and all completed record searches and or surveys that were done in or around the project area up to and including environmental, archaeological and cultural reports. If during the progress of the project new information or human remains are found, we would like to be able to go over our process with you to protect such important and sacred artifacts (especially near rivers and streams). T1-1

If such finds are made, please contact Kara Perry, Director of Site Protection, at (530) 488-4049 or kperry@ssband.org.

Thank you for providing us with this notice and opportunity to comment.

Sincerely,

Kara Perry
Director of Site Protection

Response T1-1

The comment states that the Shingle Springs Band of Miwok Indians is not aware of any known cultural resources on the project site and requests copies of any completed record searches or surveys that were conducted in the project area. Yuba Water replied to this letter via email on May 23, 2024, and noted that no cultural searches or surveys were conducted for the SEIR.

For reference, Yuba Water sent a letter to the Shingle Springs Band of Miwok Indians on January 10, 2023 notifying the Tribe of the Proposed Extension and inviting the Tribe to consult under Assembly Bill (AB) 52. No response was received from the Tribe; therefore, Yuba Water's obligations under AB 52 are complete.

2.2.2 Agencies

Letter A1 US Department of the Interior, Bureau of Reclamation
Robert Ward, Acting Regional Resources Manager
May 20, 2024

United States Department of the Interior

BUREAU OF RECLAMATION
2800 Cottage Way
Sacramento, CA 95825-1898

Letter A1

IN REPLY REFER TO:

CGB-400
2.2.4.21

JoAnna Lessard
Watershed Manager
Yuba Water Agency
1220 F Street
Marysville, CA, 95901-4740

Subject: Comments on the Draft Supplemental Environmental Impact Report (EIR) for the

Extension of the Yuba Accord Long-Term Water Transfer Program (State Clearinghouse No. 200506211)

Dear Ms. Lessard:

Reclamation received and reviewed the Draft Supplemental EIR for the Extension of the Yuba Accord Long-Term Water Transfer Program. Thank you for the opportunity to provide comments. Attached are our comments and suggested revisions. Please contact me at rward@usbr.gov or 916-978-5359 if you have any questions. A1-1

Respectfully,

ROBERT WARD

Digitally signed by ROBERT WARD
Date: 2024.05.20 15:35:22 -07'00'

Robert Ward
Acting Regional Resources Manager

Attachments – 1

cc: CVO, BDO, CCAO, SCCAO

INTERIOR REGION 10 • CALIFORNIA–GREAT BASIN
CALIFORNIA*, NEVADA*, OREGON*
* PARTIAL

Attachment -1

Brief History of Reclamation's Involvement

The original Yuba Accord in 2008, resolved disputes for minimum instream flows downstream of New Bullards Bar Reservoir which were accounted for against the prior water rights. The additional instream flow above prior instream flows were viewed as transferable to help support and pay for needed local flood control projects that have now been built. It is Reclamation's understanding that these minimum flows have now been permitted by the State Water Resources Control Board (SWRCB) and are part of the operational baseline in the Yuba River.

Currently, Reclamation is not a signatory to the formal Yuba Accord but is formally implicated through the 1986 Coordinated Operations Agreement as amended (COA) between DWR and Reclamation which provides the basis for water transfers. The COA recognizes the supplies produced under the Yuba Accord as third-party water. The transferable third-party water supplies contemplated in the Yuba Accord extension rely on COA coordination with Reclamation and DWR. This should be described and analyzed in the Supplemental EIR for the Yuba Accord extension.

A1-2

Overall Needs for the EIR

The Yuba Accord extension should acknowledge the following baseline operations and new operational considerations now facing the CVP-SWP system:

1. The conditions in which the CVP-SWP system operates today is vastly different under ESA regulations than analyzed under the original Yuba Accord.
    a. Winter and Springtime exports from the CVP-SWP system are limited due to ESA take management i.e., Old and Middle River (OMR) limitations.
    b. Coldwater availability and management via temperature control devices during summer months in the CVP presents challenging operations.
    c. The current water transfer window starts in July and goes through November. Transfer of water pre-July 1 could negatively impact cold water pool operations for the CVP.
2. The EIR should acknowledge that CVP contractors (including Contra Costa Water District and East Bay Municipal Utility District) and SWP contractors south of the Delta are considered exporters from the Delta.

In order to evaluate the proposed extension, the above statements should be evaluated for their impacts on operations by Reclamation and DWR. Reclamation cannot be considered a cooperator through the EIR without consultation or doing further analysis to ensure no harm to CVP water rights, ESA regulations, or other party authorizations.

A1-3

2

Additionally, Reclamation suggests the following revisions to the Draft Supplemental EIR:

1. Page 3.2-21, Los Vaqueros Reservoir, 2nd paragraph, 3rd and 4th sentences. Incidental Take Permit No. 2081-2023-036-03 issued 03/01/2024 by California Department of Fish and Wildlife, removes the restrictions.

2. Page 3.2-21, Los Vaqueros Reservoir, 2nd paragraph, last sentence. Reclamation and CCWD partnered in implementing the Rock Slough Fish Screen Project. Construction on the Rock Slough Fish Screen Project was completed in 2011.

3. Page 3.2-29, Impact 3.2-2, paragraph beginning bottom of page 3.2-28, 3rd sentence. Reclamation is unclear on the offset to SDF statement. Please consider language to clarify: "With the inclusion of an Streamflow Depletion Factor (SDF) in the accounting, some transfer water will be made available to the CVP and SWP for their water supplies to offset streamflow depletion impact."

4. Page 3.2-29, Impact 3.2-2, paragraph beginning bottom of page 3.2-28, 4th sentence. Revise the sentence to read "The SDF will offset the streamflow depletion effects caused by groundwater substitution transfer pumping."

5. Page 3.2-29, Impact 3.2-2. Flow Changes Due to Instituting a SDF in Groundwater Substitution Transfer Accounting, 3rd paragraph. Please revise for clarity.

> "If DWR were to export the full amount of the SDF portion of the groundwater substitution transfer (after carriage water is applied), instead of reducing releases from Oroville and using the SDF portion for Delta water quality, there would be no changes to flows compared to what would occur without an SDF applied to the transfer in any of these rivers or the Delta because no additional water is released from the Yuba River for this purpose, and the Projects will still operate to balanced conditions."

6. Page 3.4-32, Impact 3.4-1, Delta Region, 3rd paragraph, 1st and 2nd sentences. Incidental Take Permit No. 2081-2023-036-03 issued 03/01/2024 by California Department of Fish and Wildlife, removes the restrictions.

7. Page 3.3-22, Impact 3.3-4, 1st sentence. Revise sentence to read: "Specifically, SDF accounts for reductions in streamflow over time due to 1) captured groundwater discharge (groundwater that otherwise would have discharged to a connected stream absent the pumping), and 2) induce infiltration (water drawn into the aquifer because of pumping)."

8. Page 3.3-22, Impact 3.3-4, last sentence. Revise sentence to read: "The difference is water left in the system to offset streamflow depletion and ensure other surface water users are not adversely affected."

A1-4

Response A1-1

The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Response A1-2

The comment summarizes Reclamation's involvement in the Yuba Accord and states that the transferable third-party water supplies contemplated in the Yuba Accord extension rely on coordination with US Department of the Interior, Bureau of Reclamation (Reclamation) and the California Department of Water Resources (DWR) under the 1986 Coordinated Operations Agreement as amended (COA) and suggests that this be described and analyzed in the Supplemental EIR for the Yuba Accord. The 2007 EIR and the Draft SEIR describe the Water Purchase Agreement and associated Exhibit 1 Accounting Principles. In 2007, Reclamation provided signed concurrence with the accounting principles, which stated in part, "We ask that your organization recognize the released transfer flows on the Yuba River as outlined in the accounting exhibit in the context of the Coordinated Operations Agreement. We request that your agency participate in the review and approval process as set forth in the Yuba Accord accounting document and agree to accounting adjustments to the Coordinated Operations Agreement accounting as appropriate." Chapter 2, "Description of the Proposed Project," of the Draft SEIR explains that the Proposed Extension is a continuation of the Yuba Accord water transfer program and the Water Purchase Agreement. The accounting principles are the mechanism that protects the Central Valley Project (CVP) and State Water Project (SWP) water rights, ensuring that the transfer will not injure legal users of the water. DWR and Reclamation have cooperated with Yuba Water in preparing and agreeing on the final accounting of transfer water and refill conditions each year of the Accord since 2008 and the Draft SEIR describes these provisions (Draft SEIR p. 2-3).

Response A1-3

The comment states that the SEIR should acknowledge the baseline operations and new operational considerations facing the CVP/SWP system. Section 3.2, "Surace Water Supply and Management," of the Draft SEIR describes the progression of the Endangered Species Act (ESA) regulations affecting CVP and SWP operations in the Delta Region (pp. 3.2-4 and 3.2-5) and describes CVP Facilities and Operations (pp. 3.2-19 and 3.2-20). Section 3.2 includes discussion of the relevant changes in regulatory conditions affecting Delta operations including facilitating transfers and acknowledges the effects the changed regulatory conditions have on transfers. The impact analysis portion of Section 3.2 includes detailed discussion of effects on south-of-Delta CVP and SWP contractors as these are impact indicators included in the Draft SEIR. Impact 3.2-3 addresses impacts to south of Delta CVP contractors and concludes:

> The changes in CVP/SWP operations that have occurred as a result of the 2019 USFWS and NMFS BOs implementation are part of the current baseline and do not involve any changed circumstances that would alter the manner in which the Yuba Accord would be implemented or result in new or exacerbated impacts as a result of the Proposed Extension beyond those assessed in the 2007 EIR for the duration of the original Yuba Accord. Extension of the Water Transfer Program will continue to be subject to all applicable federal and state ESA requirements, including applicable BOs, Incidental Take Permits, water quality control planning, and any other conditions imposed by other regulatory agencies applicable to CVP operations.

In addition to the discussion in Section 3.2, Chapter 4, "Cumulative Impacts," of the Draft SEIR summarizes information from Reclamation's "Long-Term Water Transfers Revised Draft EIR/Supplemental Draft EIS" (Reclamation and SLDMWA 2018) and DWR's Draft Environmental Impact Report for Long-Term Operation of the California State Water Project (DWR 2019) which provides extensive discussion and review of CVP and SWP operations and transfers. Chapter 4 examines the Proposed Extension in combination with the changes that have occurred since the 2007 EIR, which the Draft SEIR describes as included in the baseline conditions used for analysis of the Proposed Extension.

Response A1-4

The comment provides suggested revisions to the Draft SEIR. See Chapter 3, "Revisions to the Draft SEIR," for the specific text changes made to the Draft SEIR since its publication and public review.

Regarding items #3 and #5 in the comment, Yuba Water has reviewed the Draft SEIR text and determined that no clarifications are necessary. Also, see response to comment A2-6 regarding streamflow depletion factor (SDF) effects, as well as responses to comments A2-7, A2-8, and O2-4.

Letter A2 California Department of Fish and Wildlife, North Central Region
Morgan Kilgour, Regional Manager
May 17, 2024

DocuSign Envelope ID: DE97F0B1-2699-4069-BAB1-DA53A111C53D

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
916-358-2900
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

Letter A2

May 17, 2024

JoAnna Lessard
Watershed Manager
Yuba Water Agency
1220 F Street
Marysville, CA 95901-4740
jlessard@yubawater.org

Subject: Extension of the Yuba Accord Long-Term Water Transfer Program
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (DSEIR)
SCH No. 2005062111

Dear JoAnna Lessard:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Availability of a DSEIR from Yuba Water Agency (YWA) for the proposed Extension of the Yuba Accord Long-Term Water Transfer Program (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines[1].

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). Similarly for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

A2-1

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW may also act as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. To the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code. A2-1 cont.

PROJECT DESCRIPTION SUMMARY

YWA proposes to extend the Yuba Accord Long-Term Water Transfer Program for an additional 25 years past its current expiration date of December 31, 2025 through 2050. 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) rediversion of transfer water at authorized points of rediversion; (4) use of transfer water within the State Water Project and Central Valley Water Project service areas; and (5) use of transfer water for authorized purposes of use, including irrigation and municipal uses. A2-2

YWA proposes that the extension Project contain comparable terms as the existing agreements, which include: (1) the Water Purchase Agreement; (2) the YWA/Contra Costa Water District/East Bay Municipal Utilities District Water Transfer Option Agreement; (3) the Conjunctive Use agreements; and (4) the terms and conditions imposed in State Water Resources Control Board (SWRCB) Corrected Order WR 2008-0014 and subsequent Yuba Accord water transfer change petitions approved by the SWRCB.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist YWA in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. A2-3

COMMENT 1: Impacts of Transfer Timing and Flow Fluctuations
Section 3.4.2 Fisheries and Aquatic Resources

Issue: The DSEIR does not adequately consider the potential impacts of water transfer timing, resulting instream flows, and flow fluctuations on aquatic species, including Central Valley spring-run Chinook salmon (*Oncorhyncus tshawytscha;* SRCS), a threatened species under the California Endangered Species Act (CESA). Neither the DSEIR nor the 2007 Yuba Accord EIR includes sufficient analysis of Project flow patterns and their potential impact on SRCS, particularly during the spawning and incubation life stages. Further, since the 2007 EIR was finalized, water transfer conditions have changed, as the water transfer window for the State Water Project was A2-4

extended from September 30 to November 30 in the Incidental Take Permit issued by CDFW to the Department of Water Resources in March 2020.

SRCS occur in the Project area and typically spawn in September and October, and egg incubation may last through January. Should water transfers for the Project take place during September through November, it is possible that spawning SRCS will construct redds within transfer-water inundated areas that are then exposed and desiccated when transfer releases end and the river stage decreases. Conversely, should SRCS spawn prior to a water transfer, the pulse of released water may scour existing redds. Substantial or rapid flow fluctuations may also lead to stranding of emerging SRCS fry and rearing SRCS yearlings in shallow areas that may become disconnected from the active river channel. The DSEIR does not contain sufficient discussion, nor does it demonstrate through modeling of Project operations and instream flows, that the ramp-up and ramp-down periods of the water transfers would avoid impacts to salmonid redds under the existing regulatory flow regime. A2-4 cont.

Recommendation: CDFW recommends that the SEIR include additional, focused discussion of the potential impacts to salmonids, including SRCS, and other aquatic species that may result from flow fluctuations caused by the proposed Project. The SEIR should clearly identify the likely timing of transfer releases in relation to aquatic species' life stages, and as needed, refer to specific operational model runs to illustrate the range of potential flow fluctuations and associated impacts.

If transfers are likely to occur during September through November, the SEIR should identify specific actions that will be taken to avoid redd dewatering or scouring below Englebright Dam, including early notification of planned transfer operations, pre-transfer monitoring, post-transfer monitoring, and protective ramping rates.

COMMENT 2: Impacts to Groundwater Dependent Ecosystems
Section 3.3.2 Groundwater Resources, page 3.3-15

Issue: The DSEIR does not adequately consider impacts to groundwater dependent ecosystems (GDEs). The DSEIR discussion of GDEs (page 3.3-15) states that the Yuba Groundwater Sustainability Plan (GSP) concluded that groundwater pumping would be unlikely to affect GDEs. However, CDFW review and comment of the Yuba GSP, as submitted to the GSA and DWR in 2020 (Attachment A), found contradictory evidence as to the impact of pumping on shallow groundwater, as indicated by the following statement: A2-5

> "[T]he GSP: 1) identifies shallow groundwater elevations in the principal aquifer (pages 2-94, 2-95); 2) shows shallow groundwater elevation trends that, although muted, parallel seasonal pumping trends of groundwater elevations in deeper wells, particularly along the Feather River (page 2-104); and 3) acknowledges that shallow groundwater monitoring data is limited (page 4-8). The GSP limits oversight over shallow subsurface water by distinguishing it from the 'principal

> aquifer' (page 2-70) but develops SMC [sustainable management criteria] for depletions of interconnected surface water by way of groundwater elevation proxy (see Comment #4). Absent a better understanding of shallow groundwater systems and their relationship to deeper, 'principal' groundwater reservoirs, it is contradictory to abdicate oversight of shallow groundwater as a non-principal aquifer while identifying shallow groundwater as the primary subsurface influence on surface water interconnectivity, for which the GSP proposes SMC by way of groundwater elevation proxy."

Additionally, comment was provided as to the methods used to identify GDEs:

> "Methods applied to the Natural Communities Commonly Associated with Groundwater (NCCAG) dataset to eliminate potential GDEs may exclude ecosystems that rely on groundwater during specific seasons, water years, or life stages. The litmus test question proffered by the GSP to determine the validity of a potential GDE in the NCCAG – 'would the ecosystem not exist if groundwater levels were deeper?' (page 2-140) – assumes a false dichotomy between both ecosystem existence and non-existence, as well surface water-dependence and groundwater dependence. Groundwater dependent vegetation or interconnected surface waters may be able to sustain existence/flow during temporary, or even extended, groundwater elevation reductions (Naumburg et al., 2005), and these GDEs may oscillate between surface water reliance and groundwater reliance. In short, GDEs may be opportunistic, and the GSP assessment of GDEs is based on overly simplistic determination criteria that do not account for GDE adaptability."

A2-5 cont.

As a result of the potential connectivity of pumped groundwater and shallow aquifer conditions, groundwater pumping could potentially result in lowering of shallow groundwater levels and the capillary fringe to deeper than groundwater dependent vegetation rooting depths. As of the date of the GSP comment letter, assessment of GDEs is incomplete and ongoing.

Recommendation: CDFW recommends that the SEIR incorporate information from the most recent survey(s) of GDEs in the groundwater extraction area to determine the locations of concern and their species assemblages. If additional surveys have not yet occurred following submittal of the Yuba GSP, the SEIR should include any available supplemental information that identifies other known or suspected GDE in the project area. The requirements of these species with respect to groundwater levels, such as rooting zones or seasonal pooling, should be described in the SEIR. Additionally, the SEIR should characterize groundwater monitoring, either by YWA or a subbasin Groundwater Sustainability Agency, that will actively monitor groundwater depths in the areas of concern and adapt groundwater pumping to avoid negatively impacting these ecosystems during groundwater transfer periods. Monitoring results should inform the Project's operations to avoid both chronic long-term lowering and acute seasonal

impacts resulting from the lowering of groundwater levels to below key ecological thresholds. A2-5 cont.

COMMENT 3: Analysis of Streamflow Depletion Effects
Appendix B: Streamflow Depletion Effects on Downstream Water Supplies

Issue 3.1: The DSEIR does not adequately consider the seasonal variation of streamflow depletion impacts. A given amount of depletion may have a greater impact on the function of stream ecosystems at different times of year. For example, a fixed volume or rate of depletion in early spring, when flows are comparatively high and temperatures are relatively cold, may be a small percentage of flow with less significant impacts on aquatic habitat and water quality. That same volume/rate of depletion in late summer could be a significant percentage of the streamflow, reducing the stream's ability to oxygenate, buffer against temperature fluctuations and dilute contaminants, and reduce physical aquatic habitat availability; or, the depletion could dewater the stream completely. With the exception of stream segment Yuba River 2 (YR2), the Project does not appear to have the ability to mitigate for depleted streamflow in tributary stream reaches in the Project area. A2-6

Recommendation 3.1: CDFW recommends monitoring of instream habitat conditions, with increased frequency during identified periods of ecosystem vulnerability. Ecologically relevant streamflow thresholds should be identified, and pumping operations of near-stream wells should undergo adaptive management before flows approach these thresholds. The SEIR should further evaluate the relationship between groundwater levels and tributary streamflow. Depending on hydrogeological characteristics, key relationship(s) for maintaining adequate summer streamflow may include the groundwater levels of upgradient monitoring wells in preceding months. Well operations should adapt to maintain these key seasonal groundwater levels that support critical instream flows.

Issue 3.2: While the inclusion of the Wheatland Water District In-Lieu Recharge Project (WWD Project) is helpful contextually, the analysis of stream depletion reduction resulting from the WWD Project is confusing, the quantifiable benefits to flow overall are not clear, and the differential offsetting of stream depletion in individual tributaries are not addressed.

Recommendation 3.2: No reduction in the streamflow depletion factor (SDF) should occur as a result of WWD Project operations unless a more robust analysis of the spatial and temporal benefits of recharge is conducted. The analysis should include an evaluation of projected recharge operations under a range of future climate change conditions influencing recharge water availability, and an evaluation of the zone of beneficial influence of recharge relative to the depletion of groundwater levels and streamflow in the greater zone of pumping. The analysis should also consider whether it is necessary for recharge to occur in close temporal proximity to the groundwater substitution pumping in order to mitigate the acute streamflow depletion. It is possible A2-7

that this analysis is present in the grant proposal, but it is not available as part of the DSEIR. A2-7 cont.

Issue 3.3: The Department of Water Resource (DWR) has convened multi-stakeholder advisory groups to develop a framework for developing SDF for groundwater substitution water transfers. It is unknown whether the suggested approach in the SEIR will be consistent with this upcoming guidance.

Recommendation 3.3: While it is appreciated that the permittee is pro-active in considering a possible SDF approach, any SDF adopted for this project should be subject to change given the evolving standards. Regardless of the eventual guidance of the multi-stakeholder advisory groups, due to the long-term nature of the proposed Project and uncertainty surrounding future climatic and hydrologic conditions, it is recommended that the SDF be subject to review and revision at regular intervals. A2-8

COMMENT 4: Cumulative Impacts Analysis
Section 4.3 Analysis of Cumulative Impacts, page 4-18

Issue: The cumulative effects analysis in the DSEIR does not provide sufficient information for meaningful review of potential significant cumulative effects of the proposed Project and other reasonably foreseeable probable projects. While the DSEIR is thorough in its identification of other reasonably foreseeable projects, the subsequent discussion of cumulative impacts and the Project's incremental contribution lacks specificity and metrics to support its conclusions.

In its evaluation of cumulative impacts to both surface waters and fisheries and aquatic resources, the DSEIR does not adequately discuss and incorporate changes to environmental baseline conditions that occurred during previous implementation of the Water Transfer Program, including population trends for salmonids and other fisheries that occur in the Project area and Bay-Delta. A2-9

Recommendation: CDFW recommends the SEIR incorporate an evaluation of cumulative impacts to address the changed environmental baseline conditions related to trends in fisheries populations, instream flows, and Delta outflows and water quality. Inclusion of specific metrics, and modeling to the extent available, will support a more nuanced evaluation of how surface waters or aquatic resources may have been impacted by the previous Water Transfer Program in combination with other related projects, and it will better contextualize a consideration of how conditions may continue to evolve with the proposed Project and other reasonably foreseeable probable projects.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § A2-10

21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be submitted online or mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov.

A2-10 cont.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

A2-11

CONCLUSION

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the DSEIR for the Extension of the Yuba Accord Long-Term Water Transfer Program to assist Yuba Water Agency in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Bridget Gibbons, Environmental Scientist, at bridget.gibbons@wildlife.ca.gov.

A2-12

Sincerely,

DocuSigned by:
Morgan Kilgour
C3AB6764C0AD4F6...

Morgan Kilgour
Regional Manager

Attachment A: CDFW Yuba Subbasins Final GSP Comment Letter to DWR

ec: Jennifer Garcia, Environmental Program Manager
Colin Purdy, Environmental Program Manager
Bridget Gibbons, Senior Environmental Scientist (Supervisory)
Beth Lawson, Senior Hydraulic Engineer
Anna Allison, Senior Environmental Scientist (Supervisory)
Tracy McReynolds, Senior Environmental Scientist (Specialist)
Adam Weinberg, Senior Environmental Scientist (Specialist)
Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento

Attachment A

Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road,
Rancho Cordova, CA 95670
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

June 1, 2020

Via Electronic Mail and Online Submission

Craig Altare
Supervising Engineering Geologist
California Department of Water Resources
901 P Street, Room 213
Sacramento, CA 94236

Email: Craig.Altare@water.ca.gov
Portal Submission: https://sgma.water.ca.gov/portal/#gsp

Dear Mr. Altare:

Subject: COMMENTS ON THE FINAL YUBA SUBBASINS GROUNDWATER SUSTAINABILITY PLAN

The California Department of Fish and Wildlife (Department) North Central Region is providing comments on the Final Yuba Subbasins Groundwater Sustainability Plan (GSP) prepared by Yuba Water Agency, City of Marysville, and Cordua Irrigation District Groundwater Sustainability Agencies (GSAs) pursuant to the Sustainable Groundwater Management Act (SGMA). As trustee agency for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species (Fish & Game Code §§ 711.7 and 1802).

Development and implementation of GSPs under SGMA represents a new era of California groundwater management. The Department has an interest in the sustainable management of groundwater, as many sensitive ecosystems and species depend on groundwater and interconnected surface waters, including ecosystems on Department-owned and -managed lands within SGMA-regulated basins. SGMA and its implementing regulations afford ecosystems and species specific statutory and regulatory consideration, including the following as pertinent to Groundwater Sustainability Plans:

- Groundwater Sustainability Plans must **identify and consider impacts to groundwater dependent ecosystems (GDEs)** [23 CCR § 354.16(g) and Water Code § 10727.4(l)];
- Groundwater Sustainability Agencies must **consider all beneficial uses and users of groundwater**, including environmental users of groundwater [Water Code §10723.2 (e)]; and Groundwater Sustainability Plans must **identify and**

consider potential effects on all beneficial uses and users of groundwater [23 CCR §§ 354.10(a), 354.26(b)(3), 354.28(b)(4), 354.34(b)(2), and 354.34(f)(3)];

- Groundwater Sustainability Plans must **establish sustainable management criteria that avoid undesirable results** within 20 years of the applicable statutory deadline, including **depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water** [23 CCR § 354.22 *et seq.* and Water Code §§ 10721(x)(6) and 10727.2(b)] and **describe monitoring networks** that can identify adverse impacts to beneficial uses of interconnected surface waters [23 CCR § 354.34(c)(6)(D)]; and
- Groundwater Sustainability Plans must **account for groundwater extraction for all water use sectors** including managed wetlands, managed recharge, and native vegetation [23 CCR §§ 351(al) and 354.18(b)(3)].

Furthermore, the Public Trust Doctrine imposes a related but distinct obligation to consider how groundwater management affects public trust resources, including navigable surface waters and fisheries. Groundwater hydrologically connected to navigable surface waters or surface waters supporting fisheries, and surface waters tributary to navigable surface waters or surface waters supporting fisheries, are also subject to the Public Trust Doctrine to the extent that groundwater extractions or diversions affect or may affect public trust uses (*Environmental Law Foundation v. State Water Resources Control Board* (2018), 26 Cal. App. 5th 844; *National Audubon Society v. Superior Court* (1983), 33 Cal. 3d 419). Accordingly, groundwater plans should consider potential impacts to and appropriate protections for interconnected surface waters and their tributaries, and interconnected surface waters that support fisheries, including the level of groundwater contribution to those waters.

In the context of SGMA statutes and regulations, and Public Trust Doctrine considerations, the Department values groundwater planning that carefully considers and protects environmental beneficial uses and users of groundwater including fish and wildlife and their habitats: groundwater dependent ecosystems and interconnected surface waters.

COMMENT OVERVIEW

The Department supports ecosystem preservation and enhancement in compliance with SGMA and its implementing regulations based on Department expertise and best available information and science. Consistent with comments previously submitted to the GSA on December 9, 2019, the Department recommends the GSP provide additional information and analysis that considers all environmental beneficial uses and users of groundwater and that better characterizes surface water-groundwater connectivity. The Department appreciates The GSAs' consideration and integration of many of the Department's original comments. Where the Department's initial comments have not been addressed, they are restated in this letter with updated page citations.

Where the GSAs have since responded to the Department's comments, the Department has updated the comments and provided additional context in *italicized text*.

COMMENTS AND RECOMMENDATIONS

The Department comments are as follows:

1. **Comment #1 Interconnected Surface Waters** (Basin Setting, 2.2.2.6 Interconnected Surface Water Systems, starting page 2-136): The GSP identifies a high degree of interconnectivity between shallow groundwater and surface water in the basin but limits management oversight of shallow groundwater – and therefore over interconnected surface waters – on account of limited hydraulic connectivity between the shallow groundwater and the 'principal aquifer.'
    a. *Issue*: The GSP notes in several places that there are significant clays and restrictive units in the shallow subsurface that support shallow groundwater contributions to interconnected surface waters and that limit hydraulic connectivity between shallow groundwater and the 'principal aquifer' (Section 2.2.2.1.3, Section 2.2.2.6). In its analysis of pumping-induced groundwater level impacts, the GSP suggests that groundwater within the upper 20 to 30 feet of the subsurface would show heavily muted responses to groundwater pumping in deeper strata (page 2-143). Simultaneously, the GSP: 1) identifies shallow groundwater elevations in the principal aquifer (pages 2-94, 2-95); 2) shows shallow groundwater elevation trends that, although muted, parallel seasonal pumping trends of groundwater elevations in deeper wells, particularly along the Feather River (page 2-104); and 3) acknowledges that shallow groundwater monitoring data is limited (page 4-8). The GSP limits oversight over shallow subsurface water by distinguishing it from the 'principal aquifer' (page 2-70) but develops SMC for depletions of interconnected surface water by way of groundwater elevation proxy (see Comment #4). Absent a better understanding of shallow groundwater systems and their relationship to deeper, 'principal' groundwater reservoirs, it is contradictory to abdicate oversight of shallow groundwater as a non-principal aquifer while identifying shallow groundwater as the primary subsurface influence on surface water interconnectivity, for which the GSP proposes SMC by way of groundwater elevation proxy.
    b. *Recommendation*: The Department supports the proposed expansion of shallow groundwater monitoring in the Yuba Subbasins to better understand the hydraulic relationship between shallow groundwater, interconnected surface waters, and pumping within the 'principal aquifer'

(Section 5). The Department also recommends the GSAs consider treating the shallow groundwater system as a 'principal aquifer' to ensure shallow groundwater levels and depletions of interconnected surface water will be managed to the extent possible with accountability to relevant SMC (e.g., near-stream hydraulic gradients). There is no specific reason why a shallow aquifer cannot comprise a 'principal aquifer,' particularly where shallow aquifers are overlain by GDEs or support interconnected surface waters with special status species. Where a shallow groundwater system stores and yields quantities of water that are 'significant' to surface water beneficial users, including environmental beneficial users and GDE beneficial users, this shallow aquifer may be considered a 'principal aquifer' [23 CCR § 351(aa)]. Shallow groundwater systems are arguably the *most* significant aquifers for environmental beneficial uses and users of groundwater, because they are the aquifers directly accessible to and supportive of the terrestrial and aquatic habitat. Therefore, the Department recommends identifying the shallow groundwater network in the Yuba Subbasins as a 'principal aquifer.'

GSA Response to Comments: *Comment noted. The shallow groundwater system was not identified a principal aquifer as defined under SGMA. Quoted directly, 23 CCR § 351(aa) reads "'Principal aquifers' refer to aquifers or aquifer systems that store, transmit, and yield significant or economic quantities of groundwater to wells, springs, or surface water systems." Based on the analysis performed in the GSP, the shallow groundwater system was not considered to meet the definition of a principal aquifer: "that store, transmit, and yield significant or economic quantities of groundwater to wells, springs, or surface water systems." This discussion is included in Section 2.2.1.9.*

Section 2.2.2.1.3 provides a description of groundwater conditions in the shallow aquifer and in the principal aquifer. The presence of clays in the subsurface is the driver for the use of land for rice cultivation and also limits the percolation of water into the deeper subsurface. These clays allow some level of percolation, as shown through groundwater modeling and the water budget analysis. However, the recharge from applied water and natural sources occur in volumes that result in stable groundwater levels or muted summer declines in groundwater levels in shallower monitoring wells.

The management presented does not "de facto dismiss "oversight of shallow groundwater. The shallow groundwater is not used for water supply purposes. Management of the shallow groundwater system is best performed through improved understanding of the shallow system (included in the GSP as additional monitoring) and monitoring and management of what can be

managed under SGMA - the deeper aquifer (Appendix D: Responses to Public Comments, PDF page 396)

Department Response: *The above comment remains relevant for several reasons: 1) shallow groundwater supply may be developed for consumptive use in the future; 2) shallow groundwater elevations demonstrate trends that correlate with deeper groundwater pumping patterns and accordingly may be hydrologically connected; 3) shallow groundwater may store, transmit, or yield volumes of water significant to surface water systems critical to environmental beneficial users of groundwater, and therefore may be considered a principal aquifer; and 4) interconnected surface waters and other GDEs rely on shallow groundwater. The Department supports expanded monitoring of shallow groundwater to understand how pumping in the principal aquifer impacts shallow groundwater and interconnected surface water.*

2. **Comment #2 Groundwater Dependent Ecosystems** (Basin Setting, 2.2.2.7 Groundwater Dependent Ecosystems, starting page 2-140): GDE identification, required by 23 CCR § 354.16(g), is based on methods that risk exclusion of ecosystems that may depend on groundwater.
   a. *Issue*: Methods applied to the Natural Communities Commonly Associated with Groundwater (NCCAG) dataset to eliminate potential GDEs may exclude ecosystems that rely on groundwater during specific seasons, water years, or life stages. The litmus test question proffered by the GSP to determine the validity of a potential GDE in the NCCAG – 'would the ecosystem not exist if groundwater levels were deeper?' (page 2-140) – assumes a false dichotomy between both ecosystem existence and non-existence, as well surface water-dependence and groundwater dependence. Groundwater dependent vegetation or interconnected surface waters may be able to sustain existence/flow during temporary, or even extended, groundwater elevation reductions (Naumburg et al., 2005), and these GDEs may oscillate between surface water reliance and groundwater reliance. In short, GDEs may be opportunistic, and the GSP assessment of GDEs is based on overly simplistic determination criteria that do not account for GDE adaptability.
   b. *Recommendations*: The Department recommends the GSP include potential GDEs until there is evidence that the overlying ecosystem has no significant dependence on groundwater across seasons and water year types. The Department advises that riparian GDE beneficial users of groundwater and surface water are also carefully considered in the analysis of undesirable results and minimum thresholds for depletions of interconnected surface waters (see Comment #4).

GSA Response to Comments: *Added text noting that the depth to water values that were compared to the 30' criteria were based on the minimum depth to water (shallowest conditions) over the August 2014 - September 2018 time period: "The comparison with the 30-foot criterion was made using the minimum depth to water measurement (shallowest measured conditions) over the period August 2014 to September 2018 for wells with a total depth of than 100 feet."*

This is considered to be a representative period, as it includes the very wet winter of 2016-2017. By including wet conditions, the shallowest-measured conditions criteria will be able to address the adaptability of GDEs mentioned in the comment.

Comment noted. Flows are maintained in the Yuba River year-round, in part to meet flow requirements at the Marysville gage. Additionally, irrigation occurs throughout the growing season as a necessity of farming. These sources provide water for nearby ecosystems. Further, no potential GDEs were removed during the analysis. DWR provides guidance on use of the NCCAG dataset in GSP development, stating that "[t]he Natural Communities dataset is provided by DWR as a reference dataset and potential starting point for the identification of GDEs in groundwater basins. The Natural Communities dataset and its source data can be reviewed by GSAs, stakeholders, and their consultants using local information and experience related to the validity of mapped features and understanding of local surface water hydrology, groundwater conditions, and geology..."

This DWR guidance resulted in the methodology used for this GSP which was to identify likely GDEs in the subbasin by combining the NCCAG database with additional local data and knowledge. The database was a starting point to identify areas dependent on groundwater. Areas identified in the NCCAG dataset were further analyzed to assess the features as discussed in the GSP. Continued work to refine this process is discussed in the projects and management actions section (Appendix D: Responses to Public Comments, PDF page 397-398).

Department Response: *The Department revised the above comment and supports on-going GDE evaluation efforts (pages 5-7, 5-8).*

3. **Comment #3 Monitoring Networks** (Monitoring Networks, 3.2 Monitoring Networks, starting page 3-1): Number and distribution of shallow groundwater monitoring wells are insufficient for analysis of impacts to interconnected surface water and GDEs.
    a. *Issue*: Existing shallow groundwater monitoring wells may not be sufficient to characterize surface water-groundwater interactions along the course of

the main waterways in the Yuba Subbasins or to monitor impacts to environmental beneficial uses and users of groundwater and interconnected surface waters [23 CCR § 354.34(2)]. Few shallow monitoring wells are located along interconnected surface waters or concentrations of potential GDEs; and therefore, there are few data points on shallow groundwater level trends as they related to environmental users of groundwater. These data are critical to understanding groundwater management impacts on fish and wildlife beneficial uses and users of groundwater, including GDEs and interconnected surface water habitats, which are impacted disproportionately by shallow groundwater trends.

b. *Recommendation*: Consistent with the GSPs acknowledgement of the need for additional shallow groundwater monitoring (page 4-8), the Department supports installing additional shallow groundwater monitoring wells near streamflow gages along interconnected surface waters and GDEs, potentially pairing multiple-completion wells with streamflow gauges for improved understanding of surface water-groundwater interconnectivity.

GSA Response to Comments: *Comment noted. CDFW is encouraged to continue to participate in implementation if there are priority areas for well installation activities described in Section 5 of the GSP, or if the GSP can benefit from monitoring activities that CDFW may perform on their lands (Appendix D: Responses to Public Comments, PDF page 398).*

Department Response: *The above comment remains relevant, and the Department appreciates the invitation to participate in GSP/monitoring implementation.*

4. **Comment #4 Sustainable Management Criteria** (Sustainable Management Criteria; 4.3.1, 4.4.1 Groundwater Levels and 4.3.6, 4.4.6 Depletions of Interconnected Surface Water; starting page 4-4): Groundwater level and interconnected surface water SMC may not protect against undesirable results for fish and wildlife beneficial uses and users of groundwater and interconnected surface waters.
   a. *Issues:*
      i. Proxy Metric: The GSP does not provide evidence that a "significant correlation exists between groundwater elevations" and Depletions of Interconnected Surface Water [23 CCR § 354.36(b)(1)]. Conversely, the GSP identifies shallow groundwater as a primary influence on interconnected surface waters and

suggests there is limited hydraulic connectivity between the shallow groundwater and the deeper 'principal aquifer' (page 4-8), but then uses deep groundwater elevations from the 'principal aquifer' as a proxy metric for surface water depletions (page 4-8). The GSP justifies the proxy metric by modeling minimum threshold pumping impacts on the Yuba, Feather, and Bear Rivers and concluding that simulated depletions associated with the increased pumping would not be significant and unreasonable (page 4-10). These modeling efforts are presumably not based on robust shallow groundwater data (see Comment #3), therefore the estimated surface water depletion results are subject to uncertainty. If shallow groundwater monitoring data is limited and a significant correlation is lacking between principal groundwater elevations and depletions of interconnected surface water, then groundwater elevations used as a proxy for surface water depletions may misinform groundwater management activities and poorly predict instream habitat conditions for fish and wildlife species. Accordingly, the application of groundwater level sustainable management criteria to depletions of interconnected surface water is inappropriate, as it is not grounded in a quantifiable and site-specific understanding of surface water-groundwater connectivity as required by 23 CCR § 354.28 (c)(6)(A).

ii. Undesirable Results**:** Besides mentioning potential adverse impacts on GDEs under 'potential effects of undesirable results' (page 4-7), groundwater level minimum thresholds, exceedances of which indicate undesirable results, are applied to the identification of undesirable results for the depletions of interconnected surface water without a reasonable justification (see 'Proxy Metric' comment above). Specifically, for the Yuba, Feather and Bear Rivers, undesirable results are defined by modeling analysis outputs that "indicated that the groundwater level sustainability indicator would prevent additional depletions" (page 4-10). The modeled additional depletions are then compared to total annual flow in these river systems. This coarse annual evaluation does not consider how groundwater contributions may benefit river base flows and groundwater-dependent riparian communities during dry years, or during seasonal summer low-flow months. Furthermore, given that "minimum thresholds for chronic declines of groundwater levels are considered sufficiently protective" (page 4-10) for the

larger rivers in the GSP, it is not an appropriate assumption that the smaller streams in the subbasins would "experience similar responses to hypothetically lower groundwater conditions" (page 4-9). These smaller streams generally have no upstream reservoir that stores seasonal water, and therefore no Federal Energy Regulatory Commission-required instream base flows. In these streams, depleted shallow groundwater conditions could reduce base flows or extend the duration of dry periods, causing an undesirable result for fish and wildlife beneficial users.

iii. Minimum Thresholds: Minimum thresholds for groundwater levels, and by proxy, for depletions of interconnected surface water, are not likely to prevent undesirable results for environmental beneficial uses and users of groundwater and interconnected surface water. For representative monitoring sites, minimum thresholds allow for a decrease of groundwater elevation from historic lows to groundwater elevations of 75 feet below-ground-surface, or deeper (page 4-21). According to Table 4-1, representative monitoring sites that have historically demonstrated shallow groundwater accessible to GDEs and interconnected surface waters, could demonstrate a 70+ foot drop in groundwater elevations before undesirable results are experienced (page 4-21). Under these minimum thresholds, the Department expects that fish and wildlife beneficial uses and users of groundwater and interconnected surface water that rely on shallow groundwater could lose access to shallow water supplies and experience significant and unreasonable impacts far before the proposed minimum thresholds are reached.

b. *Recommendation*:

i. Proxy Metrics: To justify use of groundwater elevations as a proxy metric for depletions of interconnected surface water, the GSP should specify how groundwater elevations from the 'principal aquifer' are significantly correlated to surface water depletions. If there is no significant correlation, the GSP recommends that the GSA determine an expeditious path to gathering additional shallow groundwater data and establishing SMC for interconnected surface waters based on the rate or volume of surface water depletions caused by groundwater use, per 23 CCR § 354.28(c)(6).

ii. Undesirable Results: The Department recommends the GSP specify groundwater level 'undesirable results' and 'effects of undesirable results' for environmental beneficial users of

groundwater and interconnected surface water identified in Appendix C. The Department also recommends analyzing interconnected surface water 'undesirable results' by either looking at seasonal accretion/depletions along the full stream courses or using comparisons of near-surface groundwater gradients throughout the length of the river. A more robust shallow groundwater monitoring well network (See Comment #3) will help the GSAs determine more clearly how changes in shallow groundwater may affect interconnected surface waters. Additionally, the seasonal and interannual impacts of surface water depletions should be separately analyzed for small, unmanaged streams.

iii. Minimum Thresholds: The Department recommends the GSP reconsider minimum thresholds at representative monitoring sites with historically shallow groundwater, accounting for the effects of undesirable results on fish and wildlife beneficial uses and users of groundwater and interconnected surface water.

GSA Response to Comments: *Modified text in Section 4.3.6.4 to further explain the correlation between depletions of interconnected surface water and groundwater levels in the principal aquifer.*

Comment noted. The analysis of undesirable results for depletions of interconnected surface water was performed using the best available science. Data are not available for the requested analyses, which would require comprehensive data on every stream in the Yuba Subbasins and is not practical. Data of this nature is not available for the vast majority of rivers and streams in the state. Additional shallow groundwater monitoring facilities are a noted data gap and practical additions are included in the projects and management actions section of the GSP.

Section 2.2.2.1.3 provides a description of groundwater conditions in the shallow aquifer and in the principal aquifer. The presence of clays in the subsurface is the driver for the use of land for rice cultivation and also limits the percolation of water into the deeper subsurface. These clays allow some level of percolation, as shown through groundwater modeling and the water budget analysis. However, the recharge from applied water and natural sources occurs in volumes that result in stable groundwater levels or muted summer declines in groundwater levels in shallower monitoring wells.

Groundwater levels associated with minimum thresholds are based on the best available science and are considered protective of fish and wildlife beneficial users and users of groundwater and interconnected surface water

based on the analysis contained in the GSP. Specifically, this is based on the presence of abundant natural and applied surface water recharge combined with the presence of shallow clays that limit deep percolation of groundwater.

It is noted that the Yuba Basins have not operated at these levels historically and the functioning of the basin cannot be fully understood at this time. The adaptive management strategy and the plan for annual reporting and 5-year evaluations allow for further refinement of the GSP to incorporate new knowledge and understanding of the Yuba Subbasins. Additional monitoring wells are proposed under Section 5 to improve the understanding of shallow groundwater (Appendix D: Responses to Public Comments, PDF page 399-401).

Department Response: *The above comment remains relevant.*

CONCLUSION

In conclusion, the Department appreciates that the Final Yuba Subbasins GSP addressed many of the Department's original comments, but the Department remains concerned for the GSP's consideration of environmental beneficial uses and users of groundwater, including fish and wildlife and their habitats: GDEs and ISW.

The Department appreciates the opportunity to provide comments on the Final Yuba Subbasins GSP. If you have any further questions, please contact Briana Seapy, Senior Environmental Scientist, Supervisor, by email at Briana.Seapy@wildlife.ca.gov or at (916) 508-3345.

Sincerely,

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Literature Cited

Naumburg E, Mata-Gonzalez R, Hunter R.G., McLendon T, Martin D.W. 2005. "*Phreatophytic vegetation and groundwater fluctuations: a review of current research and application of ecosystem response modeling with an emphasis on great basin vegetation*". Environmental Management. 35(6):726-40.

Response A2-1

The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Response A2-2

The comment summarizes the project description from the Draft SEIR and does not otherwise address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Response A2-3

The comment provides a summary of detailed comments provided below. See responses to the detailed comments below.

Response A2-4

The comment states that the SEIR should include additional discussion of the potential impacts to salmonids, including Central Valley spring-run Chinook salmon (*Oncorhyncus tshawytscha*), and other aquatic species that may result from flow fluctuations caused by the Proposed Extension. The comment further states that the SEIR should identify the likely timing of transfer releases in relation to aquatic species' life stages, and as needed, refer to specific operational model runs to illustrate the range of potential flow fluctuations and associated impacts. Lastly, the comment states that if transfers are likely to occur during September through November, the SEIR should identify specific actions that will be taken to avoid redd dewatering or scouring below Englebright Dam, including early notification of planned transfer operations, pre-transfer monitoring, post-transfer monitoring, and protective ramping rates.

The comment regarding potential impacts of water transfer timing on aquatic species reflects a misunderstanding of how Yuba Accord transfer water is generated and released from Yuba Water's facilities. The comment assumes that Yuba Accord transfer water is released as a single block of water specifically for transfer purposes and could be released in this manner during periods in which potential impacts on aquatic species, including Central Valley spring-run Chinook salmon, could occur. As described here and discussed in more detail below, however, Yuba Accord transfer water is generated and released in the following three different ways, none of which have the potential to adversely affect spring-run Chinook salmon during spawning and incubation:

1. Releases from New Bullards Bar Reservoir to meet year-round minimum streamflows under the Yuba Accord Fisheries Agreement, to which the California Department of Fish and Wildlife (CDFW) is a signatory and which the State Water Resources Control Board (SWRCB) incorporated into Yuba Water's consumptive water-right permits in Corrected Order WR 2008-0014. Those minimum streamflow requirements include terms for flows at both the Marysville gage, which represents the Yuba River's mouth, and the upstream Smartsville gage. The potentially transferable water is the increment of flow by which the current minimum streamflows exceed pre-Accord minimum streamflows (which were "Interim" streamflows established by the SWRCB in its Revised Water-Right Decision 1644 (RD-1644) in 2003). This component of Yuba Accord transfer water is by far the largest component.
2. Releases from New Bullards Bar Reservoir primarily in July and August of each year to enable Yuba Water to reduce the reservoir's end-of-September storage to its annual target of 650,000 acre-feet (af) to make space for potential flood flows in the following wet season, consistent with Yuba Water's statutory flood-control mission.[1]
3. In some years, farmers within Yuba Water's member units pump groundwater in lieu of receiving available surface-water supplies from Yuba Water and apply that groundwater for agricultural irrigation. Yuba Water then coordinates transfer of the resulting increment of surface water in New Bullards Bar Reservoir to water users downstream of the Yuba River. Yuba Water releases this water only in July and August and only under strict scheduling rules that are reviewed and approved by the Yuba Accord River Management Team, of which CDFW is a member.

While the comment assumes that Yuba Water releases Yuba Accord transfer water via releases of specific blocks of "transfer water," only category #3 groundwater-substitution transfers potentially involve transfer-specific releases. By

[1] In 1959, the Legislature enacted a special act to create Yuba Water to address the "water problems in the County of Yuba [including] countywide water conservation, flood control and development of water resources…." (Cal. Stats. 1959, ch. 788, p. 2798, § 26.)

contrast, the Yuba Accord transfers in categories #1 and #2 involve water released for Yuba Water operations that would occur with or without transfers to water users downstream of the Yuba River, with the transfers occurring or not occurring depending on independent conditions and operations in those downstream areas. Transfers in categories #1 and #2, therefore, result largely from downstream accounting of water supplies and not from transfer-specific operations as the comment assumes.

As described in the 2007 EIR, Yuba Water accounts for water released in categories #1 and #2 as potentially transferable year-round and the 2007 EIR analyzed it that way. The 2007 EIR, therefore, analyzed the export of Yuba Accord transfer water from the Delta for environmental impacts as a year-round operation. Based on analysis for the 2007 EIR, to avoid fishery impacts, the export of Accord transfer water is restricted in the month of June.

The Delta "transfer window" that the comment references took effect only as a restriction on CVP/SWP in-Delta operations in 2009, with the issuance of biological opinions for the CVP/SWP by the US Fish and Wildlife Service in 2008 and the National Marine Fisheries Service in 2009. Based on those biological opinions, DWR—the buyer of Yuba Accord transfer water under the Water Purchase Agreement—decided to limit export of that transfer water to the July-September window, even though Accord transfer water was analyzed as a year-round operation. DWR's decision, however, does not change Yuba Water's operations that generate Yuba Accord transfer water in categories #1 and #2 because, notwithstanding DWR's decision, Yuba Water still complies with its minimum streamflow requirements and its statutory flood-control mission year-round.

Consistent with these key facts, the following discussion describes why Yuba Water makes essentially no discretionary releases for transfer during the September to November period identified by the comment, other than small amounts of water released to maintain stable flows in this period to benefit fish. Through the above-referenced transfer accounting based on downstream conditions and operations, a minor portion of this water may be accounted as transfer water.

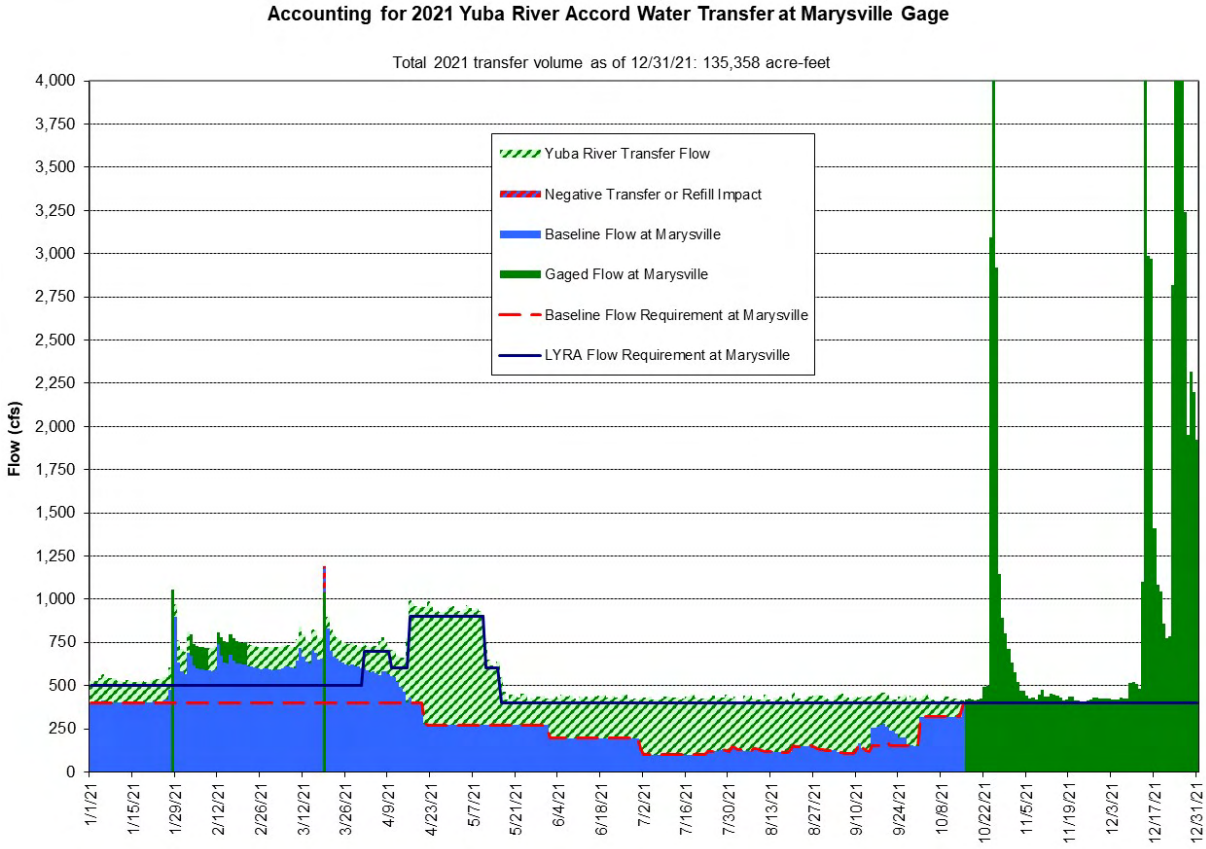
Overview of the Accord Transfer

As discussed above, with category #1 of Yuba Accord transfers, Yuba Water does not have discretion in releasing these flows because the minimum streamflow requirements in Yuba Water's consumptive water-right permits require them. For category #2, releases of stored water are made in the months of July and August with only a small portion of stored water that is occasionally accounted for transfer being released in September and then only to provide stable flows for fishery benefit. The reasons for releasing this type of transfer water in July and August are because this is the time with the greatest chance of DWR being able to export the water and because, if any significant amount is released after September 1, flow fluctuation requirements in Yuba Water's Federal Energy Regulatory Commission (FERC) license severely restrict lower flows after any transfer release. For category # 3, groundwater substitution transfer water is only released in July and August and is subject to strict scheduling rules which are reviewed and approved by the Accord River Management Team, of which CDFW is a participant. For the same reasons as #2, groundwater substitution transfer releases are made in July and August (with some water released in May or June to comply with Yuba Accord Fishery Agreement requirements) to ensure export of the water.

As an example of how category #1 of the Yuba Accord transfers work, Figure 2-1 displays how Yuba Water operations generated that category of water in 2021 and reflects data taken directly from the transfer accounting data sheet for that year. Figure 2-1 shows the required Accord minimum streamflows under Yuba Water's consumptive water-right permits as a blue line. The red dashed line reflects the pre-Accord Interim minimum streamflow requirements in SWRCB's RD-1644. The flows required to meet pre-Accord Interim requirements are depicted as a solid blue area. Flows in excess of the pre-Accord requirements (depicted as a green hatched area) are available for transfer.

In late January through April, the solid blue baseline flow is higher than the red dashed line of the pre-Accord required streamflows, and the green hatched transfer flow area is higher than the solid blue line of the Accord minimum flow requirement. That is because Yuba Water is also operating to the Smartsville gage flow requirement, which is higher than the Marysville gage flow requirement under both the Yuba Accord and RD-1644 during that time.

In the September-October period with which the comment is concerned, Figure 2-1 shows that Yuba Water is releasing transferable water (the green hatched area), but only because it is releasing flow to meet the Accord minimum streamflow requirements, which CDFW biologists helped to develop.



Source: Data provided by Stephen Grinnell in 2024.

Figure 2-1 Plot of 2021 Transfer Accounting Taken from the Yuba Water-DWR Accounting Spreadsheet Used for 2021

The comment also does not account for the flow-fluctuation requirements that apply to all Yuba Water operations through the Federal Power Act (FPA) license for the Yuba River Development Project (YRDP) issued by FERC and through Yuba Water's consumptive water-right permits. In 2005, Yuba Water sought and received from FERC an amendment to the YRDP's FPA license to authorize Yuba Water to construct and operate a Full Flow Bypass at the YRDP's Narrows 2 Powerhouse. That bypass's purpose is to minimize sudden reductions in Yuba River flows, and therefore potential effects on salmonids in the lower Yuba River, from "trips" in Narrows 2 operations during which that powerhouse must cease generating electricity for operational safety.[2] In the license amendment authorizing the Full Flow Bypass, FERC included new license terms that adopted more stringent limits on flow fluctuations downstream of Narrows 2 for the protection of fish in the lower Yuba River. In all operations, including releases for Yuba Accord transfers, Yuba Water complies with those flow-fluctuation limits. As amended by RD-1644, Yuba Water's consumptive water-right permits contain similar terms. These FPA license and water-right terms limit project-driven flow fluctuations from September through March of the following year and therefore indicate that the sort of transfer-related fluctuations described by the comment will not occur.

In summary, the timing of Yuba Accord water transfers does not have the potential to adversely impact spring run chinook salmon during spawning and incubation. For transfers in category #1, Yuba Water releases that transfer water

[2] Historically, these "trips" have occurred primarily when transmission lines that carry electricity generated at Narrows 2 suddenly cease operating, such as when birds fly into those lines. In such circumstances, Narrows 2 must stop generating because the electricity it otherwise would generate would have nowhere to go and major problems could occur at that powerhouse.

year-round to meet minimum flow requirements and operational needs and does not make discrete releases for transfers. For transfers under category #2 and #3 (operation to the 650,000 af target and groundwater-substitution transfers), Yuba Water releases that water primarily in July and August, outside of the sensitive September-October period identified by the comment. The only Yuba Accord transfer water that Yuba Water releases in September and October is water necessary to meet minimum streamflow requirements or small portions of flow that are used to provide stable flows for fishery benefit. In addition, the flow-fluctuation requirements that apply to all of Yuba Water's operations of the YRDP protect fish in the lower Yuba River.

Response A2-5

The comment states that the SEIR should incorporate information from the most recent survey(s) of groundwater dependent ecosystems (GDEs) in the groundwater extraction area to determine the locations of concern and their species assemblages. The comment further states that if additional surveys have not yet occurred, the SEIR should include available supplemental information that identifies other known or suspected GDEs in the project area. Additionally, comment states that the SEIR should characterize groundwater monitoring that will actively monitor groundwater depths in the areas of concern and adapt groundwater pumping to avoid negatively affecting these ecosystems during groundwater transfer periods.

The comment regarding potential impacts on GDEs reflects an incomplete understanding of: (1) the hydrogeology of the Yuba Subbasins from which groundwater-substitution pumping under the Yuba Accord occurs; and (2) the primary sources of recharge to the aquifers in those Subbasins that may interact with GDEs. As explained in more detail below, in the Yuba Subbasins, there are essentially two aquifers that are separated by relatively impermeable shallow clays and hardpans. GDEs interact with groundwater in the shallow aquifer above those shallow clays and hardpans and that shallow aquifer largely is recharged by water applied to irrigated fields. In contrast, groundwater-substitution pumping under the Yuba Accord is from the principal aquifer below the shallow clays and hardpans, such that pumping has little to no effect on the shallow aquifer on which GDEs may depend. That groundwater-substitution pumping, therefore, will not result in potentially significant adverse impacts on GDEs in the Yuba Subbasins. Moreover, by supporting continued agricultural irrigation at levels similar, if not identical, to the levels that would occur without groundwater-substitution pumping, that pumping actually will support GDEs by maintaining a similar degree of shallow aquifer recharge from irrigation water.

As explained in Yuba Water's groundwater sustainability plan (GSP) approved by DWR, GDEs in the Yuba Subbasins depend on a shallow aquifer that is primarily recharged through percolation from agricultural irrigation and that is substantially separated from the deeper principal aquifer, where pumping occurs, by shallow clays and hardpans. (GSP Section 2.2.19 [p. 2-70].) The existence of the shallow clays and hardpans that cause the shallow aquifer to exist also are the primary reason for the prevalence of rice farming in the region. The shallow clays and hardpans prevent most water from seeping deeper into the subsurface. This creates a perfect environment for ponding water and growing rice, and also creates a shallow aquifer that supports GDEs through recharge from irrigation water while limiting the impacts of pumping deeper in the subsurface.

The Nature of the Subsurface Limits the Impacts of Pumping in the Principal Aquifer on Groundwater Levels in the Shallow Aquifer

As the GSP explains in more detail, groundwater pumping occurs in the Yuba Subbasins within the principal aquifer, at depths below shallow clays and hardpans. (GSP Section 2.2.1.9 [p. 2-70].) Shallower wells, screened above the shallow clays and hardpans, are not feasible due to Yuba County's sanitary seal requirements and due to difficulty obtaining a viable quantity and reliability of water supply for beneficial uses. (GSP Section 2.2.1.9 [page 2-70]; Yuba County Code of Ordinances Section 7.03.040; DWR, Bulletin 74-81, Part II Section 9.) However, largely through recharge by irrigated agriculture, there is groundwater present above the shallow clays and hardpans (i.e., the shallow aquifer), which is often accessed by GDEs. (GSP Section 2.2.2.7 [pp. 2-142 – 2-143].)

Pumping in the Yuba Subbasins, like any groundwater pumping, lowers groundwater levels in the nearby area. In the Yuba Subbasins, however, pumping that occurs in the principal aquifer lowers groundwater levels in the principal aquifer and does not significantly lower levels in the shallow aquifer because the shallow clays and hardpans significantly limit hydraulic interaction between that principal aquifer and the shallow aquifer that may interact with

GDEs. Absent the shallow clays and hardpans, drawing down groundwater levels in the principal aquifer could result in greater flow from the shallow aquifer to the principal aquifer. However, the very low permeability of the clays and hardpans separating the two aquifers greatly inhibits any such flow, which means that pumping from the principal aquifer does not significantly draw on the shallow aquifer—and does not significantly draw water away from any GDEs—despite the resulting lowered groundwater levels in the principal aquifer.

Instead, over time, the lowered groundwater levels in the principal aquifer can extend laterally—rather than vertically into the shallow aquifer—towards the major rivers, the Yuba and Feather, and also towards the Bear River and Honcut Creek. The beds and banks of these larger rivers and creeks typically have less clay in the subsurface, as shown through soils data, well boring logs, and Airborne Electromagnetic (AEM) data. (GSP Section 2.2.1.10.2 [pp. 2-79 – 2-82]; DWR, 2023, California Airborne Electromagnetic Surveys for the Solano, South American, North American, Yolo, Sutter, South Yuba, and North Yuba Groundwater Subbasins. Appendix 6.)[3] The areas in the Yuba Subbasins along these larger rivers and streams can have coarser soils due to the geologic history of sediment deposition as those major rivers and creeks migrated over geologic time.

With less clay in the subsurface, these larger rivers and streams connect more to both the shallow aquifer and the principal aquifer. The potential effects on major streams are discussed in the Draft SEIR and are further discussed in response to comment A2-6, below.

In addition, Yuba Water's and DWR's certification process for new wells to enter the Yuba Accord groundwater-substitution transfer program helps to ensure that aspect of the Accord does not adversely affect GDEs (Yuba Water 2008). The certification process has special requirements for wells within two miles of the Yuba, Feather, and Bear Rivers, and even more restrictive requirements for wells within one mile (Yuba Water 2008). These requirements require deeper screen intervals and/or evidence of the presence of thicker clays in the upper subsurface. Because these certification requirements address the areas where wells involved in the Yuba Accord groundwater-substitution transfers could have potential impacts on surface rivers and streams due to the relative lack of shallow clays and hardpans in the upper subsurface, these requirements add protections for GDEs to that aspect of the Yuba Accord.

GDEs are Supported by Recharge from Applied Irrigation Water that Occurs Regardless of Groundwater Substitution Transfers

In addition to the nature of the subsurface, the physical mechanisms by which the shallow aquifer in the Yuba Subbasins is recharged are important in understanding GDEs' relationship to groundwater pumping in these Subbasins. The primary land use in these Subbasins is irrigated agriculture (GSP Section 2.1.3), with areas participating in groundwater-substitution transfers otherwise irrigating with large volumes of surface water that originate in Yuba Water's operation of the YRDP. The shallow aquifer is primarily recharged by surface water applied to irrigate agricultural crops, along with precipitation. (GSP Section 2.2.3.4, Tables 2-14 and 2-16.) The groundwater substitution program does not change the volume of water applied and precipitation continues to recharge in the same volume; therefore, recharge to the shallow aquifer would not significantly change under the Proposed Extension.

Conclusion

The groundwater-substitution program does not change the volume of applied irrigation water that recharges the shallow aquifer that interacts with GDEs in the Yuba Subbasins. Because that applied water is the primary source of recharge to the shallow aquifer, the groundwater-substitution transfer program will not affect the recharge that supports GDEs in the Subbasins. In addition, the shallow clays and hardpans that separate the shallow aquifer from the principal aquifer significantly limit any vertical movement of water from the shallow aquifer to the principal aquifer as a result of the groundwater-substitution pumping. With continued substantial recharge to the shallow aquifer resulting from continued irrigation—including irrigation with groundwater pumped from the principal aquifer as part of the groundwater-substitution program—and with minimal loss of water from the shallow aquifer to the principal aquifer, the groundwater substitution transfer program will not have a significant impact on GDEs in the Yuba Subbasins.

[3] The main text associated with the AEM is available at https://data.cnra.ca.gov/dataset/aem/resource/a88d98c3-c304-4309-ab18-271bbb74aa4c. The appendix information is available at https://data.cnra.ca.gov/dataset/aem/resource/348ff9b3-0974-485a-9d9d-13b025cb6825 and https://data.cnra.ca.gov/dataset/aem/resource/fcc8749a-a1d0-41c7-864c-d807d26f5b11.

Response A2-6

The comment states that Yuba Water should monitor instream habitat conditions, with increased frequency during identified periods of ecosystem vulnerability. The comment further states that the SEIR should identify ecologically relevant streamflow thresholds, and pumping operations of near-stream wells should undergo adaptive management before flows approach these thresholds, and that the SEIR should further evaluate the relationship between groundwater levels and tributary streamflow.

The comment does not identify any potentially significant impacts from seasonal variations in streamflow depletion, or streamflow depletion more generally, that could result from the Proposed Extension. To assess whether the Proposed Extension could cause significant environmental impacts through streamflow depletion, Yuba Water has conducted updated groundwater modeling using the Yuba Groundwater Model (YGM) that Yuba Water used to prepare the December 2019 GSP that DWR has approved under the Sustainable Groundwater Management Act (SGMA). Yuba Water compared the model's results against the 2007 EIR's criteria for identifying the Yuba Accord's potentially significant environmental impacts due to streamflow depletions. As discussed in more detail below, the updated YGM results demonstrate that the Proposed Extension would not generate any streamflow depletions that require further analysis to determine whether they would result in any potential significant environmental impacts.

The Draft SEIR employs the same criteria as the 2007 EIR for assessing the significance of streamflow changes that could result from implementation of the Yuba Accord. Specifically, those criteria are: a one percent or greater change in flow to identify a "measurable" difference; and a ten percent or greater change as triggering further analysis of the physical effect on environmental resources. (2007 EIR, Chapter 10, Section 10.2.1.2). The 2007 EIR used these analytical criteria based on numerous published sources cited in the 2007 EIR's relevant discussion. That analysis did not identify streamflow depletion from the planned Yuba Accord groundwater substitution transfers exceeding the 10 percent threshold for further environmental analysis.

In preparation for this SEIR, Yuba Water employed the YGM that it used in preparing the approved GSP following SGMA's enactment in 2014. Yuba Water conducted this analysis for this SEIR to assess whether any new information, or new analytical tools, would indicate an impact resulting from streamflow depletion that the 2007 EIR did not identify.

As discussed below, this updated analysis did not indicate that continuation of Yuba Accord groundwater-substitution transfers, or other Yuba Accord operations, could cause environmental impacts through streamflow depletion that the 2007 EIR did not identify.

Analysis of Stream Depletion Effects on the Aquatic Environment – Results

A simulation of historical groundwater substitution transfer pumping volume and timing for the period of 1990 to 2021 was conducted using the YGM to examine streamflow depletion effects from pumping groundwater as part of a Yuba Accord transfer. The YGM simulation results of streamflow depletion, when calculated as percentage of streamflow for the Feather and Yuba Rivers, show small percentages of streamflow reduction, even in the most affected low flow summer months just after significant pumping has occurred. Specifically, these results indicate that the comment's concern—that streamflow depletion could cause significant impacts in low flow periods that might not be significant in higher flow periods—is not supported by the applicable technical analysis.

As indicated in Tables 2-2 and 2-3, Yuba Water's YGM modeling indicates that the Yuba Accord's streamflow depletion effects are seen more rapidly in the Yuba River than in the Feather River after groundwater-substitution pumping begins. In the Yuba River, the peak stream depletion rate, although small compared to river flow, occurs in the late summer and early fall of a year with a groundwater substitution transfer.

Table 2-2 lists the results for average stream depletion rates as a percentage of streamflow by month for stream segments on the Yuba River and Feather River from the YGM simulation of historical groundwater substitution transfer pumping volume and timing. The table shows that average monthly streamflow depletion rates are a small percentage of streamflow in and around the Yuba Subbasins, with the largest average percentages less than 1 percent. The table also demonstrates that on average, streamflow depletion does not exhibit large variation across seasons or month to month. Over a multi-year period, streamflow depletions from the Yuba Accord's implementation, therefore, would be minimal.

Table 2-3 lists the YGM simulation results for maximum stream depletion rates as a percentage of streamflow by month for stream segments on the Yuba River and Feather River. No stream depletion rate percentage exceeds the threshold of 10 percent for further environmental analysis, with the maximum rate of 7.2 percent occurring on the Yuba River in September. For the rate of 7.2 percent occurring in September, examination of the full simulation period of transfers from 1990 to 2021 showed that, in September of 2002, the percentage of streamflow depletion occurring was 6.5 percent in the Yuba River below Daguerre Point Dam to Marysville and 7.2 percent from Marysville to the mouth of the river. Other than in this single modeled month of September 2002 and the month prior, the greatest percentage flow reduction due to streamflow depletion in the Yuba River was 3.7 percent. Further examination of the occurrence of 7.2 percent reduction in the modeled September 2002 showed that, during this month, flows in the Yuba River were above the Yuba Accord minimum streamflow requirement. In other words, notwithstanding the modeled reduction of flow of 7.2 percent—2.8 percent below the threshold for further environmental analysis—resources dependent on Yuba River flows received the anticipated benefits for which flows stated in the Yuba Accord Fisheries Agreement were developed by Yuba Water, CDFW, and other signatories to that agreement. Moreover, if the 7.2 percent of modeled streamflow depletion in that month were to have caused streamflows to drop below the Yuba Accord minimum streamflow requirements, Yuba Water would still have released more water to comply with that minimum requirement to maintain compliance.

Thus, Yuba Water's application of the YGM model that it developed pursuant to SGMA after its certification of the 2007 EIR demonstrates that any streamflow depletion would not cause a significant impact on an environmental resource.

Table 2-2 YGM simulation results of Average Stream Depletion Rates as a Percentage of Streamflow by Month for Yuba River and Feather River Stream Segments

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Yuba River SMV to Daguerre	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Yuba River Below Daguerre to MRY	0.1%	0.1%	0.4%	0.4%	0.4%	0.4%	0.2%	0.1%	0.1%	0.2%	0.4%	0.4%
Yuba River Below Marysville Gage	0.6%	0.6%	0.8%	0.6%	0.6%	0.6%	0.4%	0.2%	0.3%	0.5%	0.7%	0.9%
Feather River Below Yuba	0.6%	0.6%	0.5%	0.5%	0.4%	0.4%	0.4%	0.3%	0.3%	0.3%	0.4%	0.5%
Feather River Above Yuba	0.2%	0.2%	0.3%	0.3%	0.3%	0.3%	0.3%	0.2%	0.1%	0.1%	0.1%	0.1%
Feather River Downstream of Bear	0.7%	0.8%	0.6%	0.6%	0.5%	0.5%	0.5%	0.4%	0.4%	0.4%	0.5%	0.6%

Source: Data provided by Woodward and Curran and Stephen Grinnell in 2024.

Table 2-3 YGM simulation results of Maximum Stream Depletion Rates as a Percentage of Streamflow by Month for Yuba River and Feather River Stream Segments

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Yuba River SMV to Daguerre	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%
Yuba River Below Daguerre to MRY	0.4%	1.9%	1.3%	1.2%	2.1%	2.8%	1.3%	0.3%	0.7%	1.9%	3.3%	6.5%
Yuba River Below Marysville Gage	1.3%	2.5%	2.2%	2.0%	2.5%	2.9%	1.5%	1.1%	1.7%	2.2%	3.7%	7.2%
Feather River Below Yuba	1.8%	1.9%	1.3%	2.1%	1.7%	2.1%	1.6%	1.2%	0.9%	0.8%	1.2%	1.6%
Feather River Above Yuba	0.5%	0.7%	0.9%	1.1%	1.1%	1.2%	1.5%	1.4%	0.9%	0.4%	0.3%	0.4%
Feather River Downstream of Bear	2.0%	2.3%	1.6%	2.6%	2.1%	2.6%	2.0%	1.6%	1.1%	1.1%	1.6%	2.0%

Source: Data provided by Woodward and Curran and Stephen Grinnell in 2024.

Finally, the Proposed Extension and associated groundwater-substitution pumping would not cause streamflow depletion-based impacts in Honcut Creek or the Bear River. For Honcut Creek, the relevant reaches of this creek within the area where groundwater-substitution pumping would occur are used for irrigation water conveyance by Yuba Water member units during the irrigation season. Without these artificial streamflows, Honcut Creek would be dry during the irrigation season when groundwater-substitution pumping occurs. Irrigation water will continue to support Honcut Creek flows during the relevant time periods. The Bear River is used for water delivery from Camp Far West Reservoir to South Sutter Water District and Camp Far West Irrigation District. Minimum flow releases are made from the reservoir on a fixed pattern; however, flows in the Bear River fluctuate significantly in the irrigation season

due to irrigation drainage return flows. DWR conducted studies during groundwater substitution transfers which showed no detectable streamflow reduction. Also, a significant factor that reduces any stream depletion effects on the Bear River is the Wheatland Water District In-Lieu Recharge Project (WWD Project), which has been operating since 2010. Because of these factors, the evaluation criteria used to assess whether the Yuba Accord would cause streamflow depletions that require further analysis are not applied to Honcut Creek or the Bear River, but both streams are included in the depletion assessment of downstream water supply impacts because that assessment concerns the amount of transferable water that the Yuba Accord produces, not the Accord's environmental impacts.

Response A2-7

The comment states that no reduction in the SDF should occur as a result of the WWD Project operations unless a more robust analysis of the spatial and temporal benefits of recharge is conducted. The comment states that such an analysis should include an evaluation of projected recharge operations under a range of future climate change conditions influencing recharge water availability, and an evaluation of the zone of beneficial influence of recharge relative to the depletion of groundwater levels and streamflow in the greater zone of pumping. The comment further states that the analysis should also consider whether it is necessary for recharge to occur in close temporal proximity to the groundwater substitution pumping to mitigate the acute streamflow depletion.

The WWD Project was funded by the State of California. DWR administered the grant funds through a competitive selection process, which identified the WWD Project as producing several benefits through in-lieu groundwater recharge. Those benefits include improving groundwater levels and storage to, among other things, reduce streamflow depletion. As the Draft SEIR Appendix B describes through a detailed analysis, the WWD Project produces quantifiable benefits that, among other things, offset Yuba Accord-related streamflow depletion in individual tributaries. The simulations of the effects of the WWD Project include two separate analyses providing quantified beneficial effects of the project on streamflow. Figure 22 of Appendix B shows the monthly reductions (as negative values) in streamflow depletion, i.e. increases in streamflow, due to the WWD Project.

In addition, Draft SEIR Appendix B's plot in Figure 21 shows the results of a long-term simulation of the WWD Project's reduction in streamflow depletion on each affected tributary, by month, for the 70-year simulation period. The same YGM that Yuba Water used in preparing the approved GSP following SGMA's enactment in 2014 was used for this work. This information is used to establish the direct and quantifiable benefits of the WWD Project to streamflow, including by reducing streamflow depletion from groundwater pumping. Yuba Water is an active participant in the multi stakeholder advisory group referred to in the CDFW comment (the Sacramento Valley Streamflow Depletion Factor Management Group [SVSDFMG]) and that group has identified recharge projects as one of the important ways streamflow depletion can be mitigated.

Response A2-8

The comment states that any SDF adopted for the Proposed Extension should be subject to regular review and revision, given anticipated updates to the existing framework for developing SDFs for groundwater substitution transfers, the long-term nature of the Proposed Extension, and uncertainty surrounding future climatic and hydrologic conditions.

As stated above, Yuba Water is an active participant in the SVSDFMG and is providing input to this process, along with frequent technical discussions with DWR formulating an approach to developing an appropriate, scientifically supported SDF associated with groundwater pumping. As stated in Section 3.2, "Surface Water Supply and Management," in the Draft SEIR, DWR will be the final decision maker on applying an SDF to Yuba Accord groundwater substitution transfers for purposes of determining how much transferable water groundwater substitution pumping actually generates. As discussed above, this issue is one associated with the water-right aspects of such transfers, rather than their potential environmental impacts. For this purpose, should DWR determine periodic review and revision is warranted, then Yuba Water would cooperate with DWR and Reclamation in a process to examine streamflow depletion effects and potential revision to the SDF.

Response A2-9

The comment states that the SEIR should evaluate cumulative impacts to address the changed environmental baseline conditions related to trends in fisheries populations, instream flows, Delta outflows, and water quality. The comment further states that the SEIR should include specific metrics and modeling, to the extent available, to evaluate cumulative impacts to surface waters and aquatic resources.

As discussed in Section 4.3, "Analysis of Cumulative Impacts," of the Draft SEIR, the Proposed Extension would not result in significant impacts compared to the existing conditions (discussed in Section 3.2) and "the incremental contribution of the Proposed Extension would not result in cumulatively considerable impacts to surface water supply and management in the CVP/SWP Upstream of the Delta Region, the Delta Region, or the CVP/SWP Export Service Area, relative to the existing condition."

Because the baseline for analyzing impacts under CEQA is the existing conditions at the time of the Notice of Preparation (NOP) (January 2023), the environmental conditions at that time, which are described in the environmental setting for each resource area, are the basis of comparison and include all of the regulatory changes and environmental changes to baseline conditions that have occurred since the 2007 EIR was prepared. Because the Proposed Extension proposes to continue the ongoing, existing elements of the Yuba Accord Transfer program, there are no significant differences in effects between the existing conditions and the Proposed Extension. While the cumulative projects listed in Section 4.2.2, "Related Projects," of the Draft SEIR, have potentially significant beneficial and adverse impacts, those impacts would not be significantly different/greater with implementation of the Proposed Extension when compared with existing conditions. Because of this, there is no additional analysis required under CEQA to assess cumulative impacts of the Proposed Extension.

Additionally, a project feature of the Yuba Accord Transfer program, described in the 2007 EIR and continuing with the Proposed Extension, is that the transfer is not a fixed operation of the CVP or SWP to capture the transfer flows and export the water, but instead, the CVP and SWP make reasonable best efforts to utilize and export the water released from the Yuba River as transfer water, while complying with all applicable requirements which were anticipated to change over time. The Yuba Accord Transfer program continues to be affected by these regulatory and other changes and transfers under the program are affected by these changes, generally shrinking in volume as the CVP and SWP are more limited in exporting transfer flows.

Lastly, for the Yuba Region, Table 4-1 in the Draft SEIR lists five regulatory actions, all of which are FERC relicensing of existing hydropower projects and include proposed conditions to benefit environmental resources, two actions that are related to flood management, and five actions that are habitat improvement projects. In the Yuba Region, the majority of projects are expected to improve fishery and aquatic conditions. For the Delta Region and CVP and SWP areas, the list of projects may include projects that have impacts, but as described above and in Section 4.3 of the Draft SEIR, the Proposed Extension would not cumulatively contribute to potential significant adverse environmental impacts.

Response A2-10

The comment requests that Yuba Water report any special-status species and natural communities detected during project surveys to the California Natural Diversity Database (CNDDB). No biological resources surveys were conducted in support of the Proposed Extension or SEIR; therefore, no CNDDB field survey forms were submitted.

Response A2-11

The comment states that the CDFW filing fee is due upon filing of the Notice of Determination (NOD). As required, Yuba Water will pay the fee or provide proof of payment when the NOD for the Proposed Extension is filed.

Response A2-12

The comment requests that CDFW be notified of proposed actions and pending decisions regarding the Proposed Extension. Yuba Water will continue to notify CDFW accordingly, including notification of the Final SEIR as required by CEQA.

Letter A3 Delta Stewardship Council
Jeff Henderson, Deputy Executive Officer
May 20, 2024

Letter A3

Delta Stewardship Council
A CALIFORNIA STATE AGENCY

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May 20, 2024

JoAnna Lessard, Project Manager
Yuba County Water Agency
1220 F Street
Marysville, CA 95901-4740

Delivered via email: jlessard@yubawater.org

RE: Comments on the Draft Supplemental Environmental Impact Report for the Extension of the Lower Yuba River Accord Water Transfer Program, SCH# 2005062111

Dear JoAnna Lessard:

The Delta Stewardship Council (Council) thanks you for the opportunity to review and comment on the Draft Supplemental Environmental Impact Report (DSEIR) for the extension of the Lower Yuba River Accord Water Transfer Program (Yuba Accord Extension).

The Council is an independent state agency established by the Sacramento-San Joaquin Delta Reform Act of 2009, codified in Division 35 of the California Water Code, sections 85000-85350 (Delta Reform Act). The Delta Reform Act charges the Council with furthering California's coequal goals of providing a more reliable water supply and protecting, restoring, and enhancing the Sacramento-San Joaquin River Delta (Delta) ecosystem. (Water Code, § 85054.) The Delta Reform Act further states that the coequal goals are to be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place. The Council is charged with furthering California's coequal goals for the Delta through the adoption and implementation of the Delta

A3-1

1

Plan, a comprehensive long-term management plan for the Delta and Suisun Marsh that furthers the coequal goals. (Wat. Code, § 85300.)

The Delta Plan contains regulatory policies, which are set forth in California Code of Regulations, Title 23, sections 5001-5015. Through the Delta Reform Act, the Council was granted specific regulatory and appellate authority over certain actions of State or local public agencies that take place in whole or in part in the Delta. (Wat. Code, §§ 85210, 85225.30.) A state or local agency that proposes to undertake a covered action is required to prepare a written Certification of Consistency with detailed findings as to whether the covered action is consistent with the Delta Plan and submit that certification to the Council prior to implementation of the project. (Wat. Code, § 85225.)

A3-1 cont.

Review of the Extension of the Lower Yuba River Accord Water Transfer Program

In our initial review of the Notice of Preparation, the Yuba Accord Extension appeared to meet the definition of a covered action. Council staff previously submitted comments on the NOP outlining our rationale on September 12, 2023, and subsequently met with representatives of Yuba County Water Agency (Yuba Water) to discuss the contents of our comment letter. During our discussions, Yuba Water representatives explained why Yuba Water did not find that the Yuba Accord Extension qualified as a covered action. Yuba Water's reasoning was stated in Chapter 3.2.1 of the DSEIR.

After reviewing the DSEIR, the Yuba Accord Extension does not in fact appear to meet the definition of a covered action based on its status as a continuation of an existing program.

A3-2

Water Code 85022(c)(4) states:

> *"Existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially persons living and working in the Delta."*

The Yuba Accord Extension represents an unchanged continuation of an existing developed use. Future developments under the Lower River Accord Water Transfer Program, however, may be covered actions if there is a change to the existing use, such as additional pumping at export facilities.

Many multi-year water transfers through the Delta that are not part of an existing program would qualify as a covered action. Temporary transfers of one year or less

are determined not to significantly impact the co-equal goals of the Delta Plan [Cal. Code Regs., tit. 23, § 5001(jj)[1]]. Single-year transfers can be used as a tool to help address acute water supply shortages in the current year as a supplemental/emergency supply, whereas multi-year transfers are a means to acquire additional water over multiple years to offset ongoing shortages. Prolonged increased pumping in the Delta may have a significant impact on the co-equal goals of the Delta Plan.

A3-2 cont.

Closing Remarks

If there are any potential changes to the program in the future, we invite you to contact us to participate in the Council's early consultation for covered actions. If you have any questions regarding the contents of this letter, please contact James Edwards at James.Edwards@deltacouncil.ca.gov.

A3-3

Sincerely,

Jeff Henderson
Deputy Executive Officer

[1] (jj) "Significant impact" for the purpose of determining whether a project meets the definition of a "covered action" under section 5001(k)(1)(D) means a substantial positive or negative impact on the achievement of one or both of the coequal goals or the implementation of a government-sponsored flood control program to reduce risks to people, property, and State interests in the Delta, that is directly or indirectly caused by a project on its own or when the project's incremental effect is considered together with the impacts of other closely related past, present, or reasonably foreseeable future projects. The following categories of projects will not have a significant impact for this purpose:

(1) "Ministerial" projects exempted from CEQA, pursuant to Public Resources Code section 21080(b)(1);
(2) "Emergency" projects exempted from CEQA, pursuant to Public Resources Code section 21080(b)(2) through (4);
(3) Temporary water transfers of up to one year in duration.

Response A3-1

The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Response A3-2

The comment states that the Proposed Extension does not appear to meet the definition of a covered action based on its status as a continuation of an existing program. This is consistent with Yuba Water's determination, as described on pages 3.2-11 and 3.2-12 of the Draft SEIR.

The comment further states that future developments under the Lower River Accord Water Transfer Program, however, may be covered actions if there is a change to the existing use, such as additional pumping at export facilities. As described in the SEIR, the Proposed Extension does not propose changes to existing uses. If changes are proposed in the future to existing uses, such changes would be subject to CEQA environmental review at that time.

Response A3-3

The comment invites Yuba Water to contact the Delta Stewardship Council to participate in early consultation for covered actions if there are any potential changes to the Yuba Accord Long-Term Water Transfer Program in the future. The comment does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here.

Letter A4 State Water Resources Control Board
Erik Ekdahl, Deputy Director, Division of Water Rights
May 20, 2024

Letter A4

State Water Resources Control Board

May 20, 2024

VIA ELECTRONIC MAIL

Ms. JoAnna Lessard, Watershed Manager
Yuba Water Agency
1220 F Street
Marysville, CA 95901-4740
Email: jlessard@yubawater.org

Dear Ms. Lessard:

COMMENTS ON DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR EXTENSION OF THE YUBA ACCORD LONG-TERM WATER TRANSFER PROGRAM

State Water Resources Control Board (State Water Board) staff appreciates the opportunity to provide comments on Yuba County Water Agency's (Yuba Water) *Draft Supplemental Environmental Impact Report (DSEIR) for Extension of the Yuba Accord Long-Term Water Transfer Program* (Yuba Accord Water Transfer Program). The Yuba Accord Water Transfer Program consists of: (1) a Water Purchase Agreement between Yuba Water and the California Department of Water Resources; (2) Conjunctive Use Agreements between Yuba Water and its Member Units; and (3) a Water Transfer Agreement between Yuba Water, Contra Costa Water District, and East Bay Municipal Utility District. The Yuba Accord Water Transfer Program was authorized by the State Water Board in May 2008 pursuant to Corrected Order WR 2008-0014, which authorizes Yuba Water to transfer up to 200,000 acre-feet of water annually to parties within the service areas of the State Water Project and the Central Valley Project through December 31, 2025. Yuba Water has filed a petition for long-term transfer under water right Permit 15026 (Application 5632) with the State Water Board pursuant to Water Code section 1735 et seq. in order to extend the Yuba Accord Water Transfer Program through December 31, 2050. A4-1

Pursuant to the California Environmental Quality Act (CEQA), Yuba Water is serving as lead agency and preparing the DSEIR in support of the proposed extension of the Yuba Accord Water Transfer Program. The DSEIR is intended to supplement the 2007 Lower Yuba River Accord EIR which analyzed the environmental impacts of the Lower Yuba River Accord, which was implemented by Yuba Water in 2008.

In December 2023, Yuba Water provided State Water Board staff with an administrative draft version of the Supplemental Environmental Impact Report (ADSEIR) for preliminary review and comment. State Water Board staff provided comments on the ADSEIR and met with Yuba Water staff in early 2024 to discuss the ADSEIR. State Water Board staff appreciates ongoing coordination with Yuba Water, and the opportunity to review and comment on the ADSEIR. Division staff offer the following comments on the DSEIR for Yuba Water's consideration.

A4-1 cont.

Model Results

Appendix C3, *Modeling Data*, of the DSEIR presents Yuba River Development Project Modeling (YRDPM) results that are intended to support the environmental analysis contained in the DSEIR. The model results currently presented in Appendix C3 include three summary tables and twelve exceedance plots. These model results should be expanded to include modeling data to support the conclusions in the DSEIR, including characterizing the Yuba River watershed's hydrology (including New Bullards Bar Reservoir storage levels and downstream flows), water quality (including water temperatures), and the operations of the Yuba Accord Water Transfer Program (including water transfer volumes) under existing conditions and the project alternatives. In addition, the DSEIR should present a representative summary (monthly water year type) of hydrologic and water quality modeling results in Chapter 3, *Environmental Impacts and Mitigation Measures*, and Chapter 4, *Cumulative Impacts*.

A4-2

Bay-Delta Water Quality Control Plan, and Proposed Voluntary Agreements

Section 4.3.1, *Surface Water Supply and Management*, of the DSEIR discusses the proposed Yuba River Voluntary Agreement (VA) and states that "Yuba Water VA flow operations were formulated to [...] not significantly affect the occurrence of Yuba Accord instream flows." Section 4.3.1 discusses that the proposed Yuba River VA includes two components of water (Component A and Component B) to be dedicated to Delta outflow, and that Component B in the Yuba Water VA proposal is an additional release of stored water from New Bullards Bar Reservoir that could reduce end of water year storage by as much as 50,000 acre-feet. Section 4.3.1 states that "Yuba Water VA proposed flow contributions have been analyzed through model simulation to ensure this added release would not significantly impact the occurrence of Yuba Accord fishery flow schedules which are the required instream flows included in Yuba Water's consumptive water rights" but does not include the referenced model results. Section 4.3.1 also states that, "The Yuba Accord instream flow schedules could be impacted by changes in end of water year storage as this is a component of the North Yuba Index, which is the index for determining the following year flow schedules".

A4-3

Given that the DSEIR notes the proposed Yuba River VA could affect the Yuba Accord instream flow schedules, it should be made clear how Yuba Water concluded that the Yuba Water VA would not significantly impact the occurrence of Yuba Accord fishery flow schedules nor result in a cumulatively significant impact. Additional information supporting these conclusions should be included in the SEIR.

Change Petition for Long-Term Transfer

Before approving a petition to change the point of diversion, place of use, or purpose of use of a water right permit, the State Water Board must make the statutory and regulatory findings that the change would: (1) not operate to the injury of any legal user of the water involved; and (2) not in effect initiate a new right (Wat. Code, § 1702; Cal. Code Regs, tit. 23, § 791, subd. (a)). To approve a long-term transfer petition by a public agency under Water Code section 386, the State Water Board must find that the change would: (1) not result in substantial injury to any legal user of water; (2) not unreasonably affect fish, wildlife, or other instream beneficial uses; and (3) not unreasonably affect the overall economy of the area from which the water is to be transferred (Wat. Code, §§ 386, 1736; see also Stats. 1959, ch. 788 [Yuba County Water Agency Act], p. 2786, § 5.2, as amended, West's Wat. Code, Appen. § 84-5.2, subd. (c)).

The State Water Board must rely on information included in both Yuba Water's SEIR and documents associated with the petition for long-term transfer to evaluate potential conditions with and without the transfer and substantiate the necessary findings described above. Please note that as the State Water Board processes Yuba Water's petition, it may require information from Yuba Water in addition to the information currently included in the DSEIR to analyze the changes resulting from the proposed long-term transfer.

A4-4

Conclusion

Thank you again for the opportunity to provide comments on the DSEIR. If you have questions regarding this matter, please contact Kate Gaffney at kathryn.gaffney@waterboards.ca.gov.

A4-5

Sincerely

ORIGINAL SIGNED BY:

Erik Ekdahl
Deputy Director
Division of Water Rights

Response A4-1

The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Response A4-2

The comment states that Appendix C3, "Modeling Data," of the Draft SEIR should be expanded to include modeling data to support the conclusions in the Draft SEIR, including characterizing the Yuba River watershed's hydrology (including New Bullards Bar Reservoir storage levels and downstream flows), water quality (including water temperatures), and the operations of the Yuba Accord Water Transfer Program (including water transfer volumes) under existing conditions and the project alternatives. In addition, the comment states that the Draft SEIR should present a representative summary (monthly water year type) of hydrologic and water quality modeling results. The requested modeling data has been added to Appendix C3. See Appendix C3 of this Final SEIR.

Response A4-3

This comment summarizes the discussion of the Yuba River Voluntary Agreement (VA) (which is now known as Yuba Water's Healthy Rivers and Landscapes [HR&L] Program) in Section 4.3.1 of the Draft SEIR, and states that because the Draft SEIR notes Yuba Water's HR&L Program could affect the Yuba Accord instream flow schedules, additional information supporting the conclusions that Yuba Water's HR&L Program would not significantly impact the occurrence of Yuba Accord fishery flow schedules or result in a cumulatively significant impact should be included.

Background

As described in Chapter 4, "Cumulative Impacts," of this SEIR, Yuba Water's HR&L Program would improve conditions for fish through targeted river flows and a suite of habitat-enhancing projects. Yuba Water's HR&L Program includes three primary design objectives for setting proposed HR&L flow contributions:

1. Sustain water supply reliability to Yuba Water Member Units;
2. Maintain the occurrence of higher flow schedules of the Accord; and
3. Preserve the cold-water pool in New Bullards Bar Reservoir, providing cold water for the lower Yuba River, all while providing a substantial contribution to Delta inflow during the spring.

Meeting these three objectives ensures preservation of the beneficial water temperature regime of the lower Yuba River under the Accord. Irrigation water for Yuba Water Member Units is diverted at Daguerre Point Dam (about halfway down the lower Yuba River), with the most valuable habitat for lower Yuba River salmonids located upstream from Daguerre Point Dam. Along with flows based on the Accord flow schedules, irrigation water supply deliveries at the Daguerre Point Dam point of diversion during the months of April through November achieve the following:

- Provide flows to optimize flow-habitat relationships in the reach with the most valuable habitat; and
- Limit water temperature warming, providing cold water from New Bullards Bar Reservoir to the lower Yuba River.

After extensive study and analysis in the development of the HR&L Program flow contributions, Yuba Water determined that operating to an end-of-September storage of 600,000 AF (50,000 AF below the Yuba Accord target of 650,000 AF) under the HR&L Program's proposed flow contributions would contribute to higher Delta inflows without substantially affecting the benefits provided by the Accord. The results of Yuba Water's related hydrologic modeling are in Appendix C4. That technical analysis shows that, with the HR&L Program's flow contributions, Yuba Water's water supplies are protected, Accord flow schedules are not significantly modified, and the New Bullards Bar Reservoir cold water pool is not substantially reduced during the driest years when water temperature management is most critical.

Healthy Rivers and Landscapes Flow Contribution Modeling

The Draft SEIR concludes that Yuba Water's HR&L Program "would not affect the Proposed Extension in any way that would cause the Proposed Extension to result in a cumulatively considerable impact." (SEIR Section 4.3.1). This conclusion is based on Yuba Water's development of its proposed HR&L flow contributions, including extensive

modeling studies. Yuba Water's related modeling results in Appendix C4 to this Final SEIR reinforce and provide additional evidence in support of the Draft SEIR's conclusion. That modeling simulation uses the Proposed Extension hydrologic model with the changes to YRDP operations needed to simulate implementation of the HR&L flow contribution. The change to YRDP operations was implemented by changing the monthly target storage operations for New Bullards Bar Reservoir operations in certain months and making additional storage releases in April, May, and June to achieve the target storage of 600,000 AF at the end of September. Although this is a simplified approach to representing the HR&L flow operations, it provides a useful approximation of the changes in flow conditions expected with the HR&L operations for purposes of the SEIR's cumulative analysis.

Results

Appendix C4 is provided as part of this Final SEIR to show how conditions would change under the HR&L flow contribution operations and the Proposed Extension, compared to the Proposed Extension alone. The cumulative effect of the HR&L flow contributions on Yuba Water's operations to meet Yuba minimum-flow schedules, New Bullards Bar Reservoir storage, and lower Yuba River flows is shown in detail in Appendix C4 and is briefly discussed below.

Yuba Accord Schedule Occurrence

Appendix C4 confirms the Draft SEIR's conclusion that Yuba Water's HR&L Program "*would not significantly impact the occurrence of Yuba Accord fishery flow schedules*." Over the 52-year simulation period, implementing the HR&L Program and the Proposed Extension together would result in changes to three water years—one year shifts from a Schedule 1 to a Schedule 2, one year shifts from a Schedule 2 to a Schedule 3, and one year shifts from a Schedule 3 to a Schedule 4. (Compare Appendix C4, page 1, with Revised Appendix C3, page 1; see also Appendix C4, Figure C4.1.) An increase in the year type schedule number (as would occur in only three years during the 52-year simulation period) reflects a lower flow.

It is important to understand these shifts in Accord flow schedules in the context of all Accord flow schedules and how they were developed as part of the Yuba Accord generally. Appendix C to the 2007 Yuba Accord EIR describes this process in detail. The results of this process continue to apply under the Proposed Extension, which does not involve modifications to the Accord flow schedules. As discussed in the 2007 Appendix C, the technical team that developed the Accord flow schedules sought to "maximize the probability of occurrence of the higher flow schedules (1 and 2) while minimizing the probability of occurrence of the very low flow schedules (6 and Conference Year)." None of the shifts in Accord flow schedules that would result from the HR&L Program's proposed flow contributions would shift a year into Schedule 6. Instead, those shifts are one-schedule shifts that are all within Schedule years 1 through 4.

The technical team used the percent occurrence of the flow schedules as a metric to assess achieving the objective of maximizing the higher flow schedules. The predicted occurrence of flow schedules was included in the Yuba Accord Fisheries Agreement and was included in Corrected Order WR 2008-0014. Table 2-4 lists the expected percent occurrence of flow schedules from Corrected Order WR 2008-0014, the flow schedules under the modeled Proposed Extension, and the flow schedules under the Proposed Extension with HR&L Program flow contributions. Table 1 shows the combined percent occurrence of Schedules 1 and 2 years occur at about the same frequency for the Proposed Extension and Proposed Extension with HR&L flows (81 percent and 79 percent, respectively, a two percent difference), and both exceed the expected Schedule 1 and 2 occurrences identified in Corrected Order WR 2008-0014 (78 percent). Also, both the Proposed Extension and Proposed Extension with HR&L flows have the same combined percent occurrence of the lower flow schedule years 5, 6 and 7 (conference) as Corrected Order WR 2008-0014 (10 percent).

Table 2-4 Percent Occurrence of Yuba Accord Flow Schedules

Yuba Accord	WRO2008-0014	Proposed Extension		Proposed Extension with HR&L	
Flow Schedule	% Occurrence	Years	% Occurrence	Years	% Occurrence
1	56%	32	62%	31	60%
2	22%	10	19%	10	19%
3	7%	4	8%	4	8%
4	5%	1	2%	2	4%
5	5%	3	6%	3	6%
6	4%	1	2%	1	2%
7(conference)	1%	1	2%	1	2%

Note: The modeling used to determine the percent occurrence of flow schedule included a period of simulation of 84 years and therefore the occurrence of one conference year yields a percent occurrence of one percent, while the Proposed Extension model uses a period of simulation of 52 years and the occurrence of one conference year in 52 results in a percent occurrence of 2 percent.

Source: Appendices C3 and C4 of this Final SEIR.

The flow exceedance comparison plots in Appendix C4 show that these shifts do not significantly alter the occurrence of flows in the lower Yuba River. The exceedance figures for April, May, and June show the increased flows of the HR&L flow contribution. Accordingly, the analysis in new Appendix C4 confirms the Draft SEIR's conclusion that, while the HR&L Program's proposed flow contributions could affect flow schedules in some water years, Yuba Water's HR&L Program would not significantly affect Yuba Accord instream flows.

Moreover, the limited effect on flow schedules observed in the analysis for the combined Proposed Extension and HR&L flow contribution scenario is not attributable to the Proposed Extension. The Accord water transfers are part of the baseline and would not significantly change as a result of the Proposed Extension. By contrast, Yuba Water's HR&L Program reflects Yuba Water's effort to increase water available for Delta outflow to provide additional protection for in-Delta fish species, as well as migrating salmonids, as developed in conjunction with the California Department of Fish and Wildlife. Implementing the goal of increasing Delta outflow during the spring of many years necessarily limits the quantity of water available for other purposes. The analysis in Appendix C4 is provided in this Final SEIR at the SWRCB's request, to support the SEIR's conclusion that Yuba Water's HR&L Program would not significantly impact the Proposed Extension.[4] For purposes of CEQA, however, the relevant question is whether the Proposed Extension, combined with other related projects, will result in a cumulatively significant impact, and if so, whether the incremental contribution of the Proposed Extension would be cumulatively considerable. Here, the driving factor behind the cumulative impact is the HR&L Program's reallocation of water from storage in New Bullards Bar to Delta outflow. Accordingly, not only is the combined impact not cumulatively significant, the Proposed Extension would not result in any changes in Yuba River stream flows compared to existing conditions.

New Bullards Bar Reservoir Storage

A table of New Bullards Bar Reservoir average end-of-month storage by water year type is provided in Appendix C4, along with a table of average end-of-month storage differences under the Proposed Extension with and without the HR&L Program's flow contributions. HR&L flow contributions are made in Above Normal, Below Normal and Dry year types; these year types show the direct effect of reduced storage levels. Wet and Critical years, while not HR&L contribution years, show small storage reductions as a result of storage reductions in prior HR&L operation years. End-of-September storage in Below Normal and Dry years storage is lower by almost the full 50,000 AF. End-of-September storage in Above Normal years shows less of a reduction, at just over 37,000 AF. These variations from the 50,000 AF target in Above Normal years are typically due to limited release capacity at New Bullards Bar Reservoir in the springtime. Additionally, if under the Proposed Extension, end-of-September storage is less than 650,000 AF but

[4] Importantly, in response to the comment this focused analysis specifically assessed how the HR&L flow contributions would affect the Proposed Extension. It did not consider the full cumulative condition, which includes not only the additional components of the HR&L Program that would provide environmental benefits (e.g., habitat enhancements) but also cumulative projects that are intended to provide environmental benefits (see Chapter 4, "Cumulative Impacts," of the SEIR).

greater than 600,000 AF, the reduction in storage with HR&L flow operations to 600,000 AF would be less than 50,000 AF. Similarly, if the end-of-September storage under the Proposed Extension is less than 600,000 AF, there would not be any HR&L flow contribution.

As explained above, this analysis addresses the effect of Yuba Water's HR&L Program to allocate more water to Delta outflow without significantly disrupting its existing operations (which include the Accord transfers). As also explained above, this analysis does not indicate that the Proposed Extension would have a cumulatively considerable incremental contribution to a potential cumulative impact on reservoir storage and uses of stored water.

Lower Yuba Flows

Appendix C4 also includes tables of average monthly flows by water year type, along with tables of monthly difference in flows under the Proposed Extension with and without HR&L flow operations. Flow results are provided at Marysville Gage at river mile 6.2.

Flow exceedance plots by month provide a comparison of the Proposed Extension with and without the HR&L flow contributions. The differences in the modeled Yuba River stream flows in those scenarios are relatively few and relatively small. There are relatively small differences in the exceedance probabilities of the two simulations, except for April, May and June, when the HR&L flow contributions are made from New Bullards Bar Reservoir storage. In these three months, the Proposed Extension plus HR&L flow contributions scenario had substantial increases in flows in the 25 percent to 75 percent exceedance range compared to the Proposed Extension alone. In other words, in the Above Normal, Below Normal and Dry water year types—more or less the 25 percent to 75 percent of the exceedance of hydrology—when the HR&L Program is intended to increase Yuba River flows in order to increase Delta outflows for environmental benefit, that proposal does in fact accomplish that objective in conjunction with the Proposed Extension's implementation. The purpose of Yuba Water's HR&L Program is to improve environmental conditions, and the modeling shows that it accomplishes that objective and not that it causes the Proposed Extension to result in a significant cumulative environmental impact.

Response A4-4

The comment summarizes the statutory and regulatory findings that the State Water Board must make before approving a petition to change the point of diversion, place of use, or purpose of use of a water right permit, and states that as the State Water Board processes Yuba Water's petition, it may require additional information from Yuba Water not currently included in the Draft SEIR or other required documents associated with the petition for long-term transfer to analyze the changes resulting from the proposed long-term transfer. Yuba Water will continue to respond to requests for information from the State Water Board, as appropriate, in compliance with the change petition process. This comment does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, no further response is provided here. Responses to specific comments concerning environmental issues are provided above.

Response A4-5

The comment does not address the content, analysis, or conclusions in the Draft REIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided above.

Letter A5 State Water Contractors
Jennifer Pierre, General Manager
May 20, 2024

Letter A5

May 20, 2024

Sent by email: jlessard@yubawater.org

Ms. JoAnna Lessard, Project Manager
Yuba County Water Agency
1220 F Street
Marysville, California 95901-4740

Re: Draft Supplemental Environmental Impact Report for Extension of the Lower Yuba River Accord Water Transfer Program

Dear Ms. JoAnna Lessard:

The State Water Contractors (SWC) appreciate this opportunity to comment on the Draft Supplemental Environmental Impact Report for the extension of the Lower Yuba River Accord (LYRA) Water Transfer Program (SEIR). The SEIR states that the purpose and objectives of this proposed extension are to continue providing supplemental water to SWP and CVP contractors, to facilitate conjunctive use in the Yuba River watershed, and to generate revenue for the Yuba Water Agency. Therefore, Yuba Water Agency is proposing to extend the agreements comprising the LYRA Water Transfer Program through 2050.

The SWC is an organization representing 27 of the 29 public water entities[1] that hold contracts with the California Department of Water Resources (DWR) for the delivery of State Water Project (SWP) water. Collectively, the SWC members provide a portion of the water supply delivered to approximately 27 million Californians, roughly two-thirds of the State's population, and to over 750,000 acres of irrigated agriculture in the Bay Area, San Joaquin Valley, Central Coast, and Southern California.

The SWC supports the proposed extension of the LYRA Water Transfer Program. The Water Transfer Program is a key element of the LYRA that provides important benefits for fish and wildlife and contributes to water supply reliability statewide. Since its inception in 2008, the Water Transfer Program has allowed our members to secure supplemental water supply across different water year types, especially during droughts. The proposed extension of the Water Transfer Program is essential to continue this successful multi-benefit Program.

A5-1

[1] Alameda County Flood Control District Zone 7, Alameda County Water District, Antelope Valley – East Kern Water Agency, Casitas Municipal Water District, Central Coast Water Authority, City of Yuba City, Coachella Valley Water District, Crestline – Lake Arrowhead Water Agency, Desert Water Agency, Dudley Ridge Water District, Empire West Side Irrigation District, Kern County Water Agency, Kings County, Littlerock Creek Irrigation District, Metropolitan Water District of Southern California, Mojave Water Agency, Napa County Flood Control and Water Conservation District, Oak Flat Water District, Palmdale Water District, San Bernardino Valley Municipal Water District, San Gabriel Valley Municipal Water District, San Gorgonio Pass Water Agency, San Luis Obispo County Flood Control and Water Conservation District, Santa Clara Valley Water District, Santa Clarita Valley Water Agency, Solano County Water Agency, and Tulare Lake Basin Water Storage District.

1121 L Street, Suite 1050 • Sacramento, California 95814-3944 • 916.447.7357 • FAX 916.447-2734 • www.swc.org

Thank you for the opportunity to comment on the Draft SEIR. The SWC looks forward to working with you and DWR on this proposed extension. If you have any questions or would like to discuss this, please do not hesitate to contact Mr. Chandra Chilmakuri at (916) 562-2583. The Yuba Accord Water Transfer Program has provided important benefits to the SWC members, and we appreciate the Yuba Water Agency's efforts to extend the Program.

A5-1 cont.

Sincerely,

Jennifer Pierre
General Manager

Response A5-1

The comment expresses support for the Proposed Extension of the Yuba Accord Long Term Water Transfer Program and does not address the content, analysis, or conclusions in the Draft REIR. Therefore, a response is not provided here.

Letter A6 Contra Costa Water District
Kyle Ochenduszko, Assistant General Manager
May 17, 2024

Letter A6

CONTRA COSTA WATER DISTRICT

May 17, 2024

JoAnna Lessard
Sent via Email to jlessard@yubawater.org

Subject: Draft Supplemental Environmental Impact Report for Extension of the Yuba Accord Long-Term Water Transfer Program

Dear Ms. Lessard:

Contra Costa Water District (CCWD) would like to express our support for Yuba Water Agency's proposed extension of the Yuba Accord Long-Term Water Transfer Program. We have reviewed the Draft Supplemental Environmental Impact Report (DSEIR) for the Extension of the Yuba Accord Long-Term Water Transfer Program (Program), and we appreciate that CCWD's participation in the Program continues to be included.

CCWD serves 550,000 customers and industries in central and eastern Contra Costa County, relying solely on surface water from the Sacramento-San Joaquin Delta to meet the needs of our customers. Climate change and the evolving Delta regulatory environment are introducing more uncertainty to CCWD's water supply planning. To achieve CCWD's mission to provide reliable and high-quality water in an environmentally responsible manner, CCWD has pursued a cooperative partnership with Yuba Water Agency to improve CCWD's water supply reliability.

The Yuba Accord Long-Term Water Transfer Program is a key element of the Lower Yuba River Accord. The Program provides a proven mechanism for CCWD to secure an important source of reliable water supply across different water year types, while the revenues generated by the Program help support Yuba Water Agency's mission areas of sustainable water management, flood risk reduction and environmental stewardship.

CCWD and Yuba Water Agency successfully demonstrated the transfer of water to CCWD in 2023 under the existing Yuba Accord Water Transfer Program and current agreements. CCWD looks forward to continuing to work with Yuba Water Agency to ensure that the Program can keep providing benefits to multiple interests into the future.

A6-1

Sincerely,

Kyle Ochenduszko
Assistant General Manager

LHS

1331 CONCORD AVE, CONCORD, CA 94520 I 925-688-8000 I CCWATER.COM

Response A6-1

The comment expresses support for the Proposed Extension of the Yuba Accord Long Term Water Transfer Program and does not address the content, analysis, or conclusions in the Draft REIR. Therefore, a response is not provided here.

Letter A7 East Bay Municipal Utility District
Michael T. Tognolini, Director of Water and Natural Resources
May 17, 2024

EAST BAY MUNICIPAL UTILITY DISTRICT

Letter A7

May 17, 2024

JoAnna Lessard, Project Manager
Yuba County Water Agency
1220 F Street
Marysville, CA 95901-4740
Email: jlessard@yubawater.org

Dear Ms. Lessard:

On behalf of East Bay Municipal Utility District (EBMUD), we would like to express our support for Yuba Water Agency's proposed extension of the Yuba Accord Long-Term Water Transfer Program.

The Yuba Accord Long-Term Water Transfer Program is a key element of the Lower Yuba River Accord, a model settlement agreement that provides important benefits for fish and wildlife and contributes to water supply reliability statewide. The Water Transfer Program provides a mechanism for EBMUD to secure an important source of reliable water supply across different water year types, while the revenues generated by the Program help support Yuba Water Agency's mission areas of sustainable water management, flood risk reduction, and environmental stewardship.

The Yuba Accord Water Transfer Program provides important benefits for EBMUD, and we appreciate Yuba Water Agency's efforts to extend the Program.

A7-1

Sincerely,

Michael T. Tognolini
Director of Water and Natural Resources

MTT:cms

375 ELEVENTH STREET . OAKLAND . CA 94607-4240 . TOLL FREE 1-866-40-EBMUD . (1-866-403-2683)

Response A7-1

The comment expresses support for the Proposed Extension of the Yuba Accord Long Term Water Transfer Program and does not address the content, analysis, or conclusions in the Draft REIR. Therefore, a response is not provided here.

Letter A8 Metropolitan Water District of Southern California
Jennifer Harriger, Manager, Environmental Planning Section
May 20, 2024

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Letter A8

May 20, 2024 Via Electronic Mail

JoAnna Lessard, Project Manager
Yuba County Water Agency
1220 F Street
Marysville, California 95901-4740
Email: jlessard@yubawater.org

Dear Ms. Lessard:

Draft Supplemental Environmental Impact Report for the
Extension of the Yuba Accord Long-Term Water Transfer Program

The Metropolitan Water District of Southern California (Metropolitan) reviewed the Draft Supplemental Environmental Impact Report (SEIR) for the Extension of the Yuba Accord Long-Term Water Transfer Program (Extension) prepared pursuant to the California Environmental Quality Act by Yuba Water Agency (Yuba Water) as the Lead Agency. The Extension seeks to extend the agreements comprising the Yuba Accord Long-Term Water Transfer Program (Water Transfer Program) through 2050. These agreements include: (1) the Yuba Water/Department of Water Resources (DWR) Water Purchase Agreement; (2) the Yuba Water/Member Unit Conjunctive Use Agreements, and (3) the Yuba Water/Contra Costa Water District (CCWD)/ East Bay Municipal Utilities District (EBMUD) Water Transfer Agreement. Under the Extension, Yuba Water plans to petition the State Water Resources Control Board to extend approval of the place of use, purposes of use, and points of rediversion for the Water Transfer Program. A8-1

Metropolitan supports Yuba Water's proposed extension of the Water Transfer Program. Metropolitan achieves its mission of regional water supply reliability in part by pursuing water transfers from willing sellers that protect environmental resources. The Water Transfer Program provides a proven mechanism for Metropolitan to secure an important source of reliable water supply across different water year types, while the revenues generated by the Water Transfer Program help support Yuba Water's mission areas of sustainable water management, flood risk reduction and environmental stewardship.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

JoAnna Lessard, Project Manager
Page 2
May 20, 2024

The Water Transfer Program has provided important benefits for Metropolitan since its implementation in 2008, and we appreciate Yuba Water's efforts to extend the program. For further assistance, please contact Ms. Sarah Bartlett at (213) 217-6166 or via email at sbartlett@mwdh2o.com.

A8-1 cont.

Very truly yours,

DocuSigned by:
Jennifer Harriger
1C5AACFD98D9493...

Jennifer Harriger
Manager, Environmental Planning Section

SB:rdl
(Comment Letters\DEIR for the Extension of the Yuba Accord Long-Term Water Transfer Program)

700 N. Alameda Street, Los Angeles, California 90012 • Mailing Address: Box 54153, Los Angeles, California 90054-0153 • Telephone (213) 217-6000

Response A8-1

The comment expresses support for the Proposed Extension of the Yuba Accord Long Term Water Transfer Program and does not address the content, analysis, or conclusions in the Draft REIR. Therefore, a response is not provided here.

Letter A9 Nevada Irrigation District
Jennifer Hanson, General Manager
May 16, 2024

Nevada Irrigation District

Letter A9

May 16, 2024

JoAnna Lessard, Project Manager
Yuba County Water Agency
1220 F St, Marysville, CA 95901
jlessard@yubawater.org

RE: Comments of Nevada Irrigation District to Yuba Water Agency's Draft Supplemental EIR for the Extension of the Yuba Accord Long-Term Water Transfer Program.

Dear Ms. Lessard:

Nevada Irrigation District submits these comments in response to Yuba Water Agency's Draft Supplemental Environmental Impact Report (SEIR) for the Extension of the Yuba Accord Long-Term Water Transfer Program. A9-1

1. **The Supplemental EIR is Not An Appropriate CEQA Document Because it Fails to Adequately Analyze the Significant Changes to Circumstances Impacting the Project.**

A supplement to an EIR is a document that is separate from the prior EIR and contains only those additions or changes needed to make the EIR adequate. Pursuant to CEQA, if major revisions are necessary to make a previous EIR adequate, the agency prepares a subsequent EIR. (Pub. Res. Code § 2166; 14 Cal Code Regs § 15162). In contrast, a subsequent EIR is a revised version of a prior EIR, which contains the modifications necessary to describe and analyze the project changes, changes in circumstances, or new information that triggered the need for further environmental review. At this stage of the environmental review, it is premature for YCWA to conclude that a supplemental EIR, which is legally appropriate only to address "minor additions or changes to the prior EIR" is the appropriate environmental document. A9-2

The Yuba Accord and its various components was last subject to extensive environmental review in the Lower Yuba River Accord 2007 EIR. Since that time, many significant changes to the regulatory and physical inputs affecting the California water transfer market have occurred. For example:

On December 12, 2018, the State Water Resources Control Board adopted Resolution No. 2018 – 0059 to update the Bay-Delta Plan. On March 29, 2024, draft Voluntary Agreement documents were submitted to the State Water Resources Control Board. In those materials, Yuba Water Agency tentatively agreed to implement flow and non-flow measures, under certain circumstances. Included in those materials is "flow table" in which the Yuba sub-basin commits to contribute 50 Thousand Acre Feet to Instream Flow during Dry, Below Normal, and Above

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Normal hydrologic year types. Representatives of Yuba Water Agency then appeared at a State Water Board workshop and publicly endorsed these proposals and commitments.

It is therefore disingenuous for Yuba to assert in the SEIR that incorporating VA related commitments into the Project baseline evaluated in the SIER would require "speculation." The proposed VA term is 8 or 15 years. A9-2 cont.

A subsequent EIR to contemplate such changes is the appropriate environmental document.

2. <u>The SEIR Fails to Adequately Analyze Impacts Associated with Current Transfer Periods and Evaluate Alternative Transfer Periods.</u>

The lower Yuba River hosts Endangered Species Act listed Central Valley spring-run Chinook salmon (Oncorhynchus tshawytscha) evolutionarily significant unit, the Central Valley steelhead (O. mykiss) distinct population segment (DPS), and the North American green sturgeon (Acipenser medirostris) southern DPS, their proposed or designated critical habitat, and essential fish habitat (EFH).

Each of the identified species and associated designated critical habitat and essential fish habitat are directly impacted by the timing, quantity, and frequency of water transfers pursuant to the proposed project. Under the existing project, which YCWA proposed to extend, water transfers occurred in seven dry, critical dry, and extremely critically dry hydrologic year types that have occurred within the past seventeen years. A9-3

The timing of transfers during these year types is of significant concern to listed species. In testimony before the State Water Resources Control Board, the California Department of Water Resources, advised that "the vast majority of the Yuba River Accord water will be moved in the traditional transfer window during the summer and early fall months of July through October."

This transfer period does not align with the period of significant interest concerning water temperatures in the Lower Yuba River for the period July through November. The SEIR does not evaluate the impacts of water transfers in dry, critical dry, and extremely critically dry year types nor meaningfully evaluate the impact of the timing and schedule of such transfers to mitigate impacts, including water temperature impacts occurring in the Lower Yuba River in the July – November time period.

3. Water Transfers During Schedule 6 Water Years.

Pursuant to the Accord and its related water transfer programs, YCWA commits to providing 30,000-acre feet of transfer water during 'schedule 6 water years.' The Yuba Accord does not specify the timing of this water delivery, but project documents contemplate consultation with stakeholders between April 10 – May 21 to determine a schedule for such deliveries. During previous Schedule 6 water years, California DFW determined high water temperatures negatively impacted various life stages of ESA listed fishes.

A9-4

The SEIR altogether fails to analyze impacts associated with the *additional* 30 TAF of groundwater substitution transfer water made available under the Water Purchase Agreement. Vague references to a "strategic management plan" submitted to the River Management Team on an ad-hoc annual basis do not provide any meaningful analysis of the impact of such transfers. The deferral of impact analysis to the River Management Team constitutes an improper deferral or piecemealing of appropriate environmental review.

4. The SEIR Fails to Analyze the Impact of Constructing the narrows 2 Intake Extension as Required by Revised D-1644.

The State Water Resources Control Board's Revised Decision 1644, issued in 2003, ordered YCWA to extend the Narrows 2 Powerhouse Intake to a lower elevation in Englebright Reservoir and consult with NMFS, USFWS and California DFW regarding use of the lower intake from July through November in dry and critically dry years. As set forth in pages 176 and 177, Revised Decision 1644 clearly envisioned that the upper intake at New Bullards Bar Reservoir would be available along with the Narrows 2 Powerhouse Intake Extension to provide suitable water temperatures for ESA-listed fishes, and that YCWA would consult with NMFS, CDFW and USFWS regarding the coordinated operations of these two P-2246 facilities. YCWA has not constructed the Narrows 2 intake facilities, but nonetheless continues to make transfers that may be contributing to water temperature issues on the lower Yuba River.

A9-5

The SEIR is deficient because it fails to acknowledge this requirement or to analyze this as an alternative to impacts associated with the proposed Project.

5. Streamflow Depletion Factors Associated with Groundwater Substitution Transfers.

The Proposed Project contemplates the transfer of significant quantities of water through the mechanism of groundwater substitution transfers. Depending on various factors including the distance of the groundwater well(s) participating in the transfer to the Yuba River and associated tributaries, depth of the well, and local hydrogeologic conditions, the increase in groundwater pumped by entities participating in the YCWA / Accord Groundwater Substitution Transfer program to enable the proposed transfers results in a reduction in the amount of water that would otherwise have accrued to the stream due to the interconnection of surface water and

A9-6

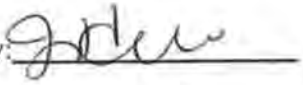
groundwater (streamflow depletion). Consequently, YCWA's groundwater pumping program for transfer operations will provide water at the expense of current and future streamflow.

Notwithstanding the foregoing, the SEIR wholly fails to evaluate the impacts of groundwater pumping on streamflow depletion affecting the lower Yuba River both on a 'real-time' basis as well as long term impacts. The SEIR further failed to analyze appropriate mitigation measures, including at a minimum: reductions in total quantities transferred in certain impacted year types, cessation of transfers during sequence of multiple, or multiple consecutive dry year types. As a result, the SEIR is inadequate and defective.

A9-6 cont.

Very truly yours,

Nevada Irrigation District

By: 

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Response A9-1
The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Response A9-2
The comment states it is premature to determine that a Supplemental EIR is the legally appropriate document to evaluate the Proposed Extension of the Yuba Accord Long Term Water Transfer Program because of changed circumstances. Section 1.3 of the Draft SEIR summarizes the requirements under CEQA for preparation of a Subsequent verses a Supplemental EIR and explains why Yuba Water decided to prepare a Supplemental EIR. As described therein, the Proposed Extension would not result in any new significant effects or substantially more severe significant effects compared to the environmental effects previously identified in the 2007 EIR, and only minor modifications to the 2007 EIR are needed to address changed conditions since the 2007 EIR was certified and the succeeding addenda adopted (in 2014, 2016, and 2022). Thus, Yuba Water decided to prepare a Supplemental EIR, pursuant to CEQA. It should be further noted that the CEQA process for a Subsequent versus a Supplemental EIR would be similar, as both would be subject to public notice and public review.

The comment further states that incorporation of the VAs (now known as Yuba Water's HR&L Program) into the project baseline is not speculative given that the proposed Yuba Water's HR&L Program term is 8 or 15 years and a subsequent EIR is the appropriate document to contemplate changes from commitments in Yuba Water's HR&L Program. As Section 3.1.2, "Baseline," of the Draft SEIR, states:

> Future changes to the watershed may occur due to the Voluntary Agreements, the future adoption of an updated Bay-Delta Water Quality Control Plan (Bay-Delta Plan), the outcome of the Biological Opinions (BOs) for the LongTerm Operations of the CVP and SWP, and the anticipated terms of a FERC license renewal and associated Water Quality Control Plan conditions. Each of these long-term processes are currently incomplete, with timelines for resolution that are wholly uncertain, and likely years away. Each process is related to some extent to the Yuba Accord, but at this point have only hypothetical outcomes that could resolve in myriad unknown ways. Therefore, incorporating these processes into the baseline would require speculation. These processes, however, are considered as appropriate in the discussion of cumulative impacts in Chapter 4, "Cumulative Impacts."

It would be inappropriate to incorporate Yuba Water's HR&L Program into the environmental baseline as suggested in the comment because it is not part of the existing conditions and will be implemented in the future; however, Yuba Water's HR&L Program is included in the cumulative projects table under its previous name, "VA" (see Table 4-1 in the Draft SEIR, as revised in this Final SEIR; see Chapter 3, "Revisions to the Draft SEIR"). As discussed in Chapter 4, "Cumulative Impacts," of the Draft SEIR, implementation of Yuba Water's HR&L Program is intended to provide environmental benefits through contributing to the achievement of the Bay-Delta Plan Update water quality objectives and enhancing habitat, and it would not affect the Proposed Extension in any way that would cause the Proposed Extension to result in a cumulatively considerable impact. For further discussion of Yuba Water's HR&L Program, see response to comment A4-3.

Response A9-3
The comment states that the Draft SEIR fails to adequately analyze impacts to fish species and their habitat associated with current transfer periods and evaluate alternative transfer periods. See response to comment A2-4 regarding potential impacts of water transfer timing by Yuba Water on listed fish species.

Response A9-4
The comment states that the Draft SEIR does not analyze impacts associated with the additional 30 thousand acre-feet (TAF) of 'groundwater substitution transfer water' made available during 'schedule 6 water years' under the Water Purchase Agreement and that the existing analysis of the impacts of such transfers constitutes improper deferral or piecemealing of environmental review. As an initial matter, the 30 TAF of groundwater substitution is not a Water Purchase Agreement commitment, but a term in the Fisheries Agreement and included in Corrected Order WR 2008-0014. Yuba Water's implementation of this 30 TAF, therefore, is not additional transfer water, as the comment

mischaracterizes it, but instead is a continuing element of the overall Yuba Accord project that would not change with the Proposed Extension. As explained in the Draft SEIR (p. 2-4), as part of the baseline/existing condition, and pursuant to the terms of the Yuba Accord Fisheries Agreement (which does not expire in 2025 and therefore need not be included in the Proposed Extension), Yuba Water already provides that 30 TAF of water during Schedule 6 years and will continue to do so. Under the Proposed Extension, Yuba Water would continue to transfer that water downstream of the Yuba River after it has provided fishery protection through, among other measures, coordination with relevant agencies under elements of the Yuba Accord that are independent from the Proposed Extension. These transfers accordingly are associated with Yuba Water providing instream flows consistent with the requirements of the Fisheries Agreement and SWRCB's Corrected Order WR 2008-0014 and were included in the evaluation of fishery impacts and groundwater pumping impacts in the 2007 EIR. Additionally, see response to comment A2-4 regarding water transfer timing by Yuba Water.

Response A9-5

The comment states that the Draft SEIR does not acknowledge the requirement under the State Water Board's 2003 Revised Decision 1644 to extend the Narrows 2 Powerhouse Intake to a lower elevation in Englebright Reservoir and use this lower intake from July through November in dry and critically dry years to provide suitable water temperatures for ESA-listed fishes. The comment further states that this should be analyzed "as an alternative to impacts associated with the [Proposed Extension]." The comment misrepresents the State Water Board's 2003 Revised Decision 1644 permit requirement, which does not require Yuba Water to construct the Narrows 2 Powerhouse Intake. Potential development of the Narrows 2 Powerhouse Intake is being addressed as part of the FERC relicensing process and its potential implementation is speculative. Further, constructing the intake extension is not an element of the Proposed Extension and, thus, need not be evaluated in the SEIR. Finally, the intake extension is not needed to avoid or lessen the Proposed Extension's environmental impacts, which are all less than significant.

Response A9-6

The comment states that the Draft SEIR does not evaluate the impacts of groundwater pumping on streamflow depletion affecting the lower Yuba River or analyze appropriate mitigation measures, including reductions in total quantities transferred in certain impacted year types, and cessation of transfers during a sequence of multiple or multiple consecutive dry year types. As an initial matter, while the comment refers to an "increase in groundwater pumped by entities participating in the Yuba Water/Accord Groundwater Substitution Transfer program," the Draft SEIR explains that the Proposed Extension includes an extension, under substantially the same terms, of the existing Conjunctive Use Agreements. (Draft SEIR, p. 2-11.) See response to comment A2-6 regarding SDF effects. Because the SEIR demonstrates that the Proposed Extension would not result in any significant environmental impacts related to streamflow depletion, no additional mitigation is required.

Letter A10 San Luis & Delta-Mendota Water Authority
Pablo Arroyave, Chief Operating Officer
May 20, 2024

Letter A10

San Luis & Delta-Mendota Water Authority

P.O. Box 2157
Los Banos, CA 93635
Phone: (209) 826-9696

May 20, 2024

VIA EMAIL

JoAnna Lessard, Project Manager
Yuba County Water Agency
1220 F St., Marysville, CA 95901
Email: jlessard@yubawater.org

Re: Comments – Draft Supplemental Environmental Impact Report for the Extension of the Yuba River Accord Long-Term Water Transfer Program

Dear Ms. Lessard:

Yuba Water Agency's April 2024 Draft Supplemental Environmental Impact Report for the Extension of the Yuba River Accord Long-Term Water Transfer Program analyzes the continued benefits of the Lower Yuba River Accord ("Yuba Accord") Water Transfer Program beyond its current expiration date of December 31, 2025. Through the San Luis & Delta-Mendota Water Authority ("Water Authority"), eleven member agencies[1] participate in and benefit from the Yuba Accord Water Transfer Program. The Water Authority submits this comment letter on behalf of its participating agencies to support Yuba Water Agency's proposed extension of the Yuba Accord Water Transfer Program as well as implementation of the programs governed by the Yuba Water Agency/DWR Water Purchase Agreement, Yuba Water Agency/MOU Conjunctive Use Agreements, and Fisheries Agreement. The continued implementation of the Yuba Accord contributes to the health of the fisheries and reliability of the water supply for Water Authority member agencies, including for disadvantaged communities within their service areas. A10-1

Most of the Water Authority's member agencies depend upon the Central Valley Project ("CVP") as the principal source of water they provide to users within their service areas. And yet, in the last ten years[2], south of Delta CVP agricultural water service and repayment contractors have

[1] Broadview Water District, Byron-Bethany Irrigation District, Del Puerto Water District, Eagle Field Water District, Mercy Springs Water District, Pacheco Water District, Panoche Water District, San Benito County Water District, San Luis Water District, Santa Clara Valley Water District, and Westlands Water District

[2] 2014-2023, available at https://www.usbr.gov/mp/cvo/vungvari/water_allocations_historical.pdf

Response A10-1

The comment expresses support for the Proposed Extension of the Yuba Accord Long Term Water Transfer Program and does not address the content, analysis, or conclusions in the Draft REIR. Therefore, a response is not provided here.

2.2.3 Organizations

Letter O1 American Rivers, California Sportfishing Protection Alliance, Friends of the River, Northern California Council, Fly Fishers International, and the South Yuba River Citizens League
Meghan Quinn, Director, California Hydropower and Dam Removal, American Rivers
Chris Shutes, Executive Director, California Sportfishing Protection Alliance
Keiko Mertz, Policy Director, Friends of the River
Jann Dorman, Executive Director, Friends of the River
Mark Rockwell, President & VP Conservation, Northern California Council, Fly Fishers International
Aaron Zettler-Mann, Executive Director, South Yuba River Citizens League
May 20, 2024

May 20, 2024

JoAnna Lessard, Project Manager
Yuba County Water Agency
1220 F Street
Marysville, CA 95901-4740

Submitted via email: jlessard@yubawater.org

RE: Comments on the Draft Supplemental Environmental Impact Report for the Extension of the Lower Yuba River Accord Water Transfer Program

Dear Ms. Lessard:

American Rivers, California Sportfishing Protection Alliance, Friends of the River (FOR), Northern California Council, Fly Fishers International, and the South Yuba River Citizens League (SYRCL) submit these comments regarding Yuba County Water Agency's (YCWA) Draft Supplemental Environmental Impact Report (DSEIR) for the Extension of the Lower Yuba River Accord Water Transfer Program (WTP). In addition to reviewing the DSEIR itself, we also reviewed Corrected Order WR 2008 – 0014 and the 2007 Yuba Accord Final Environmental Impact Report (2007 FEIR) upon which the Yuba Accord WTP Extension will rely during the California Environmental Quality Act (CEQA) process, as well as other relevant documents cited in this comment letter.

The DSEIR lacks substantial evidence and analysis to support the findings that the Proposed Extension will have no significant impacts. The findings are based on a CEQA argument that the impacts of the No Project and Proposed Extension alternatives are fundamentally identical. Since these are the only two projects the DSEIR analyzes, the DSEIR concludes that new issues with fisheries, substantial changes in environmental conditions, and new significant evidence not previously known are not relevant to the analysis. However, the failure of the DSEIR to analyze a reasonably foreseeable Reduced Exports alternative fatally flaws the DSEIR's conclusions. Once a Reduced Exports Project is included and analyzed, the CEQA argument at the heart of the DSEIR falls apart.

Additional analysis is required. YCWA must revise and redistribute the DSEIR, or replace it with a new draft Subsequent EIR. The new draft CEQA document must include a Reduced Exports alternative as described below. The new draft CEQA document must also analyze and disclose new issues with fisheries, substantial changes in environmental conditions, and new significant evidence not previously known when YCWA issued the 2007 FEIR.

O1-1

I. Introduction and Background

The Lower Yuba River Accord is comprised of three agreements: (1) the Fisheries Agreement, (2) the Conjunctive Use Agreement, and (3) the Water Transfer Program (WTP). The WTP allows YCWA to sell up to 200,000 AF/year of water to the Department of Water Resources.

SYRCL and FOR are signatories of the Fisheries Agreement. Both organizations have participated in its implementation for many years but were not parties to or signatories of the WTP. In addition, both organizations were clear throughout the development of the Yuba Accord that it did not address YCWA's obligations to protect water quality and habitat downstream of the Yuba and that elements of the Yuba Accord would likely need to be modified in the future to be consistent with changes in regulatory requirements relating to the ongoing species declines and habitat degradation in the Sacramento River and the San Francisco Bay-Delta estuary.

O1-2

YCWA is now proposing to extend the Yuba Accord Water Transfer Program through 2050, beyond its current expiration date of December 31, 2025. On January 12, 2023, YCWA issued a Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report for the Extension of the Lower Yuba River Accord Water Transfer Program. On February 27, 2023, conservation organizations[1] submitted joint comments on the NOP. In those comments, we recommended that YCWA prepare a new subsequent EIR rather than a supplemental EIR due to substantial changes in environmental conditions and regulatory environment since the 2007 FEIR. While we still assert that a subsequent EIR is required, we acknowledge that the baseline is updated in the DSEIR. That said, the DSEIR's analysis is lacking for the reasons discussed herein, preventing a full understanding of impacts associated with the Proposed Extension.

O1-3

In our NOP comments, we highlighted the need to (1) consider project impacts on the Bay-Delta estuary, (2) evaluate how significant pending changes to the Bay-Delta Water Quality Control Plan and Endangered Species Act requirements will impact Yuba Water's ability to deliver environmental flows while meeting obligations to DWR and Yuba Water member units, (3) evaluate the WTP under different flow requirements that may reasonably result from the FERC relicensing of the Yuba River Development Project, (4) ensure water delivery contracts are flexible to account for water year conditions and are reviewed consistently, and (5) carefully consider project alternatives incorporating analysis through year 2050, including a No Project/No Action alternative as required by CEQA/NEPA. We also recommended an analysis of whether extending the WTP is inconsistent with the updates to the Bay-Delta Plan and re-initiation of consultation for the NMFS 2019 Biological Opinion for Chinook salmon.

[1] Signatories of the February 27, 2023 comments on the NOP included the California Sportfishing Protection Alliance, Friends of the River, Fly Fishers International Northern California Chapter, South Yuba River Citizens League, The Bay Institute, and Trout Unlimited.

II. Appropriate Level of CEQA Review

The proposed WTP should be evaluated in a subsequent EIR, given the presence of changed circumstances and new information that was not known at the time of the 2007 FEIR's preparation.

CEQA guidelines[2] require a subsequent EIR for certified program and project-level EIRs if the following conditions exist:

a. Substantial changes with respect to the circumstances requiring major revisions due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

b. New information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time of preparation of the EIR, becomes available. Such information must show either: the project will have one or more significant effects not discussed in the previous EIR; significant effects previously examined will be substantially more severe; mitigation measures or alternatives previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

O1-4

Based on the above guidelines for issuing a subsequent EIR and changed conditions since 2007, it appears that a subsequent EIR (rather than a Supplemental EIR) is required for the proposed WTP extension. As explained in more detail in our scoping comments on the Notice of Preparation, the potential effects of extending the WTP will likely be substantially more severe with regards to deteriorating conditions for endangered species and critical habitat areas downstream in the Sacramento River watershed and the Bay-Delta estuary (see Section III below), as well as in the Yuba River itself.

In addition, there are significant modifications to regulatory conditions that are anticipated in the coming months due to a variety of ongoing processes, including anticipated consultation under the Endangered Species Act for threatened and endangered salmonids in the Lower Yuba River and Delta,[3] and the ongoing update of the Bay-Delta Plan, as described in the September 28, 2023 Draft Staff Report in Support of Potential Sacramento/Delta Updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Draft Staff Report).[4]

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[2] CEQA Guidelines Section 15162.

[3] Central Valley Project and California State Water Project Consultation | U.S. Fish & Wildlife Service (fws.gov)

[4] **State Water Resources Control Board (State Water Board),** Draft Staff Report in Support of Potential Sacramento/Delta Updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Sep. 28, 2023). Available at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/staff_report.html.

III. Fish Declines in the Lower Yuba River and the Bay-Delta Estuary, and their Relation to Flow Release Patterns under the Yuba Accord

The DSEIR fails to provide substantial evidence in support of its conclusion that the Proposed Project would have less-than-significant impacts to Lower Yuba River and Delta fisheries, and that no mitigation is required. Instead, substantial evidence indicates that the Yuba Accord's annual movement of abundant cold water flows from the winter-spring to the summer is having a significant impact on species listed under the Endangered Species Act (ESA) and the California Endangered Species Act (CESA), and on other species of importance (collectively "special status species"),[5] which have continued to decline over the 17 years since the adoption of the project evaluated in the 2007 FEIR.[6] In addition, the condition of pelagic fish species in the Delta, notably Delta smelt and longfin smelt, has declined precipitously since 2007.

The operation of New Bullards Bar Reservoir under the Yuba Accord flows and transfer program captures cold water in the spring, holding it for later release and transfer during the summer. The effect of this action is lower flows in January through June, the natural runoff/spring recession flow season, and higher flow from July to September, when flows under a more natural hydrograph would typically be low.

O1-5

Under YCWA's agreement with the Department of Water Resources (DWR), YCWA releases up to 200,000 acre-feet (AF) of water stored in New Bullards Bar Reservoir for transfer each summer. The water passes through Englebright Reservoir, the lower Yuba River, the Feather River, the Sacramento River, and finally enters the Delta. From the Delta, the export facilities of the State Water Project (SWP) or the Central Valley Project (CVP) deliver most of the water to the purchasers in their respective service areas. Some water is also sold, in some years, to East Bay Municipal Utility District (EBMUD) and Contra Costa Water District (CCWD), which take delivery through the Freeport Regional Water Intake Structure and Contra Costa's Delta points of diversion, respectively.

Some of the transferred water is offset in YCWA's service area when local irrigators pump groundwater in lieu of taking part of their surface water allocations from YCWA.

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[5] *See* 2007 FEIR, p. 3.4-17: "Fish species of focused evaluation in the lower Yuba River include spring-run Chinook salmon, fall and late fall-run Chinook salmon, steelhead, green sturgeon, white sturgeon, Pacific lamprey, river lamprey, Central California roach, hardhead, striped bass and American shad."

[6] The DSEIR provides on p. 3.4-24 the following criteria for evaluation of significant impacts to fisheries:

- Have a substantial adverse effect, either directly or through habitat modifications, on any fish species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW, NMFS or USFWS.
- Interfere substantially with the movement of any native resident or migratory fish species, or impede the use of native nursery sites.
- Substantially reduce the habitat of a fish species; cause a fish population to drop below self-sustaining levels; threaten to eliminate a fish community; or substantially reduce the number or restrict the range of special status fish species.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

According to the Draft Staff Report, new data shows that existing and decreasing freshwater outflows, particularly during the spring, negatively impact the survival of native fish species, including salmon. For these reasons, the Draft Staff Report's proposed updates to the Bay-Delta Plan focus on alternatives that mimic the natural hydrograph and increase winter and spring water flows:

> Total average annual unimpaired outflows from the Bay-Delta watershed are about 28.5 million acre-feet (MAF). Upstream diversions and water exports have reduced annual average outflows by a little less than half (to 15.5 MAF), and outflows during the critical January-through-June period by more than half. However, average regulatory minimum Delta outflows are only about 5 MAF—or about a third of current average outflows and less than 20 percent of average unimpaired outflows. Existing regulatory minimum Delta outflows are too low to protect the ecosystem …[7]

The Draft Staff Report's proposed new flow objective for Delta inflow is thus:

> *Maintain inflow conditions from the Sacramento River/Delta tributaries sufficient to support and maintain the natural production of viable native fish populations and to contribute to Delta outflows. Inflow conditions that reasonably contribute toward maintaining viable native fish populations include, but may not be limited to, flows that more closely mimic the natural hydrographic conditions to which native fish species are adapted, including the relative magnitude, duration, timing, quality, and spatial extent of flows as they would naturally occur.*
>
> *Maintain inflows from the Sacramento/Delta tributaries at 55% of unimpaired flow, within an allowed adaptive range between 45 and 65% of unimpaired flow.*[8]

O1-5 cont.

The DSEIR appears to ignore this more recent data, and instead continues to rely on outdated information prepared for the 2007 FEIR in support of its conclusion that "implementation of the Proposed Extension would not change habitat conditions…and therefore result in less-than-significant impacts to fish species…"[9]

According to the DSEIR, YCWA in 2007 anticipated that the adoption of the Yuba Accord would have "[b]eneficial impacts to spring-run Chinook salmon, fall-run Chinook salmon, and steelhead" in the Lower Yuba River.[10] However, since that time, additional research regarding the status of special status species, particularly Chinook salmon and steelhead trout, has become available. As demonstrated in Figure 1, Chinook salmon in the Yuba River have not seen the rebound or benefits anticipated by the 2007 FEIR. Instead, special status species have continued to decline in number.

[7] Draft Staff Report, p. 5-10.
[8] Id., p. 5-17.
[9] DSEIR, p. 3.4-28.
[10] DSEIR, p. 3.4-27.

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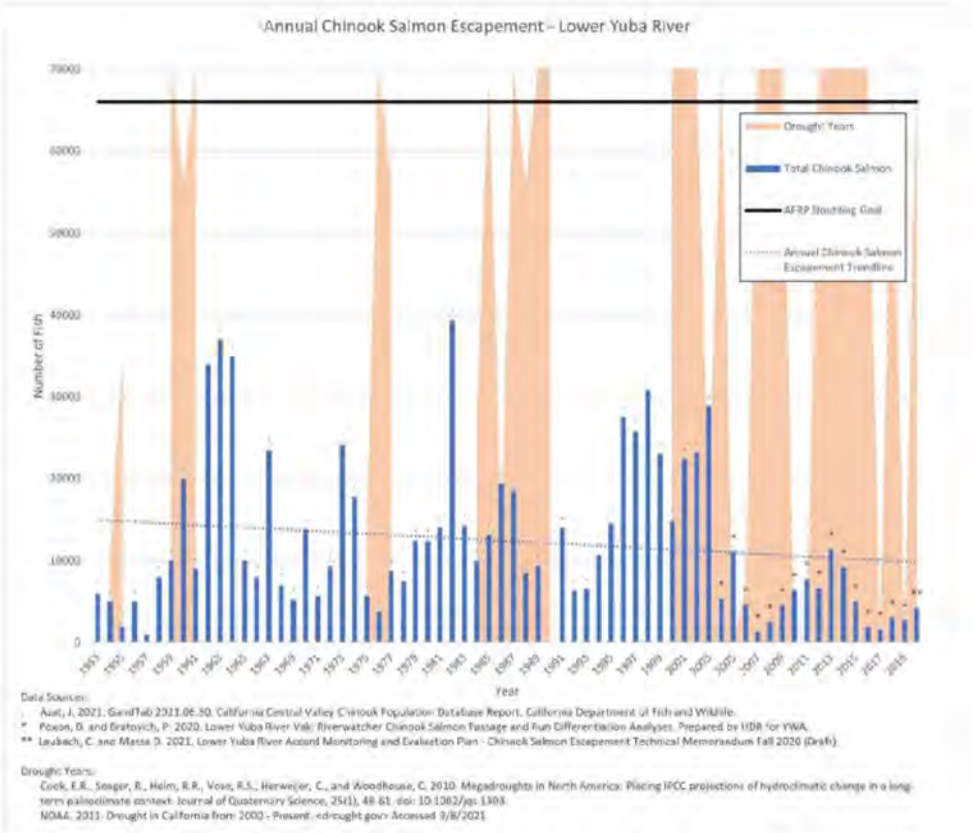

Figure 1: Annual Chinook Salmon Escapement – Lower Yuba River (1953-2019). The blue dotted line shows a long-term trend of decline in the total chinook salmon population in the lower Yuba River. Escapement in years since 2007 has been significantly lower than the long-term trend.[11]

O1-5 cont.

In addition, of the total number of salmon remaining in the Lower Yuba River, a large proportion are hatchery fish (Figure 2), suggesting that the total impact of the project on wild native salmonids is far greater than the total fishery numbers indicate. Further, hatchery fish have lower fitness than wild fish[12] and have adverse impacts on populations of wild salmonids.[13] Overall, substantial evidence suggests that salmonids in the Lower Yuba River continue to decline, and the anticipated "beneficial impacts" forecasted by the 2007 FEIR have not been realized. Additional analysis is required to update the information, evaluation, and conclusions developed for the 2007 FEIR.

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[11] **Plot created by Tyler Goodearly, M.S., 2021. Data sources cited in figure.**

[12] Araki H, Berejikian BA, Ford MJ, Blouin MS. Fitness of hatchery-reared salmonids in the wild. Evol Appl. 2008 May;1(2):342-55. Available from: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3352433/

[13] McMillan, J.R., Morrison, B., Chambers, N., Ruggerone, G., Bernatchez, L., Stanford, J. et al. (2023) A global synthesis of peer-reviewed research on the effects of hatchery salmonids on wild salmonids. *Fisheries Management and Ecology*, 30, 446–463. Available from: https://doi.org/10.1111/fme.12643

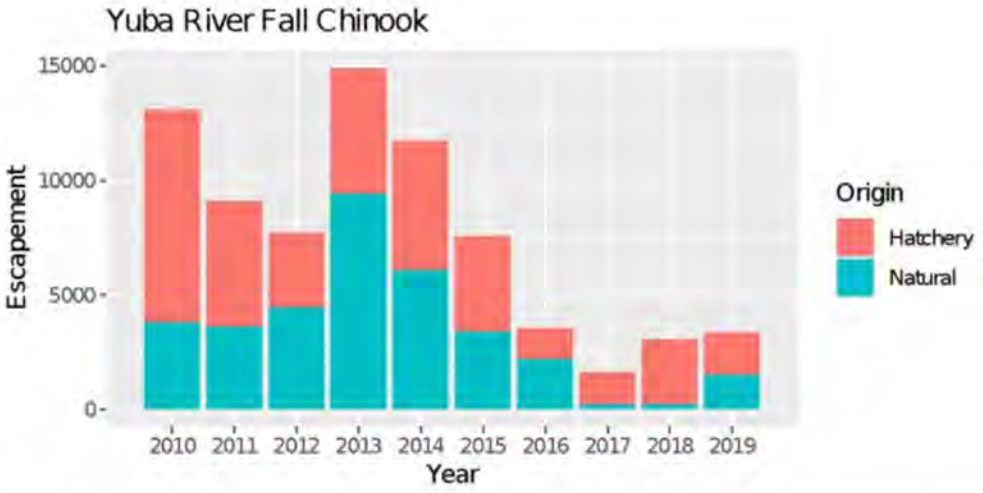


Figure 2: Composition and abundance of hatchery-origin vs. natural-origin fall run Chinook salmon spawning in the Yuba River. [14]

New analysis and information show that while cold-water releases from New Bullards Bar throughout the summer do produce water temperature benefits, this appears to have had limited benefits for decreasing fish populations in the Yuba River. The timing of the water releases helps very little with juvenile outmigration and juvenile rearing for salmon, in particular.

O1-5 cont.

IV. Cumulative Impacts are Considerable and not Adequately Identified or Analyzed

The DSEIR fails to analyze closely related past and present projects which may be, "individually minor but collectively significant projects…". The DSEIR fails to fully evaluate closely related projects that together have considerable impacts. CEQA defines cumulative impacts as follows:

> "Cumulative impacts refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. (a) The individual effects may be changes resulting from a single project or a number of separate projects.
>
> (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts

O1-6

[14] Pacific Fisheries Management Council, Summary of FRAM base period Round 7.1.1 updates that potentially impact the Pacific Fishery Management Council's Chinook salmon abundance threshold for Southern Resident Killer Whales, (Sep. 27, 2022), pdf p. 75. Available at: https://www.pcouncil.org/documents/2022/10/d-2-attachment-1-methodology-review-materials-electronic-only.pdf/.

can result from individually minor but collectively significant projects taking place over a period of time."

In this case, the important part of the definition is paragraph (b) which refers to "other closely related past" projects that may be "taking place over a period of time." As discussed above in section III of these comments, data readily available to YCWA (and the SEIS itself) indicates that there is a set of potentially significant cumulative impacts of closely related past and present projects that must be analyzed even if the contribution of the subject action is minimal.[15] The ongoing trend of special status species declines is a strong indicator that cumulative impacts are "Cumulatively Considerable".

Corrected Order WR 2008 – 0014 articulates some of these impacts well in section 6.2.2 Significant Unmitigable Effects and Statements of Overriding Consideration:

> *"The Project's significant unmitigable effects within the State Water Board's purview are all cumulative effects. They are the potentially significant and unavoidable cumulative effects on*
>
> *1) Surface water supply and management in the Yuba Region, the Delta Region and the Export Service Area,*
>
> *2) Surface water quality in the CVP/SWP upstream of the Delta Region and in the Delta Region,*
>
> *3) Fisheries and aquatic resources in the CVP/SWP upstream of the Delta Region and in the Delta Region, and*
>
> *4) Recreation in the CVP/SWP upstream of the Delta Region and in the Delta Region. As noted in Section 4.2.3 above, the State Water Board has imposed additional mitigation measures to help offset the potential incremental and cumulative impacts of this project on the Delta, including limiting the amount and rate of pumping during the December to June period, and allowing the State Water Board, through delegation to the Deputy Director, to immediately condition or halt pumping if it is causing or threatening to cause an unreasonable effect on Delta Fisheries. However, these additional mitigations are likely insufficient to account for all potential cumulative impacts of the project."*

Substantial evidence suggests that potential Cumulative Impacts are considerable and therefore, must be identified and appropriately analyzed in a recirculated SEIR or a new subsequent EIR.

O1-6 cont.

[15] Yuba County Water Agency Extension of the Yuba Accord Long-Term Water Transfer Program Draft Supplemental EIR 3.4-1

V. Project Alternatives

The DSEIR analyzes two alternatives: the Proposed Extension alternative (contract renewal through 2050) and the No Project alternative. The DSEIR states that YCWA "briefly" considered a No-Transfer alternative but rejected it as "not reasonably foreseeable," arguing: "Under this scenario, therefore, there would likely be little or no variation from the operations under an approved water transfer, except that Yuba County communities would not receive the benefit of water transfer revenues."[16] This analysis, in combination with the analysis of the No Project and Proposed Extension alternatives, fails to consider that YCWA may have substantially less water available for transfer in the future due to the update of the Bay-Delta Plan.

Considering that the Bay-Delta Plan may allocate to Delta outflow much of the water currently available for YCWA to sell, a Yuba Accord contract extension may not be able to reliably deliver the contracted amounts. A Reduced Transfers alternative, therefore, is reasonably foreseeable. A Reduced Transfers alternative could achieve the project objectives. A Reduced Transfers alternative would also be the Environmental Superior alternative.

A Reduced Transfers alternative is reasonably foreseeable because an update of the Bay-Delta Plan that requires year-round release of a percent of unimpaired flow in the Yuba River and throughout the Sacramento River watershed and through the Delta is currently under active consideration by the State Water Board. Even though this is not the desired outcome of YCWA, the State Water Board's Draft Staff Report is substantial evidence of reasonable foreseeability. In addition, the State Water Board's adoption in 2018 of a similar approach for the lower San Joaquin River, upheld in court in 2024, is further evidence that a percent-of-unimpaired approach is reasonably foreseeable. O1-7

A Reduced Transfers alternative could still meet the project objectives. Those objectives are 1) to continue to support statewide water supply reliability; 2) to facilitate continued responsible groundwater management in the Yuba subbasin; and 3) to continue to support YCWA's programs.

Reduced transfers would still support statewide water supply reliability, but on a reduced scale. Reduced transfers could still also be part of a groundwater management strategy for the Yuba area. And reduced transfers could still also support YCWA's programs. In fact, planning now for reduced transfers and pricing those transfers accordingly would present an opportunity for a forward-looking contract and price structure. The basic assumption of less water available for transfer would likely mean reduced availability of competing transfer water, suggesting an overall greater unit cost.

Without a Reduced Transfers alternative, the DSEIR as written claims (as cited above) that Delta export operations under the No Project alternative and the Proposed Extension would be functionally identical, different only in beneficiaries: SWP and CVP contractors under the No Project Alternative, and YCWA under the Proposed Extension alternative. But a Reduced Transfers alternative founded on less water available for export would not be functionally

[16] SDEIR, p. 5-6.

identical to the No Project and Project Extension alternatives. A Reduced Transfers alternative has fewer impacts at the Delta pumps than either the No Project or Project Extension alternatives.

Under a Reduced Transfers alternative, some of the water that is transferred under current operations would instead become Delta outflow. Fewer fish would be drawn to the SWP and CVP's Delta pumps.

The Delta pumps and associated operations and infrastructure are notorious fish killers. Reduced exports, even in the summer, would save fish. Moreover, YCWA could prioritize transfers to EBMUD and CCWD, who do not use the SWP or CVP's Delta pumps; this would further reduce Delta impacts from YCWA's transfers. O1-7 cont.

In addition, a Reduced Transfers alternative founded on a Bay-Delta Plan that required release of a percent of unimpaired flow in each month would change the release patterns of flow in the lower Yuba River and provide added winter and spring flows while reducing summer flows. This would more reliably provide higher flows for the juvenile rearing and outmigration of salmon and other species in winter and spring, as discussed above.

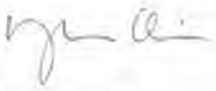
The Reduced Transfers alternative would therefore also be the Environmentally Superior alternative.

Closing

In summary, YCWA must revise and redistribute the DSEIR, or replace it with a new draft Subsequent EIR. The new draft CEQA document must include a Reduced Exports alternative as described above. The new draft CEQA document must also analyze and disclose new issues with fisheries, substantial changes in environmental conditions, and new significant evidence not previously known when YCWA issued the 2007 FEIR. O1-8

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Report for the Extension of the Lower Yuba River Accord Water Transfer Program. We look forward to continued participation in this process. If you have any questions regarding our comments, please do not hesitate to contact us.

Respectfully submitted,



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Response O1-1
The comment provides a summary of detailed comments provided below. See responses to the detailed comments below.

Response O1-2
The comment summarizes the Yuba Accord and SYRCL's and FOR's role in the Fisheries Agreement. It also summarizes their concerns raised during the development of the Yuba Accord regarding protection of water quality and habitat downstream of the Yuba River and potential need for modifications to the Yuba Accord in the future to be consistent with changes in regulatory requirements. The comment does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Response O1-3
The comment summarizes the Proposed Extension, and the commenters' collective comments on the NOP for the Proposed Extension. The comment does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Response O1-4
The comment states that the project should be evaluated in a Subsequent EIR due to the presence of changed circumstances and new information that was not known at the time the 2007 FEIR was prepared. The comment further states that the potential effects of extending the Yuba Accord Water Transfer Program would likely be more severe with regard to deteriorating conditions for endangered species and critical habitat areas downstream in the Sacramento River watershed and the Bay-Delta estuary, as well as in the Yuba River itself. In addition, the comment suggests that significant modifications to regulatory conditions that are anticipated in the coming months due to a variety of ongoing processes, including updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento Sacramento-San Joaquin Delta Estuary, be considered.

See response to comment A9-2 regarding Yuba Water's decision to prepare a Supplemental EIR. As the commenters acknowledge, the SEIR's analysis relied on an updated baseline that considered changed conditions since the 2007 EIR was certified and concluded that the Proposed Extension would not result in any new or more severe significant environmental impacts compared to those identified in the 2007 EIR. Additionally, see response to comment A2-4 regarding potential impacts on listed fish species. See responses to comments A4-3 and A9-2 and Chapter 3, "Revisions to the Draft SEIR," in this Final SEIR regarding updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento Sacramento-San Joaquin Delta Estuary explaining that implementation of Yuba Water's HR&L Program would result in beneficial impacts and that it would not affect the Proposed Extension in any way that would cause the Proposed Extension to result in a cumulatively considerable impact.

Response O1-5
The comment states that the Draft SEIR does not provide substantial evidence to support the conclusion that the Proposed Extension would have less-than-significant impacts to Lower Yuba River and Delta fisheries, and that no mitigation is required. The comment further states that the Draft SEIR does not consider more recent data and that additional analysis is needed to address the continued decline of salmonids since implementation of the Yuba Accord. See response to comment A2-4 regarding potential impacts on listed fish species.

Response O1-6
The comment summarizes how CEQA defines cumulative impacts and states that ongoing trends of special-status species declines is a strong indicator that cumulative impacts exist. The comment further indicates that even if the contribution of the subject action is minimal, the potential cumulative impacts of closely related past, present, and reasonably foreseeable projects are considerable and were not identified and appropriately analyzed in the Draft SEIR. See response to comment A2-4 regarding potential impacts on listed fish species.

In addition, the long-term transfer has undergone changes since the initial SWRCB order WR2008-0014 was issued. The changes to the transfer program, which are described in the SEIR (see p. 3.2-14), include new regulatory restrictions that eliminate exporting transfer water in the period identified by SWRCB in WRO 2008-0014 that could

potentially impact special-status species in the Delta. The discussion in WR2008-0014 regarding Delta special status species concerned the potential for relatively small amounts of transfer water, less than 20,000 AF annually, that could be pumped from the Delta at the CVP/SWP export facilities in the December to June period (SWRCB WRO 2008-0014 Section 2.5). In WRO 2008-0014, SWRCB limited the amount of transfer water that could be pumped from the Delta at the CVP/SWP export facilities (WRO2008-0014 Transfer Term 1 and Term 3). However, since that time, new biological opinions have limited transfer exports to a "transfer window" of July through September and more recently July through November (SEIR p. 3.2-14). The restrictions imposed on exports of transfer water restricting those exports to the transfer window have eliminated any transfer water pumping in the December through June period and eliminated the possibility of the Proposed Extension contributing even minimally to a cumulative impact on special-status species due to this action.

Response O1-7

The comment summarizes the alternatives that were evaluated in the Draft SEIR and states that a Reduced Transfers alternative is reasonably foreseeable because Yuba Water may have less water available for transfer in the future due to proposed updates to the Bay-Delta Plan. The comment further indicates that a Reduced Transfers alternative would have fewer impacts than the Proposed Extension.

As described in Chapter 5, "Alternatives," of the Draft SEIR, there would be no significant impacts associated with the Proposed Extension. Therefore, the Draft SEIR was not required to consider alternatives to the Proposed Extension, including the commenters' proposed "Reduced Transfers" alternative, because there would be no significant impacts to avoid or lessen through implementation of alternatives. Additionally, CEQA does not require Yuba Water to identify and analyze alternatives based on hypothetical future conditions. As explained in Section 3.1.2, "Baseline," of the Draft SEIR:

> Future changes to the watershed may occur due to the Voluntary Agreements, the future adoption of an updated Bay-Delta Water Quality Control Plan (Bay-Delta Plan), the outcome of the Biological Opinions (BOs) for the Long-Term Operations of the CVP and SWP, and the anticipated terms of a FERC license renewal and associated Water Quality Control Plan conditions. Each of these long-term processes are currently incomplete, with timelines for resolution that are wholly uncertain, and likely years away. ***Each process is related to some extent to the Yuba Accord, but at this point have only hypothetical outcomes that could resolve in myriad unknown ways. Therefore, incorporating these processes into the baseline would require speculation.*** These processes, however, are considered as appropriate in the discussion of cumulative impacts in Chapter 4, "Cumulative Impacts." ***Emphasis added.***

Regardless, substantial evidence demonstrates that a Reduced Transfers alternative would neither achieve the project objectives nor be the environmentally superior alternative as the comment suggests. In asserting otherwise, the comment misstates how Accord water transfers would be affected if the SWRCB were to adopt new Bay-Delta water quality control plan requirements for minimum streamflows based on unimpaired flows, as described in the SWRCB's related September 2023 draft staff report (DSR) (SWRCB 2023). Additionally, the comment misstates the likely hydrologic and water-supply effects of the SWRCB adopting such requirements. As Yuba Water previously demonstrated in its technical comments on the DSR, the potential unimpaired flow-based requirements cited by the comment would result in highly adverse impacts to the lower Yuba River's sensitive fish due to changes in water temperatures.

Although the comment asserts, without evidence, that it would be feasible for Yuba Water to implement a Reduced Transfers alternative in the event that SWRCB adopts unimpaired flow-based requirements, substantial evidence suggests otherwise. In January 2024, Yuba Water submitted to the SWRCB extensive comments on the 2023 DSR. As Yuba Water explained on pages 53 to 56 of those comments and in the Technical Memorandum #2 that Yuba Water submitted with those comments, the SWRCB's imposition of unimpaired flow-based requirements on Yuba Water as

proposed in the 2023 DSR likely would terminate all Accord transfers.[5] Yuba Water's comments and Technical Memorandum #2 provide an expert hydrological review of the SACWAM hydrologic modeling on which the DSR is based and concludes that operation of Yuba Water's YRDP, according to the DSR's SACWAM modeling, would eliminate Accord water transfers, and thereby eliminate a significant source of statewide water supply in droughts.

As the Draft SEIR states at page 2-7, the Proposed Extension's project objectives are as follows:

> The objectives of the Proposed Extension to the Water Transfer Program are to:
>
> (1) continue to support the existing level of water supply reliability throughout the state provided by the supplemental water for contractors of the CVP and the SWP, and other potential transferees consistent with the Water Purchase Agreement;
>
> (2) continue to facilitate responsible management of groundwater supplies consistent with the *Yuba Subbasins Water Management Plan: A Groundwater Sustainability Plan* (Yuba Water et al. 2019) through active coordination under the Conjunctive Use Agreements; and
>
> (3) continue to generate long-term, predictable revenue for Yuba Water's various projects and programs, such as its programs to replace aging wastewater infrastructure in Yuba County's Disadvantaged Communities.

Because substantial evidence demonstrates that the new unimpaired flow-based requirements described in the 2023 DSR likely would terminate all Accord transfers, the comment's premise that its proposed "Reduced Transfers alternative could achieve the project objectives" is incorrect. That premise is not supported by any information or data submitted with the comment or otherwise available. Yuba Water's comments on the 2023 DSR demonstrate that exactly the opposite would likely be the case. Specifically, the SWRCB's implementation of unimpaired flow-based requirements as discussed in the 2023 DSR likely would preclude *any* of the Proposed Extension's project objectives from being met.

Moreover, to the extent that the comment's proposed "Reduced Transfers" alternative might be implemented outside of a situation in which the SWRCB had adopted unimpaired flow-based requirements as discussed in the 2023 DSR, the comment appears to assume that other water users, including Reclamation and DWR as the operators of the CVP and the SWP, respectively, would desist from exercising their own water rights with points of diversion downstream of the Yuba River to divert water that would be transferred under the Proposed Extension. There is no basis for such an assumption. Nothing in the Proposed Extension would involve the SWRCB acting to prevent the CVP and the SWP from exercising their own water rights to divert water that Yuba Water releases as part of the continuing elements of the Yuba Accord. The only water-right petition involved in the Proposed Extension involves Yuba Water's water rights. (See Draft SEIR, p. 2-7.) Contrary to the comment's assumption that a Reduced Transfers alternative would involve "some of the water that is transferred under current operations would instead become Delta outflow," the CVP and the SWP likely would simply divert that water, just without compensating Yuba Water.

In this scenario, similar to the No-Transfer scenario addressed in the Draft SEIR's discussion of the No Project Alternative (p. 5-6), the effect of the proposed "Reduced Transfers" alternative would be to limit only Yuba Water's ability to transfer Yuba River water released under the Accord and would not be to limit other water users' ability to divert that water under their downstream water rights. Any such water therefore likely would be diverted by one or more of the many downstream water-right holders (who would not compensate Yuba Water). As the Draft SEIR explains, the most likely outcome would be that the CVP and the SWP would divert that water as part of their project supplies. The proposed alternative therefore would not reduce any alleged environmental effects in the south Delta as the comment suggests.

The commenters' proposed "Reduced Transfers" alternative therefore is either infeasible (in the event that the SWRCB adopts unimpaired flow-based requirements discussed in the 2023 DSR) or is unlikely to actually reduce south Delta

[5] Yuba Water has included its comments on the DSR, and the Technical Memorandum #2 it submitted with those comments, in the administrative record for the SEIR (Yuba Water 2024a). As the SWRCB's website also states, those comments are publicly available from the SWRCB via a request sent to SacDeltaComments@waterboards.ca.gov (SWRCB 2024).

diversions or significantly reduce any existing environmental impacts, assuming the SWRCB does not adopt unimpaired flow-based requirements as discussed in the DSR.

Finally, because the commenters' proposed "Reduced Transfers" alternative is premised on the SWRCB's adoption of unimpaired flow-based requirements as discussed in the DSR, it would be associated with lower Yuba River water temperatures that would be highly adverse for the river's fish. As pages 26 through 29 of Yuba Water's comments on the DSR explained, technical analyses that Yuba Water previously had submitted to FERC demonstrated that implementing unimpaired flow-based requirements like those discussed in the DSR would increase the lower Yuba River's water temperatures up to 13º Fahrenheit in the summer and increase temperatures at other times to levels that would be highly adverse for the river's salmon and steelhead.[6] Accordingly, implementation of the SWRCB's proposals that are the premise for the comment's proposed "Reduced Transfers" alternative would have significantly worse impacts on the lower Yuba River's sensitive fish compared to the Proposed Extension. The proposed "Reduced Transfers" alternative therefore would not be the Environmentally Superior alternative, as the comment claims, or even an appropriate alternative under CEQA. (California Code of Regulations, Title 14, Section 15126.6[a], [c], [f].)

Response O1-8

The comment states that a revised Draft SEIR needs to be prepared and recirculated or a Subsequent EIR prepared that includes evaluation of a Reduced Transfers alternative as well as analyzes and discloses new issues with fisheries, substantial changes in environmental conditions, and new significant evidence not previously known when the 2007 FEIR was issued. For the reasons described in responses to comments O1-2 through O1-7, above, neither recirculation of the Draft SEIR nor preparation of a Subsequent EIR is warranted.

[6] Yuba Water submitted with its comments to the SWRCB the relevant technical memoranda that it previously had submitted to FERC. Those memoranda were Exhibits G and H and are included in the administrative record for the SEIR. Those memoranda also are present in FERC's eLibrary at Accession Numbers 20211207-5175 and 20220307-5273. The commenters are parties to FERC's proceeding for the YRDP's relicensing and therefore should have received notice of Yuba Water's submission of those memoranda to FERC at the time of their submission. In addition, as discussed above, the SWRCB makes publicly available all comments on the DSR.

Letter O2 AquAlliance
Barbara Vlamis, Executive Director
May 20, 2024

AQUALLIANCE
DEFENDING NORTHERN CALIFORNIA WATERS

Letter O2

May 20, 2024

JoAnna Lessard, Watershed Manager
Yuba Water Agency
1220 F Street
Marysville, CA 95901-4740
Email: jlessard@yubawater.org

Re: Draft Supplemental EIR for the Extension of the Yuba Accord Long-Term Water Transfer Program, State Clearinghouse No. 200506211

Dear Ms. Lessard:

AquAlliance submits the following comments and questions for the draft Supplemental Environmental Impact Report ("DSEIR") for the Extension of the Yuba Accord Long-Term Water Transfer Program ("Project") that intends to operate through 2050. The SEIR states that "[t]he 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 this SEIR to evaluate the potential environmental effects of the Proposed Extension."[1] O2-1

A. Existing Conditions

Review of the Yuba Subbasins Water Management Plan Annual Report for 2023 indicates that groundwater levels are *beginning* to recover from drought years, the same years that water transfers take place: "Yuba Water Member Units(11) participated in GWS transfers in 2008, 2009, 2010, 2013, 2014, 2018, 2020, and 2022, pumping a total of over 540,000 AF of groundwater. Plumas Mutual Water Company, which is located within the South Yuba Subbasin and operates its own GWS transfer program independent of Yuba Water, participated in GWS transfers in 2014, 2015, 2018, 2020, 2021, and 2022 pumping a total of over 22,000 AF of groundwater."[2] Clearly, the water transfers exacerbate drought impacts, which should be thoroughly analyzed and disclosed.

The SDEIR opines that the existing conditions are the same as in 2008 because the Yuba Accord has been in operation. "Because the Yuba Accord is and has been implemented since its approval in 2008, the water transfers occurring under the terms of the Yuba Accord Water Purchase Agreement reflect existing physical conditions in the watershed. Accordingly, the proper CEQA baseline consists of environmental conditions as they exist now, with the transfers occurring. It is against this baseline that the Proposed Extension SEIR will evaluate potential environmental impacts associated with the continuance of the transfers." Yikes! So much in the Yuba watershed, northern California watersheds, and the state as a whole is not the same for CEQA analysis! Some but not all possible O2-2

[1] p. ES-2.
[2] Yuba Water Agency, Et Al., 2024. Yuba Subbasins Water Management Plan: A Groundwater Sustainability Plan Water Year 2023 Annual Report. p. 3-1.

areas of change since 2006 that are involved in the proposed Project are human and species populations, climate, groundwater conditions, ground and surface water pollution, cropping patterns, urban and agricultural expansion, fires, and so much more.

Full disclosure of existing conditions is glaringly absent, which requires the withdrawal of the SDEIR and another CEQA document if the Project hopes to continue.

O2-2 cont.

B. Groundwater

Impacts to Well Owners

The DSEIR fails to disclose impacts associated with the Yuba River transfers, even impacts disclosed long ago. The Yuba Water Agency ("YWA", formerly YCWA) transfers encountered troubling trends for over a decade that, according to the draft Environmental Water Account's EIS/EIR, were mitigated by deepening domestic wells (2007 p. 6-56). While digging deeper wells is at least a response to an impact, it hardly serves as a proactive measure to avoid impacts. Additional information finds that it may take 3-4 years to recover from groundwater substitution in the south sub-basin although YWA's own analysis fails to determine how much river water is sacrificed to achieve the multi-year recharge rate. None of this is found in the DSEIR. What was found in the 2015-2024 Long Term Water Transfer Program's environmental review is that even the inadequate SACFEM2013 modeling reveals that it could take more than six years in the Cordua ID area to recover from multi-year transfer events, although recovery was not defined (pp, 3.3-69 to 3.3-70). This is a very significant impact that is not addressed specifically or cumulatively in the DSEIR.

AquAlliance litigation (Case No. 1:20-cv-878-DAD-EPG) contains additional details regarding impacts from groundwater substitution that are sorely absent from the DSEIR. After the defendants lost the case for Long Term Water Transfer in 2018, USBR and SLDMWA recognized in their subsequent environmental review that some impacts to groundwater users had to be disclosed.

O2-3

While acknowledging that "[g]roundwater substitution transfers could increase costs to water users for groundwater pumping, deepening existing wells, or drilling new wells in areas where groundwater levels decline as a result of the transfer," the FEIS/R does not provide adequate measures to mitigate this significant impact. FEIS/R 3.10-37. The FEIS/R states that "[g]roundwater substitution transfers would cause groundwater levels to decline in local areas . . . . Decreased groundwater levels would increase pumping costs for nearby well owners who are not participating in groundwater substitution transfers. Increased costs would reduce net farm revenues and, subsequently, household spending in the regional economy." FEIS/R 3.10-37. The FEIS/R conceded that

> *After a single year, pumping costs in most areas would increase about $0.64 to $1.60 per AF. In some areas in Sacramento, Glenn and Sutter counties, pumping costs could increase up to $3.20 to $4.80 per AF for nearby wells close to 0.25 miles from the transfer well. In*

> *some areas of Colusa and Yuba counties, groundwater levels could decline up to about 25 feet, which would be an increase in pumping costs between $6.40 and $8.00 per AF . . . . Reduction in groundwater levels could also result in existing wells that may not be participating in the water transfers to dry out. This would require either deepening existing wells or drilling new wells to continue to pump groundwater. Deepening or drilling new wells would result in excessive costs to third parties and would be a substantial adverse economic effect.* [emphasis added]

FEIS/R 3.10-37 to 3.10-38.

O2-3 cont.

Groundwater depletion may also lead to water quality impacts in wells. As well levels drop from adjacent groundwater use, the potentials for oils and metals to become mobilized is increased. How is the water quality in domestic wells, in particular, monitored during and after groundwater substitution transfers? Are health effects tracked? The North Yuba Subbasins Groundwater Sustainability Plan's 2023 annual report reveals that according to DWR's review "[d]ata gaps regarding groundwater quality monitoring exist. Department staff also find that the current groundwater monitoring network lacks spatial and temporal coverage of the entire Subbasins."[3]

AquAlliance fails to find in the DSEIR acknowledgements and mitigation for the likely life-altering and financial impacts to unsuspecting well owners near Project activities. This must be corrected in a revised and recirculated CEQA document.

Stream Depletion Factor

It is positive that YWA now includes "[d]epletion on streams below the Yuba River as summarized in Appendix B, and a shift in approach by DWR and Reclamation because of dwindling water supplies due to increased regulatory constraints and climate change effects, an SDF is being included in the Yuba Accord accounting of groundwater substitution transfers."[4] However, the DSEIR's reliance on DWR and USBR (Agencies") is misplaced. The Agencies may include stream depletion factor as a requirement in their White Paper, but they have little to no practice at doing more than sticking to a rigid number that was once 12 percent and is now 13 percent. The lax oversight of water transfers including, but not limited to, stream depletion, is a pattern and practice. The Agencies' behavior also flies in the face of DWR's commissioned analysis by CH2MHill, which found:

O2-4

> The effect of groundwater substitution transfer pumping on stream flow, when considered as a percent of the groundwater pumped for the program, is significant. The impacts were shown to vary as the hydrology of the periods following the transfer program varied. The three scenarios presented here estimated effects of transfer pumping on stream flow when dry, normal, and wet conditions followed transfer pumping. Estimated stream flow losses in the five-year period following

[3] Yuba Water Agency, Et Al., 2024. Yuba Subbasins Water Management Plan: A Groundwater Sustainability Plan Water Year 2023 Annual Report. p. 2-20.
[4] p. 3.2-29.

each scenario were 44, 39, and 19 percent of the amount of groundwater pumped during the four month transfer period. [5]

From the CH2MHILL analysis it is clear that the Agencies arbitrary selection of 13 percent for mitigating stream depletion is inadequate, therefore making the DSEIR's reliance on the Agencies and their White Paper inadequate under CEQA. Deferring analysis and selection of a SDF to a future date deprives the public of adequate disclosure and the ability to comment. A protocol should be established, so there is some assurance of the response during different hydrologic years and existing conditions.

The SGMA office of DWR also brings up the unpreparedness of the Yuba GSP to manage interaction between ground and surface waters:

> Department staff note that the Yuba GSP does not provide information regarding the location, quantity, and timing of depletions of interconnected surface water, as required by the regulations. It is believed the Yuba GSP does not, for the purposes of long-term compliance, effectively demonstrate with adequate evidence that minimum thresholds developed for the chronic lowering of groundwater levels are reasonable proxies for the rate or volume of surface water depletions caused by groundwater use that has adverse impacts on beneficial uses of the surface water. Department staff recommended that by 2025, the GSAs must provide the specific methodology to estimate the location, quantity, and timing of depletion of interconnected surface water as required by the GSP Regulations; assess and document the quantifiable change in location, quantity, and timing of depletions the GSAs consider to be significant and unreasonable, and thereby considers to be the minimum threshold(s) that could lead to an undesirable result; explore whether managing the location and quantity of pumping could be an effective proxy for depletion of interconnected surface water; and coordinate with subbasins in the Sacramento Valley to develop consistent approaches for assessing the location, quantity, timing of streamflow depletion due to groundwater use.[6]

O2-4 cont.

Groundwater Dependent Ecosystems

How are GDES being tracked, disclosed and mitigated? The Long Term Water Transfer EIS/R admitted tree and other vegetation effects could occur up to two miles away, and expert comments supported by hard data showed that effects can reach farther.

O2-5

The myriad issues raised above must be addressed in a revised and recirculated CEQA document.

O2-6

C. Climate Change

CEQA requires that the EIR evaluate the effects of the Proposed Action on the environment. (Cal. Pub. Res. Code §§ 21100, 21061). This requirement extends to analyzing both direct and indirect

O2-7

[5] CH2MHill, 2010, Technical Memorandum - Groundwater Substitution Transfer Impact Analysis, Sacramento Valley, To: Abdul Khan/California Department of Water Resources and Bob Niblack/California Department of Water Resources, From: Peter Lawson/CH2M HILL, Redding, California, March 29, 2010' p. 8.
[6] Yuba Water Agency, Et Al., 2024. Yuba Subbasins Water Management Plan: A Groundwater Sustainability Plan Water Year 2023 Annual Report. p. 2-20. (Exhibit A)

effects, as well as how and to what extent the Proposed Action will exacerbate existing hazards or conditions that may result in significant effects to the environment. (CEQA Guidelines, § 15126.2; California Building Industry Assn. v. Bay Area Air Quality Management Dist. (2015) 62 Cal.4th 369, 392). The SDEIR impermissibly ignores climate change analysis and fails to analyze how the Proposed Action will exacerbate climate change impacts to other resources.

The Project does not analyze how or to what extent it will exacerbate the effects of climate change by transferring water resources out of the project area at times when those water resources are already stressed by climate change and needed for other resources such as aquatic species, vegetation, irrigation, or recreation. Recent studies indicate that climate change will result in increasingly sharp seasonality of the California wet season.[7] Specifically, while certain climate models project an increase in winter mean precipitation, mean precipitation during autumn (September – November) and especially spring (March – May) months is expected to decrease.[8] The general effect is a sharp decrease in mean precipitation for the months immediately prior to and following the winter wet season.

O2-7 cont.

D. Cumulative Impacts

The DSEIR fails to address many projects that may have cumulative effects that should be assessed and disclosed. Examples include:

- The Long Term Water Transfer Program with lead agencies USBR and SLDMWA. There is an existing NEPA/CEQA document and notification for more NEPA/CEQA review later in 2024.
- The Richvale ID and Western Canal WD water transfers of 60,000 af.
- The transfer projects from the regular list of water sellers that apply to the SWRCB on an annual basis.
- The Delta Conveyance project.

Additional projects should also be considered in a recirculated CEQA document.

O2-8

As demonstrated above, the SDEIR must be withdrawn. Please keep AquAlliance apprised of your next steps.

O2-9

Sincerely,

B. Vlamis

Barbara Vlamis, Executive Director
AquAlliance
P.O. Box 4024
Chico, CA 95927

[7] Swain, D.L., Langenbrunner, B., Neelin, J.D. *et al.* Increasing precipitation volatility in twenty-first-century California. *Nature Climate Change* 8, 427–433 (2018) doi:10.1038/s41558-018-0140-y.
[8] *Id.*

Response O2-1

The comment is an introductory statement, including a summary of the Proposed Extension, and does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Response O2-2

The comment summarizes past groundwater substitution transfers that have occurred during implementation of the Yuba Accord and states that these transfers exacerbate drought conditions in the Yuba Subbasin and should be analyzed and disclosed. The comment further states that because existing conditions have not been fully disclosed in the Draft SEIR, additional CEQA documentation is needed. As an initial matter, the comment's assertion that the Draft SEIR "opines that the existing conditions are the same as in 2008" is inaccurate. The SEIR's analysis relies on an updated baseline that considers existing conditions as of January 2023, when Yuba Water issued the NOP for the SEIR. See responses to comments A2-4 through A2-7 regarding potential effects of groundwater substitution transfers.

Response O2-3

The comment states that data show it may take several years for portions of the Yuba Basin to recover from groundwater substitution transfers and that groundwater depletion may result in water quality impacts in wells and these impacts are not addressed in the Draft SEIR. Therefore, the comment states that a revised and recirculated environmental document that discloses and evaluates these impacts and includes mitigation is required.

The comment fails to meaningfully acknowledge the relevant groundwater impact analyses in the 2007 Yuba Accord EIR or the Draft SEIR for the Proposed Extension. Section 3.3, "Groundwater Resources," of the Draft SEIR analyzes the potential groundwater impacts of the Proposed Extension and demonstrates that these impacts would be less than significant. The comment does not provide any evidence, or even allege, that the methodologies and conclusions in the Draft SEIR's groundwater impacts analysis are flawed.

Instead, the comment cites outdated and irrelevant information from other environmental documents. Specifically, the comment appears to cite the 2007 Draft EIS/EIR for the Environmental Water Account (EWA)[7] and a 2015 EIS/EIR prepared by the U.S. Bureau of Reclamation and San Luis & Delta-Mendota Water Authority for Long-Term Water Transfers.[8] Unlike the 2007 Yuba Accord EIR or the Draft SEIR, neither of the environmental documents cited in the comment analyzed groundwater substitution transfers under the Yuba Accord or the Proposed Extension, including the features of the Yuba Accord that have addressed, and will continue to address, the impacts raised in the comment. (See Section 2.3.6, "Other Commitments as Features of the Proposed Extension," of the Draft SEIR.) As the Draft SEIR explains (see pages 3.3-9 and 3.3-18 to 3.3-21), those features will avoid and, if necessary, mitigate any adverse impacts to groundwater levels and groundwater users associated with groundwater-substitution transfers under the Proposed Extension. The comment does not explain why these features would be inadequate to address any potential groundwater impacts under the Proposed Extension.

Since 2008, Yuba Water has implemented Mitigation Measures 6.1 and 6.2 identified in the 2007 Yuba Accord EIR, which include a monitoring and mitigation plan and a third-party action plan) to address groundwater impacts. The Proposed Extension explicitly incorporates continued implementation of those measures.

These measures reflect Yuba Water's and its Member Units' practical experiences before 2007 with pre-Accord groundwater-substitution transfers. In the early 2000s, before the Yuba Accord was implemented, some domestic wells that were not constructed to withstand the water level fluctuations of drought conditions were deepened, at the expense of Yuba Water's member units that participate in groundwater-substitution transfers and not at the expense of the well owners. Based on this experience, the 2007 Accord EIR incorporated, and Yuba Water has implemented, Mitigation Measures 6.1 and 6.2, including deepening wells that may have been affected by groundwater-substitution

[7] The Draft EIS/EIR for the EWA—a much broader program than the Yuba Accord—predated the implementation of the Yuba Accord. The 2007 Yuba Accord EIR, which this SEIR supplements, analyzed the groundwater impacts associated with Yuba Accord transfers.

[8] The EIS/EIR appears to be available as an AquAlliance hearing exhibit on the SWRCB's website at https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/CSPA%20et%20al/part2/aqua_266A.pdf.

pumping, at the expense of participating member units. The comment's assertion that the Proposed Extension would have "life-altering and financial impacts to unsuspecting well owners" is therefore unfounded.

In addition, as the Draft SEIR's section 2.3.3 states, the Proposed Extension would involve the extension of Yuba Water's Water Purchase Agreement with DWR under substantially the same terms. The existing Water Purchase Agreement includes, as its Exhibit 3, a Groundwater Monitoring and Operations Program. That plan includes specific limitations on groundwater-substitution pumping to ensure that local wells are not dewatered. (Draft SEIR, p. 3.3-18.) As the Draft SEIR states, as part of the Proposed Extension, Yuba Water will augment the existing protective measures implemented under the Accord by using its YGM to forecast groundwater levels that would occur with groundwater-substitution transfers in each year. (Draft SEIR, p. 3.3-18.)

The comment does not meaningfully acknowledge the Draft SEIR's discussion of these issues, nor does it provide any information that suggests that these existing and augmented measures will not adequately address the potential groundwater impacts cited in the comment.

The comment also fails to acknowledge the Draft SEIR's discussion about how the Proposed Extension would integrate with Yuba Water's implementation of its approved GSP under the SGMA to avoid adverse impacts to groundwater users. (See Section 3.3, "Groundwater Resources" and pages 3.3-20 to 3.3-21 [analysis of Impact 3.3-1].) As a result of Yuba Water's implementation of SGMA, and particularly through Yuba Water's use of the YGM it developed to implement SGMA, Yuba Water will be able to implement updated objectives for groundwater-substitution transfers' effects that are more protective than the GSP's thresholds for more general sustainable groundwater management. (Draft SEIR, pp. 3.3-20 to 3.3-21.)

With respect to groundwater quality, the comment quotes Yuba Water's 2023 GSP annual report and DWR's comment on groundwater quality monitoring. The comment, however, does not acknowledge or address the Draft SEIR's analysis of potential groundwater quality impacts (see pp. 3.3-21 to 3.3-22 [analysis of Impact 3.3-2]), which is based in large part on Yuba Water's long-running experience with measuring the groundwater quality impacts of existing Accord groundwater-substitution transfers, or the Draft SEIR's conclusion that continued Accord groundwater-substitution transfers under the Proposed Extension would not cause any significant groundwater quality impacts.

As explained in that analysis, Yuba Water's groundwater quality monitoring has focused on electric conductivity (EC) levels for two primary reasons. First, because EC is a measure of the changes in concentrations of dissolved solids (i.e., salts) in water, changes in EC levels indicate that basic groundwater quality is changing and that more analysis of any changes may be required. Second, DWR requires EC monitoring of all groundwater substitution projects, so the Accord water purchase agreement's Exhibit 3 Groundwater Substitution Transfer Monitoring and Operations Program requires Yuba Water to monitor EC in production wells involved in groundwater-substitution transfers. Specifically, Yuba Water (and its Member Units) must measure EC in the relevant wells "at the initiation of pumping (or as soon thereafter as practicable), two months after the initial EC measurements and at the termination of pumping" (WPA Exhibit 3 p. 2). Similar data had been collected in a number of Yuba County wells for decades before the start of the Yuba Accord. Thus, Yuba Water has a large base of data to analyze these issues.

Yuba Water's data from monitoring EC in production wells involved in Yuba Accord groundwater-substitution transfers shows generally consistent readings across most of the Yuba Subbasin. Only one well, in an area of southern Yuba County near Wheatland, has ever showed substantial long-term increasing EC trends in groundwater through Yuba Water's monitoring. Other wells have stable concentrations or have smaller increasing or decreasing trends in concentrations. At the time those trends were observed, however, the area of southern Yuba County near Wheatland was unique in southern Yuba County because Yuba Water was unable to deliver surface water for irrigation to that area before 2010. By comparison, Yuba Water began delivering surface water to most of southern Yuba County in the 1980s. The area in which EC levels in groundwater increased showed those increases from about 1980 through 2006. Since 2006, however, EC levels have been dropping (Yuba Water 2024b: 3-29 to 3-32). As Yuba Water began delivering surface water to the area in 2011, the decline in EC levels may be associated with reduced groundwater pumping as a result of the use of surface water delivered by Yuba Water.

These data contradict the comment's unsupported theory that continued groundwater-substitution pumping under the Proposed Extension could have significant adverse effects on groundwater quality. Instead, these data indicate that Yuba Water's surface-water deliveries have allowed southern Yuba County farmers to reduce their reliance on annual groundwater pumping, with resulting improvements in groundwater quality. Continued groundwater-substitution pumping under the Proposed Extension would be associated with continued Yuba Water surface-water deliveries that would occur in years with and without groundwater-substitution transfers. In addition, continued groundwater-substitution pumping under the Proposed Extension would incorporate the detailed monitoring and mitigation measures already included in the Accord, as augmented in the manner explained above and in the Draft SEIR. For these reasons, substantial evidence demonstrates that the Proposed Extension would not cause any adverse groundwater quality impacts, and the comment has failed to demonstrate otherwise. As the Draft SEIR addressed the project's potential groundwater impacts and no additional mitigation is required under CEQA, recirculation of the Draft SEIR is not warranted.

Response O2-4

The comment applauds the inclusion of an SDF but states based on the results of DWR's commissioned analysis of SDF by CH2MHill that current application of SDFs to groundwater substitution transfers has been inadequate and that a protocol should be established for different hydrologic years and disclosed in the environmental document to allow the ability to comment.

As a threshold matter, the comment appears to assume—incorrectly—that the Draft SEIR's analysis of streamflow depletion in Section 3.2, "Surface Water Supply and Management," is intended to also address the Proposed Extension's potential effects on aquatic species and other environmental resources that depend on streamflows in streams as a result of continued groundwater-substitution pumping.

This assumption, however, is not accurate. As described in response to comment A2-6, above, this SEIR demonstrates that continued Accord groundwater-substitution transfers: (1) would not have any effect on larger streams that are hydraulically connected with aquifers from which groundwater-substitution pumping would occur (i.e., the lower Yuba River, the Feather River) that would require further environmental analysis; and (2) would not adversely affect smaller streams that may support GDEs, but that rely on Yuba County's shallower aquifer that is largely separated from the deeper production aquifer by clay layers and lenses (see response to comment A2-6 for additional discussion). The CH2MHill technical memorandum cited by the commenter is 14 years old, does not include recent improvements in data availability and conceptual understanding, and analyzes a broad area spanning the southern half of the Sacramento Valley without critical local detail. The results presented in the CH2MHill technical memorandum are no longer relevant to conditions specific to groundwater substitution transfers in the Yuba Subbasins, having been superseded by the technical analysis presented in Appendix B in the Draft SEIR. Appendix B incorporates the most recent data and conceptualization of the Yuba Subbasins and groundwater substitution transfers into a detailed, site-specific modeling and analysis approach for defining stream depletion factors. The comment, therefore, provides no basis for concluding or theorizing that any streamflow depletions that might be associated with continued Yuba Accord groundwater-substitution transfers would cause any adverse environmental effects.

The comments about the potential variability of the SDF that will be used in relation to Yuba Accord groundwater-substitution factor, and potential related impacts, ignores the reality of streamflow depletion that may occur in association with the Proposed Extension, the Draft SEIR's analysis of potential streamflow depletions, and the basic purpose of an SDF. The Draft SEIR contains, in Appendix B, a technical memorandum entitled "Streamflow Depletion Effects on Downstream Water Supplies." Appendix B describes Yuba Water's extensive analysis of streamflow depletion effects, including multiple modeling studies, and includes detailed information on a proposed process to identifying an SDF in collaboration with DWR. As Appendix B discusses at pages 2 and 11 through 13, "a significant portion of the total streamflow depletion due to [groundwater substitution] transfer pumping occurs on the Yuba River above the Marysville Gage" and, out of the necessity to comply with regulatory requirements concerning minimum lower Yuba River flows, Yuba Water would compensate for any such depletions by releasing more water from New Bullards Bar Reservoir to ensure that those depletions do not cause flows at the Marysville Gage to fall below required minimums. In addition, DWR's participation and consideration relative to the SDF is important

because, to the extent any streamflow depletions associated with Yuba Accord groundwater-substitution transfers occur downstream of the Yuba River, DWR is the primary water user that could be affected. The fact that DWR's water supplies potentially could be affected, however, does not indicate that any environmental impact would occur because there are numerous regulatory requirements that govern conditions in the Feather River, the Sacramento River, and the Delta downstream of the Yuba River. The commenter provides no comments on Appendix B. The comment, therefore, provides no basis for questioning the Draft SEIR's analysis of potential streamflow depletions.

In addition, under the applicable law and the relevant hydrologic circumstances, a potentially flexible SDF is necessary to accurately account for water supply issues associated with future transfers under the Proposed Extension. As explained above and in the Draft EIR, this process is not intended to address environmental impacts directly, but rather, to alleviate concerns about potential injuries to water rights of downstream water users. As a result, this process is typically accomplished through negotiations regarding contractual terms, rather than as part of an environmental review process requiring the "public … disclosure and the ability to comment" sought by the comment.

Specifically, for Yuba Accord transfer water to reach many of its buyers, DWR, and sometimes Reclamation, must "wheel" that water through their south Delta pumps and associated water conveyance facilities pursuant to the "wheeling statutes" (Water Code sections 1810 through 1814). Relevant here, these statutes require that a wheeling operation occur "without injuring any legal user of water" (section 1810[d]) and authorize the "owner of the conveyance facility" to set the terms under which water will be wheeled (section 1812). In the case of Yuba Accord transfers, the wheeling statutes authorize DWR and Reclamation to impose reasonable terms to prevent any legal injuries to their own water uses that might otherwise occur as a result of the transfers through DWR and U.S. Bureau of Reclamation infrastructure. Moreover, because the Proposed Extension involves a 25-year extension of the wheeling of Yuba Accord transfer water through those agencies' facilities, any appropriate SDF necessarily will account for the fluctuating hydrology within which the transfers will occur. The Draft SEIR's treatment of the SDF issue—which, again, is intended to account for water supply issues to prevent legal injury, rather than to mitigate environmental impacts—is consistent with the applicable law governing water transfers. As noted above, the Draft SEIR separately analyzed potential environmental impacts of the Proposed Extension as a result of streamflow depletion in Sections 3.2 through 3.5 and determined that the Proposed Extension would not result in any significant impacts.

Finally, the comment states that "DWR also brings up the unpreparedness of the Yuba GSP to manage interaction between ground and surface waters"; however, DWR has approved Yuba Water's GSP under SGMA, signifying that that the GSP avoids undesirable effects. To the extent that the comment concerns the adequacy of the GSP generally, that issue is beyond the scope of this SEIR. In addition, the issue that the comment raises concerns the existence of potential GDEs in Yuba County. As explained in response to comment A2-5 regarding potential impacts to GDEs, however, any such ecosystems necessarily depend on Yuba County's shallow aquifer that has limited hydraulic connection with the county's deeper aquifer that is the primary source of groundwater that the county's farmers use and, therefore, the source for groundwater-substitution pumping. As a result, the Proposed Extension would not result in significant adverse impacts to GDEs requiring further analysis or mitigation.

Response O2-5

The comment asks how GDEs are being tracked, disclosed, and mitigated, and states that effects on GDEs can occur up to or more than two miles away. See response to comment A2-5 regarding potential impacts to GDEs. As substantial evidence demonstrates that the Proposed Extension would not result in any significant impacts to GDEs, no additional analysis or mitigation is required.

Response O2-6

The comment states that the issues raised in the comments require a revised and recirculated CEQA document. For the reasons described in responses to comments O2-2 through O2-5, above, recirculation of the Draft SEIR is not warranted.

Response O2-7

The comment states that the Draft SEIR does not address climate change and analyze how the Proposed Extension would exacerbate climate change impacts to other resources. As stated on page 3.1-11 under the subheading,

"Greenhouse Gas Emissions," in Section 3.1.3, "Effects Found Not to Be Significant," of Chapter 3 "Environmental Impacts and Mitigation Measures," in late 2018, the California Natural Resources Agency finalized amendments to the CEQA Guidelines, including changes to CEQA Guidelines Section 15064.4, which addresses the analysis of greenhouse gas (GHG) emissions. The amendments were approved by the Office of Administrative Law and filed with the Secretary of State and became effective on December 28, 2018.

As provided in CEQA Guidelines Section 15007(b), "[a]mendments to the Guidelines apply prospectively only," and if a CEQA document "meets the content requirements in effect when the document is sent out for public review, the document shall not need to be revised to conform to any new content requirements in Guideline amendments taking effect before the document is finally approved" (CEQA Guidelines Section 15007[c]).

The 2007 EIR was sent out for public review and certified before the amendment to the CEQA Guidelines adding analysis of GHG emissions. Although new information about the science of climate change has become available and the relationship between GHG emissions and land use planning has become better understood since the 2007 EIR was certified, impacts associated with GHGs were known at the time of certification of the 2007 EIR, and new information concerning GHGs does not constitute new significant information under CEQA (PRC Section 21166) or the CEQA Guidelines (Section 15162) because it does not constitute a new impact caused by the changes proposed in the project or indicate that the project would have any substantially more severe environmental impacts beyond those addressed in the 2007 EIR.

As discussed on page 3.1-11 under the subheading, "Greenhouse Gas Emissions," in the Draft SEIR, the Proposed Extension would not cause potentially significant impacts in this resource category because the Proposed Extension would be a continuation of the existing Water Transfer Program and would not involve physical changes to existing facilities or operations that would generate new or increased GHG emissions compared to existing conditions. Groundwater pumping would continue, as it does under existing conditions, and would not be increased under the Proposed Extension. Pumps used for groundwater pumping and water transfers are electric and, therefore, produce fewer emissions than diesel pumps. Construction and operation of other unrelated projects and other existing sources in the Yuba Region and the Export Service Area, including those associated with existing facilities, would also still occur. Emissions would be generated from sources such as vehicle traffic, construction and agricultural equipment, and operation of various facilities, but these sources of emissions are part of the existing conditions. The Proposed Extension would not generate new or increased GHG emissions relative to existing conditions that would have a significant impact on the environment.

As explained in response to comment A2-4, above, most of the Yuba Accord's transfer water is an increment of water between the minimum streamflow requirements for the lower Yuba River under the Accord, as approved by the SWRCB, and pre-Accord minimum streamflow requirements for the lower Yuba River. The amount of these Accord transfers is determined by downstream water accounting, not by changes in Yuba Water's operations. In other words, the Proposed Extension generally would not independently "[transfer] water resources out of the project area at times when those water resources are already stressed by climate change," as the comment incorrectly suggests. Accordingly, there is no clear mechanism by which most of the water transfers under the Proposed Extension would contribute to, or exacerbate the effects of, climate change. To the extent that climate change might be relevant, it would only be because changes in the relevant hydrology might affect the minimum streamflow requirements Yuba Water needs to implement in a given year, the downstream water accounting, or both. The comment provides no information that affects the Draft SEIR's analysis of the effects of the majority of Yuba Accord transfer water.

With respect to groundwater-substitution transfers "out of the project area," to the extent that climate change may affect Yuba County's water resources, those effects will be addressed through Yuba Water's ongoing Groundwater Substitution Transfer Monitoring and Operations Program and the various features of the Proposed Extension that have and will continue to protect groundwater supplies and quality as discussed in response to comment O2-3 above and in Section 2.3.6, "Other Commitments as Features of the Proposed Extension," of the Draft SEIR.

More broadly, climate change is a trend over time in hydrologic conditions and it is uncertain to what extent hydrologic conditions will become more variable with climate change. It is important to understand that California's hydrology has always been extremely variable. For example, between 1861 and 1865, California first experienced a

flood so significant that it inundated the City of Sacramento and much of the Central Valley and then a drought so significant that it essentially destroyed southern California's cattle ranching economy (Guinn 1890: 33-39). Consistent with the high variability of California's climate, the 2007 EIR and the Draft SEIR analyze the year-to-year variability of the hydrologic cycle to assess the range of effects of the Proposed Extension against that hydrology, the variation of which is much more variable from year to year than the projected long-term trend of climate change. Further, as the Draft SEIR states, as part of the Proposed Extension, Yuba Water will augment the existing protective measures implemented under the Accord by using its YGM to forecast groundwater levels that would occur with groundwater-substitution transfers in each year (Draft SEIR, p. 3.3-18). These measures are responsive to all causes of changes in groundwater levels, including climate change. The comment provides no basis for concluding or speculating that the Proposed Extension would exacerbate any climate change-related effects on Yuba County's water resources.

Response O2-8

The comment states that additional projects could contribute to cumulative impacts and provides several examples that it asserts should be disclosed and assessed in a recirculated environmental document. The comment does not provide any evidence of a potential cumulative impact or specify the types of cumulative impacts that it asserts would occur. As to the four specific projects that the comment asserts must be considered in the SEIR, substantial evidence demonstrates that these projects would not cause the Proposed Extension to have any cumulative impacts that were not considered in the Draft SEIR. Each of these projects is discussed below:

- The Long-Term Water Transfer Program with lead agencies USBR and SLDMWA: The comment states that this project was not addressed in the Draft SEIR; however, this project is included in Table 4-1 on page 4-10 of the Draft SEIR under the heading, "Long-term and Short-term Water Transfers." The Draft SEIR's cumulative impacts analysis considered this project, among others, and concluded that the incremental contribution of the Proposed Extension would not result in cumulatively considerable impacts relative to the existing condition. (Draft SEIR, pp. 4-20 to 4-23 [surface water supply and management], 4-24 to 4-25 [groundwater resources], 4-26 to 4-28 [fisheries and aquatic resources], 4-29 to 4-31 [surface water quality].)
- The Richvale Irrigation District and Western Canal Water District water transfers of 60,000 af: As explained in Section 3.1, "Approach to the Environmental Analysis," of the Draft SEIR, the SEIR considers the potential environmental impacts of the Proposed Extension using the existing condition (as of January 12, 2023, when the NOP for the Proposed Extension was issued) as a baseline for the analysis. The cited Richvale Irrigation District and Western Canal Water District transfers have been implemented since 2018 and are therefore appropriately part of the baseline for the SEIR's analysis. Accordingly, the SEIR need not also include these transfers in its cumulative impacts analysis. Under existing conditions, hundreds of thousands of acre-feet of water are transferred each year from Northern California to the San Joaquin Valley and Southern California across the Delta. To the extent that new transfers beyond the baseline are proposed or will occur, the SEIR includes them in its analysis of the cumulative impacts of the Proposed Extension. (See Table 4-1 of the Draft SEIR, which includes "Long-term and Short-term Water Transfers," on page 4-10.)
- The transfer projects from the regular list of water sellers that apply to the SWRCB on an annual basis: As explained in Section 3.1, "Approach to the Environmental Analysis," of the Draft SEIR, the SEIR considers the potential environmental impacts of the Proposed Extension using the existing condition (as of January 12, 2023, when the NOP for the Proposed Extension was issued) as a baseline for the analysis. The annual water transfers cited in the comment are part of this existing condition and are already accounted for as such in the Draft SEIR's analysis of the potential impacts of the Proposed Extension. Thus, it is not required, necessary, or appropriate for the SEIR to also treat these annual transfers as separate projects in the cumulative impacts analysis.
- The Delta Conveyance Project: The comment states that this project was not addressed in the Draft SEIR; however, this project is included in Table 4-1 on page 4-16 of the Draft SEIR. The Draft SEIR's cumulative impacts analysis considered this project, among others, and concluded that the incremental contribution of the Proposed Extension would not result in cumulatively considerable impacts relative to the existing condition. (Draft SEIR, pp. 4-20 to 4-23 [surface water supply and management], 4-26 to 4-28 [fisheries and aquatic resources], 4-29 to 4-31 [surface water quality].)

For the reasons explained above, the comment does not identify any evidence of potential cumulative impacts that were not adequately addressed in the Draft SEIR. No updates to the Draft SEIR's analysis or any other revisions to the Draft SEIR are necessary to address the four projects identified in the comment.

However, Yuba Water has made slight revisions to the Draft SEIR's list of cumulative projects; these revisions are intended to ensure the Draft SEIR's consistency with other Yuba Water CEQA/NEPA documents, but do not result in any new significant cumulative impacts or substantially more severe significant cumulative impacts in comparison to what was originally disclosed in the Draft SEIR. See Chapter 3, "Revisions to the Draft SEIR," for the specific text changes made to the Draft SEIR since its publication and public review.

Response O2-9

The comment states that the Draft SEIR should be withdrawn. The comment does not address the content, analysis, or conclusions in the Draft SEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided above, and AquAlliance will continue to be included on the distribution list to receive notices and environmental documents related to the Proposed Extension.

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3 REVISIONS TO THE DRAFT SEIR

This chapter presents specific text changes made to the Draft SEIR since its publication and public review. The changes are presented in the order in which they appear in the original Draft SEIR and are identified by the Draft SEIR page number. Text deletions are shown in ~~strikethrough~~, and text additions are shown in underline.

The information contained within this chapter clarifies and expands on information in the Draft SEIR and does not constitute "significant new information" requiring recirculation. (See Public Resources Code Section 21092.1; CEQA Guidelines Section 15088.5.)

3.1 REVISIONS TO CHAPTER 2, "DESCRIPTION OF THE PROPOSED PROJECT"

To provide an update regarding the authorized points of rediversion (PORDs) per current State Water Resources Control Board (SWRCB) practice and Yuba Water's discussion with SWRCB staff, the first paragraph on page 2-10 of the Draft SEIR is revised as follows:

> Yuba Water plans to prepare and file a water right change petition with the SWRCB. The petition would request the SWRCB's approval of a long-term water transfer of up to 200,000 acre-feet per year (the same volume of water now authorized under Corrected Order WR 2008-0014). The petition would request continuation of the same points of rediversion for Yuba Accord water transfers (i.e., Clifton Court Forebay, Jones Pumping Plant, EBMUD Freeport Regional Water Facility intake, and San Luis Dam at San Luis Reservoir) and addition of three of CCWD's Delta intakes (Rock Slough, Old River, Middle River intakes) as PORDs (which have been approved in 2022, 2023, and 2024 as temporary PORDs for Yuba Accord transfer water); continuation of San Luis Dam at San Luis Reservoir for potential storage of Yuba Accord transfer water; and continuation of the same places of use for Yuba Accord transfer water (i.e., SWP and CVP service areas); (i.e., SWP and CVP service areas); and continued authorization of municipal, industrial, and irrigation use of Yuba Accord transfer water. In addition, to conform with current SWRCB practice to include terminal reservoirs as authorized PORDs, the change petition also includes these terminal reservoirs from Clifton Court Forebay: Castaic Dam, Perris Dam, and Pyramid Dam. Reference to these terminal reservoirs is an administrative action that would not change the continued operation of the Water Transfer Program.

3.2 REVISIONS TO SECTION 3.2, "SURFACE WATER SUPPLY AND MANAGEMENT"

To provide clarification and in response to comments from Reclamation, the 3rd and 4th full paragraphs on page 3.2-21 of the Draft SEIR is revised as follows:

> ### Los Vaqueros Reservoir
>
> The Los Vaqueros Reservoir is an off-stream reservoir located in southeastern Contra Costa County that is owned and operated by CCWD and currently has a capacity to store 160 TAF of water. Reclamation and CCWD are currently evaluating expansion up to the 275-TAF capacity (Reclamation and CCWD 2020). CCWD diverts unregulated flows and regulated flows from CVP storage facilities releases as a contractor of Reclamation's CVP. CCWD can divert and re-divert up to 195 TAF per year of water from ~~its~~ the Rock Slough, ~~and~~ Old River, and Middle River intakes for direct use or to storage in Los Vaqueros Reservoir. As part of long-term CVP/SWP operations, Reclamation and DWR requested incidental take coverage for all water diverted at the Rock Slough Intake up to the maximum capacity of the intake (350 cfs) for the maximum annual diversion of 195 TAF (Reclamation 2019b). CCWD also diverts from Old River and Middle River intakes

to storage in the reservoir under its own Los Vaqueros water right permit (~~Reclamation and CCWD 2009~~ State Water Resources Control Board Permit 20749).

CCWD operates the Rock Slough Intake together with its other intakes and the Los Vaqueros Reservoir to meet its delivered water quality goals and to protect listed species. ~~The choice of which intake to use at any given time is based in large part upon salinity at the intakes, consistent with fish protection requirements specified in separate BOs (USFWS 1993; NMFS 2007; NMFS 2017) that govern operation of CCWD's intakes and Los Vaqueros Reservoir, as well as an incidental take permit from CDFW (2009) – all of which are separate from the 2019 USFWS and NMFS BOs for the coordinated long-term operation of the CVP and SWP (NMFS 2019). Los Vaqueros Reservoir is operated in a manner consistent with USFWS and NMFS BOs that require numerous fish protection measures, including an annual 75-day "no-fill" period and a concurrent 30-day "no-diversion" period. The default dates for the no-fill and no-diversion periods are March 15 through May 31 and April 1 through April 30, respectively. USFWS, NMFS, and CDFW can change these dates to best protect covered species. Customer demand during the no-diversion period is met through releases from the reservoir. CCWD also preferentially uses the screened Old River Intake over unscreened Rock Slough from January through August to further protect fish (Reclamation and CCWD 2009).~~ CCWD operates its diversions, storage, and conveyance facilities according to operational rules designed to minimize impacts to protected aquatic species and their habitat, as required under USFWS BOs (files: 1-1-93-F-35 and 1-1-07-F-0044), NMFS BOs (files: 5004 and 2005/00122), and ITP (No. 2081-2023-036-03), collectively referred to as the CCWD-specific BOs and ITP. These operating rules include 75-day no-fill and concurrent 30-day no-diversion periods and diversion restrictions under certain hydrodynamic conditions when listed fish are near CCWD's intakes. All of CCWD's intakes are equipped with fish screens, with the Rock Slough Fish Screen completed in 2011.

To provide clarification and in response to comments from Reclamation, the last paragraph on page 3.2-28 and continuing to page 3.2-29 of the Draft SEIR is revised as follows:

As described in more detail in Section 3.3, the 2007 EIR was correct that much of the streamflow depletion occurs on the Yuba River and only affects YRDP operations, however, with new information showing more effect of streamflow depletion on streams below the Yuba River as summarized in Appendix B, and a shift in approach by DWR and Reclamation because of dwindling water supplies due to increased regulatory constraints and climate change effects, an SDF is being included in the Yuba Accord accounting of groundwater substitution transfers. The inclusion of an SDF is being added as an adaptive management measure to adjust the net volume of transfer water that is delivered to participating contractors. With the inclusion of an SDF in the accounting, some transfer water will be made available to the CVP and SWP for their water supplies to offset streamflow depletion impacts. The SDF will ~~compensate the CVP and SWP for the streamflow depletion effects that are the residual effects of streamflow depletion propagating below the Yuba River~~ offset the streamflow depletion effects caused by groundwater substitution transfer pumping. Adjusting the Accord accounting principles to add an SDF to the calculation of delivered transfer water will ensure the CVP and SWP, as legal users of water are not injured by the groundwater substitution transfers of the Yuba Accord. The addition of an SDF to the Yuba Accord accounting to the Proposed Extension is therefore an adaptive management measure consistent with the 2007 EIR Impact 6.2.6-2, which is shown above.

3.3 REVISIONS TO SECTION 3.3, "GROUNDWATER RESOURCES"

To provide clarification and in response to comments from Reclamation, the 3rd full paragraph on page 3.3-22 of the Draft SEIR is revised as follows:

For more than fifteen years, groundwater substitution transfers throughout the Sacramento Valley have generally used a streamflow depletion factor (SDF) to calculate the amount of surface water that can be made available for transfer as a result of groundwater substitutions. Specifically, the SDF accounts for reductions in streamflow over time ~~from seepage back to groundwater that may occur when additional groundwater is pumped~~ due to (1) captured groundwater discharge (groundwater that otherwise would have discharged to a connected stream absent the pumping), and (2) induce infiltration (water drawn into the

aquifer because of pumping). As a result, when an SDF is used, the amount of surface water made available to the transferee is less than the amount of surface water the transferor foregoes by pumping groundwater. The difference is water left in the system to ~~address~~ offset streamflow depletion and ensure other surface water users are not adversely affected.

3.4 REVISIONS TO SECTION 3.4, "FISHERIES AND AQUATIC RESOURCES"

To provide clarification and in response to comments from Reclamation, the last paragraph on page 3.4-32 and continuing to page 3.4-33 of the Draft SEIR is revised as follows:

~~All CCWD facilities (e.g., Los Vaqueros Reservoir, Rock Slough, Old River, and Middle River diversion intakes) in the Delta, which could be used to transfer Yuba Accord water, are subject to no-fill and no-diversion periods identified as March 15 through May 31 and April 1 through April 30, respectively, for fisheries protection. The no-fill and no-diversion periods may be modified with approval from the USFWS, NMFS, and CDFW. On average, CCWD diverts approximately 127 TAF per year and approximately 110 TAF is CVP contract supply (USFWS 2019). CCWD's average annual diversions are not expected to increase as a result of long-term CVP/SWP operations, which may include water transfers pursuant to the Yuba Accord and the Proposed Extension. CCWD's operation of the diversion, storage, and conveyance facilities are covered under a separate USFWS BO (USFWS file number: 1-1-93-F-35 and 1-1-07-F-0179). CCWD's operations (including water transfers) addressed as part of long-term CVP/SWP operations are consistent with the separate USFWS BO and remain unchanged from current long-term CVP/SWP operations (USFWS 2019).~~ Up to 25 TAF of Yuba Accord water could be transferred to CCWD and would be diverted at its Rock Slough, Old River, and Middle River Intakes located in the Delta between April 1 and November 30. Operations of CCWD facilities, including diversions at the three intakes that would be used to transfer Yuba Accord water, were analyzed in the Los Vaqueros Expansion Reservoir Project Final Environmental Impact Statement/Environmental Impact Report 2010 (Final EIS/EIR, State Clearinghouse No. 2006012037, record of decision March 11, 2011, certified March 31, 2010) and 2020 Final Supplement to the Final EIS/EIR (certified May 13, 2020). All CCWD intakes are equipped with positive barrier fish screens that are effective at screening screenable-sized fish and keeping them from being diverted into CCWD's water control system. Additionally, CCWD operates its diversions, storage, and conveyance facilities according to operational rules designed to minimize impacts to protected aquatic species and their habitat, as required under USFWS BOs (files: 1-1-93-F-35 and 1-1-07-F-0044), NMFS BOs (files: 5004 and 2005/00122), and ITP (No. 2081-2023-036-03), collectively referred to as the CCWD-specific BOs and ITP. These operating rules include 75-day no-fill and concurrent 30-day no-diversion periods and diversion restrictions under certain hydrodynamic conditions when listed fish are near CCWD's intakes. Transfers of Yuba Accord water to CCWD would be subject to the requirements in CCWD-specific BOs and ITP and would not cause additional adverse impacts to fisheries and aquatic resources.

3.5 REVISIONS TO CHAPTER 4, "CUMULATIVE IMPACTS"

To ensure the Draft SEIR's consistency with other Yuba Water CEQA/NEPA documents, Table 4-1 on pages 4-3 through 4-17 of the Draft SEIR is revised as follows:

Table 4-1 Cumulative Project List

Project	Status	Primary Agencies	Description
Yuba Region (i.e., Yuba River)			
Narrows Hydroelectric Project (FERC No. 1403) Relicensing	Present	Yuba Water, FERC	Yuba Water owns and operates the Narrows Hydroelectric Project under FERC License No. 1403. Located on the south bank of the lower Yuba River immediately downstream of Englebright Dam and Reservoir, the Narrows Project consists of one development that include: (1) the Narrows Tunnel, a 1,077-ft-long tunnel that connects a USACE tunnel to the Narrows Project's penstock; (2) the Narrows Penstock, a 266-ft-long steel pipe penstock with a standpipe that connects the Narrows Tunnel to the Narrows 1 Powerhouse; (3) the Narrows 1 Powerhouse (12 MW); and (4) a powerhouse access tram. The Project does not include Englebright Dam and Reservoir or any open water conveyance facilities, switchyards, transmission lines, roads, streamflow gages, recreation facilities, or active borrow or spoil areas. Yuba Water is not proposing any operational or structural modifications to the project. The Narrows 1 Powerhouse is operated in conjunction with the Narrows 2 Powerhouse and/or the Narrows 2 Full Bypass on the lower Yuba River. Yuba Water filed its Final Application for a New License Major Project – Existing Dam for the Narrows Project on November 14, 2023. Yuba Water is requesting a new license term that would ~~end~~ extend the license's current expiration on January 31, 2026 to run concurrent with the term of the new license that FERC issues for Yuba Water's YRDP (FERC Project No. 2246) (Yuba Water 2023). Although Yuba Water is not proposing changes to the Narrows 1 Project, it is in the public interest, and consistent with FERC's 2017 Policy Statement (82 FR 49501) on establishing license terms to relicense the two projects at the same time in the future. ~~Yuba Water is awaiting the FERC license renewal.~~
Yuba River Watershed Habitat Restoration Plan	Future	Yuba Water, CDFW, and NMFS	In May 2023, Yuba Water, CDFW, and NMFS signed a term sheet to partner on an extension program to implement habitat restoration measures on the lower Yuba River and the North Yuba River. The Term Sheet sets forth a framework for a Settlement Agreement to implement certain restoration measures, including the potential for construction of a new fishway and modernized water diversion at Daguerre Point and initiation of a comprehensive program to reintroduce spring-run Chinook salmon to the North Yuba River. At the time this Final SEIR was prepared, negotiations for implementation of the Term Sheet have been progressing and the parties involved are seeking to resolve the remaining issues, complete CEQA review as discussed below, and execute the agreement by the end of 2024. Yuba Water anticipates relying on the SWRCB's General Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide (SRGO), which provides a programmatic authorization for qualifying restoration projects, for construction, operation, and maintenance of the Nature-Like Fishway component of the Restoration Plan. Yuba Water is in the process of evaluating the project's consistency with the SRGO and the SWRCB's Program EIR (PEIR) for the SRGO to determine the appropriate CEQA document for the project.

Project	Status	Primary Agencies	Description
CVP/SWP Upstream of the Delta Region (i.e., Feather River and Sacramento Rivers)			
Long-term and Short-term Water Transfers	Present	Reclamation, San Luis and Delta–Mendota Water Authority (SLDMWA), Biggs–West Gridley Water District, Browns Valley Irrigation District, various other agencies	These projects provide water to municipal, agricultural, and ecosystem water users, including wildlife refuges with programs that transfer water from Northern California to the San Joaquin Valley and Southern California across the Delta (Reclamation and SLDMWA 2019; Biggs–West Gridley Water District 2021; Browns Valley Irrigation District 2009).
Delta Region			
Bay-Delta Water Quality Control Plan Update	Past, Present, and Future	SWRCB, CVRWQCB, San Francisco RWQCB	Water quality and flow objectives to meet water quality criteria are included in the *Water Quality Control Plan for the San Francisco Bay/Sacramento–San Joaquin Delta Estuary* (Bay-Delta Plan) (SWRCB 2006). The SWRCB is actively engaged in the process of updating the Bay-Delta Plan through two separate processes (Plan amendments) – first (Phase 1) efforts focusing on the lower San Joaquin River flows and Southern Delta salinity, and later (Phase 2) efforts focusing on the Sacramento River and its tributaries, Delta eastside tributaries, Delta outflows, and interior Delta inflows. In 2018, the SWRCB completed the Phase 1 efforts by adopting Bay-Delta Plan amendments focused on flows in the Lower San Joaquin River and its three major tributaries (the Stanislaus, Tuolumne, and Merced Rivers) for the protection of fish and wildlife, and establishing a new salinity objective for the reasonable protection of agricultural uses in the southern Delta. The SWRCB has initiated Phase 2 to evaluate updating portions of the Bay-Delta Plan including criteria for Delta outflow, Sacramento and non-San Joaquin River tributaries inflow, Suisun Marsh salinity, Delta Cross Channel Gate closure, Delta export limits, and reverse flows in Old and Middle River. In 2016, the SWRCB issued a working Draft Scientific Basis Report, which was finalized during October 2017, to evaluate possible Sacramento/Delta updates to the Bay-Delta Plan. Subsequently in 2018, the SWRCB released a Framework for Sacramento/Delta updates to the Bay-Delta Plan (2018 Framework). ~~In 2022, the SWRCB received a Memorandum of Understanding (MOU) proposing VAs as an alternative to updating and implementing the Bay-Delta Plan, and most recently, during September 2023, the SWRCB released a draft Staff Report for potential Sacramento/Delta updates to the Bay-Delta Plan for public review and comment. The draft Staff Report, serving as an environmental document for CEQA compliance, also includes a Final Draft Scientific Basis Report Supplement in support of the proposed VAs. The draft Staff Report evaluates potential economic, environmental, and other impacts, and associated mitigation measures, of a range of alternatives for updating the Bay-Delta Plan, including~~

Project	Status	Primary Agencies	Description
			~~what is referred to as the proposed Plan amendments alternative that is based on the 2018 Framework, the proposed VAs alternative, along with other alternatives.~~ The 2018 Framework proposes amending the Bay-Delta Plan to include a number of new water quality objectives, including objectives to require between 45% and 65% of unimpaired flow to flow from the Delta's tributaries (including the Yuba River) into and through the Delta and a narrative objective that temperatures in the Delta's tributaries would be managed to support native fish. The 2018 Framework did not propose operational rules or other detailed methods for coordinated implementation of its proposed new water quality objectives. Additionally, during 2018 DWR and CDFW submitted to the SWRCB a Framework Proposal for Voluntary Agreements (subsequently referred to as the Healthy Rivers & Landscapes [HR&L] Program) which would improve conditions for fish through targeted river flows and a suite of habitat-enhancing projects, including floodplain inundation and physical improvement of spawning and rearing areas. During March 2022, the California Natural Resources Agency (CNRA), California EPA, DWR, and CDFW signed with the HR&L Parties a Memorandum of Understanding (MOU) Advancing a Term Sheet for the HR&L Program. During September 2023, the SWRCB released a draft Staff Report for potential Sacramento/Delta updates to the Bay-Delta Plan for public review and comment. The draft Staff Report, serving as an environmental document for CEQA compliance, also includes a Final Draft Scientific Basis Report Supplement in support of the HR&L Program. The draft Staff Report evaluates potential economic, environmental, and other impacts, and associated mitigation measures, of a range of alternatives for updating the Bay-Delta Plan. Those alternatives include: (1) an alternative that is based on the 2018 Framework and that states that the SWRCB's staff would make many discretionary future decisions about how the 2018 Framework's water quality objectives would actually be implemented; (2) an alternative that would implement the proposed HR&L Program; and (3) several "modular" alternatives that might be implemented with either the 2018 Framework-based alternative or the HR&L-based alternative. Yuba Water, as one of the HR&L Parties, has developed a HR&L Program for the Yuba River consisting of a proposed flow contribution and construction of habitat enhancements. The flow contribution includes two components of water to be dedicated to Delta outflow. First, all Yuba Accord Released Transfer Water (as that term is defined in the WPA), from stored water releases that occurs during April, May, and June in Above Normal, Below Normal, and Dry years that DWR cannot export or back into Oroville Reservoir would be contributed to the HR&L Program (Component A). The second component (Component B) is an additional release of stored water from New Bullards Bar Reservoir, reducing end of water year (September 30) storage by as much as 50,000 acre-ft, to be released during the months of April, May, or June in Above Normal, Below Normal, Dry years. Along with the other elements of the HR&L Program, it is reasonably possible to evaluate how Yuba Water's proposal would be implemented and therefore to analyze its environmental effects as a cumulative project.

Project	Status	Primary Agencies	Description
			Because the SWRCB's 2023 draft Staff Report proposes that, under a 2018 Framework-based alternative, SWRCB staff would make many discretionary future decisions about how that Framework's proposed water quality objectives would be implemented, it is not reasonably possible to evaluate how that alternative would be implemented. In January 2024, Yuba Water submitted extensive comments to the SWRCB that implementing the 2018 Framework-based alternative as modeled in the SWRCB's 2023 draft Staff Report would have numerous highly adverse environmental and other impacts, including highly adverse water temperatures for Chinook salmon and steelhead in the lower Yuba River, severe and disproportionate impacts on Yuba Water's generation of hydroelectricity, and termination of Yuba Accord water transfers (Yuba Water 2024). Based on the information available at the time this Final SEIR was prepared, if and how the SWRCB might seek to implement the 2018 Framework-based alternative would constitute speculation, so it is not currently feasible to evaluate that alternative as a cumulative project.
~~Voluntary Agreements~~	~~Future~~	~~SWRCB, California Natural Resources Agency (CNRA), Water Rights Holders~~	~~The California Natural Resources Agency (CNRA) has been leading an effort to negotiate voluntary agreements with water users, to support environmental objectives through a broad set of tools while protecting water supply reliability. In 2018, in addition to a Framework for the Sacramento/Delta Update to the Bay-Delta Plan, DWR and CDFW submitted to the SWRCB a Framework Proposal for VAs which would improve conditions for fish through targeted river flows and a suite of habitat-enhancing projects, including floodplain inundation and physical improvement of spawning and rearing areas. During March 2022, CNRA, California EPA, DWR, and CDFW signed with the VA Parties a MOU Advancing a Term Sheet for the VAs. In September 2023, the SWRCB issued a draft Staff Report which evaluated the VAs as an alternative to implementing updates to the Bay-Delta Plan.~~ ~~Yuba Water has developed a VA project consisting of a proposed flow contribution and construction of habitat enhancements, though the VA project is still in formulation stage. The flow contribution includes two components of water to be dedicated to Delta outflow. First, all Yuba Accord Released Transfer Water (as that term is defined in the WPA), from stored water releases that occurs during April, May, and June in Above Normal, Below Normal, and Dry years that DWR cannot export or back into Oroville Reservoir would be contributed to the VA project (Component A in the Yuba Water VA proposal). The second component (Component B in the Yuba Water VA proposal) is an additional release of stored water from New Bullards Bar Reservoir, reducing end of water year (September 30) storage by as much as 50,000 acre-ft, to be released during the months of April, May, or June in Above Normal, Below Normal, Dry years.~~

Source: Provided by Yuba Water in 2023 and updated in 2024.

To ensure the Draft SEIR's consistency with other Yuba Water CEQA/NEPA documents and to be consistent with the above revisions to Table 4-1, the bulleted list on page 4-20 of the Draft SEIR is revised as follows:

- Water Transfers and Acquisition Programs
  - Long-term and Short-term Water Transfers
  - Bay-Delta Water Quality Control Plan Update ~~– Voluntary Agreements~~

To ensure the Draft SEIR's consistency with other Yuba Water CEQA/NEPA documents and to be consistent with the above revisions to Table 4-1, the second and third paragraphs on page 4-22 of the Draft SEIR are revised as follows:

> The HR&L Program is an alternative for the Bay-Delta Water Quality Control Plan Update ~~potential Voluntary Agreement project (VA project) is~~ identified in the SWRCB (2023) draft Staff Report ~~as a potential pathway project intended~~. The HR&L Program is proposed to contribute towards achieving the Bay-Delta Plan Update objectives. Yuba Water has developed a ~~VA project~~ HR&L Program consisting of a proposed flow contribution and construction of habitat enhancements. ~~Although the VA project is still in formulation stage,~~ Yuba Water's flow contribution operations are included for discussion in this section to inform how, if implemented, ~~the~~ Yuba Water's HR&L Program, and its ~~VA~~ flow contribution operations, would interact with the Proposed Extension operations for water transfers.
>
> ~~The~~ Yuba Water's ~~VA~~ flow operations under its HR&L Program were formulated to (1) not significantly affect the occurrence of Yuba Accord instream flows; (2) not impact surface water deliveries to Yuba Water Member Units; (3) not interfere with other operations of the Yuba River Development Project (YRDP); and (4) work in conjunction with current and future planned habitat enhancement projects. ~~The~~ Yuba Water's HR&L Program ~~VA flow contribution~~ includes two components of water to be dedicated to Delta outflow. First, all Yuba Accord Released Transfer Water (as that term is defined in the WPA), from stored water releases that occurs during April, May, and June in Above Normal, Below Normal, and Dry years that DWR cannot export or back into Oroville Reservoir would be contributed to the ~~VA project~~ HR&L Program (Component A in the Yuba Water ~~VA proposal~~ HR&L Program). Because this water is currently being released as part of the Yuba Accord, it would not interfere with the Proposed Extension, but also would not be available to third parties that are not a Yuba Accord participating contractor. The second component (Component B in the Yuba Water ~~VA proposal~~ HR&L Program) is an additional release of stored water from New Bullards Bar Reservoir, reducing end of water year (September 30) storage by as much as 50,000 acre-ft, to be released during the months of April, May, or June in Above Normal, Below Normal, Dry years. The added storage release would be in addition to Yuba Accord operations and would be an added flow during these months, effectively "riding on top" of the flows that would occur with the Yuba Accord operations. ~~The~~ Yuba Water's HR&L Program ~~VA proposed~~ flow contributions have been analyzed through model simulation to ensure this added release would not significantly impact the occurrence of Yuba Accord fishery flow schedules which are the required instream flows included in Yuba Water's consumptive use water rights. The Yuba Accord instream flow schedules could be impacted by changes in end of water year storage as this is a component of the North Yuba Index, which is the index for determining the following year flow schedules. For the reasons discussed in Section 3.2, the Proposed Extension would not result in cumulatively considerable impacts to local or statewide water supplies. ~~The~~ Yuba Water's HR&L Program ~~VA~~, as described above, would not affect the Proposed Extension in any way that would cause the Proposed Extension to result in a cumulatively considerable impact.

To ensure the Draft SEIR's consistency with other Yuba Water CEQA/NEPA documents and to be consistent with the above revisions to Table 4-1, the bulleted list on pages 4-24 and 4-25 of the Draft SEIR is revised as follows:

- Ecosystem Restoration Projects
  - ~~Voluntary Agreements~~ Bay-Delta Water Quality Control Plan Update
  - San Joaquin River Restoration Program

To ensure the Draft SEIR's consistency with other Yuba Water CEQA/NEPA documents and to be consistent with the above revisions to Table 4-1, the bulleted list and first paragraph on page 4-26 of the Draft SEIR are revised as follows:

- Ecosystem Restoration and Fisheries Improvement Projects
  - Hallwood Side Channel and Floodplain Restoration Project
  - Hallwood/Cordua Canal – Fish Screen Return Line Replacement
  - Timbuctoo Acquisition and Restoration Project
  - Upper Long Bar Habitat Restoration Project
  - Upper Rose Bar Habitat Restoration Project
  - Yuba River Watershed Habitat Restoration Plan

  As described in Section 3.4, "Fisheries and Aquatic Resources," the Proposed Extension would not result in significant impacts to fish species of focused evaluation or their habitats in the Yuba Region. Cumulative projects such as FERC relicensings (e.g., YRDP FERC relicensing) and flood control projects (ARC Spillway Project, WCM Update) will affect flow and habitat conditions in the Yuba Region, while habitat enhancement projects (e.g., Upper Long Bar Habitat Restoration Project, Upper Rose Bar Habitat Restoration Project, Yuba River Watershed Habitat Restoration Plan) are ~~intended to~~ proposed for the express purpose of increas~~e~~ing habitat availability and suitability for anadromous salmonid and other fish species of focused evaluation in the ~~lower~~ Yuba River. Proposed flow-related measures in the Yuba Region under the YRDP FERC relicensing are intended to benefit habitat conditions for salmonids and other native fish species in these areas. Overall, changes in flows under these projects are not expected to significantly adversely affect flow-related habitat conditions in the Yuba Region, and habitat enhancement and fish screening-related projects are expected to result in beneficial impacts to anadromous salmonids and potentially other fish species of focused evaluation in the lower Yuba River.

To ensure the Draft SEIR's consistency with other Yuba Water CEQA/NEPA documents and to be consistent with the above revisions to Table 4-1, the bulleted list on page 4-27 of the Draft SEIR is revised as follows:

- Ecosystem Restoration and Fisheries Improvement Projects
  - Feather River Wildlife Area, Riparian Habitat Restoration, Abbott Lake Unit
  - Anadromous Fish Screen Program
  - Liberty Island Conservation Bank
  - Ecosystem Restoration Program Conservation Strategy Implementation
  - Restoring Ecosystem Integrity in the Northwest Delta Phase II
  - Bay-Delta Water Quality Control Plan Update
  - ~~Voluntary Agreements~~
  - Contra Costa Canal Fish Screen Project
  - Franks Tract Futures Project
  - San Joaquin River Restoration

To ensure the Draft SEIR's consistency with other Yuba Water CEQA/NEPA documents and to be consistent with the above revisions to Table 4-1, the bulleted list on pages 4-28 and 4-29 of the Draft SEIR is revised as follows:

- Ecosystem Restoration and Fisheries Improvement Projects
  - Hallwood Side Channel and Floodplain Restoration Project
  - Hallwood/Cordua Canal – Fish Screen Return Line Replacement
  - Timbuctoo Acquisition and Restoration Project
  - Upper Long Bar Habitat Restoration Project
  - Upper Rose Bar Habitat Restoration Project
  - Yuba River Watershed Habitat Restoration Plan

To ensure the Draft SEIR's consistency with other Yuba Water CEQA/NEPA documents and to be consistent with the above revisions to Table 4-1, the second paragraph on page 4-29 of the Draft SEIR is revised as follows:

> As described in Section 3.5, "Surface Water Quality," the Proposed Extension would result in less-than-significant impacts to surface water quality conditions and associated beneficial uses in the Yuba Region. Based on consideration of the impact analyses in the 2007 Draft EIR as well as updated information on existing water quality conditions and beneficial uses in the Yuba Region, the impacts to water quality previously analyzed in the 2007 Draft EIR would still be applicable, and existing water quality beneficial uses and concentrations of constituents of concern (e.g., mercury, chromium, copper) in the Yuba Region would not be substantially affected by the Accord. Cumulative projects such as FERC relicensings (e.g., YRDP FERC relicensing), groundwater management actions (e.g., Yuba Subbasins Sustainable GMP), flood control projects (ARC Spillway Project, WCM Update), and habitat enhancement projects (e.g., Upper Long Bar Habitat Restoration Project, Upper Rose Bar Habitat Restoration Project, Yuba River Watershed Habitat Restoration Plan) could affect water quality conditions in the Yuba Region. However, potential adverse impacts to water quality associated with these projects, such as due to construction activities, would be primarily short-term in nature and would be minimized through project-specific impact avoidance or mitigation measures. Overall, these projects are not anticipated to result in substantial long-term adverse impacts to water quality conditions, including beneficial uses and concentrations of existing impairments in the Yuba Region waterbodies.

3.6 REVISIONS TO APPENDICES

In response to comments from SWRCB requesting additional modeling data, Appendix C3 of the Draft SEIR is revised as follows:

> [See revised Appendix C3 of this Final SEIR]

In response to comments from SWRCB requesting additional modeling data, a new appendix is provided with this Final SEIR as follows:

> [See new Appendix C4 of this Final SEIR]

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Appendix C3

Modeling Data – Proposed Extension

[Supplemental Material for Draft SEIR Appendix C3]

Appendix C-3 Modeling Results – Proposed Extension

Model Version: YRDPM Version 3.102
Simulation Period: Water Year 1970 to 2021

Groundwater Substitution Transfers (Pumping Volume in TAF)
1970 to 1994 from LYRBM Sim 19.3 Scenario 3 used in 2007 Accord EIR. 1995 to 2021 from YWA historical GWS transfers.

Year	Year Type	Pumping Volume	Year	Year Type	Pumping Volume	Year	Year Type	Pumping Volume
1971	Wet	-	1981	Dry	90	1991	Critical	60
1972	Below Normal	-	1982	Wet	-	1992	Critical	30
1973	Above Normal	-	1983	Wet	-	1993	Above Normal	-
1974	Wet	-	1984	Wet	-	1994	Critical	90
1975	Wet	-	1985	Dry	68	1995	Wet	-
1976	Critical	90	1986	Wet	-	1996	Wet	-
1977	Critical	-	1987	Dry	90	1997	Wet	-
1978	Above Normal	-	1988	Critical	60	1998	Wet	-
1979	Below Normal	-	1989	Dry	30	1999	Wet	-
1980	Above Normal	-	1990	Critical	90	2000	Above Normal	-

Year	Year Type	Pumping Volume	Year	Year Type	Pumping Volume
2001	Dry	62	2011	Wet	-
2002	Dry	57	2012	Below Normal	-
2003	Above Normal	-	2013	Dry	57
2004	Below Normal	-	2014	Critical	57
2005	Above Normal	-	2015	Critical	-
2006	Wet	-	2016	Below Normal	-
2007	Dry	-	2017	Wet	-
2008	Critical	50	2018	Below Normal	16
2009	Dry	100	2019	Wet	-
2010	Below Normal	68	2020	Dry	77

** Note – No transfer pumping occurred in 1970 or 2021. Pumping in Schedule 6 years occurs automatically if Schedule 6 results in the simulation. The Proposed Extension/Existing Condition simulation results in a Schedule 6 for 2015 – 30TAF of pumping not shown in the table*

Resulting Yuba Accord Water Year Type Schedules

Year Type Schedule	Count	Percent of Total
1	32	62%
2	10	19%
3	4	8%
4	1	2%
5	3	6%
6	1	2%
Conference Year	1	2%
TOTAL	52	100%

Existing Condition/Proposed Extension Yuba River at Marysville (Yuba River Outflow) Flow

Average Monthly Flow by Year Type (Sacramento Valley Index) (CFS)

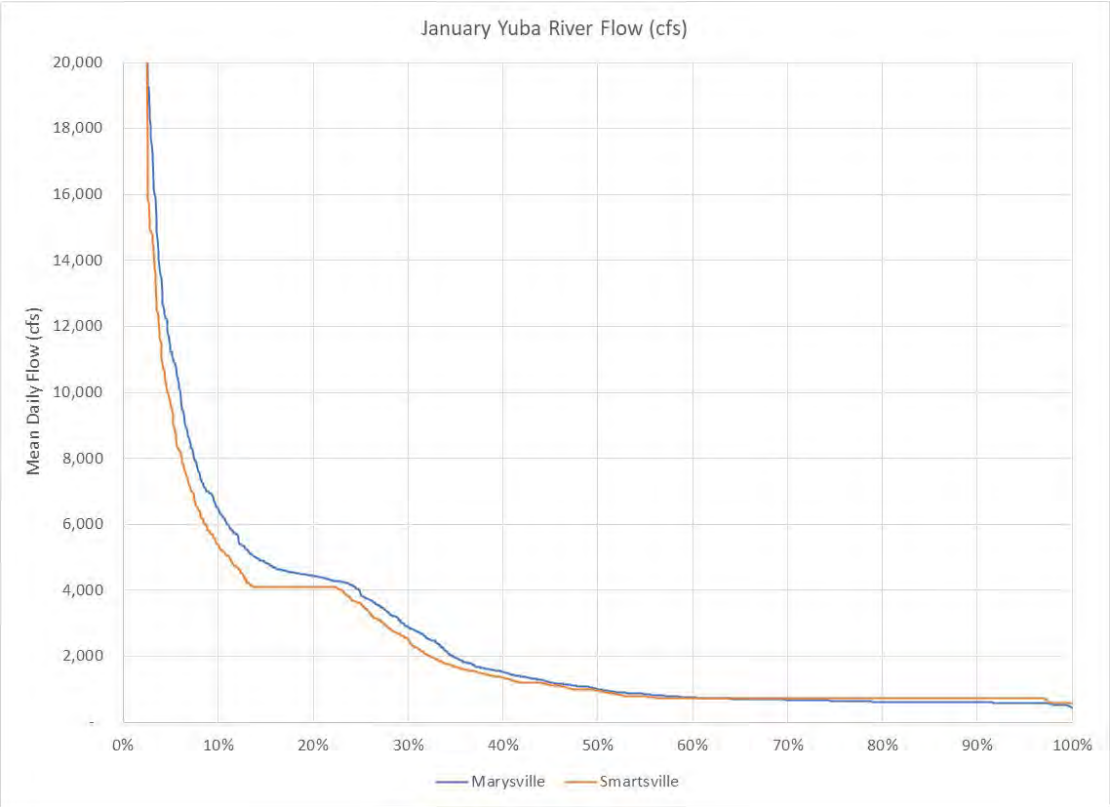
Water Year Type	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wet	555	1,204	4,206	7,253	8,511	7,844	5,646	5,295	4,403	2,079	1,550	735
Above Normal	519	534	1,032	4,432	4,525	5,030	3,429	3,831	2,974	1,488	1,033	590
Below Normal	515	617	756	1,257	1,572	4,574	3,373	2,546	2,027	1,018	852	556
Dry	525	679	1,162	933	1,372	2,355	1,722	1,615	934	1,066	975	546
Critical	519	546	631	720	992	1,065	727	730	586	843	778	455

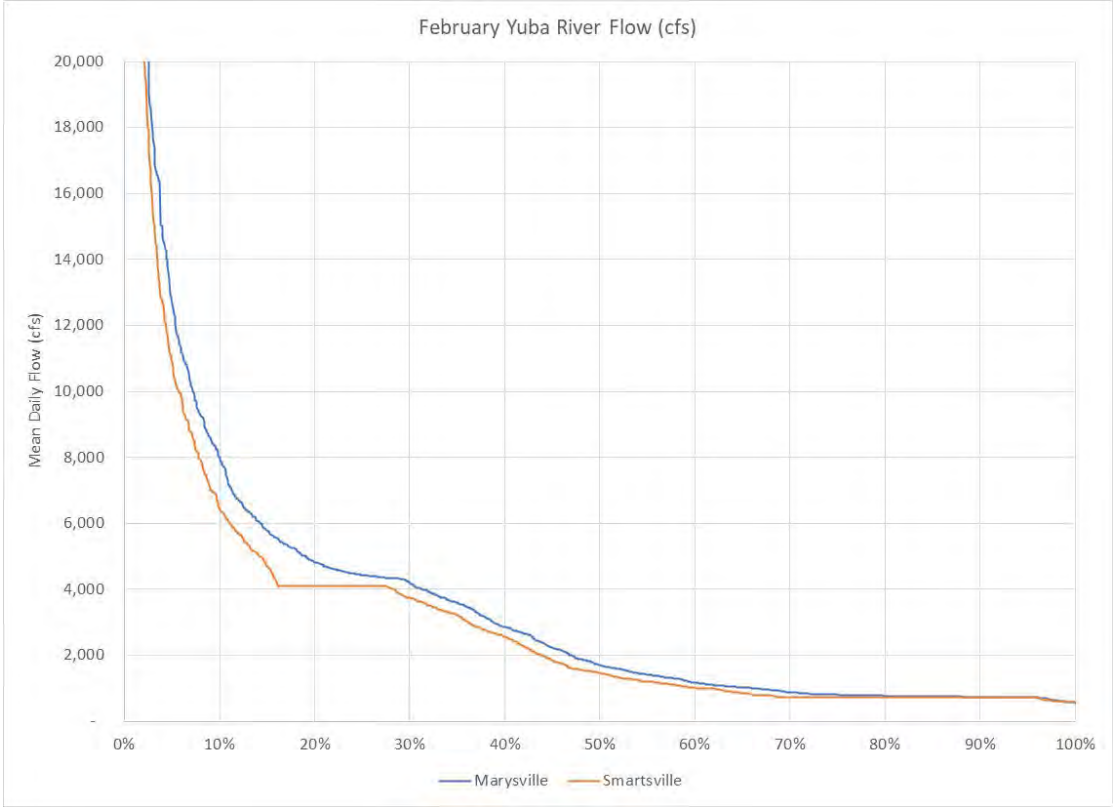
Existing Condition/Proposed Extension Yuba River at Smartsville Flow

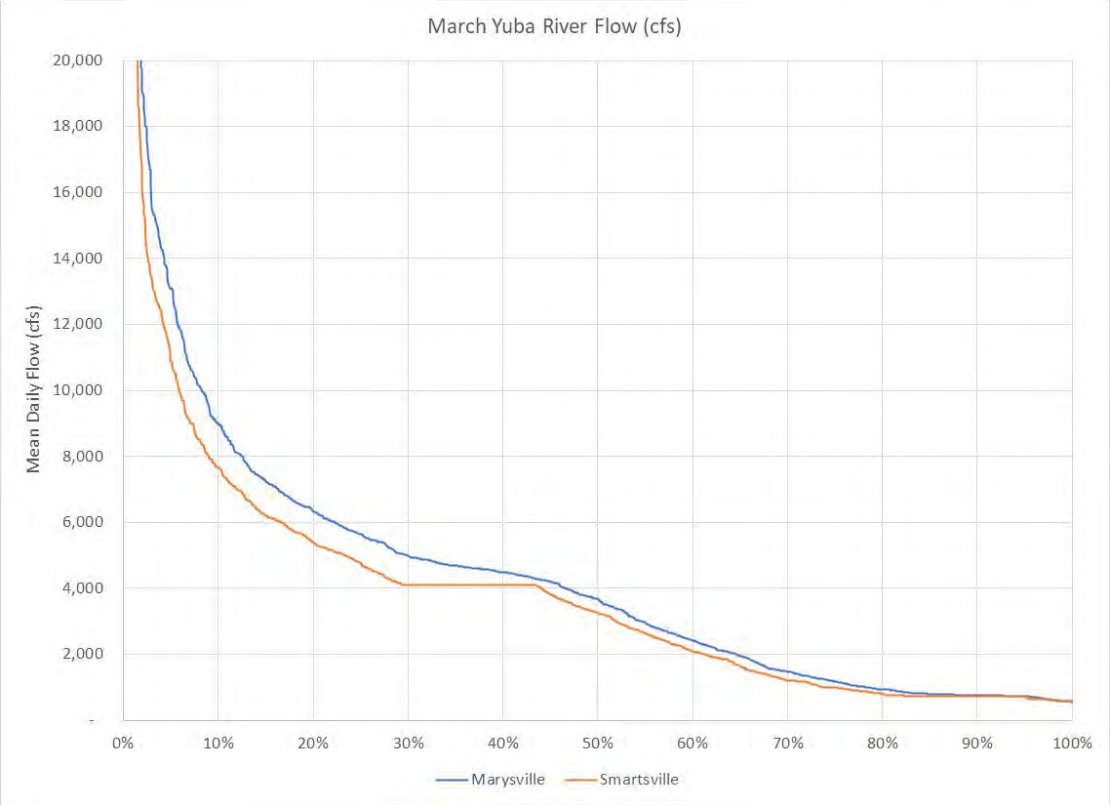
Average Monthly Flow by Year Type (Sacramento Valley Index) (CFS)

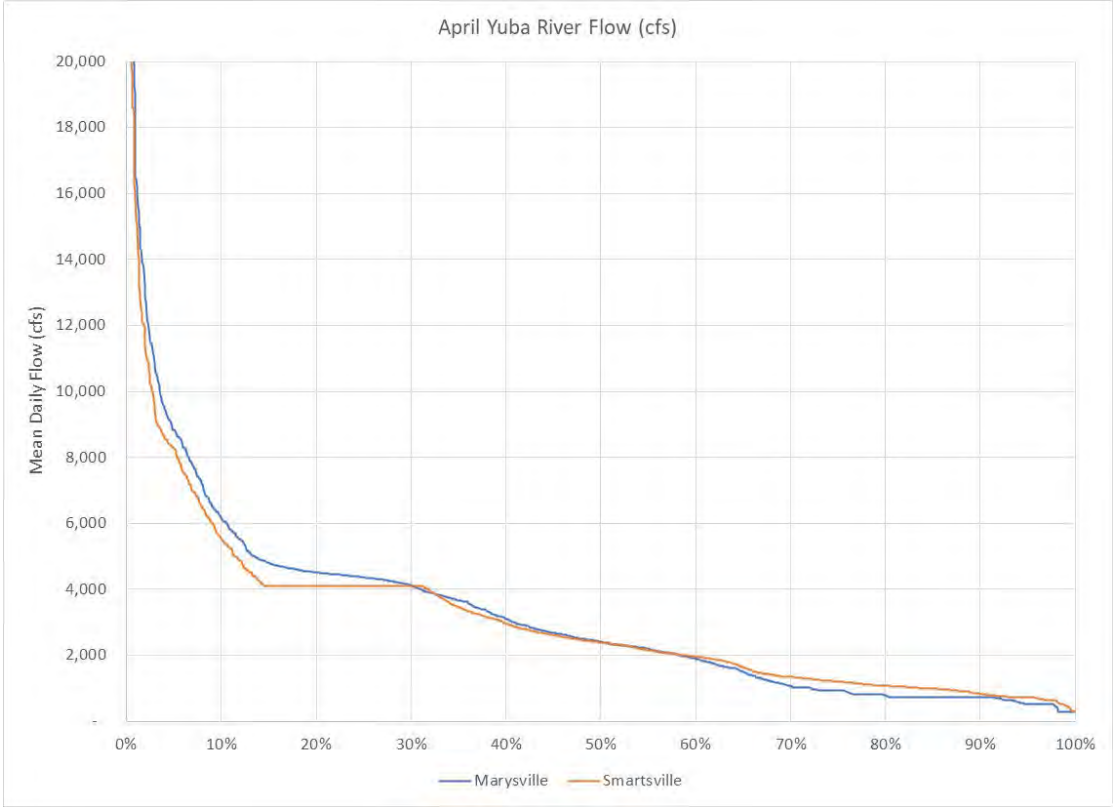
Water Year Type	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wet	883	1,463	4,087	6,448	7,441	6,766	5,104	5,737	5,201	3,095	2,437	1,054
Above Normal	830	838	1,095	3,850	3,835	4,392	3,177	4,294	3,782	2,507	1,922	908
Below Normal	838	936	908	1,157	1,350	3,949	3,415	3,197	2,843	1,924	1,488	824
Dry	866	990	1,273	955	1,205	2,026	1,887	2,127	1,524	1,744	1,437	814
Critical	841	873	789	751	854	926	933	1,214	1,137	1,469	1,208	692

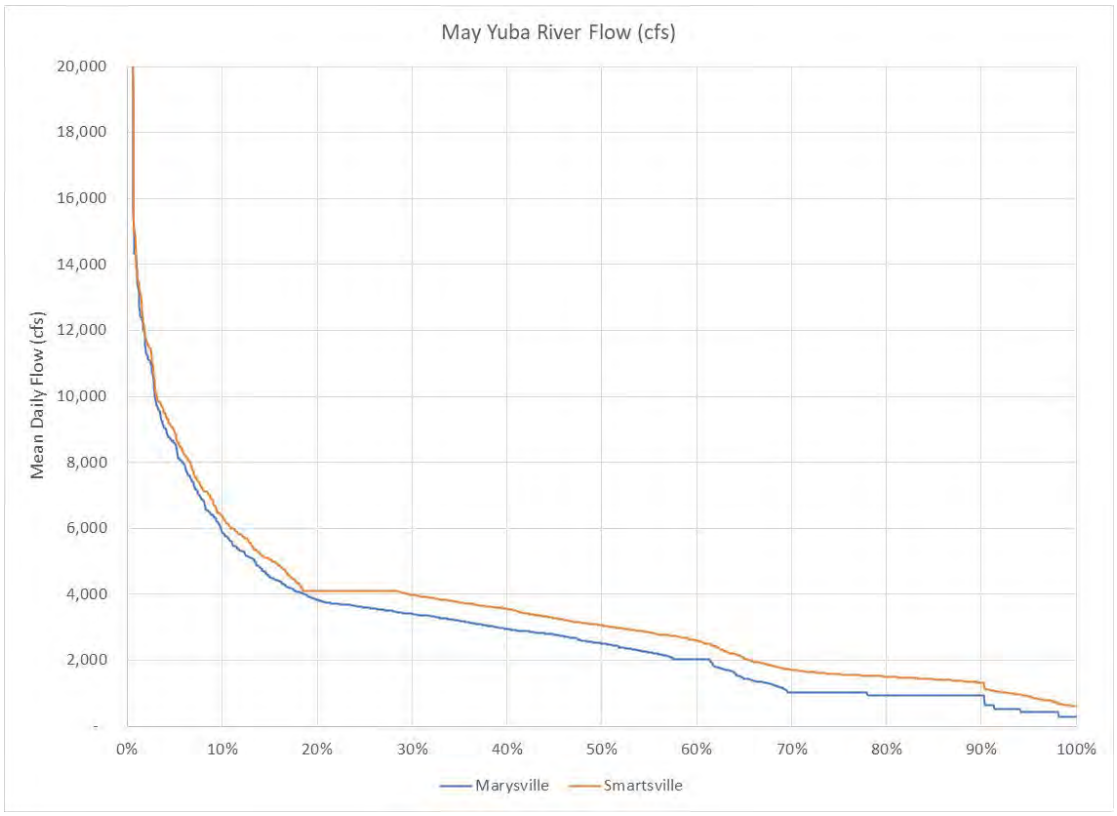
Existing Condition/Proposed Extension Simulation Resulting lower Yuba River Flow (cfs) Exceedance Probability by Month

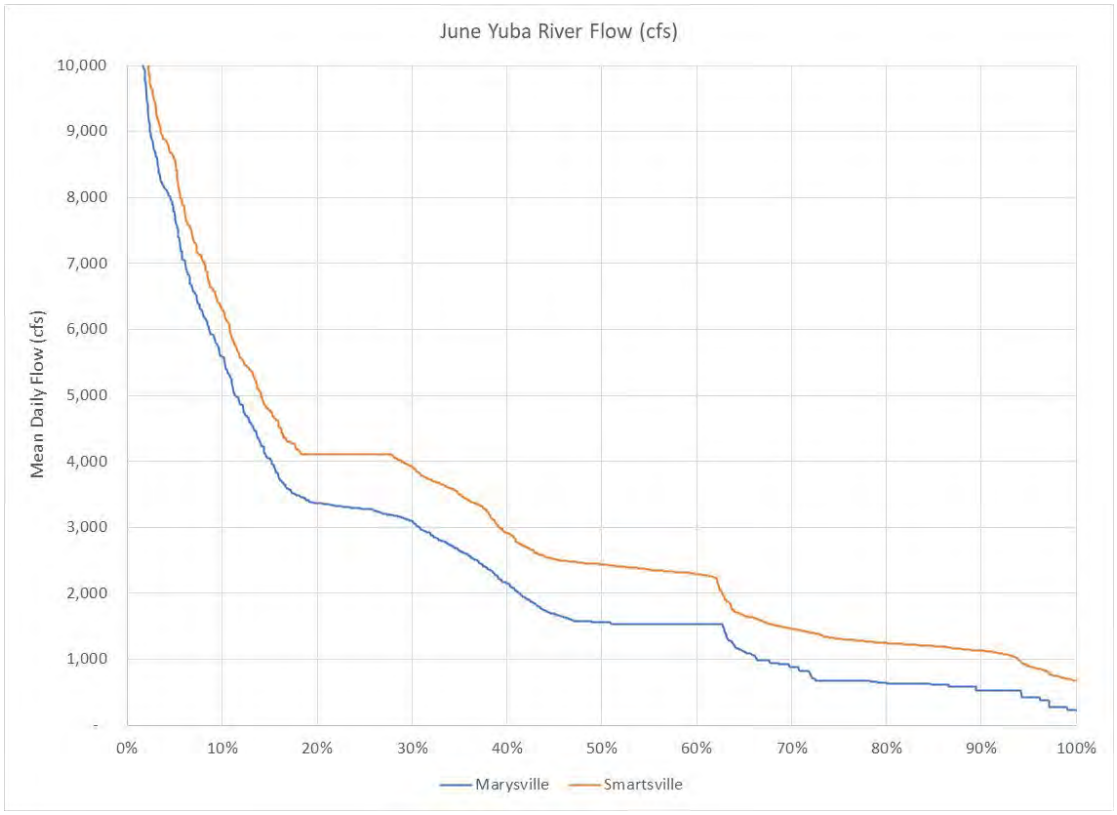


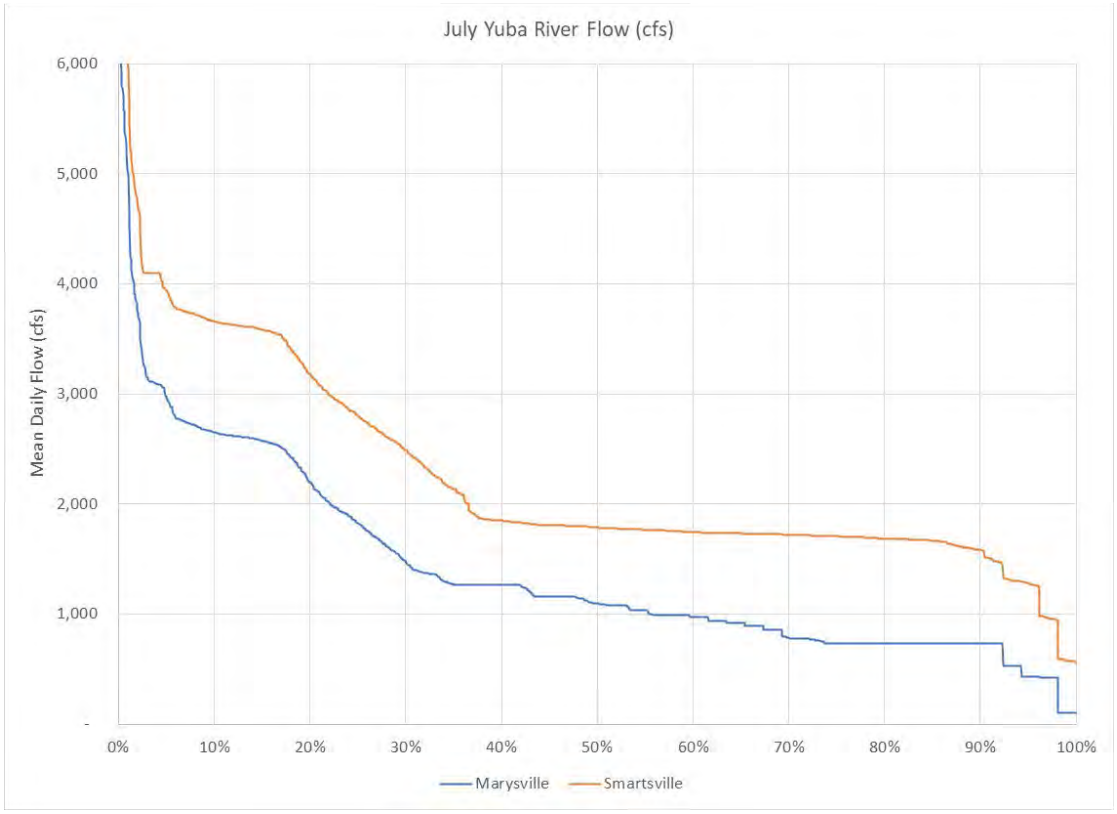

February Yuba River Flow (cfs)
Mean Daily Flow (cfs)
20,000
18,000
16,000
14,000
12,000
10,000
8,000
6,000
4,000
2,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville


March Yuba River Flow (cfs)
Mean Daily Flow (cfs)
20,000
18,000
16,000
14,000
12,000
10,000
8,000
6,000
4,000
2,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville

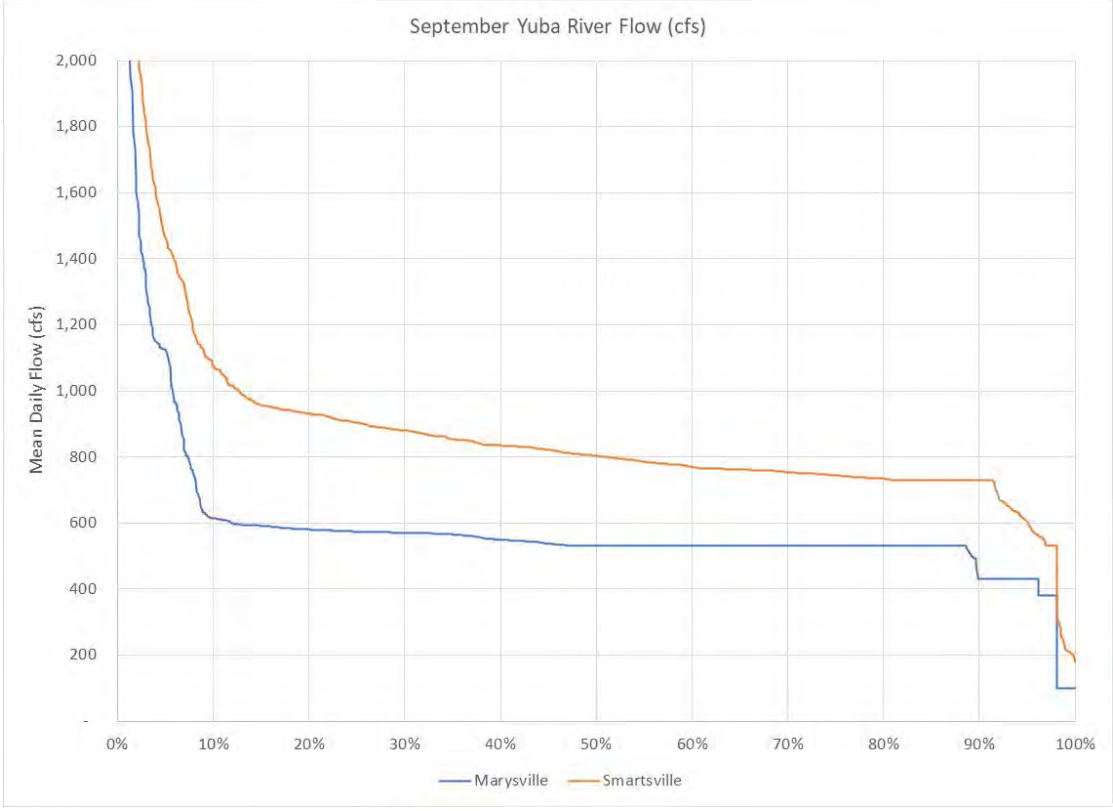

April Yuba River Flow (cfs)
Mean Daily Flow (cfs)
20,000
18,000
16,000
14,000
12,000
10,000
8,000
6,000
4,000
2,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville

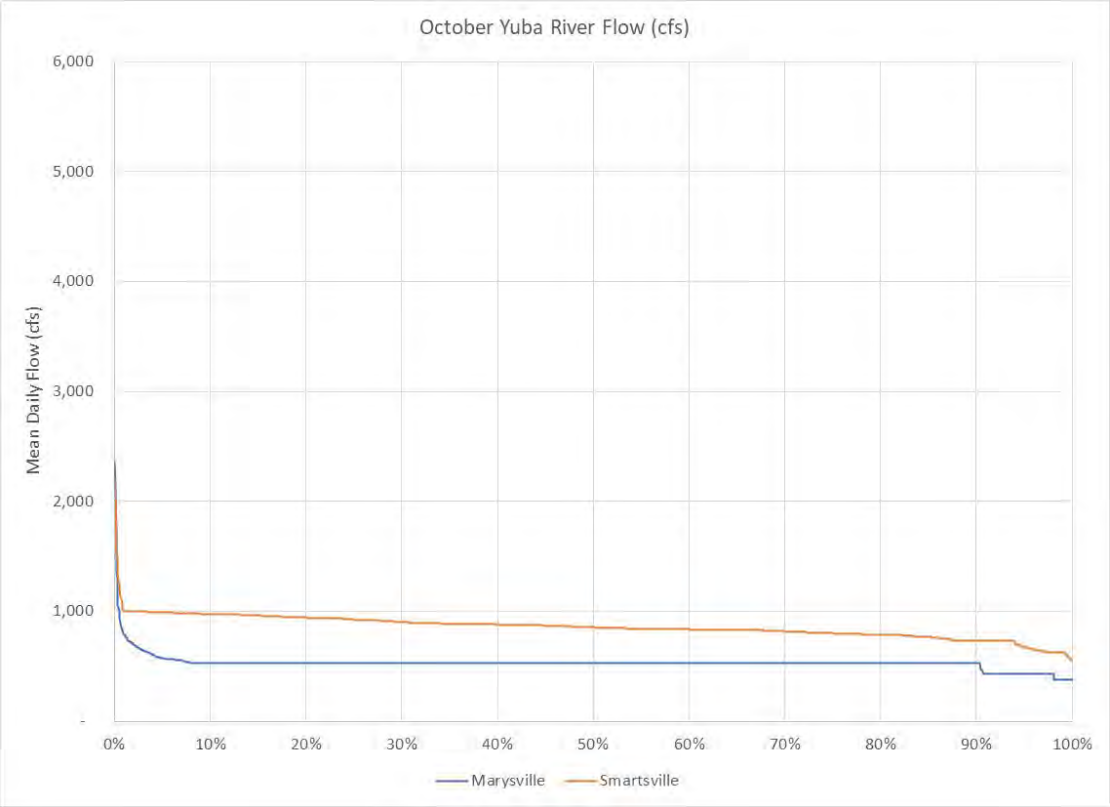

May Yuba River Flow (cfs)
Mean Daily Flow (cfs)
20,000
18,000
16,000
14,000
12,000
10,000
8,000
6,000
4,000
2,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville

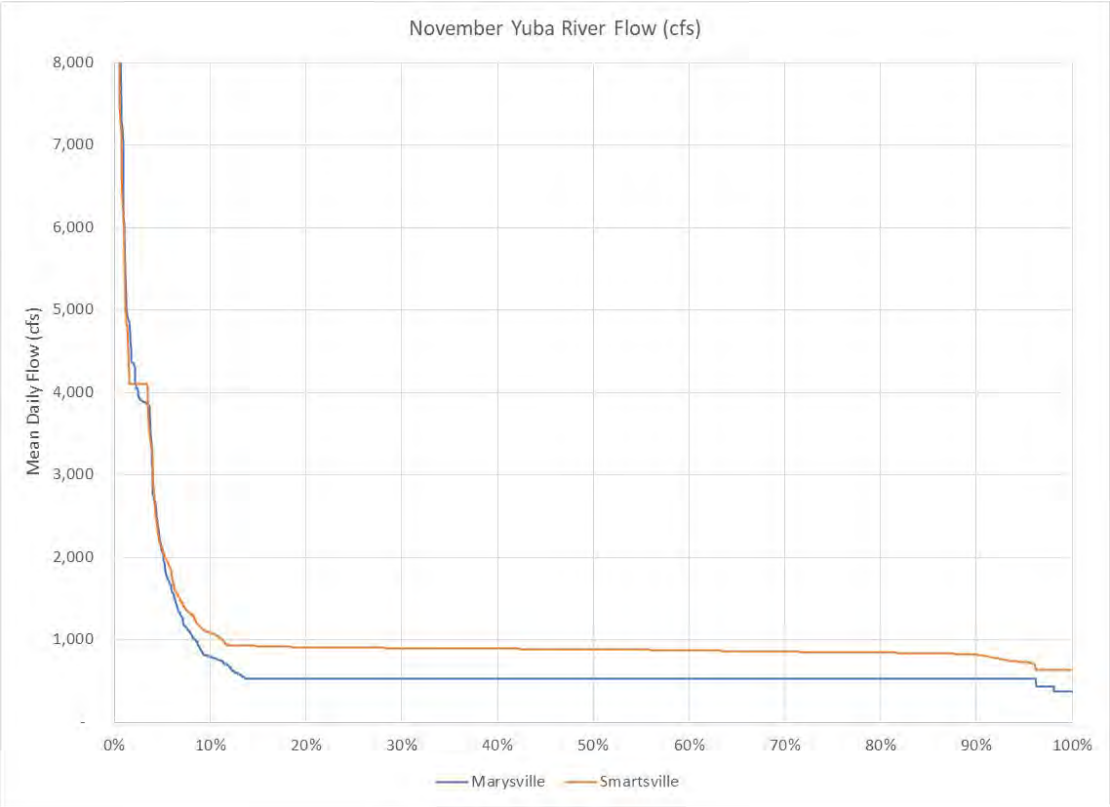

June Yuba River Flow (cfs)
Mean Daily Flow (cfs)
10,000
9,000
8,000
7,000
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville

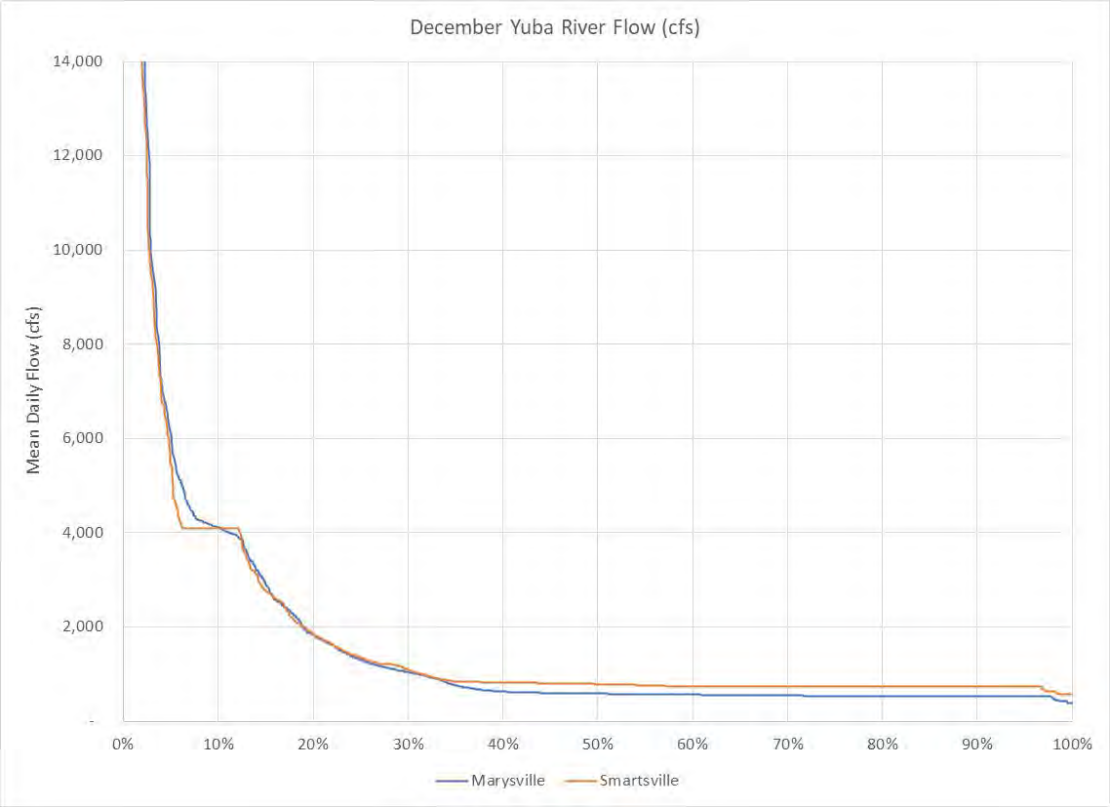

July Yuba River Flow (cfs)
Mean Daily Flow (cfs)
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville


August Yuba River Flow (cfs)
Mean Daily Flow (cfs)
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville


September Yuba River Flow (cfs)
Mean Daily Flow (cfs)
2,000
1,800
1,600
1,400
1,200
1,000
800
600
400
200
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville


October Yuba River Flow (cfs)
Mean Daily Flow (cfs)
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville


November Yuba River Flow (cfs)
Mean Daily Flow (cfs)
8,000
7,000
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville

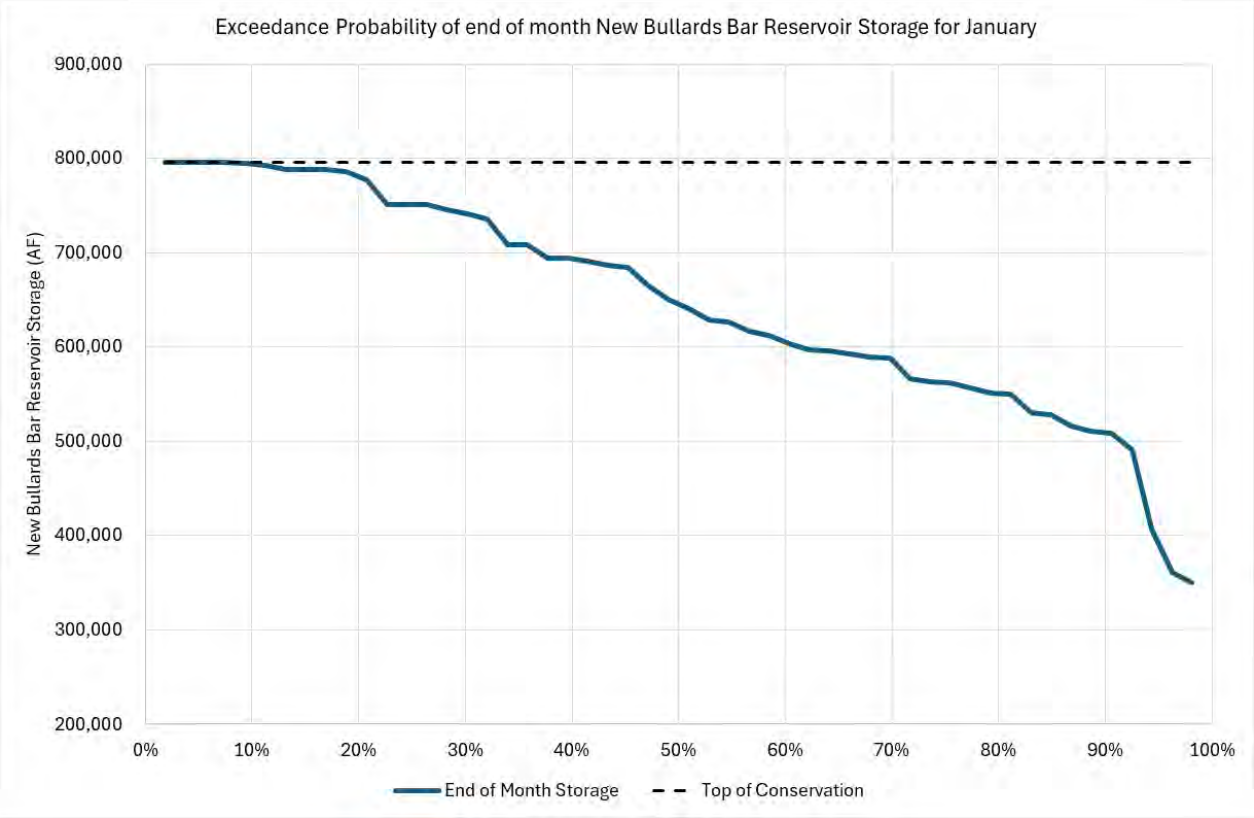

December Yuba River Flow (cfs)
Mean Daily Flow (cfs)
14,000
12,000
10,000
8,000
6,000
4,000
2,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Smartsville

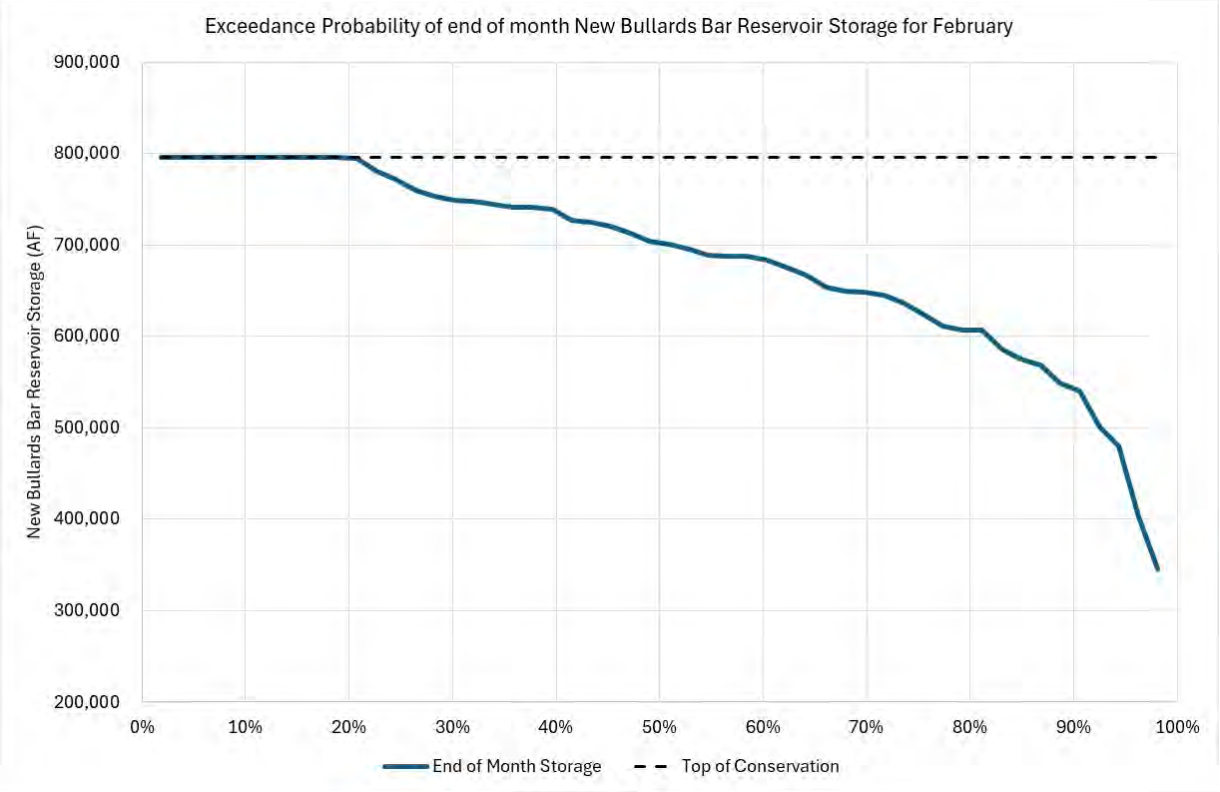
Resulting New Bullards Bar Reservoir Storage

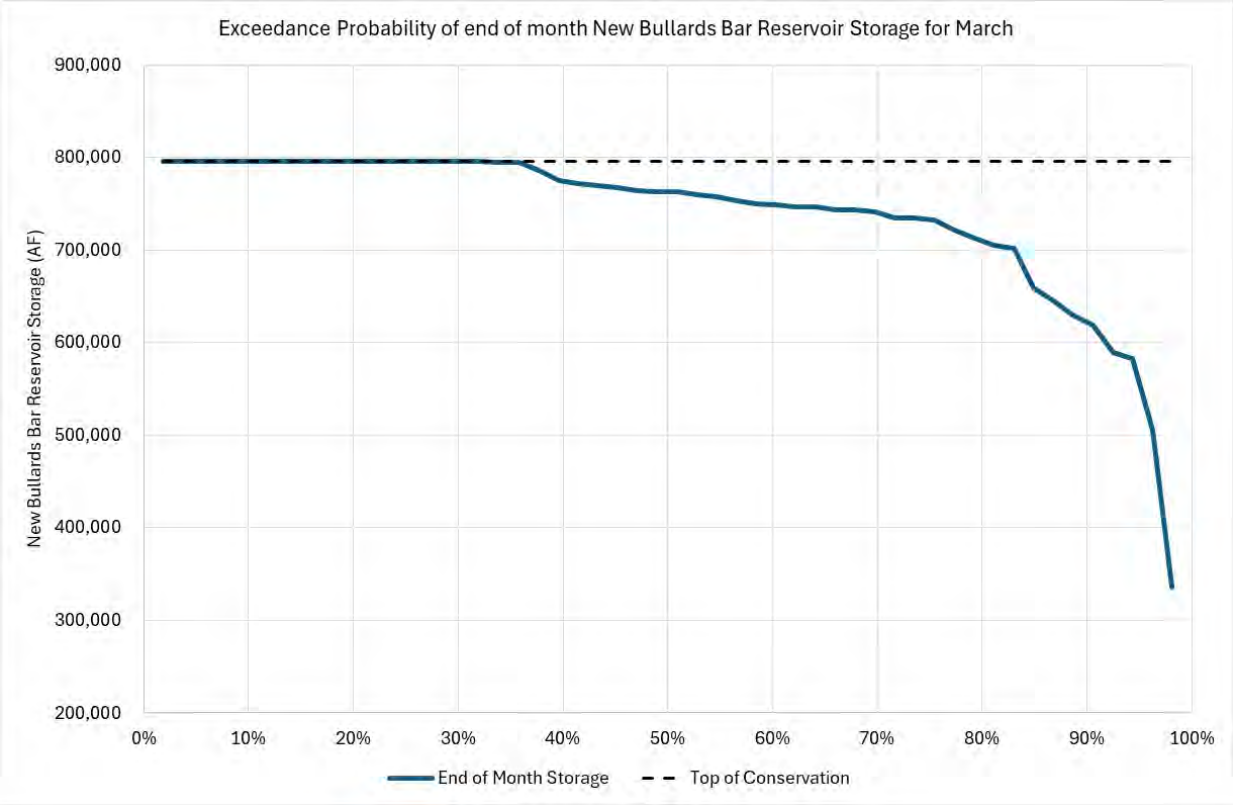
New Bullards Bar Reservoir Mean End of Month Storage (AF) by Water Year Type (SVI)

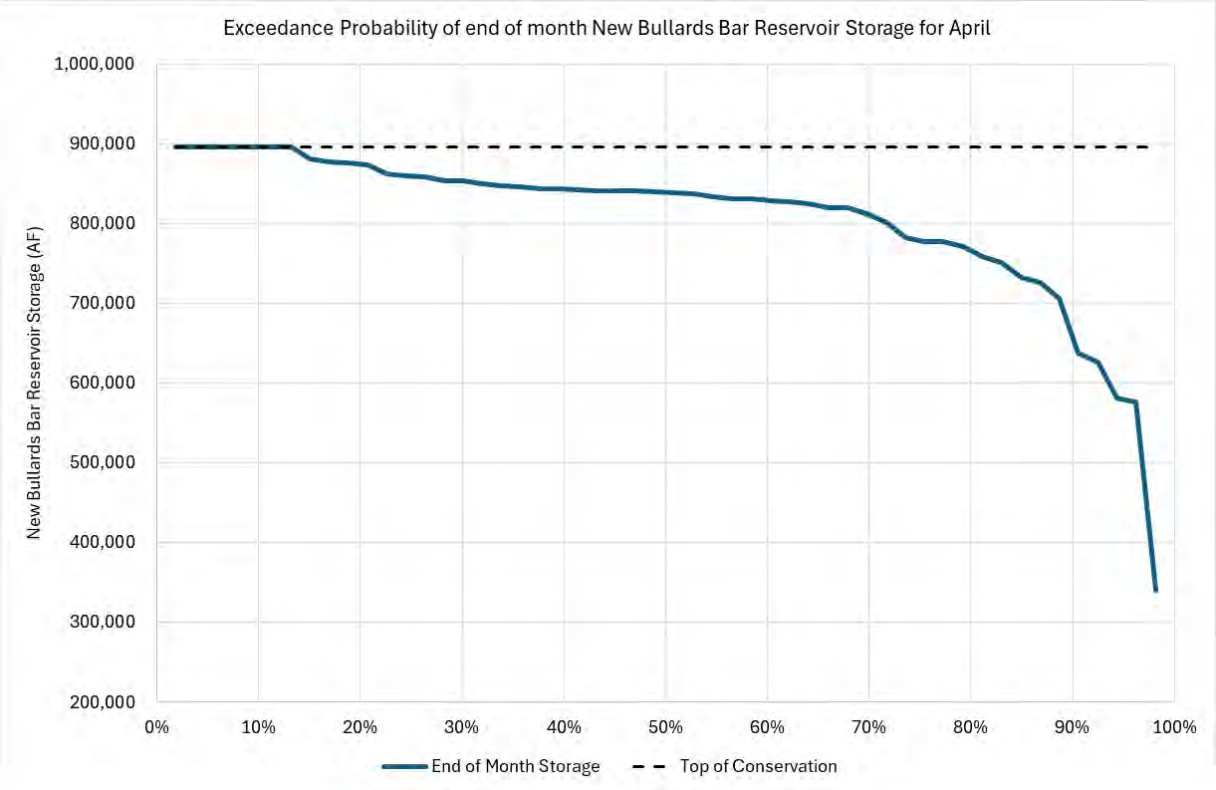
Water Year Type	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wet	607,645	617,727	649,334	749,775	770,715	787,492	864,811	928,632	900,222	793,370	672,678	632,992
Above Normal	612,308	611,516	651,327	683,752	743,851	779,051	849,326	928,033	884,494	774,719	679,153	644,503
Below Normal	574,355	586,292	660,971	638,596	688,189	771,047	845,883	861,444	792,939	704,236	629,941	595,661
Dry	538,825	539,942	558,095	591,390	637,637	733,340	801,302	816,952	770,695	682,272	607,262	572,154
Critical	446,604	426,334	442,373	516,158	552,794	618,946	669,201	680,165	649,072	573,495	509,769	478,462

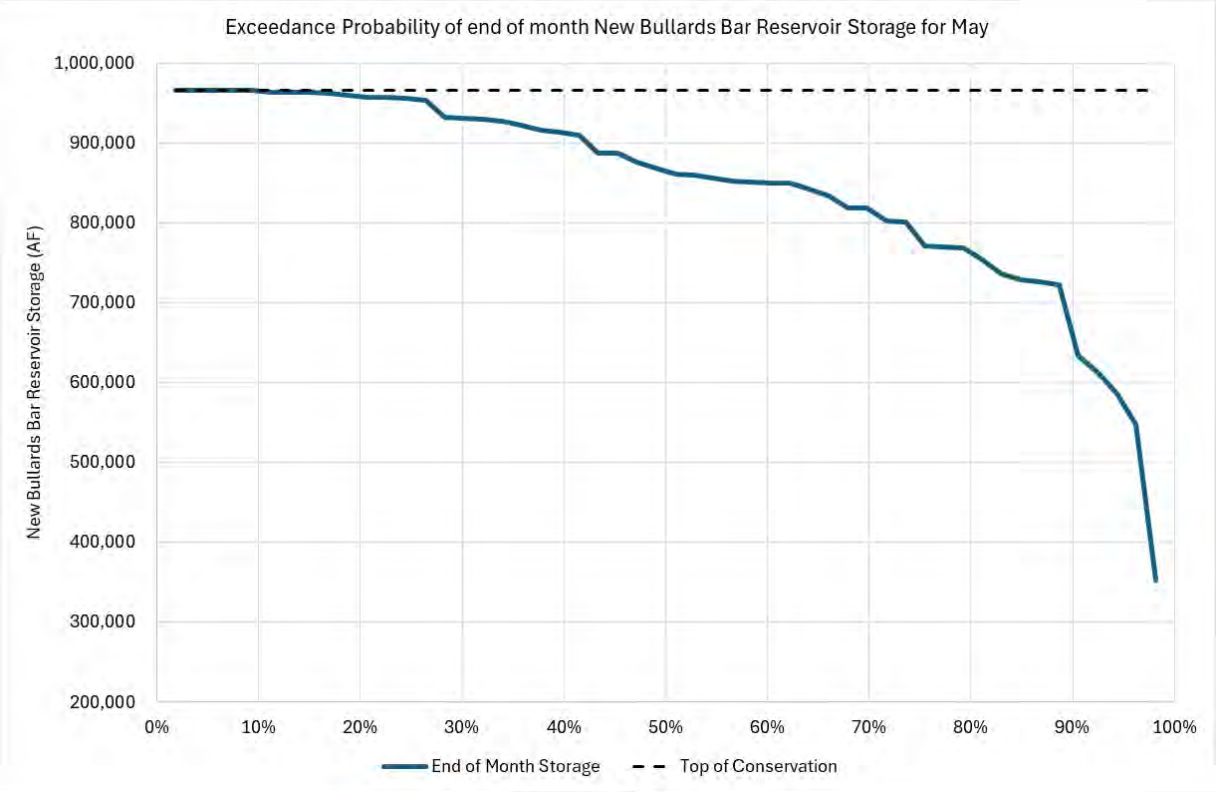
Exceedance Probability of New Bullards Bar Reservoir Storage (AF) by Month

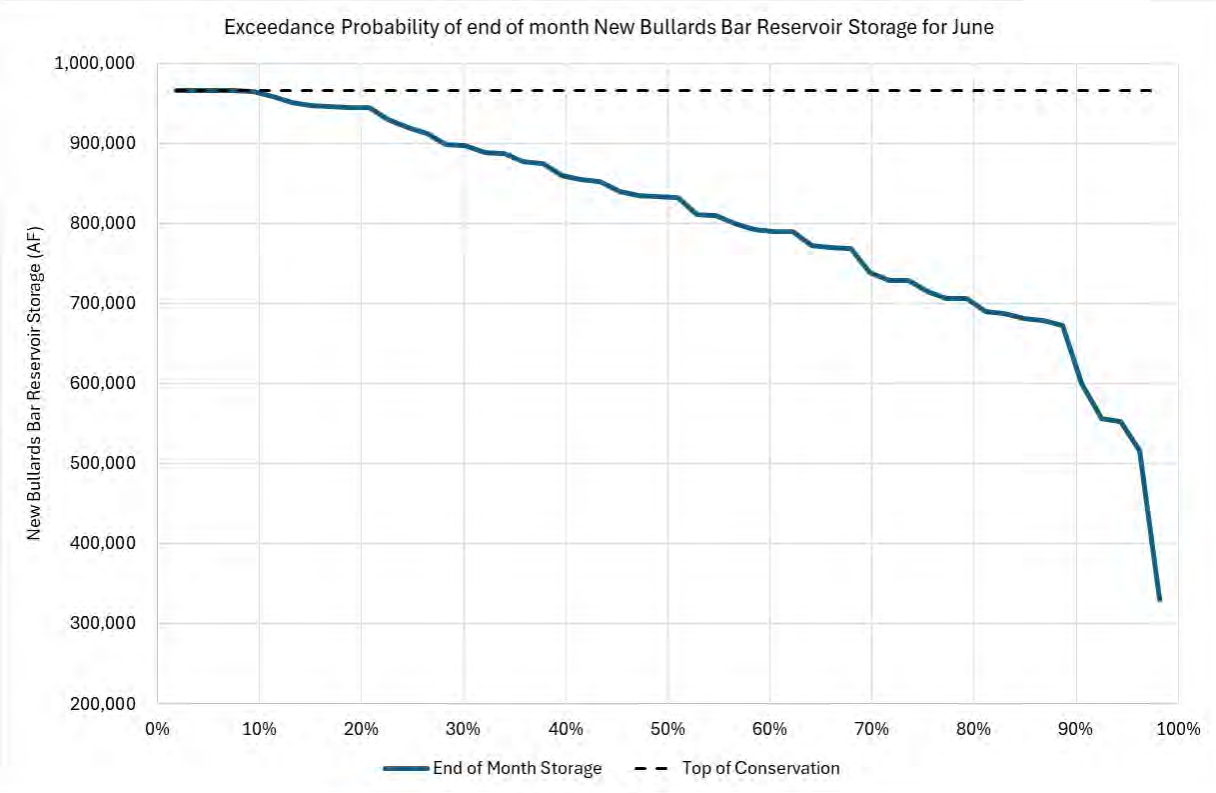


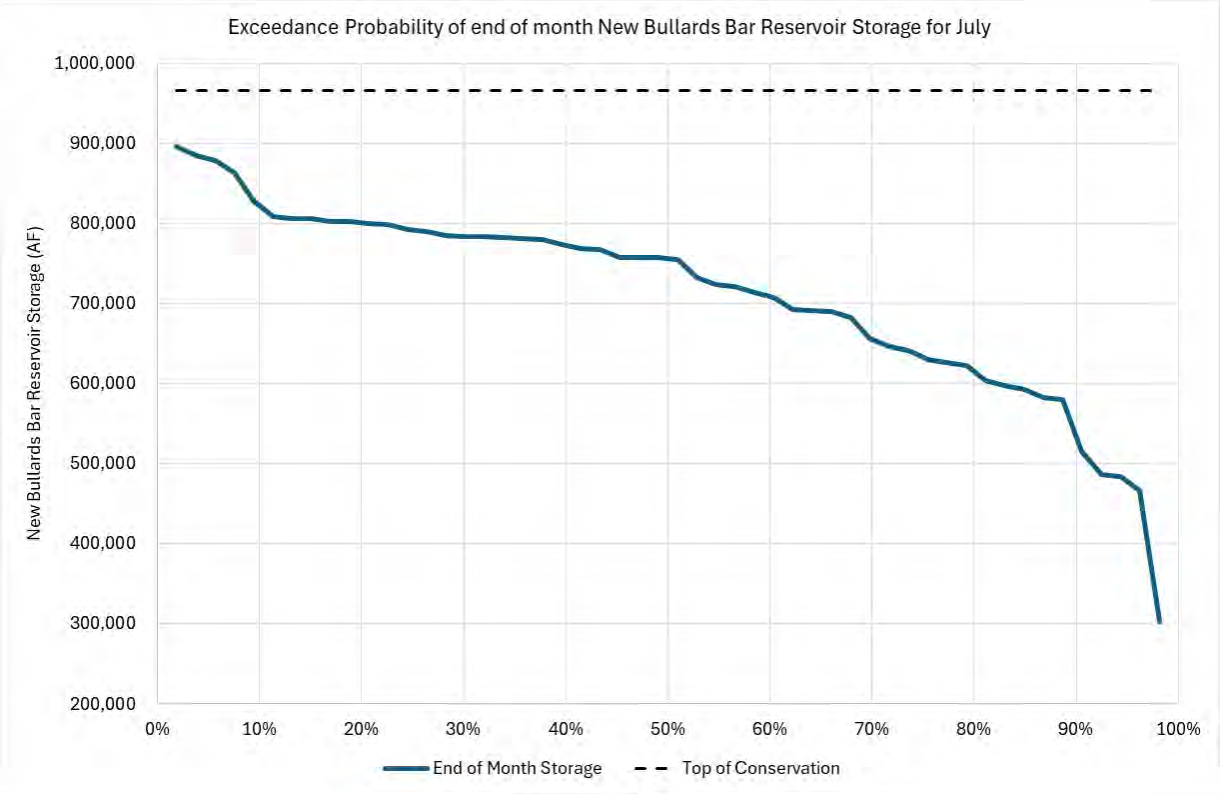


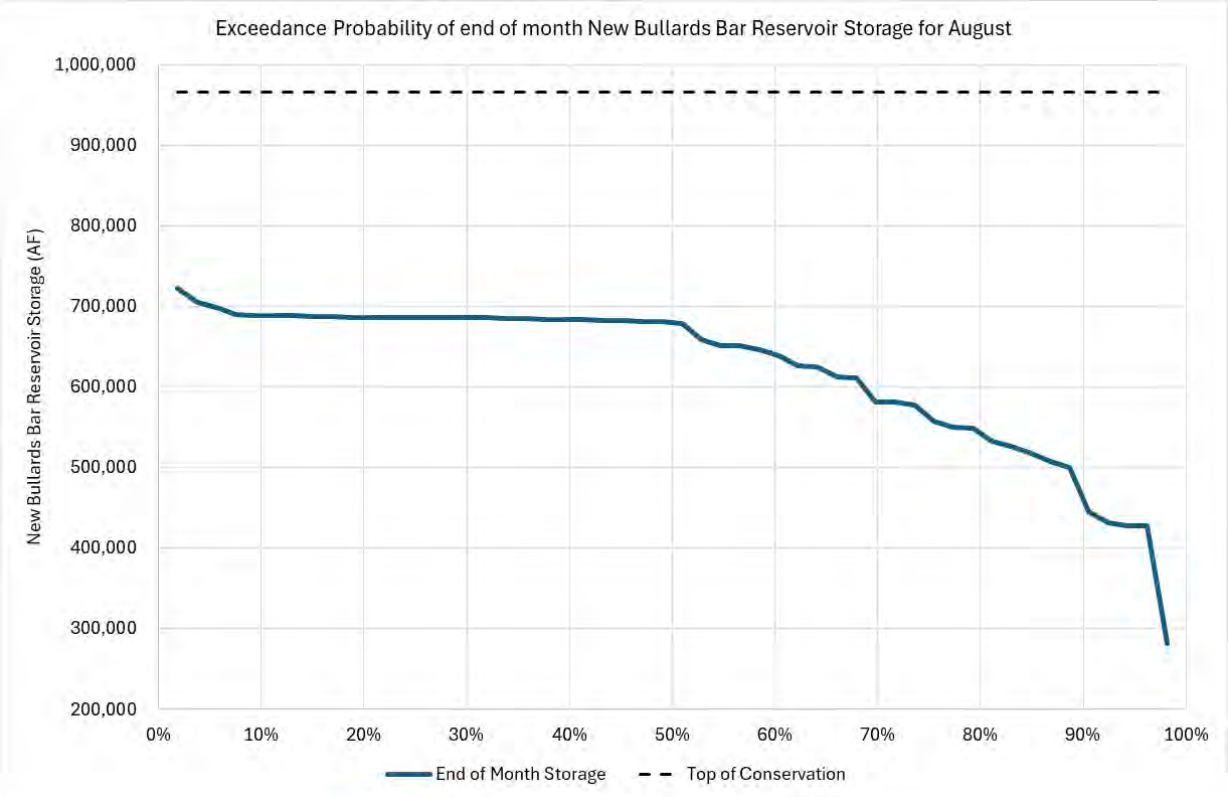

Exceedance Probability of end of month New Bullards Bar Reservoir Storage for March
New Bullards Bar Reservoir Storage (AF)
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation

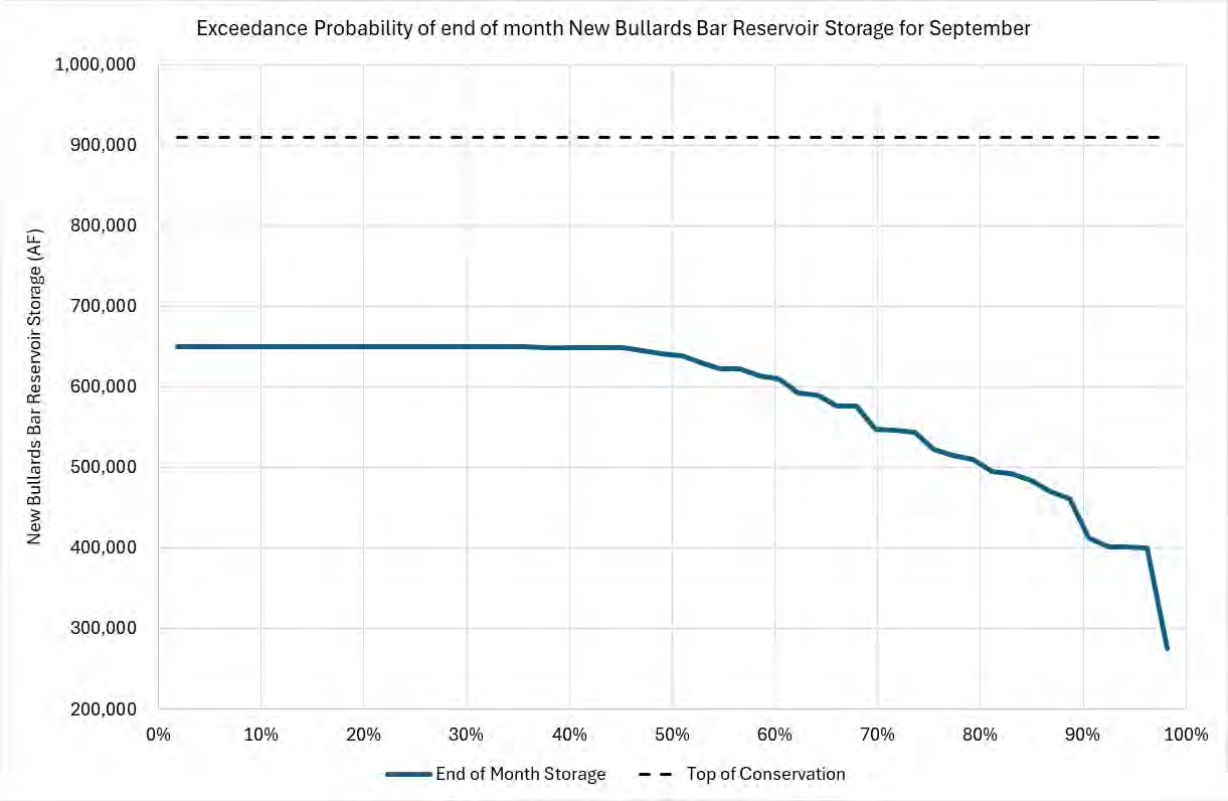

Exceedance Probability of end of month New Bullards Bar Reservoir Storage for April
New Bullards Bar Reservoir Storage (AF)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation

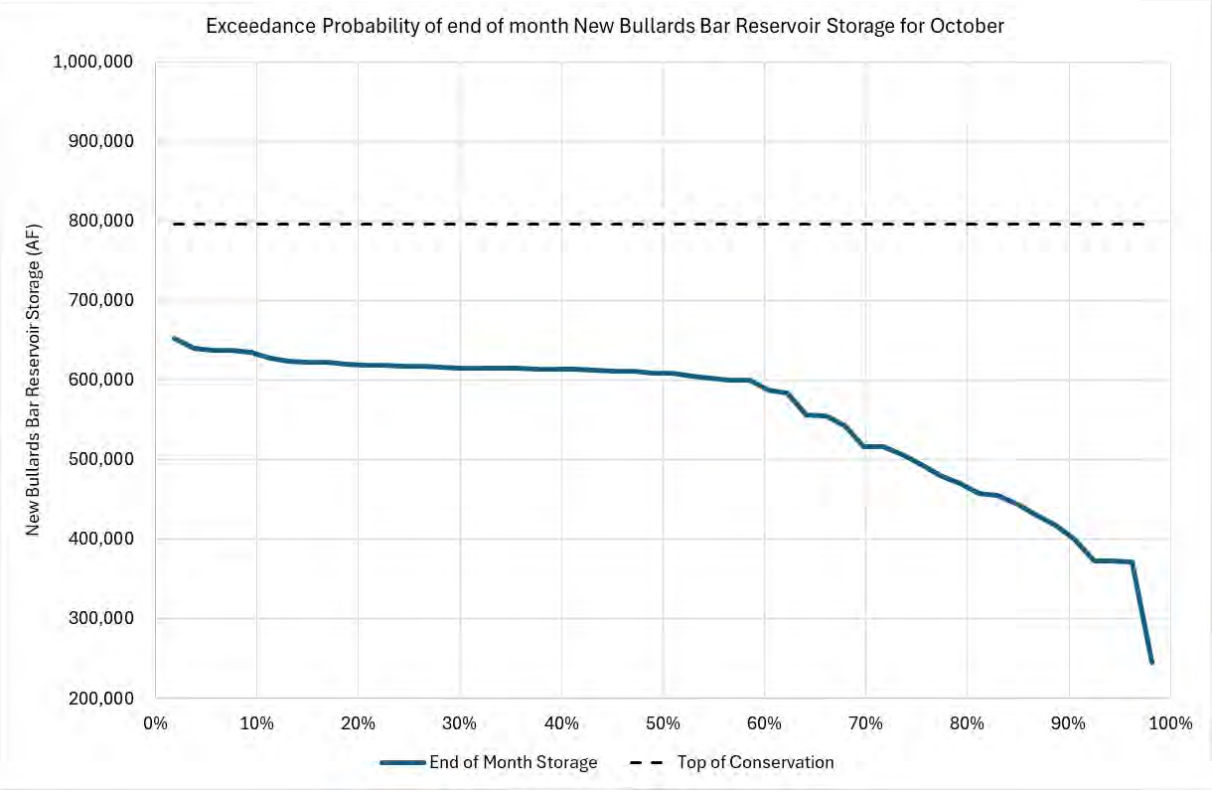

Exceedance Probability of end of month New Bullards Bar Reservoir Storage for May
New Bullards Bar Reservoir Storage (AF)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation

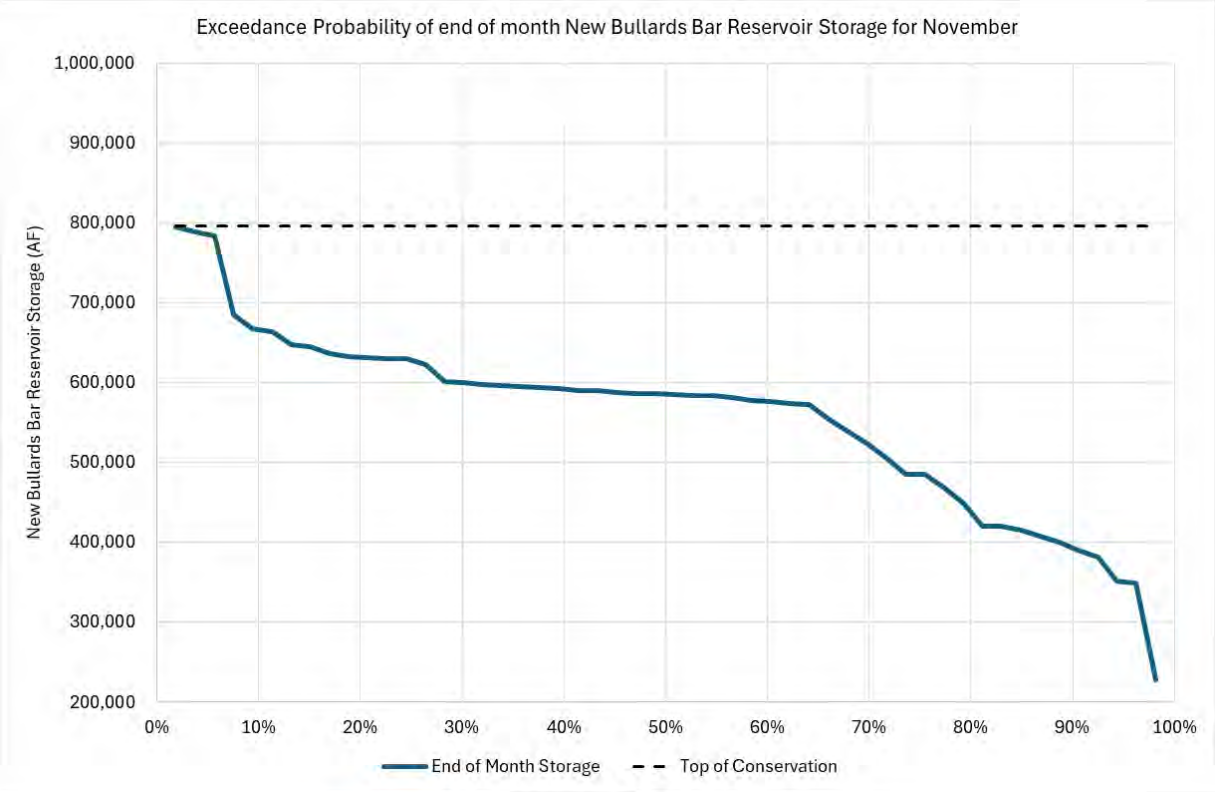

Exceedance Probability of end of month New Bullards Bar Reservoir Storage for June
New Bullards Bar Reservoir Storage (AF)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation

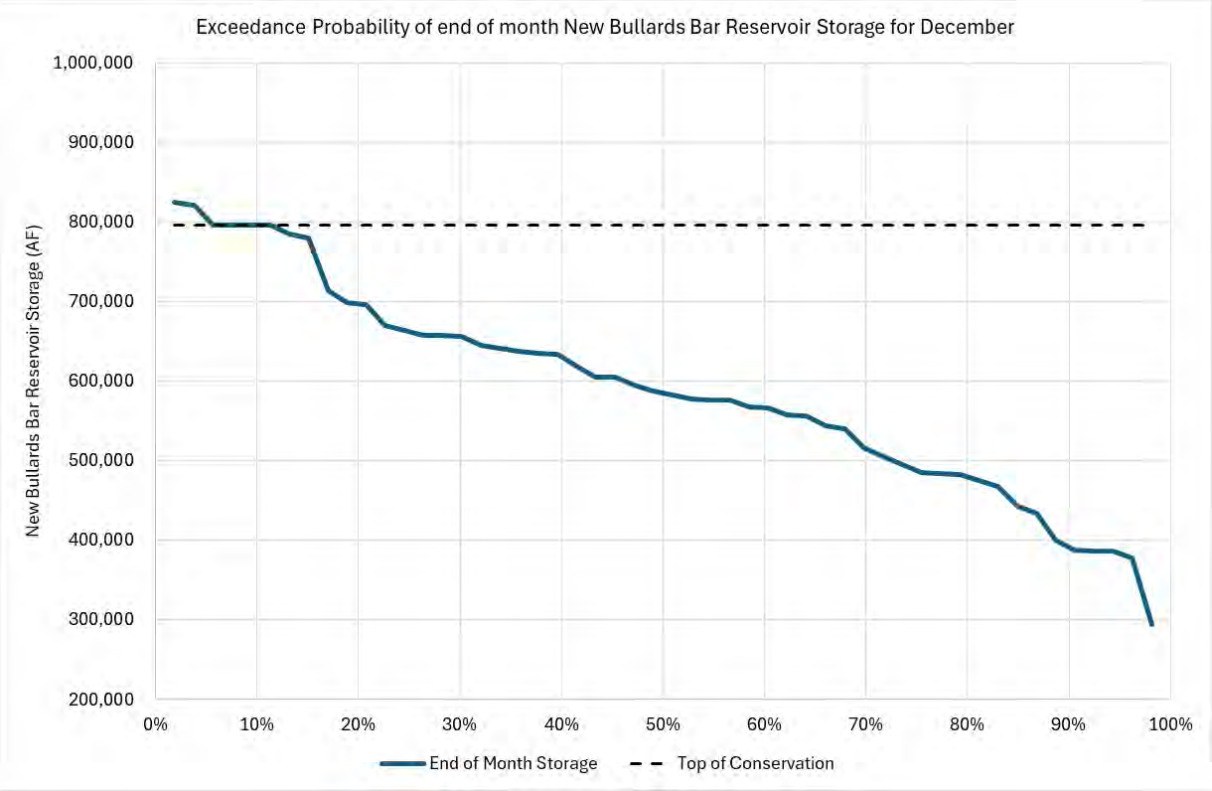

Exceedance Probability of end of month New Bullards Bar Reservoir Storage for July
New Bullards Bar Reservoir Storage (AF)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation


Exceedance Probability of end of month New Bullards Bar Reservoir Storage for August
New Bullards Bar Reservoir Storage (AF)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation


Exceedance Probability of end of month New Bullards Bar Reservoir Storage for September
New Bullards Bar Reservoir Storage (AF)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation


Exceedance Probability of end of month New Bullards Bar Reservoir Storage for October
New Bullards Bar Reservoir Storage (AF)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation


Exceedance Probability of end of month New Bullards Bar Reservoir Storage for November
New Bullards Bar Reservoir Storage (AF)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation


Exceedance Probability of end of month New Bullards Bar Reservoir Storage for December
New Bullards Bar Reservoir Storage (AF)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
End of Month Storage
Top of Conservation

Existing Condition/Proposed Extension Temperature Modeling Results
Model Version: YRTM Version 3.5
Simulation Period: Water Year 1970 to 2021

Existing Condition/Proposed Extension Yuba River at Marysville Temperatures

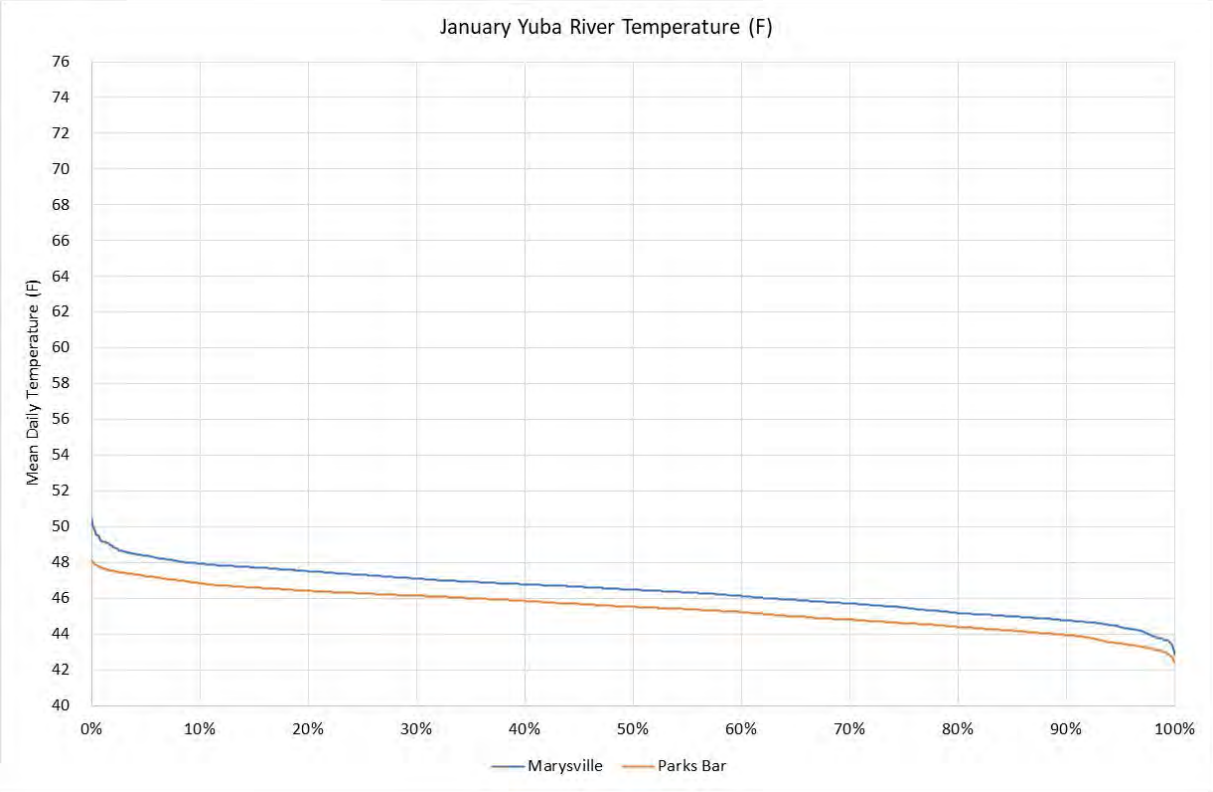
Average Monthly Temperature by Year Type (Sacramento Valley Index) (Degrees F)

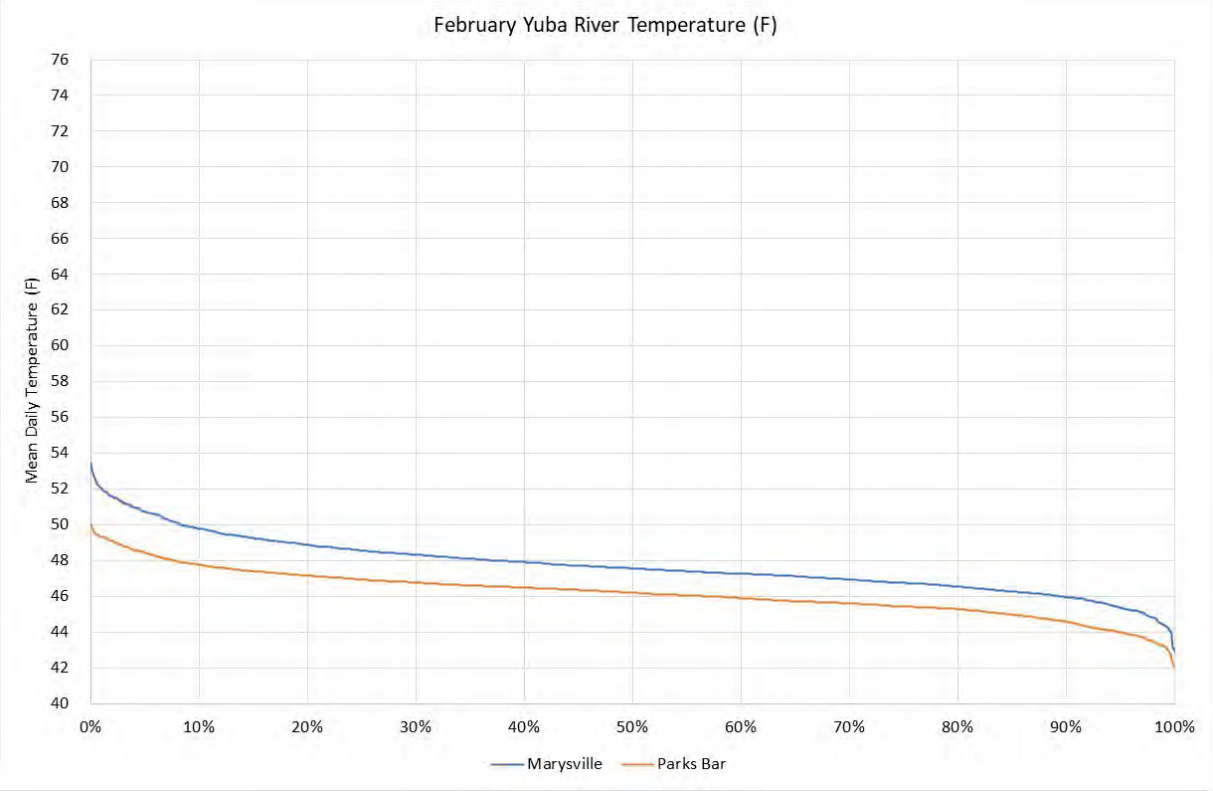
Water Year Type	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wet	59.3	53.8	48.4	46.2	47.1	49.3	51.8	54.4	57.2	58.7	58.9	61.4
Above Normal	60.4	54.4	49.2	46.6	47.7	50.6	52.9	55.4	57.7	59.8	60.3	62.0
Below Normal	60.0	53.7	48.7	46.5	47.9	50.9	53.4	56.3	58.9	61.9	62.1	62.7
Dry	59.0	53.7	48.7	46.1	47.5	51.3	55.5	58.6	62.3	61.8	61.1	62.0
Critical	59.9	54.3	49.2	46.9	48.8	53.0	58.5	61.8	65.8	65.6	64.5	65.3

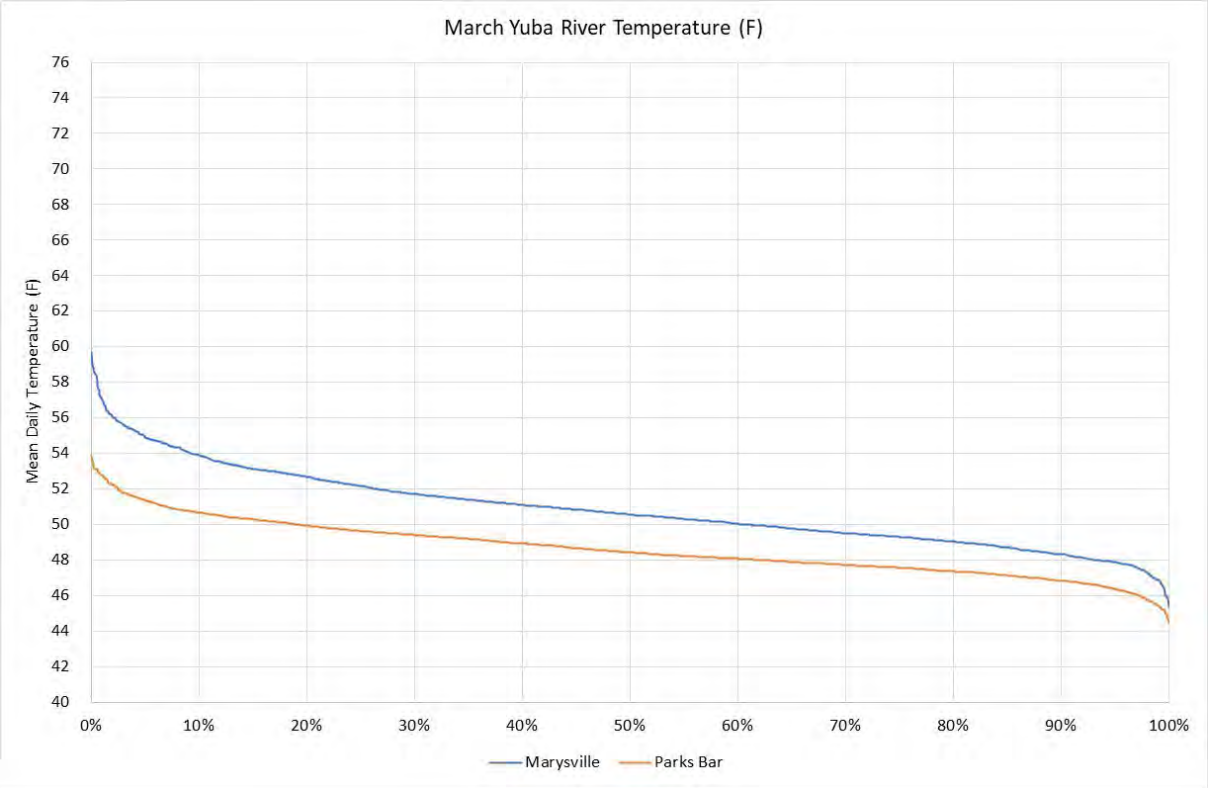
Existing Condition/Proposed Extension Yuba River at Parks Bar Temperatures

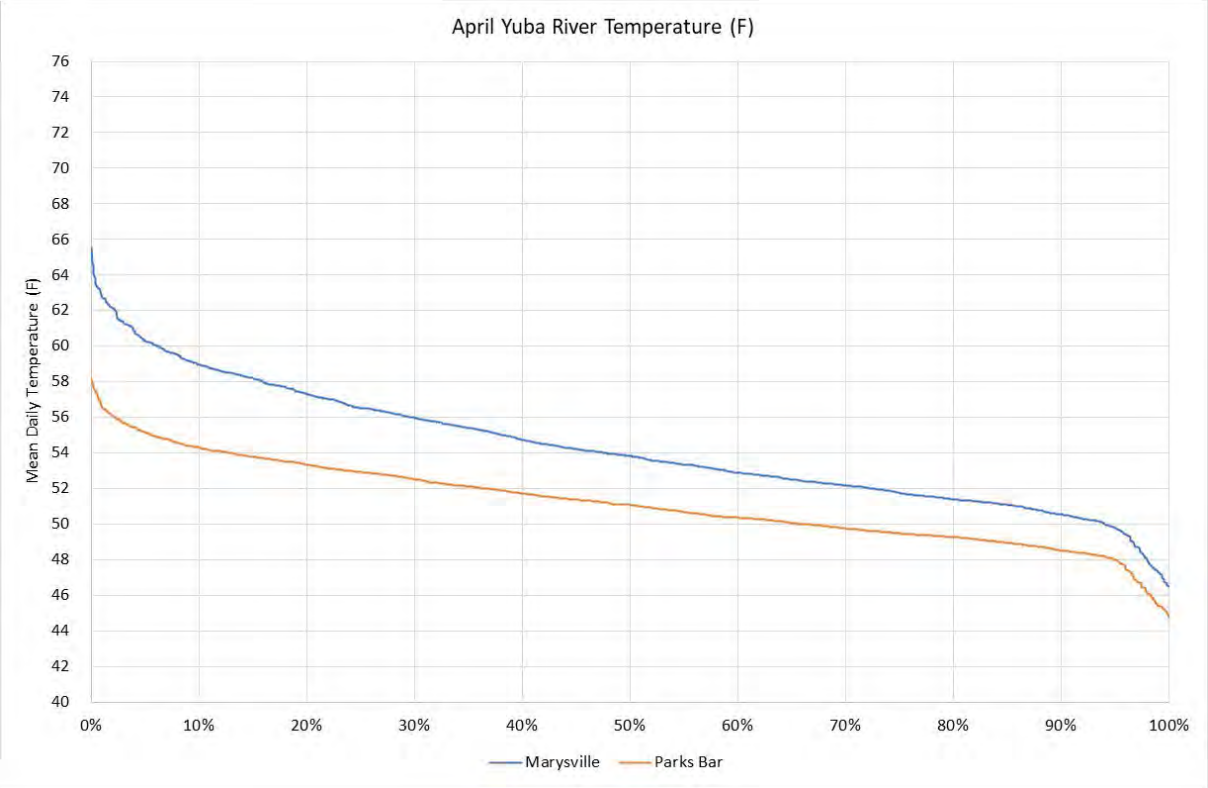
Average Monthly Temperature by Year Type (Sacramento Valley Index) (Degrees F)

Water Year Type	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wet	55.8	52.3	47.6	45.4	46.1	47.7	49.4	51.6	53.6	53.8	54.1	56.1
Above Normal	57.0	52.8	48.1	45.7	46.3	48.7	50.4	52.3	53.8	54.4	55.2	56.6
Below Normal	56.4	52.2	47.8	45.3	46.2	48.8	50.8	52.9	54.2	55.6	56.3	57.4
Dry	55.6	52.1	47.8	45.0	45.7	48.7	52.1	54.2	56.1	56.1	55.7	56.7
Critical	56.4	52.7	48.4	45.8	46.7	49.9	53.9	56.2	58.3	58.1	57.7	58.8


January Yuba River Temperature (F)
Mean Daily Temperature (F)
76
74
72
70
68
66
64
62
60
58
56
54
52
50
48
46
44
42
40
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Parks Bar


February Yuba River Temperature (F)
Mean Daily Temperature (F)
76
74
72
70
68
66
64
62
60
58
56
54
52
50
48
46
44
42
40
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Parks Bar


March Yuba River Temperature (F)
Mean Daily Temperature (F)
76
74
72
70
68
66
64
62
60
58
56
54
52
50
48
46
44
42
40
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Parks Bar


April Yuba River Temperature (F)
Mean Daily Temperature (F)
76
74
72
70
68
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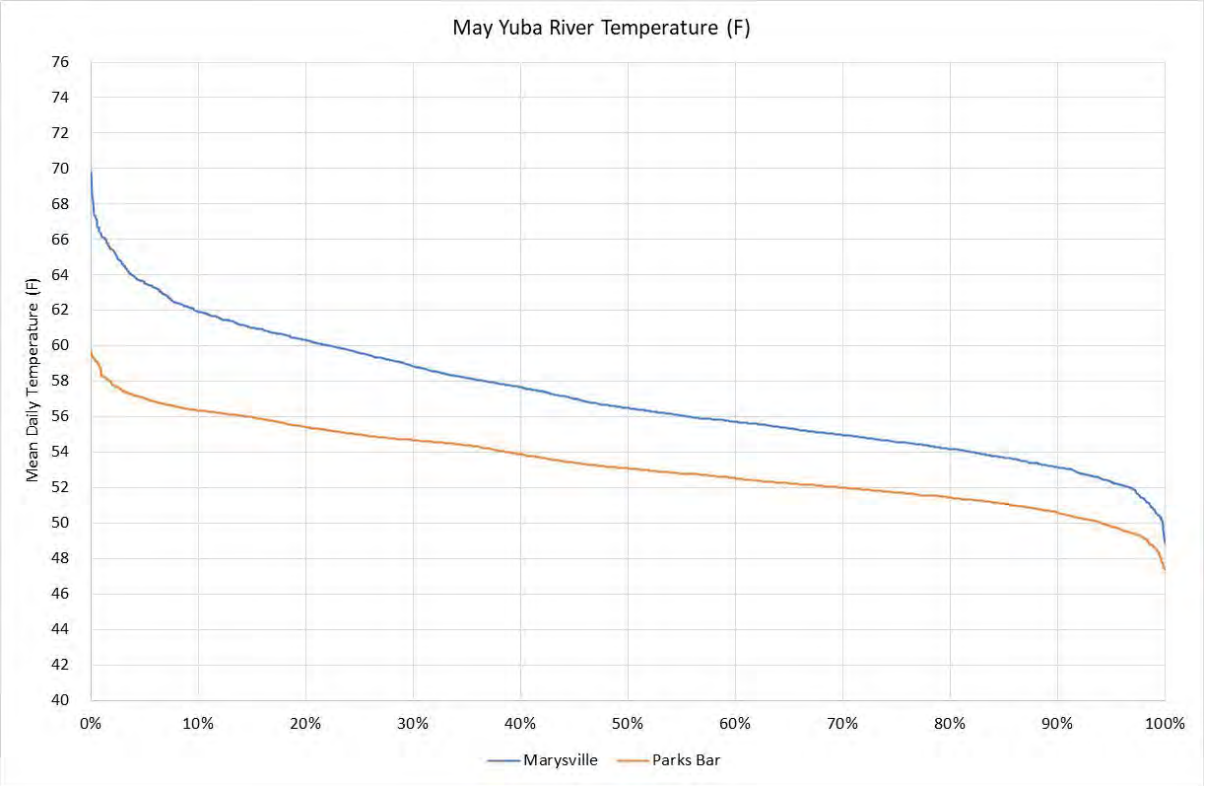
Marysville
Parks Bar


May Yuba River Temperature (F)
Mean Daily Temperature (F)
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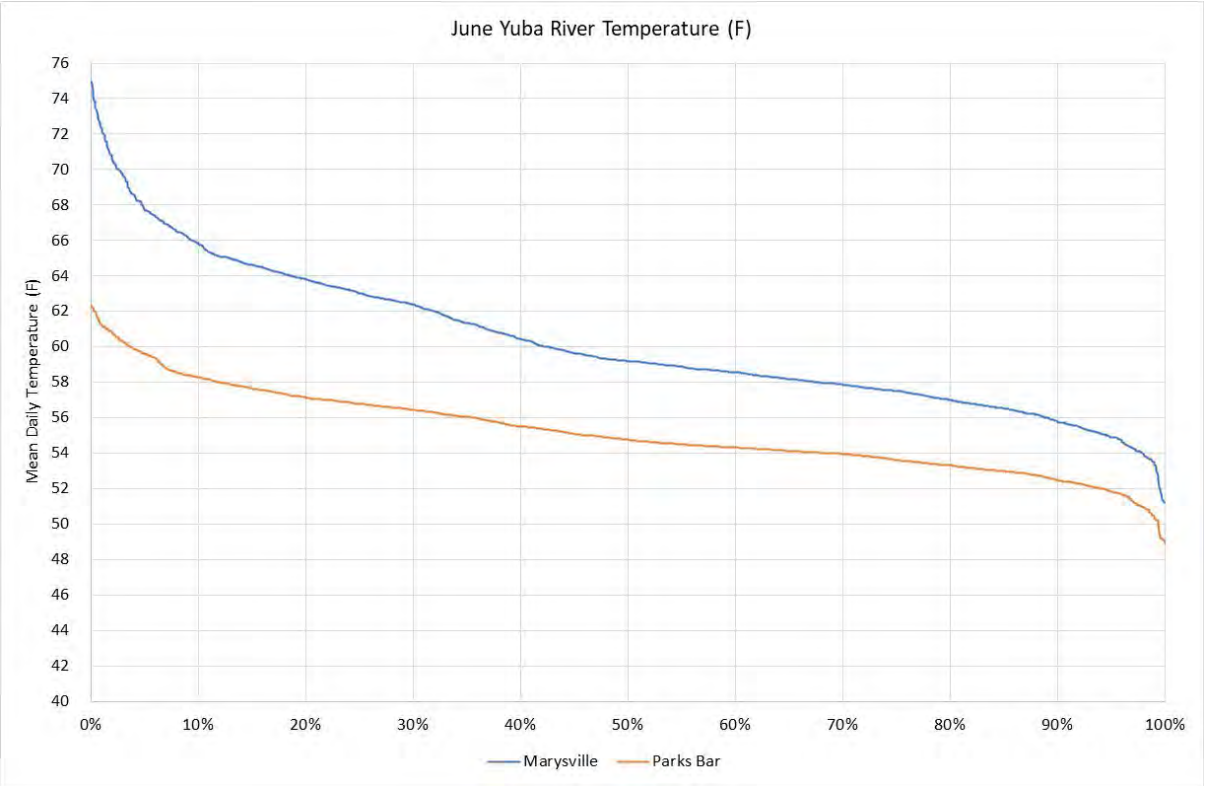
Marysville
Parks Bar


June Yuba River Temperature (F)
Mean Daily Temperature (F)
76
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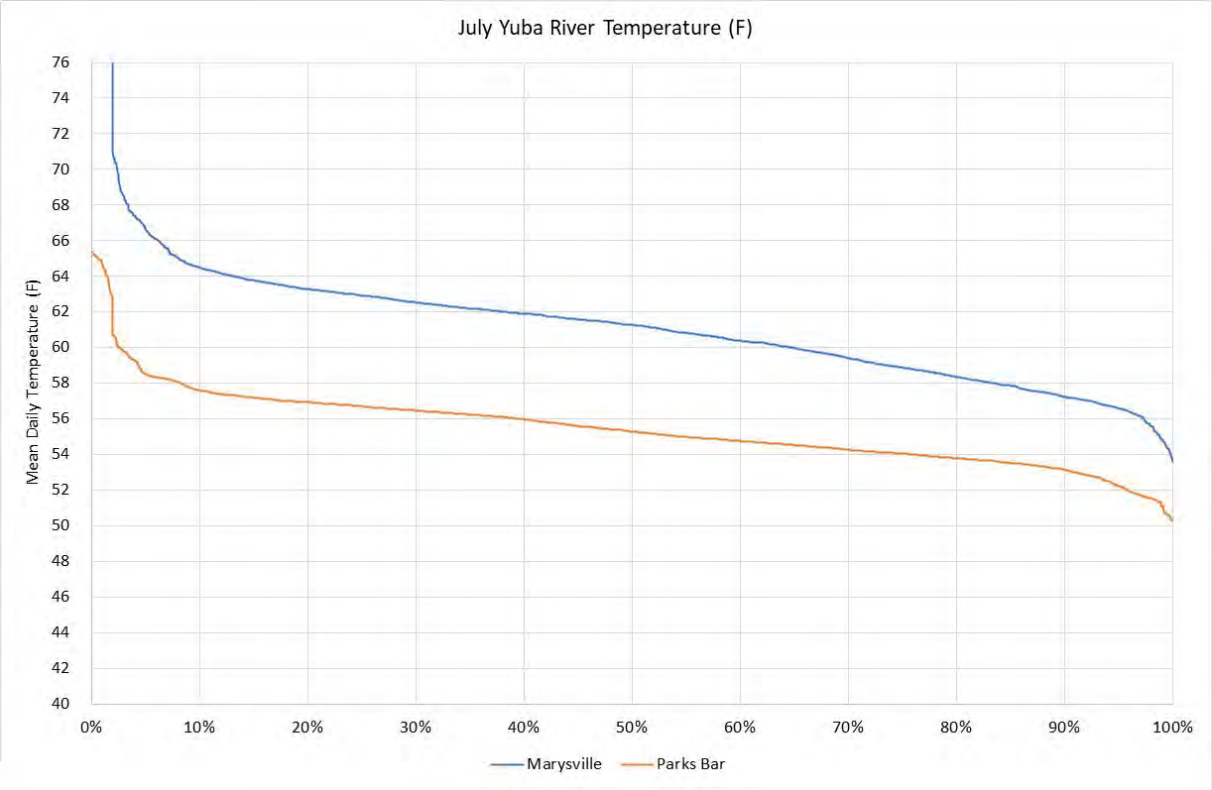
Marysville
Parks Bar


July Yuba River Temperature (F)
Mean Daily Temperature (F)
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90%
100%
Marysville
Parks Bar


August Yuba River Temperature (F)
Mean Daily Temperature (F)
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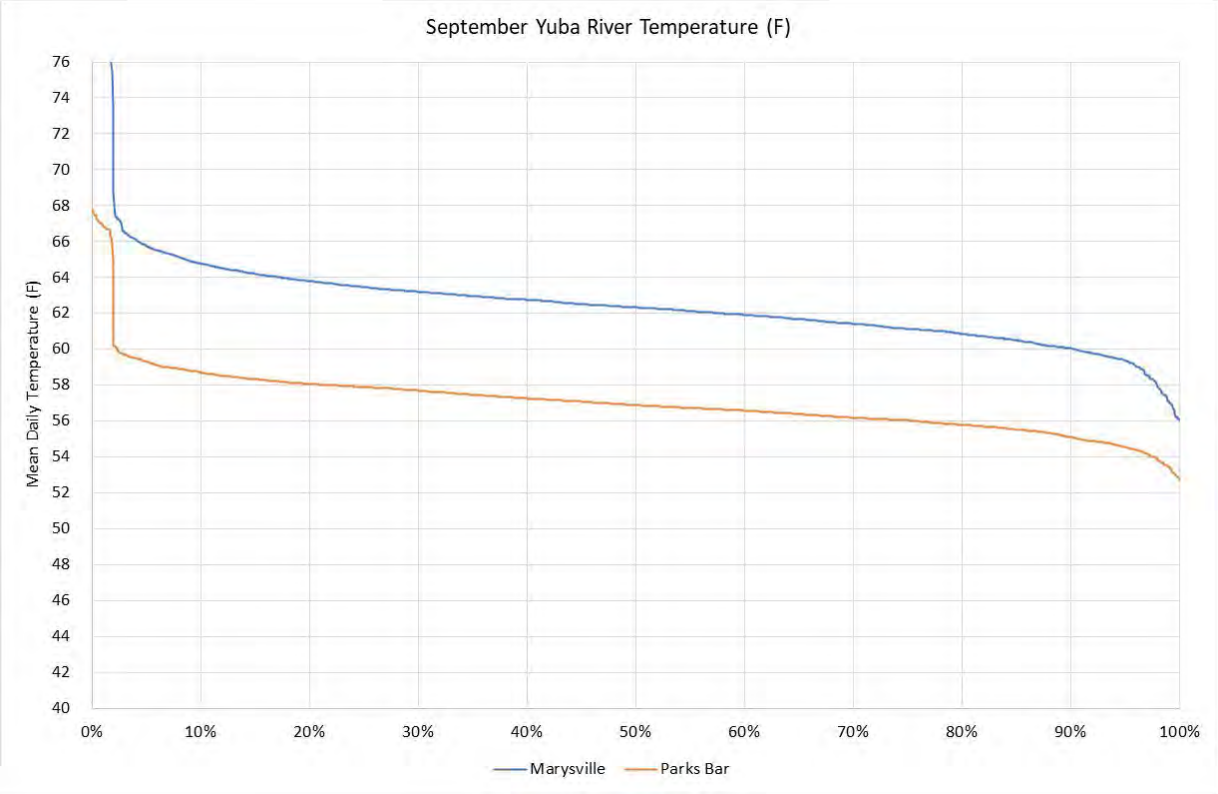
Marysville
Parks Bar


September Yuba River Temperature (F)
Mean Daily Temperature (F)
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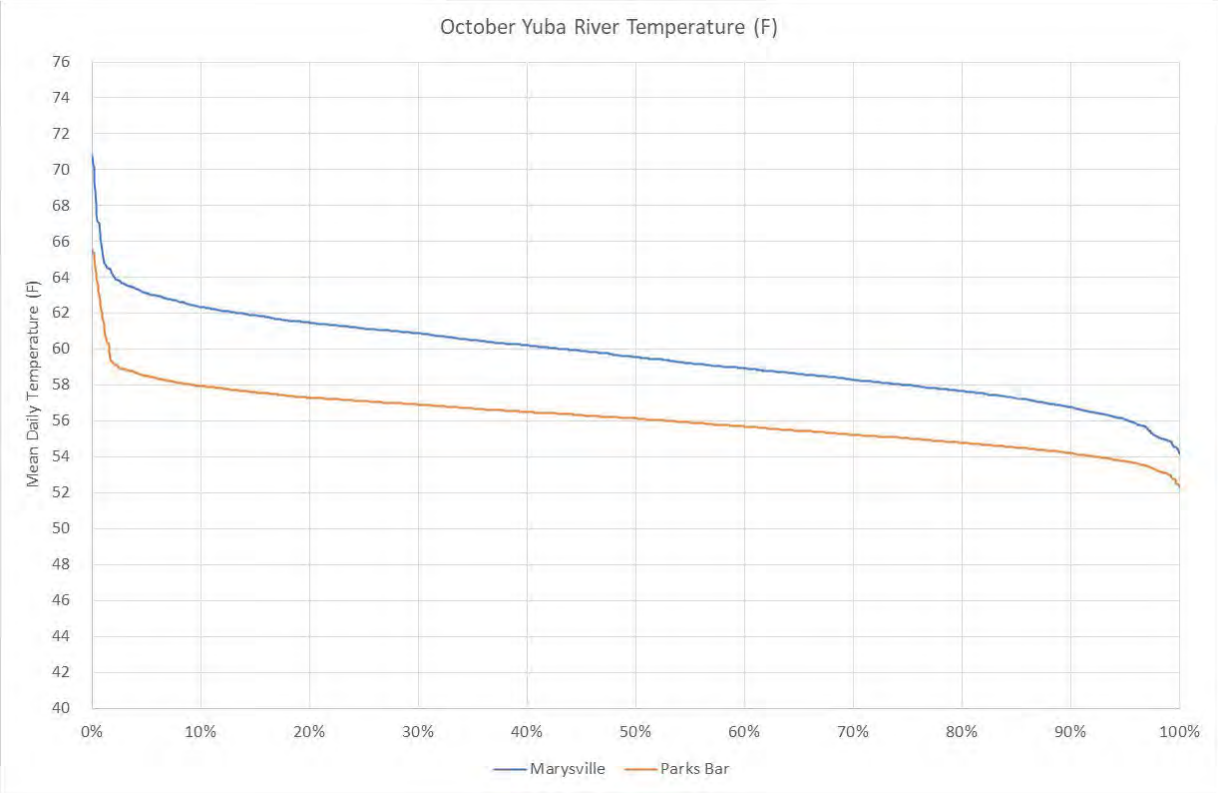
80%
90%
100%
Marysville
Parks Bar


October Yuba River Temperature (F)
Mean Daily Temperature (F)
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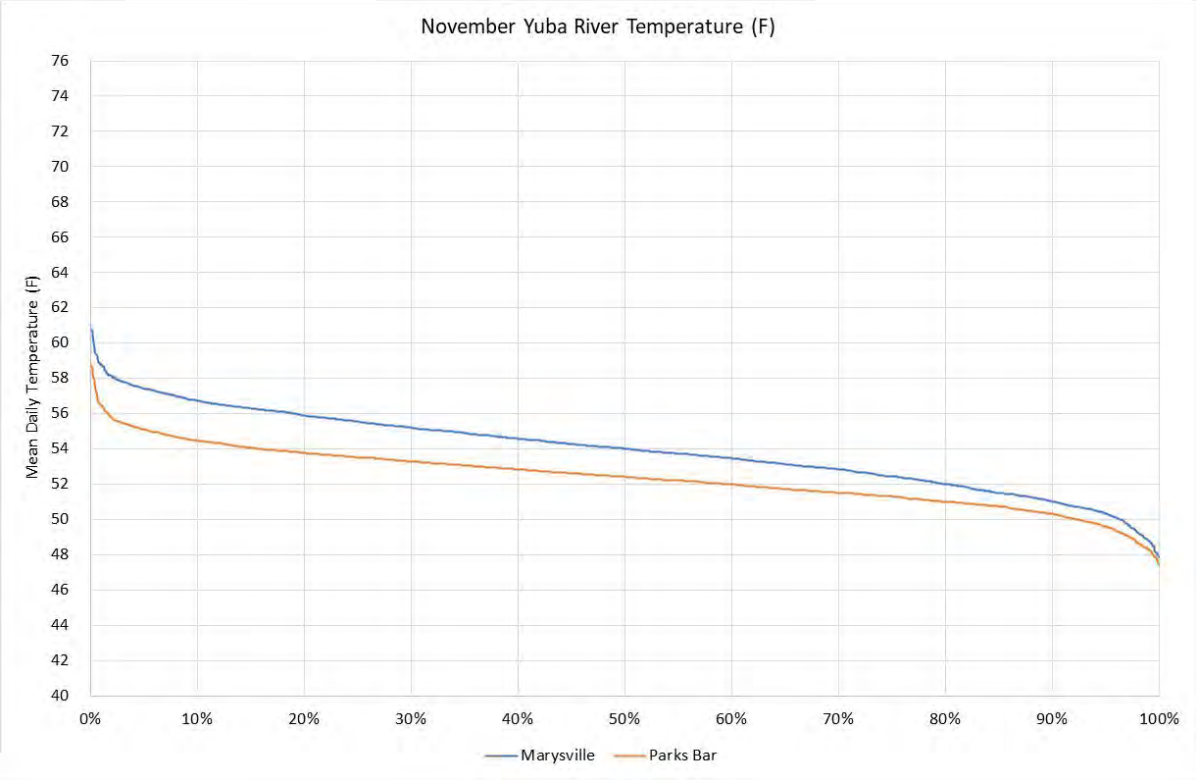
Marysville
Parks Bar


November Yuba River Temperature (F)
Mean Daily Temperature (F)
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80%
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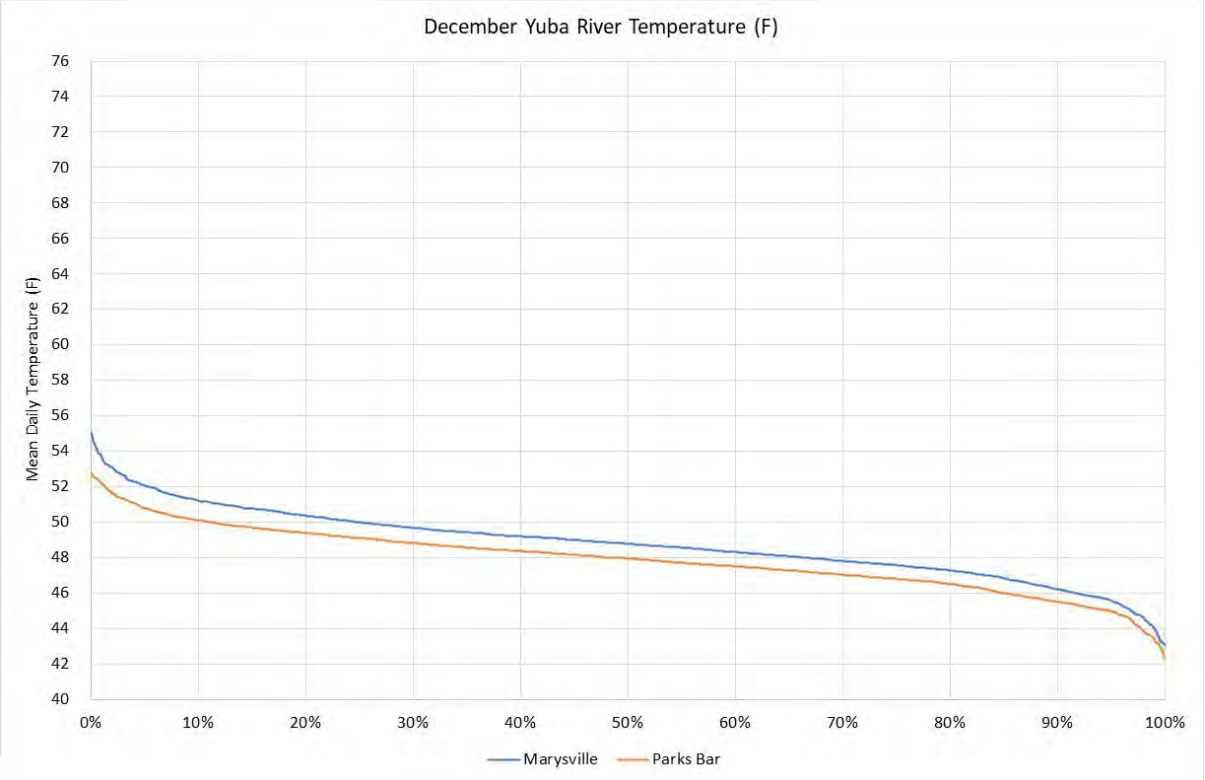
100%
Marysville
Parks Bar


December Yuba River Temperature (F)
Mean Daily Temperature (F)
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0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Marysville
Parks Bar

Appendix C4

Modeling Data – Proposed Extension with Healthy River and Landscapes Flow Contribution (Bay-Delta)

[New Appendix C4]

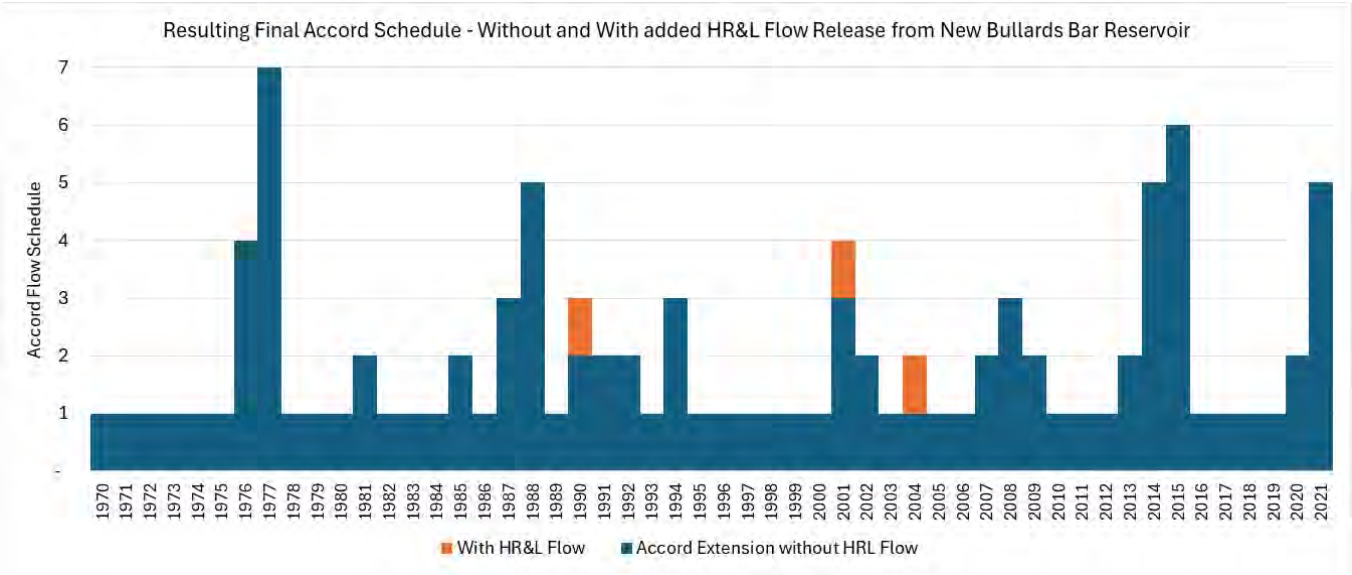
Appendix C-4 Modeling Results – Proposed Extension with Healthy River and Landscapes Flow Contribution (Bay-Delta)

Model Version: YRDPM Version 3.102.1
Simulation Period: Water Year 1970 to 2021

Resulting Yuba Accord Water Year Type Schedules

Year Type Schedule	Count	Percent of Total
1	31	60%
2	10	19%
3	4	8%
4	2	4%
5	3	6%
6	1	2%
Conference Year	1	2%
TOTAL	52	100%

Figure C-4.1 Plot of Final Accord Flow Schedule – Proposed Extension Without and with Healthy River and Landscapes Flow Contribution



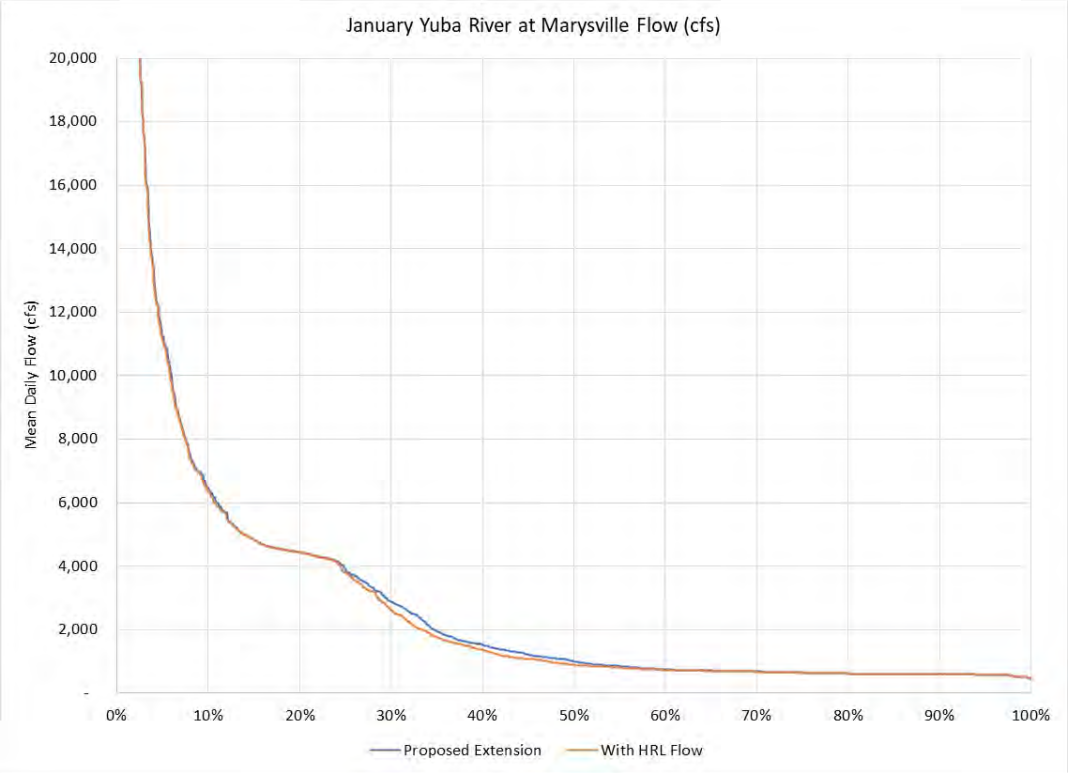
Proposed Extension with Healthy Rivers and Landscapes Flow Contribution
Yuba River at Marysville (Yuba River Outflow) Flow
Average Monthly Flow by Year Type (Sacramento Valley Index) (CFS)

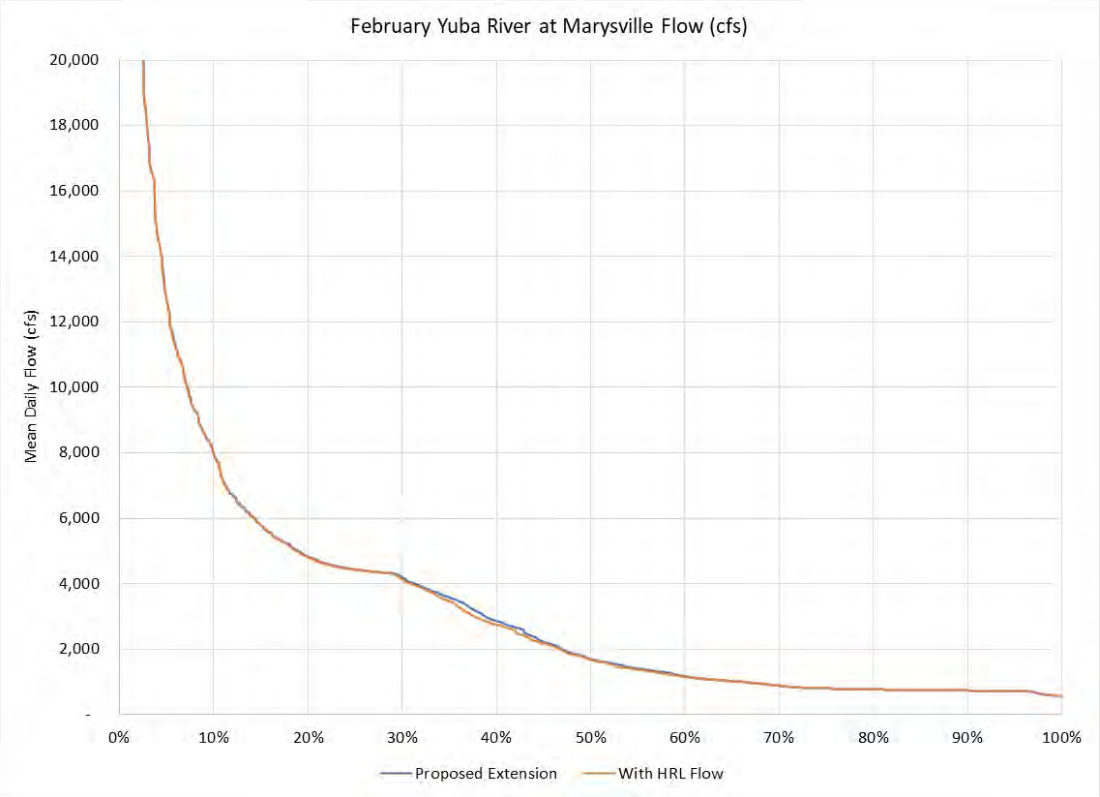
Water Year Type	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wet	555	1,163	4,039	7,206	8,429	7,817	5,646	5,295	4,403	2,079	1,550	735
Above Normal	519	532	945	4,062	4,504	5,072	3,907	3,983	2,969	1,508	1,028	590
Below Normal	518	620	750	1,176	1,527	4,456	3,876	2,899	1,954	997	824	549
Dry	518	683	1,094	913	1,368	2,233	2,152	1,837	998	1,053	941	528
Critical	519	546	631	720	992	1,013	708	726	573	844	779	455

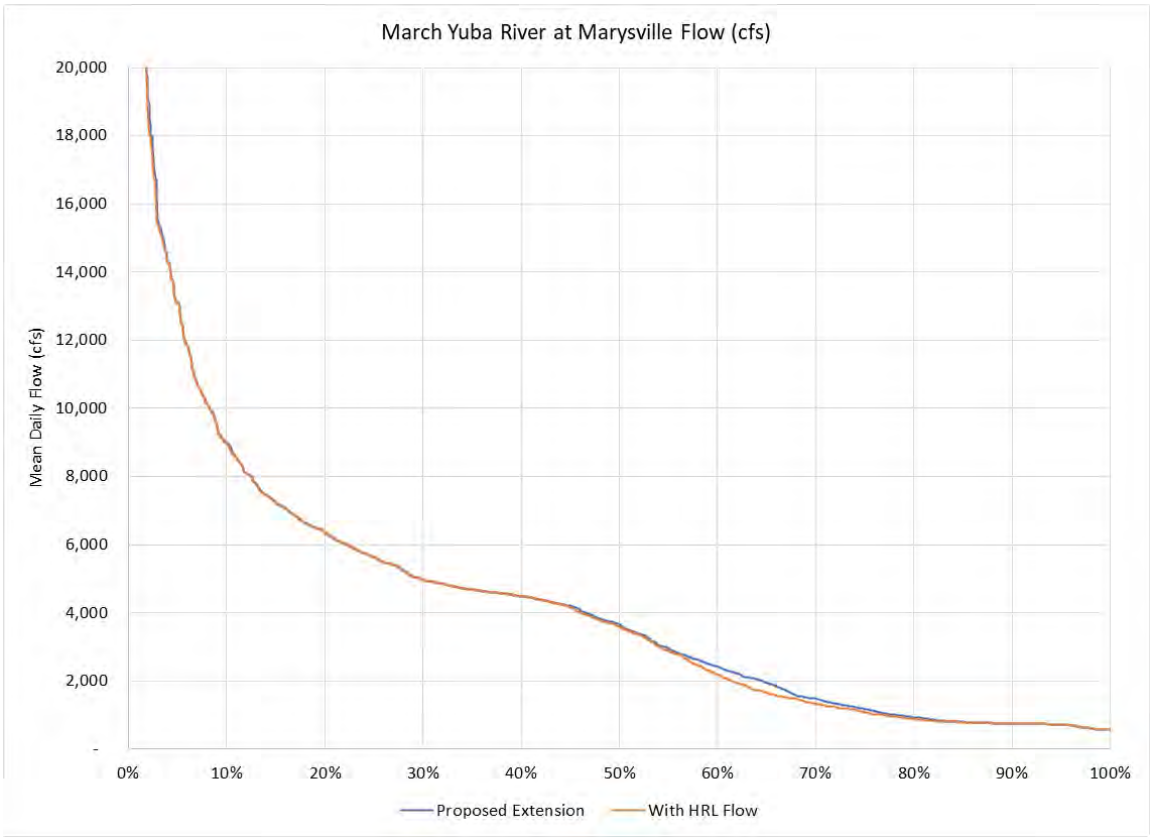
Yuba River at Marysville (Yuba River Outflow) Average Monthly Flow Difference by Year Type
HRL Flow minus Proposed Extension (Sacramento Valley Index) (CFS)

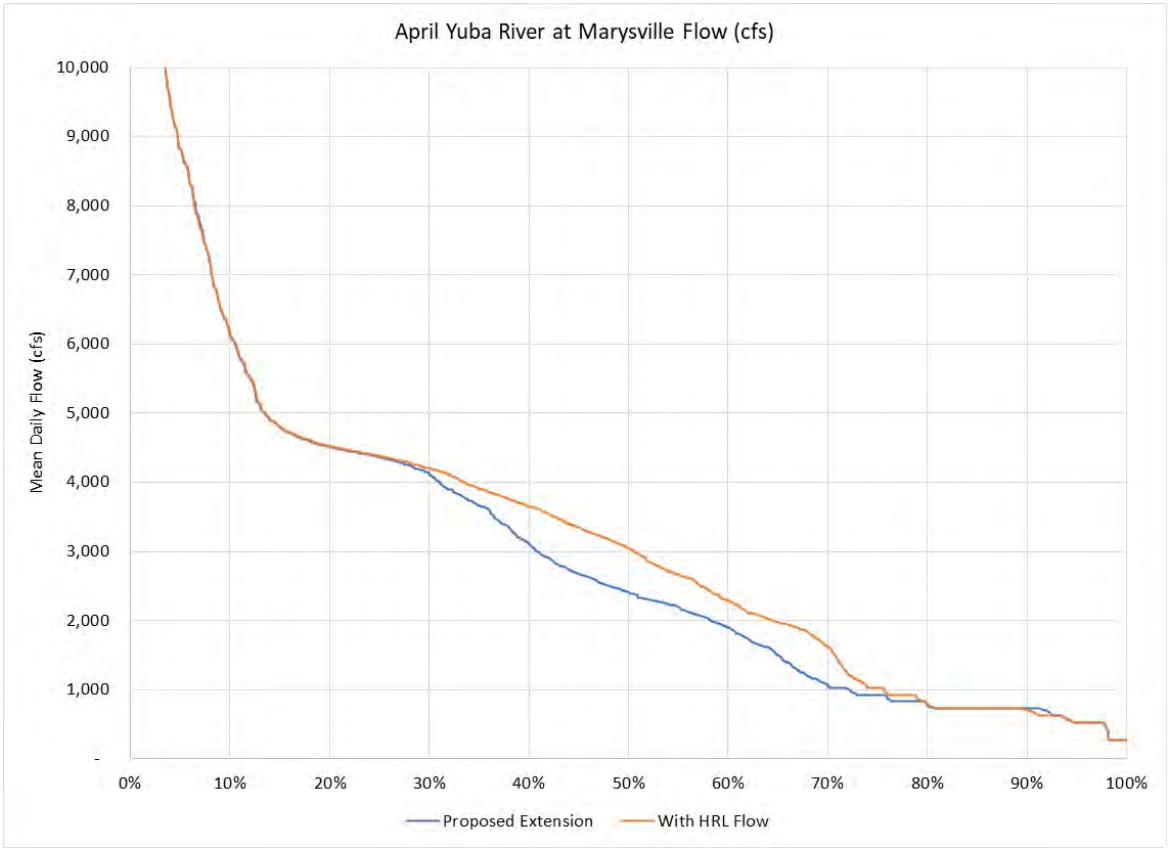
Water Year Type	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wet	-	(40)	(166)	(47)	(82)	(27)	-	-	-	-	-	-
Above Normal	0	(1)	(88)	(369)	(21)	41	478	153	(5)	20	(5)	(0)
Below Normal	3	3	(6)	(81)	(46)	(118)	503	353	(73)	(21)	(28)	(7)
Dry	(8)	3	(68)	(19)	(4)	(122)	430	222	65	(13)	(34)	(18)
Critical	-	-	-	-	-	(52)	(19)	(4)	(13)	1	1	(0)

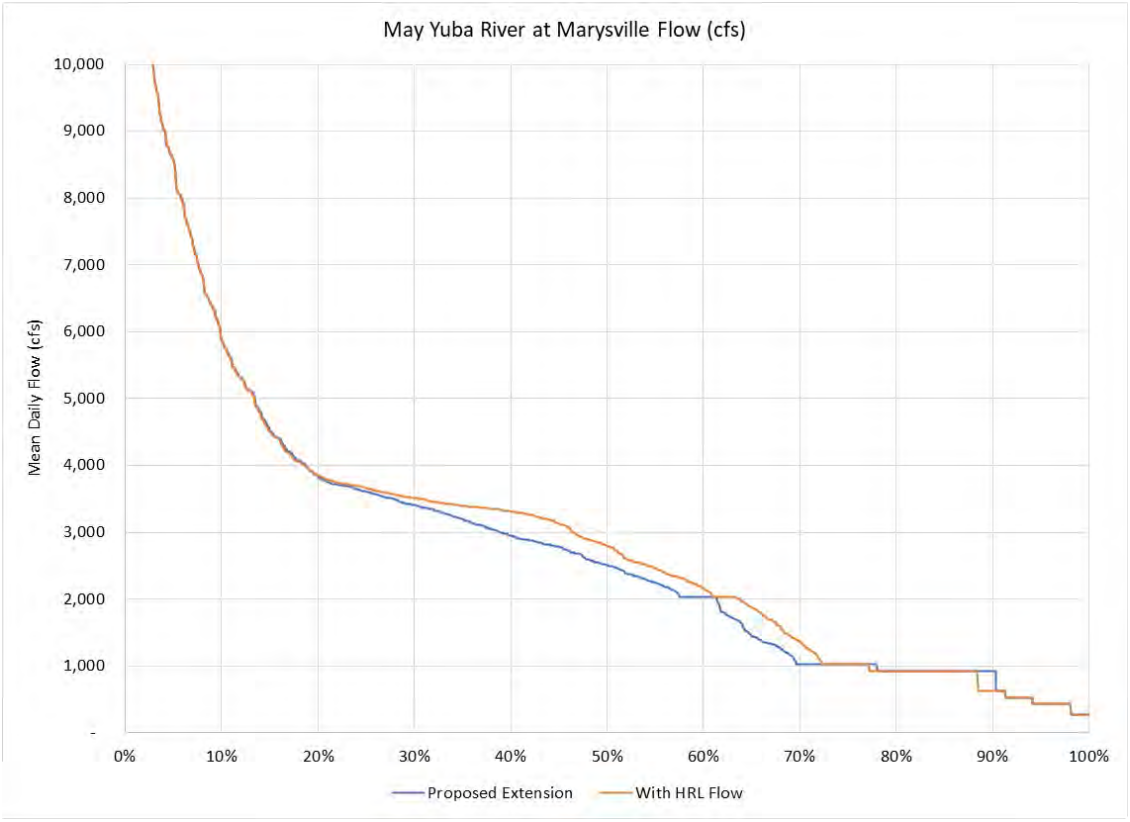
Proposed Extension without and with HRL Flow - Resulting lower Yuba River Flow (cfs) Exceedance Probability by Month

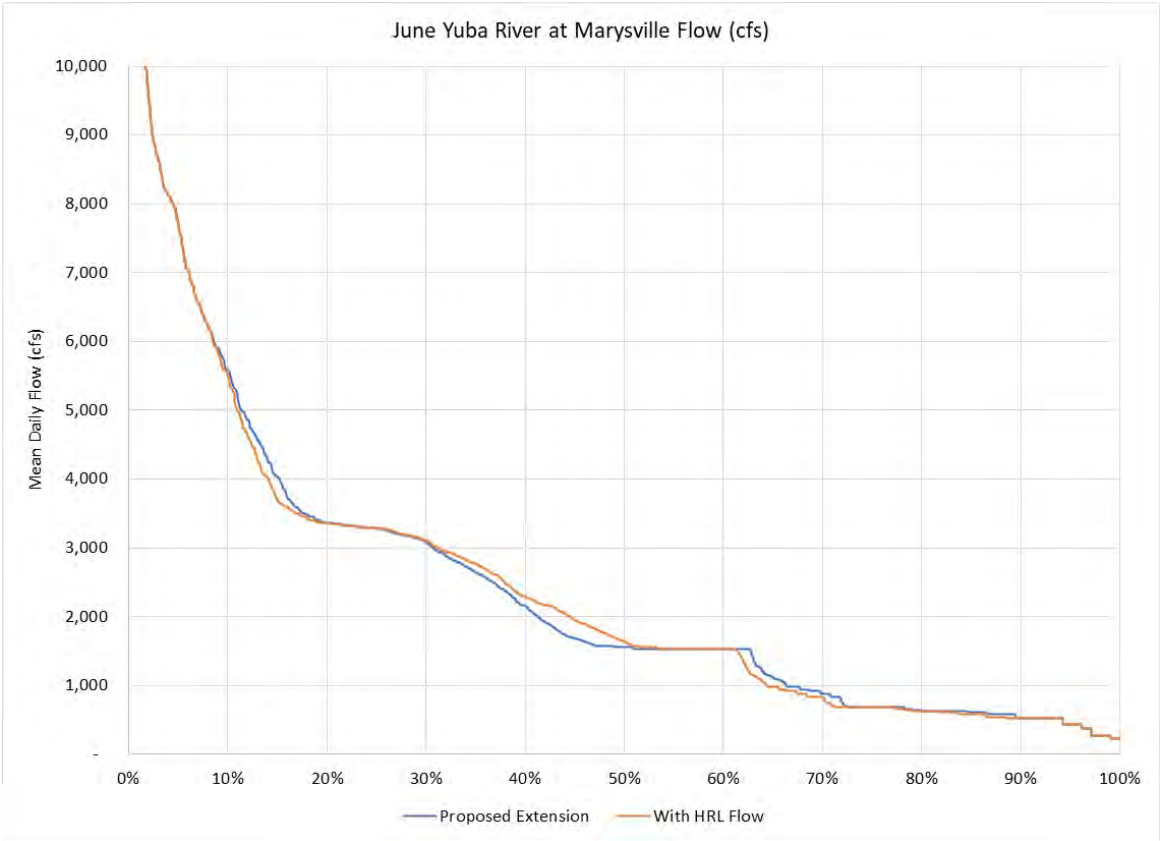


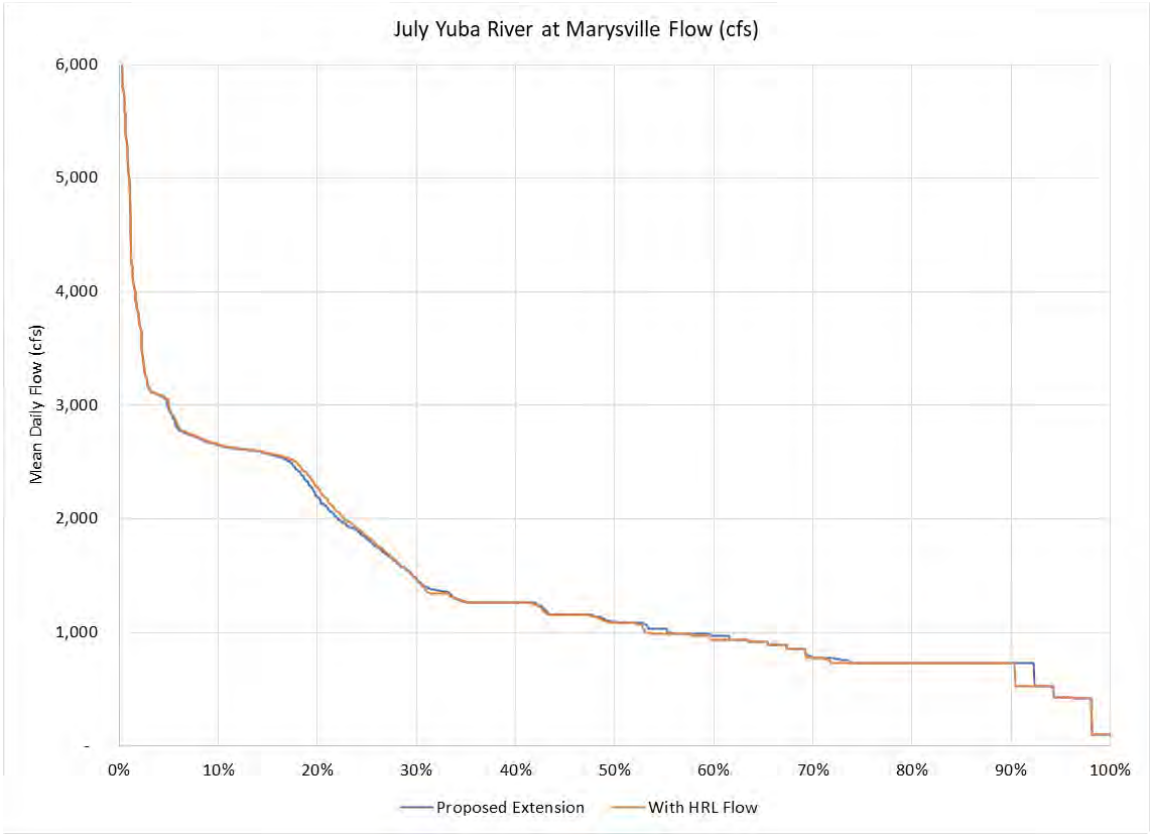


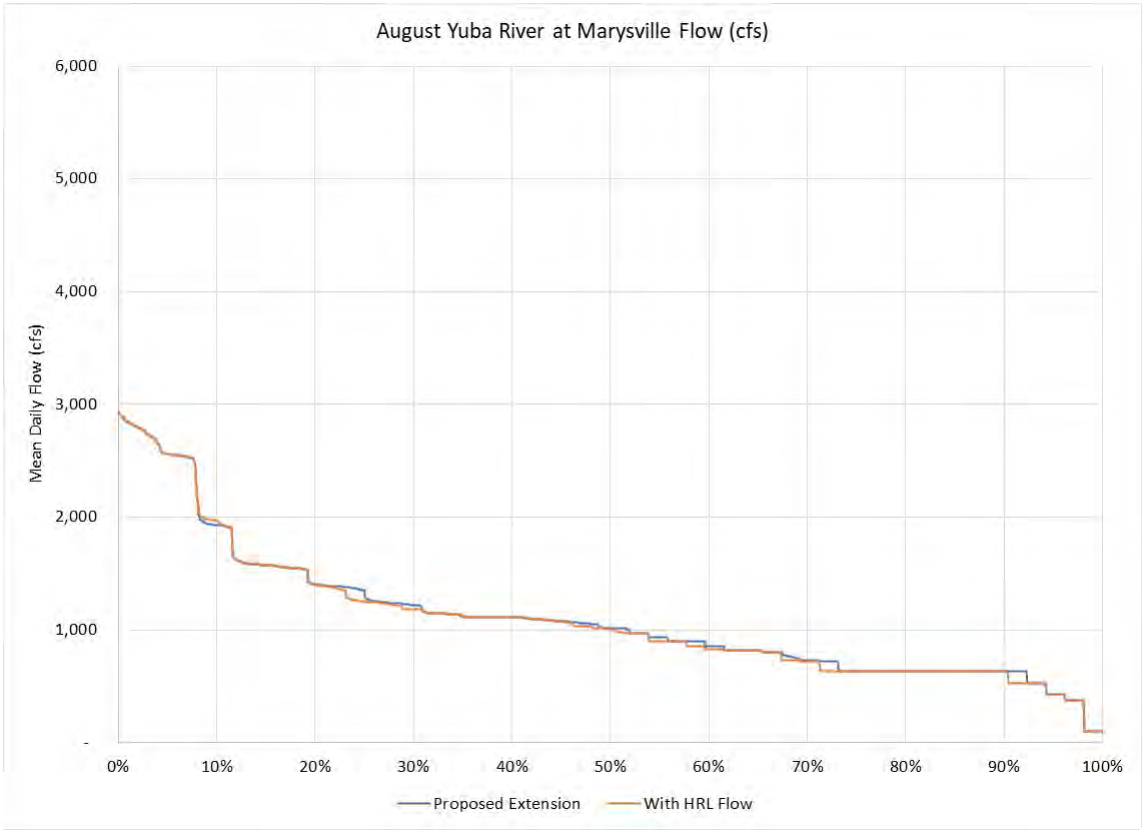

March Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
20,000
18,000
16,000
14,000
12,000
10,000
8,000
6,000
4,000
2,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow

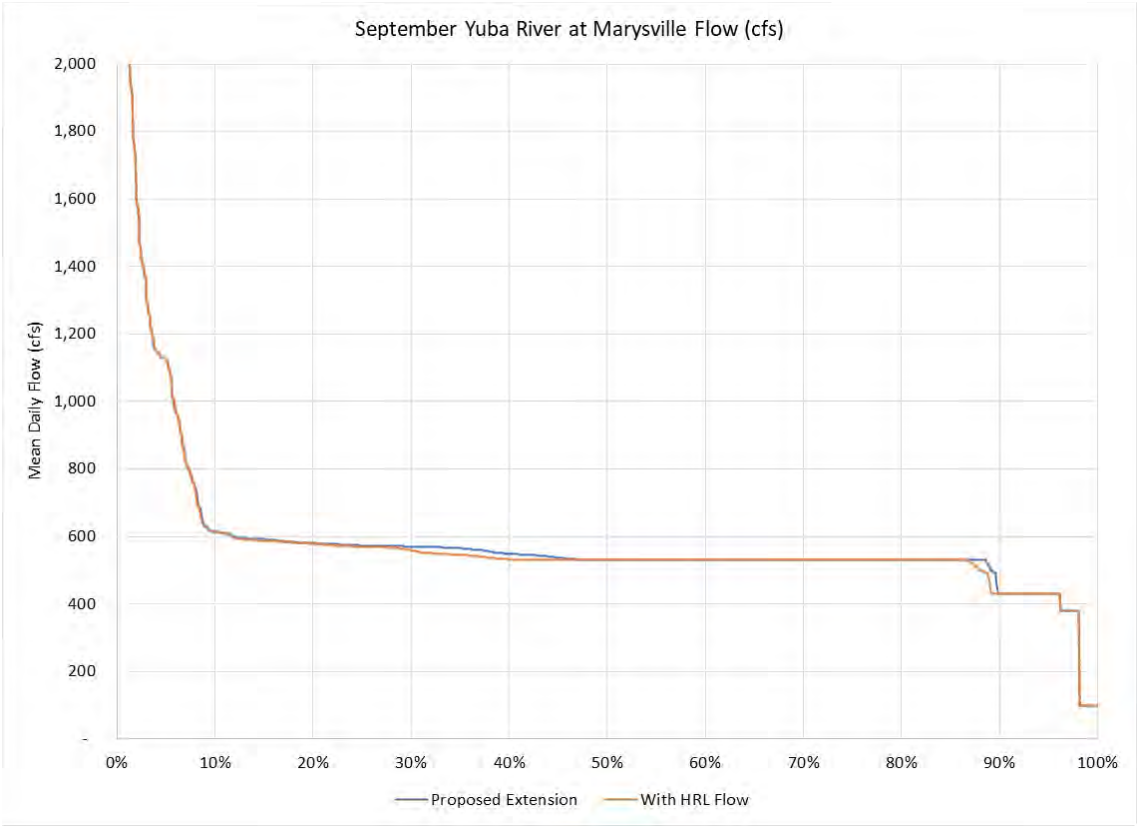

April Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
10,000
9,000
8,000
7,000
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow


May Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
10,000
9,000
8,000
7,000
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow


June Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
10,000
9,000
8,000
7,000
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow


July Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow


August Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow


September Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
2,000
1,800
1,600
1,400
1,200
1,000
800
600
400
200
-
0%
10%
20%
30%
40%
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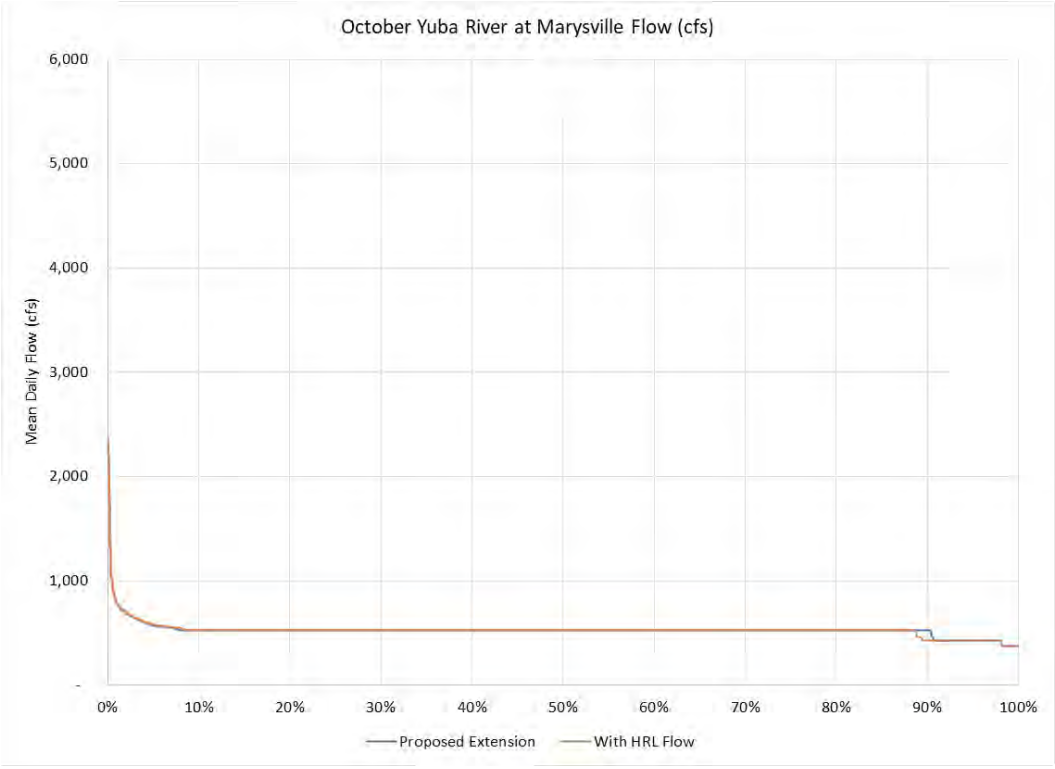
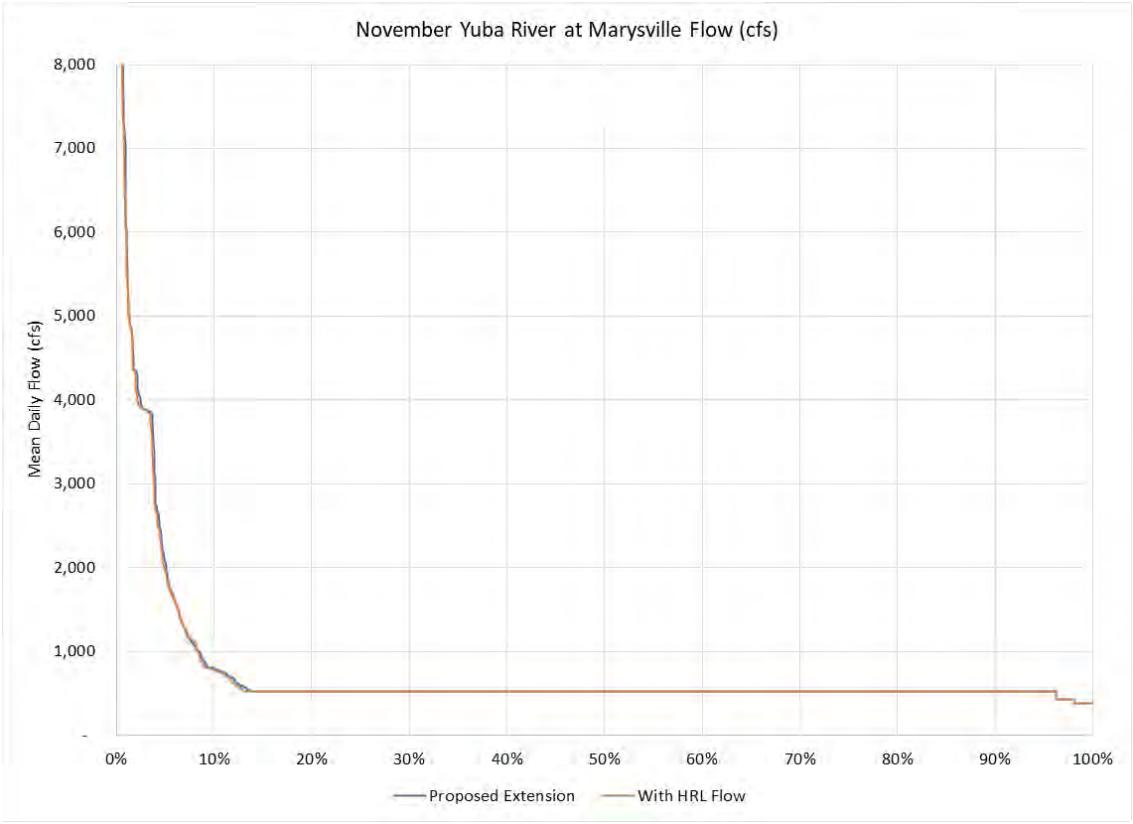
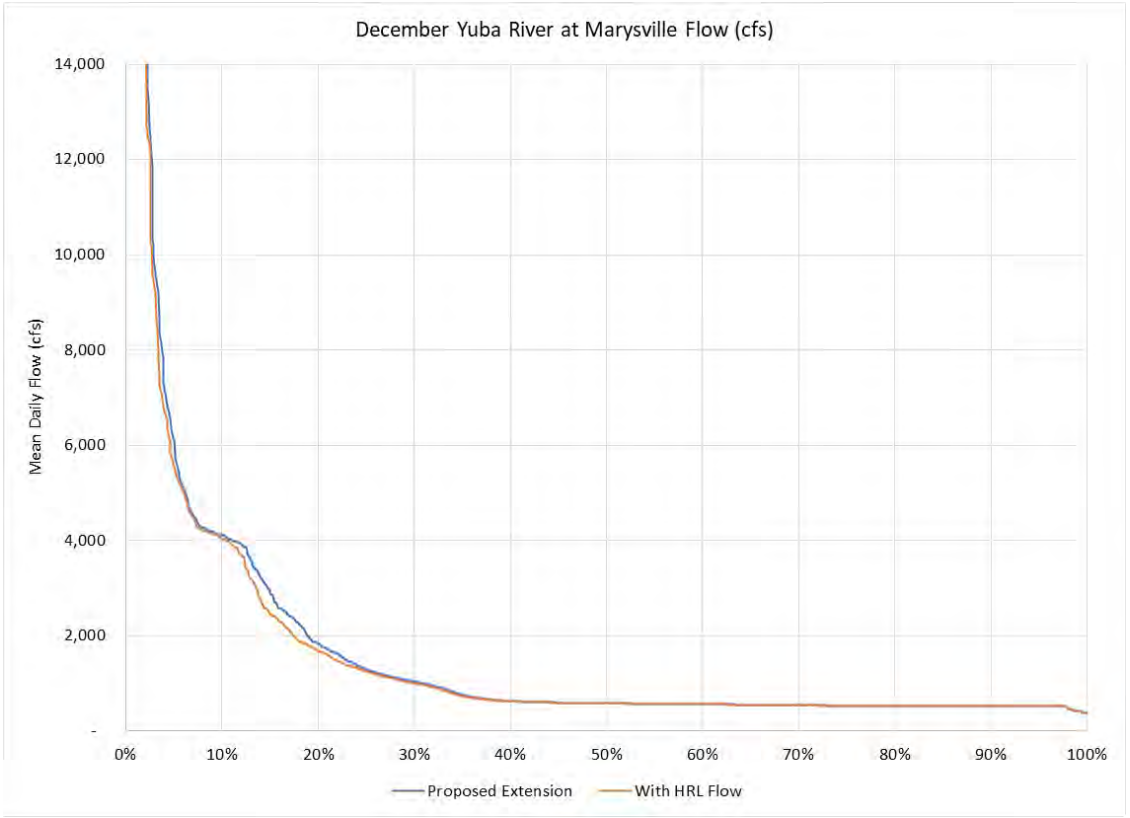
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow


October Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow


November Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
8,000
7,000
6,000
5,000
4,000
3,000
2,000
1,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow


December Yuba River at Marysville Flow (cfs)
Mean Daily Flow (cfs)
14,000
12,000
10,000
8,000
6,000
4,000
2,000
-
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Proposed Extension
With HRL Flow

Resulting New Bullards Bar Reservoir Storage – Proposed Extension with HR&L Flow Contribution

New Bullards Bar Reservoir Mean End of Month Storage (AF) by Water Year Type (SVI)

Water Year Type	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wet	607,540	617,431	649,236	743,586	769,080	787,492	864,811	928,632	900,222	793,370	672,678	632,992
Above Normal	575,088	577,081	625,051	685,971	747,246	779,121	821,754	890,996	847,943	737,008	641,823	607,239
Below Normal	530,062	542,818	638,589	627,835	679,995	770,136	815,268	808,949	744,913	657,631	585,126	551,317
Dry	489,953	492,737	515,859	572,860	619,335	722,561	764,964	767,032	717,035	629,538	556,732	522,740
Critical	442,860	422,768	438,830	497,998	534,645	604,001	656,095	669,045	640,728	567,406	505,214	474,553

Proposed Extension with and without HR&L Flow - Flow Difference by Year Type

HRL Flow minus Proposed Extension (Sacramento Valley Index) (CFS)

Water Year Type	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wet	(105)	(295)	(98)	(6,189)	(1,635)	-	-	-	-	-	-	-
Above Normal	(37,220)	(34,435)	(26,275)	2,218	3,394	71	(27,572)	(37,037)	(36,552)	(37,711)	(37,330)	(37,264)
Below Normal	(44,293)	(43,474)	(22,383)	(10,761)	(8,194)	(911)	(30,615)	(52,494)	(48,026)	(46,605)	(44,815)	(44,344)
Dry	(48,872)	(47,205)	(42,236)	(18,530)	(18,301)	(10,780)	(36,338)	(49,919)	(53,660)	(52,734)	(50,530)	(49,415)
Critical	(3,744)	(3,567)	(3,543)	(18,160)	(18,149)	(14,945)	(13,106)	(11,120)	(8,344)	(6,089)	(4,555)	(3,909)

2025
GROUNDWATER
MONITORING REPORT

February 6, 2026

Water Resources Department
Groundwater Resources Division

Author:	Eileen Chen, Groundwater Resources Scientist
Assisted By:	Jeremy Bautista and Anton Shorno
Fieldwork By:	Andres Aguayo, Jeremy Bautista, Pablo Cortez, and Jeff Stromberg
Reviewed By:	Michelle Walden, Groundwater Resources Manager
	Laura Hidas, Director of Water Resources

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TABLE OF CONTENTS

APPENDICES

ACKNOWLEDGEMENTS

The Alameda County Water District (ACWD) would like to give special thanks to the following entities and individuals for assisting and coordinating with ACWD in the completion of the 2025 Spring and Fall Groundwater Monitoring Programs:

- Alameda County Flood Control District
- Bay Area Rapid Transit
- California Department of Fish and Wildlife
- Cargill, Incorporated
- City of Fremont
- City of Hayward
- City of Newark
- City of Union City
- Don Edwards San Francisco Bay National Wildlife Refuge
- East Bay Regional Park District
- Participating private well owners
- U.S. Fish and Wildlife

I. OVERVIEW

The Alameda County Water District's Spring 2025 Groundwater Monitoring Program was conducted during March and April 2025 and included 293 wells within the Niles Cone Groundwater Basin (Niles Cone Subbasin 2-09.01 or Niles Cone). Water levels were measured in 245 wells, and water samples were collected for chloride and total dissolved solids (TDS) analyses from 98 wells. The results from this effort and the status of the wells are documented in Appendix E.

The Fall 2025 Groundwater Monitoring Program, which included 295 wells, was conducted during August and September 2025. Water levels were measured in 245 wells, and water samples were collected for chloride and TDS analyses from 204 wells. In addition, 32 selected monitoring wells and 3 surface water locations were sampled for per- and polyfluoroalkyl substances (PFAS) analysis. The status of each well, water elevations, and water quality results are summarized in Appendix C, D, and F. Water elevation data were used to develop hydrographs to track water level trends over time and piezometric head contour maps which enable ACWD to approximate groundwater flow patterns within the Niles Cone. The direction of groundwater flow is generally toward the production wellfield in the Above Hayward Fault (AHF) sub-basin. The direction of groundwater flow is generally away from the recharge area in all three aquifers in the Below Hayward Fault (BHF) sub-basin. The overall changes in the groundwater basin's water quality due to saltwater intrusion were interpreted through the use of chloride and TDS concentration contour maps.

II. INTRODUCTION

For over 100 years, ACWD has managed the groundwater of the Niles Cone Groundwater Basin. ACWD's statutory authority for groundwater management is provided under the County Water District Law, the Replenishment Assessment Act of Alameda County Water District, and the Alameda County Water District Groundwater Protection Act. ACWD's management activities, under these statutory authorities, ensure a reliable and sustainable supply of high-quality water that satisfies present and future water needs for ACWD's distribution system customers and owners and operators of water wells.

ACWD's groundwater statutory service area includes the City of Fremont, City of Newark, City of Union City, and southern portion of the City of Hayward in the San Francisco Bay Area of California (Figure 1). ACWD also has groundwater protection authority throughout the entirety of the cities of Fremont, Newark, and Union City which extends west into the San Francisco Bay and east into the Diablo Range.

ACWD primarily provides retail water service to approximately 347,000 people in the cities of Fremont, Newark, and Union City. The portion of ACWD's water supply produced from wells in the Niles Cone Groundwater Basin has historically been between 30 and 62 percent annually, depending upon seasonal and annual demand requirements and availability of water from other sources. During fiscal year (FY) 2024/25, groundwater accounted for 32.8% of ACWD's distribution water supply. ACWD's municipal pumping accounted for approximately 90% of the

groundwater pumped from the Niles Cone. Pumping by the Aquifer Reclamation Program and by owners and operators of other water wells accounted for the remaining 10% (ACWD, 2026).

On September 16, 2014, Governor Jerry Brown signed a three-bill package known as the Sustainable Groundwater Management Act (SGMA) into law that establishes a new structure for groundwater management, recognizing that groundwater management in California is best accomplished locally. SGMA identifies ACWD as one of 18 agencies that were created by statute to manage groundwater and deemed the exclusive local agency to comply with SGMA. On November 10, 2016, ACWD's Board of Directors adopted Resolution No. 16-069 deciding to become the Groundwater Sustainability Agency (GSA) for the Niles Cone Subbasin 2-09.01, and on December 8, 2016, ACWD's Board of Directors adopted Resolution No. 16-075 authorizing the submittal of an Alternative to a Groundwater Sustainability Plan for the Niles Cone Subbasin 2-09.01 (Alternative).

The California Department of Water Resources (DWR) reviewed ACWD's Alternative, and in a letter dated July 17, 2019, concluded that the Alternative satisfies the objectives of SGMA and was approved. Per SGMA regulations, on December 29, 2021, ACWD submitted a five year update to the Alternative (Alternative Update) to DWR. The Alternative update is not a plan amendment but is a written assessment that describes and provides an update on ACWD's groundwater management efforts, an explanation of how the Alternative Update is functionally equivalent to elements of a Groundwater Sustainability Plan, incorporates DWR's recommended actions, and information on proposed projects and next steps. The Alternative Update was approved by DWR in a letter dated June 27, 2024, with additional recommended actions. ACWD's Alternative Update together with pre-existing authority by which the ACWD has carried out groundwater management efforts will allow ACWD to continue the successful management of the Niles Cone Groundwater Basin.

Annually, ACWD issues the *Groundwater Monitoring Report,* which provides information collected during the Spring and Fall Groundwater Monitoring Programs. The report contains water elevation data, selected groundwater quality data, and a description of the movement of groundwater and trends. In addition, ACWD prepares an annual *Survey Report on Groundwater Conditions*, which summarizes the total well production, estimated recharge, and changes in groundwater storage for the reporting period and includes forecasts for the various categories of groundwater pumping for the following year. The report also recommends the amount of supplemental water to be purchased in order to maintain basin water levels and is presented to the ACWD Board of Directors.

As part of Article 7, Annual Reports and Periodic Evaluations by the Agency, of the Groundwater Sustainability Plan Emergency Regulations (Emergency Regulations), DWR requires each agency to submit an annual report to DWR by April 1 of each year. In order to meet the functional equivalency and provide the components required by the Emergency Regulations, ACWD prepares and submits an annual SGMA report that includes the *Survey Report on Groundwater Conditions*, the *Groundwater Monitoring Report,* and other information as required.

A. Niles Cone Groundwater Basin Boundary

ACWD's groundwater statutory service area boundary approximately coincides with the Niles Cone Groundwater Basin as defined by DWR which shows the basin as being the southern

portion of the east bay area bounded on the south by the Alameda-Santa Clara County boundary and on the north by the boundary of ACWD and southern portions of the City of Hayward (DWR, 2016).

The Niles Cone consists of several regional aquifers of varying thicknesses and depths (Figure 3). The Newark and Centerville Aquifers extend beyond ACWD's boundaries to the San Francisco peninsula to the west (DWR, 1968), and the Deep Aquifers are hydraulically connected to the South East Bay Plain Basin, albeit with some impedance, to the north (Luhdorff and Scalmanini, 2003). Since 1914, ACWD has actively managed and protected the Niles Cone and conserved the water of the Alameda Creek Watershed.

B. Monitoring Programs

ACWD has been monitoring the Niles Cone since its formation in 1914, and as a result, a variety of monitoring programs were implemented and modified over time due to historical groundwater management needs, specific groundwater related studies, compliance with water rights reporting, and direction of the ACWD Board of Directors. Changes in the monitoring programs also reflect the destruction or loss of wells due to development, and the availability of newly constructed wells. In addition to the Spring and Fall Groundwater Monitoring Programs, currently, ACWD also monitors 7 wells on a weekly basis and 49 wells on a monthly basis.

Since 2010, ACWD has actively participated in the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, which was authorized by SBX7-6 and enacted in November 2009. The CASGEM Program was created by DWR pursuant to Water Code Sections 10920-10936, which mandates a statewide groundwater elevation monitoring program to track seasonal and long-term groundwater elevation trends in California's groundwater basins. In 2021, DWR determined that CASGEM and SGMA required groundwater monitoring are equivalent and both meet Water Code Section 10920 et seq. To eliminate duplicative data submission requirements, DWR asked basins or sub-basins with an approved Alternative to upload the SGMA monitoring network and the fall 2021 groundwater elevation data to the SGMA Monitoring Network Module (MNM) in lieu of the CASGEM database by January 1, 2022. ACWD uploaded the monitoring network and associated water elevation data to the MNM on December 29, 2021. Since 2021, ACWD has uploaded groundwater elevation data collected during the spring and fall of each year to the MNM and will continue to submit groundwater elevation data from designated wells for compliance with SGMA and CASGEM.

The Spring and Fall Groundwater Monitoring Programs are semiannual field efforts to document the status of wells, obtain water level measurements, and collect groundwater samples. The Spring Program is normally conducted in March and April, and the Fall Program is conducted primarily in September. The Spring Program is conducted to provide insight into subsurface conditions throughout the service area when water levels tend to be at their seasonal high. The Fall Program's purpose is to update information on groundwater flow and quality and to provide insight into subsurface conditions when water levels tend to be at their seasonal low. To verify the consistency of data and to further define the isocontour lines based on water quality conditions, a larger set of wells is sampled during the Fall Program due to the susceptibility of the basin to saltwater intrusion via the Newark Aquifer. Monitoring wells are

selected based on overall coverage, accessibility, and available historic data and well construction information.

This report describes the Fall 2025 data acquisition effort, presents the water elevation and water quality data, and provides comparisons of current year results to historical data to document long-term trends and basin conditions. The Spring 2025 data are included in Appendix E and in Figures 4, 5, 6, and 7.

C. Other Niles Cone Groundwater Basin Studies

The U.S. Geological Survey (USGS) (Clark, 1915) conducted the first hydrogeologic study in this groundwater basin. Several hydrogeologic studies have been conducted by DWR: 1960, 1963, 1967, 1968, 1973, and 1975. The most comprehensive of these studies is *Evaluation of Groundwater Resources, South Bay* (1968) and *Appendix A: Geology* (1967). Christine Kolterman's 1993 dissertation (Stanford University) applied a process imitating approach to characterizing spatial variability in unconsolidated sediments for the Niles Cone Groundwater Basin. The USGS produced two companion reports providing a database of wells and a regional general hydrogeology for the South San Francisco Bay (Leighton, Fio, and Metzger, 1995 and Fio and Leighton, 1995). The California Regional Water Quality Control Board produced a report that documented hydrogeology, existing beneficial uses, ambient groundwater quality, and groundwater protection programs in the Niles Cone and two other South Bay groundwater basins (2003). In February 2019, USGS published a report titled *Hydrogeologic Controls and Geochemical Indicators of Groundwater Movement in the Niles Cone and Southern East Bay Plain Groundwater Subbasins, Alameda County, California*.

Other investigations that have further refined the characterization of the Niles Cone include four studies ACWD conducted with the support of the Local Groundwater Assistance Grant Program (ACWD 2006, 2007, 2010, and 2016) administered by DWR. In 2022, ACWD also completed the Niles Cone Groundwater Extraction Well Site Evaluation Project with the support of Prop 1 Groundwater Grant Program funding. The project entailed installing three test wells and eight monitoring wells to evaluate three locations in the Niles Cone for the potential removal of brackish water from the Centerville-Fremont Aquifer and preventing brackish water from migrating towards ACWD's Mowry Wellfield.

III. PURPOSE

The Spring and Fall Groundwater Monitoring Programs serve a number of purposes:

- To evaluate the status of wells in the program owned by ACWD, other public agencies (e.g., East Bay Regional Park District, Bay Area Rapid Transit, and Cities of Fremont, Hayward, Newark, and Union City), and private owners;

- To conduct water level measurements and collect water samples;

- To describe the movement of groundwater;

- To characterize effects of legacy saltwater intrusion on groundwater quality within the basin;

- To track water level and water quality trends in the groundwater basin;

- To collect and submit data to the MNM as part of ACWD's participation of the CASGEM Program; and

- To comply with components of SGMA.

IV. WATER RESOURCES AND HYDROGEOLOGY

A. Water Resources

ACWD obtains water from local and imported sources. The local sources of water are runoff from the Alameda Creek Watershed, deep percolation of precipitation, and applied water. Imported water is obtained from the State Water Project through the South Bay Aqueduct and from the San Francisco Public Utilities Commission through the Hetch Hetchy Aqueduct (Figure 2). Watershed runoff and a portion of the State Project water are diverted to Alameda Creek and Quarry Lakes Regional Recreation Area and adjacent areas (together referred to in this report as recharge ponds) for recharge of the groundwater basin. Many of the recharge ponds were former gravel quarry pits that were mined to depths ranging from 70 to 120 feet below the surrounding ground surface. The principal hydrogeologic structure beneath ACWD is the Niles Cone Groundwater Basin. The main point of surface water entry into the Niles Cone Groundwater Basin occurs through Alameda Creek and its tributaries, and the recharge ponds. Groundwater is extracted from the basin through pumping of ACWD's production wells, ACWD's Aquifer Reclamation Program (ARP) wells, wells owned by other public agencies, and privately owned wells.

B. Hydrogeology

1. Niles Cone Groundwater Basin

The Niles Cone Groundwater Basin is an alluvial aquifer system consisting of unconsolidated gravel, sand, silt, and clay. The gravel and sand deposits have the highest permeability and thus comprise the aquifers; conversely, silt and clay layers have low permeability and form the aquitards. An aquifer is a water-bearing geologic formation which will yield an appreciable or economically beneficial supply of water. In 1968, DWR used the term aquiclude, a saturated geologic unit that is incapable of transmitting significant quantities of water under ordinary hydraulic gradients (Freeze and Cherry, 1979), for the low permeability beds that confine the aquifers. In 1973, DWR reclassified these confining beds as aquitards, which are relatively low permeability geologic beds in a stratigraphic sequence that store water but will not transmit it rapidly enough to supply wells or springs. These beds may be permeable enough to transmit water in quantities that are significant for the study area, even though water movement per acre is insignificant (DWR, 1973).

The Niles Cone Groundwater Basin is divided by the Hayward Fault (Figure 2). The Hayward Fault is an active fault with low permeability that impedes the lateral flow of groundwater. Large differences in water levels on either side of the fault demonstrate the relatively impermeable nature of the fault. The AHF sub-basin on the east side of the Hayward Fault is composed of highly permeable sediments referred to as the AHF Aquifer. The BHF sub-basin is composed of a series of relatively flat lying aquifers separated by extensive clay aquitards. Figure 3 is a generalized illustration of the basin and the aquifers based on a DWR conceptual figure (DWR, 1968). Due to the different hydrogeological settings of the AHF and BHF sub-basins, ACWD operates the two sub-basins as separate management areas.

Over time, the alluvial/fluvial depositional environment produced thick coarse grain sediments along present-day Alameda Creek and also along historic stream channels (now buried). With distance westward, both the thickness and grain size of the aquifers decreases while the intervening clay aquitards become thicker (DWR, 1967). The aquitards appear to be absent just west of the Hayward Fault in the hydrogeologic region called the forebay area.

The shallowest regional aquifer in the BHF sub-basin, the Newark Aquifer, is an extensive permeable gravel and sand layer between 40 and 140 feet below ground surface (bgs), except in the forebay area where it begins at the surface. The thickness of the Newark Aquifer ranges from less than 20 feet at the western edge of the basin to more than 140 feet at the Hayward Fault (DWR, 1968). The Newark Aquifer is overlain in most of the sub-basin by a thick layer of silt and clay called the Newark Aquiclude (DWR, 1968). The Newark Aquiclude is absent in the forebay area, allowing direct recharge to the Newark Aquifer from Alameda Creek and the recharge ponds. Within the Newark Aquiclude, layers of sand and silt comprise a non-regional hydrogeologic unit known commonly as the shallow water-bearing zone.

An extensive thick clay aquitard separates the Newark Aquifer from the Centerville Aquifer. The Centerville Aquifer, the top of which lies at an average depth of 180 to 200 feet bgs, overlies a thick clay aquitard, which in turn overlies the Fremont Aquifer which exists in the interval of 300 to 390 feet bgs. The Centerville and Fremont Aquifers are considered as one combined aquifer (Centerville-Fremont Aquifer) in some parts of the basin, based on lithology and water level data that indicate that they are in good hydrogeologic connection. However, water level and water chemistry results indicate that in some areas of the basin, these two aquifers are more isolated from each other. Lithologic analysis also confirms their separation in portions of the basin. This isolation is best seen at some of the well clusters with wells screened in each aquifer. An example of this is seen in well cluster 4S/2W-36N011 (Centerville Aquifer) and 4S/2W-36N010 (Fremont Aquifer), with chloride concentrations of 248 and 1,111 parts per million (ppm), respectively, and an approximate 3.2 foot difference in water elevations.

The deepest water-bearing units, referred to collectively as the Deep Aquifers, are present at approximately 400 feet bgs and deeper. They are separated from the overlying Fremont Aquifer by a regional aquitard. Also, based on ACWD's lithologic data and DWR (1967), these deep aquifers are both hydraulically separated and connected by the presence or

absence of intervening clays dependent on the location in the basin, and extend beyond the limits of the Niles Cone Groundwater Basin to act as conductive layers for the migration of groundwater out of the basin. More recent area focused studies have also indicated that the Deep Aquifers are hydraulically connected, albeit with some impedance, to the South East Bay Plain Basin to the north (Luhdorff and Scalmanini, 2003).

The AHF Aquifer is both unconfined and confined due to the presence of local low permeability layers. The Newark Aquifer is confined in all areas except in the forebay area, where the overlying aquitard is absent. The Centerville-Fremont and Deep Aquifers are both confined.

In addition to the Niles Cone alluvium, there are four additional smaller physiographic alluvial deposits defined by DWR: Dry Creek Cone, Mission Alluvial Apron, Mission Upland, and Warm Springs Alluvial Apron (Figure 2) (DWR, 1967 and 1968). Each of these areas is described in the following sections.

2. Dry Creek Cone

A separate physiographic feature located in the northeast corner of ACWD is the Dry Creek Cone. The Dry Creek Cone is younger alluvium that overlies the Niles Cone Alluvium. The Dry Creek fan extends approximately three miles southwest from the hills and reaches a maximum thickness of 350 feet (DWR, 1967 and 1968). The sand and gravel aquifers in the Dry Creek Cone are thin and discontinuous and most of the cone consists of clay. The number and thickness of aquifers increase toward the point where Dry Creek emerges from the hills (DWR, 1967 and 1968).

3. Mission Alluvial Apron and Mission Upland

The Mission Alluvial Apron and the Mission Upland are located in the southeast corner of ACWD, east of the Hayward Fault. The Mission Alluvial Apron is comprised of shallow alluvium overlying the Santa Clara Formation. Well data, in the northern portion of the Mission Alluvial Apron, indicate that the upper 100 feet of material contain over 50 percent gravel with higher gravel percentages below 100 feet (DWR, 1967 and 1968). Recharge is primarily from infiltration of stream flow and precipitation with groundwater moving in a northwesterly direction into the alluvium of the Niles Cone east of the Hayward Fault.

The Mission Upland includes all exposed portions of the Santa Clara Formation. The Santa Clara Formation thicknesses may exceed 500 feet (DWR, 1986). Although highly permeable, movement of water westerly to the Warm Springs Alluvial Apron is limited because of the Hayward Fault and the easterly dip of the Santa Clara formation.

4. Warm Springs Alluvial Apron

The Warm Springs Alluvial Apron is located in the southeast corner of ACWD, just west of the Mission Upland. The aquifers in the Warm Springs Alluvial Apron are thin and fine-grained, with limited recharge. Well logs indicate that the upper 100 feet of the aquifer material contains less than 17 - 24 percent gravel (DWR, 1967 and 1968). Alluvium between 100 and 200 feet below ground surface is more permeable than either shallower

or deeper intervals, and up to 37% gravel has been noted from well logs. Groundwater in the alluvial apron flows to the west, but flow is limited due to low permeability deposits.

C. Groundwater Quality Summary

1. Saltwater Intrusion

Groundwater in the AHF Aquifer is generally of good quality and has not been impacted by saltwater intrusion, however, groundwater quality in certain areas of the BHF aquifers has been degraded by saltwater intrusion. The saltwater intrusion occurred due to persistent pumping from the basin and was first noticed in the 1920's. Many years of chronic overdraft caused the groundwater levels in the Newark Aquifer to drop below sea level. This relative elevation difference between the groundwater in the basin and the water from San Francisco Bay caused a landward direction of groundwater flow through the Newark Aquifer and intrusion of saltwater into the groundwater basin. Several decades of saltwater intrusion occurred and saline water migrated as far inland as the forebay area. The piezometric heads in the deeper aquifers are generally lower than that of the Newark Aquifer, and the aquitards separating the aquifers are thin to absent in the forebay area. As a result, saline water in the forebay area migrated downward from the Newark Aquifer into the lower aquifers. Also, saline water may have migrated downward from the Newark Aquifer to the deeper aquifers through abandoned and improperly sealed water wells. A DWR conceptual illustration of saline water movement into the basin during overdraft conditions is shown in Figure 3.

Since 1962, ACWD has purchased State Water Project water supplies to supplement local recharge and raise groundwater levels. This has resulted in bringing the water table above sea level as of 1972 (based on water levels at BHF historical indicator well 4S/1W-28D002) and returning the hydraulic gradient to its natural bayward direction in the Newark Aquifer. Although there has been substantial improvement in the basin, a considerable volume of saline water still remains in the aquifers.

In order to manage water supplies more effectively, ACWD has implemented the following to sustainably manage the basin and improve water quality:

- Artificial Recharge - Improve the recharge capability by constructing inflatable dams in Alameda Creek and increasing percolation capacity in the abandoned gravel quarries.

- Aquifer Reclamation Program (ARP) - Pump entrapped saltwater from the basin to either the Newark Desalination Facility or San Francisco Bay to produce greater usable storage and prevent movement of saltwater toward the forebay and the Mowry Wellfield.

- Newark Desalination Facility (dedicated on September 19, 2003) - Treat saline groundwater from selected ARP wells using reverse osmosis, blend the resulting water (permeate) with other supplies before delivery to ACWD's customers, and discharge concentrate to San Francisco Bay under a National Pollutant Discharge Elimination System general permit. The facility was expanded to increase permeate production

capability from 5 million gallons per day (MGD) to 10 MGD for a total blended production of up to 12.5 MGD. The expansion was completed on August 24, 2010.

2. Per- and Polyfluoroalkyl Substances (PFAS)

In 2020, ACWD elected to undertake a voluntary sampling program to monitor for the presence of PFAS in groundwater and surface water sources, as well as treated water being provided to our customers. PFAS are a category of synthetic compounds that have been used in industry and consumer products since the 1940s. PFAS are used in a variety of products including nonstick cookware, waterproof clothing, stain-resistant fabrics and carpets, and some firefighting foams. PFAS are very stable and are resistant to breaking down. They tend to remain in the environment for long periods of time. Low levels of PFAS were detected in ACWD's production wells during the sampling events in 2020, so in 2021 and 2022, ACWD expanded sampling to ACWD owned groundwater monitoring wells in an effort to characterize PFAS in the Niles Cone. With most of the extent of PFAS identified in each aquifer, selected ACWD owned groundwater monitoring wells are now sampled annually for continued PFAS monitoring in the basin.

Effective January 1, 2023, ACWD received monitoring orders from the California State Water Resources Control Board (State Board) to monitor for PFAS on a quarterly basis in all ACWD production wells. The most recent data are posted on ACWD's website (https://www.acwd.org/734/Understanding-PFAS). On April 10, 2024, the U.S. Environmental Protection Agency (EPA) established primary maximum contaminant levels (MCLs), which are legally enforceable human health based drinking water standards, for six PFAS: perfluorooctanoic acid (PFOA), perfluoroctane sulfonic acid (PFOS), perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide dimer acid (HFPO-DA), and mixtures containing two or more of PFHxS, PFNA, HFPO-DA, and perfluorobutane sulfonic acid (PFBS).

Groundwater pumped from ACWD production wells with PFAS levels above the MCLs are treated to meet drinking water standards. Groundwater from ACWD's ARP wells is treated through reverse osmosis at ACWD's Newark Desalination Facility (NDF). In 2023, ACWD began construction of an ion exchange system to treat PFAS impacted groundwater from ACWD's Mowry and Peralta-Tyson wells. The system was placed into operation in September 2024 and can treat up to 6 MGD of groundwater from the Mowry and Peralta-Tyson wells. Groundwater from Mowry and Peralta-Tyson wells is also blended with surface water (from the Hetch Hetchy system) to reduce hardness. Sampling results confirm that water entering ACWD's distribution system meets all state and federal drinking water quality standards.

3. Other Groundwater Quality Data

Water quality at ACWD's production wells and standby wells are monitored in accordance with ACWD's *Water Quality Monitoring Plan* (ACWD 2020), which was approved by State Water Resources Control Board Division of Drinking Water (DDW) in March 2020. The results are summarized in ACWD's *Annual Water Quality Report*, which is available on the ACWD website: https://www.acwd.org. Current and historical analytical data for individual ACWD production wells are available to the public at DDW's online water quality library at

https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/EDTlibrary.html
Historically, manganese, chloride, and TDS and associated specific conductance were detected above their respective California secondary MCLs at certain ACWD production wells. Secondary MCLs are esthetic (e.g., taste and odor) based drinking water standards.

Elevated concentrations of chloride and TDS are detected, as expected, in source wells for the NDF. These wells were former ARP wells and were originally designed to remove brackish groundwater (see Section IV.C.1) from the basin. Manganese concentrations above the MCL of 50 micrograms per liter (µg/L) are also detected in the source wells for the NDF, specifically Cedar 1, Darvon 2, Bellflower, and Farwell, and standby well, Whipple. Manganese is a naturally occurring element in rocks in soil and are detected up to 2,900 ug/l (99th percentile) in groundwater of the United States (Agency for Toxic Substances and Disease Registry, 2012). There are no known anthropogenic releases of manganese to the Niles Cone. All production wells with elevated chloride, TDS, and manganese concentrations are treated to meet all drinking water standards prior to distribution.

Impacts from nitrate in the Niles Cone are relatively modest, with occasional exceedances of state and federal MCLs of 10 milligrams per liter (mg/L) (nitrate as nitrogen) in a few monitoring wells. During the 2025 Spring and Fall Groundwater Monitoring Programs, ACWD collected groundwater samples from four wells where nitrate concentrations had historically been either above or just below the MCLs. Nitrate concentrations detected in 2025 were consistent with previous detections and were all slightly below the MCL. The highest concentration of nitrate detected in 2025 was 8.9 mg/L (in well 4S/2W-15L006), which was slightly lower than the highest concentration detected in 2024 (9.1 mg/L, also in well 4S/2W-15L06). In groundwater samples collected from ACWD's production wells during WY 2024/25, nitrate was all detected at concentrations well below the MCLs. ACWD will continue to monitor nitrate concentrations at these wells to evaluate any changes and determine next steps as needed.

Other known water quality issues are associated with unauthorized releases from hazardous storage facilities such as fueling stations, dry cleaners, and manufacturing plants. Monitoring and cleanup of impacted groundwater due to these releases are managed under other regulatory programs, such as the Underground Storage Tank Program, Site Cleanup Program, and Site Mitigation & Restoration Program. Groundwater data associated with these cleanup site could be found at the California State Water Resources Control Board's GeoTracker website (https://geotracker.waterboards.ca.gov/) or Department of Toxic Substances Control's EnviroStor website (https://www.envirostor.dtsc.ca.gov/public/).

V. FALL 2025 FIELD WORK

The field effort of the Fall 2025 Groundwater Monitoring Program was conducted between August 18 and September 25, 2025. Field personnel recorded the status of program wells and water levels in 245 wells. A total of 215 representative wells were selected for groundwater sampling and analyses. However, groundwater samples could only be collected from 204 of these wells due to access problems or wells not operating during the time of sampling. Four water samples were collected on August 4 and August 11, prior to the scheduled program time frame in order to accommodate ACWD well operating and sampling schedules. Water samples were collected from

32 monitoring wells and 3 surface water locations for PFAS analysis by Blaine Tech Services Inc., between August 25 and September 3.

To facilitate compliance with SGMA, wells in the Spring and Fall Groundwater Monitoring Programs were reorganized into two groups: SGMA Wells and Secondary Wells. In general, SGMA Wells are mostly ACWD owned wells with known well construction information and minimum access issues. Secondary Wells are mostly owned by private or other public entities with missing well construction information and or inconsistent access issues. Data from SGMA Wells are used to generate water level, chloride, and TDS contour maps. Data from the Secondary Wells are not used in the contouring process; however, the wells are monitored, and the data are shown on the corresponding maps (gray dots annotated with gray labels) as they provide valuable historical information and can be used for trend analysis. As new ACWD monitoring wells are constructed, they will be evaluated to potentially become SGMA Wells.

All water samples were transported under chain of custody protocol to a California Environmental Laboratory Accreditation Program (ELAP) accredited laboratory, for analyses. Current data are compared with historical results and data from neighboring wells. If needed, wells are resampled to verify consistency.

VI. WATER ELEVATION RESULTS

Appendix E and F summarize all well data collected for the Spring 2025 and Fall 2025 Groundwater Monitoring Programs, respectively. Fall 2025 water level measurements ranged from artesian conditions to approximately 73 feet bgs. All water levels were collected within the same week in September, except for two water levels which were measured the following week due to access issues. In the AHF sub-basin, water elevation decreases toward the center of the sub-basin and Peralta-Tyson Wellfield. In general, water elevation in the BHF sub-basin increases within each aquifer toward the recharge area and decreases with depth from the Newark Aquifer to the Centerville-Fremont Aquifer, and from the Centerville-Fremont Aquifer to the Deep Aquifers (for more explanation see Section VI.B, Vertical Gradients). Water elevations were calculated by subtracting the depth-to-water measurement from the well reference point elevation, which is referenced to the National Geodetic Vertical Datum of 1929 (NGVD 1929).

ACWD's indicator wells were used to quantify changes in water elevations between the Fall 2024 and Fall 2025 Programs. Water level in the primary AHF Aquifer indicator well, 4S/1W-27D008 (Figure 2), decreased by 6.64 feet, from 44.18 to 37.54 feet. The decrease in water level is also evident in varying degrees throughout the AHF sub-basin.

Water level in the primary BHF indicator well, 4S/1W-29A006, in the Newark Aquifer (Figure 2), decreased by 2.15 feet from 14.43 to 12.28 feet. Water level in the Newark Aquifer indicator well, 4S/2W-25M001, decreased by 1.15 feet from 10.24 feet to 9.09. The decrease in water levels is also evident in varying degrees throughout the Newark Aquifer. Water levels in the Centerville-Fremont Aquifer indicator well, 4S/1W-19L002, increased by 1.89 feet from -3.01 to -1.12 feet; and water levels in the Deep Aquifer indicator well, 4S/1W-31B003, increased by 3.51 feet from -6.27 to -2.76 feet. In general, increases in water levels observed in the Centerville-Fremont

Aquifer and Deep Aquifer indicator wells are also evident regionally, by varying degrees, in wells in each respective aquifer.

The long-term critical minimum operating levels, as measured in ACWD's two primary indicator wells, are +15 feet (NGVD 1929) for the AHF Sub-basin and 0 feet (NGVD 1929) for the BHF Sub-basin. A short-term level of -5 feet (NGVD 1929) at the BHF primary indicator well is the current expected worst case for a multi-year critical drought. Water levels at the two primary AHF and BHF indicator wells were both well above the SGMA minimum thresholds during WY 24/25.

For long-term water level trends, hydrographs for selected wells with historical data are in Appendix C. Water level data from historical AHF Aquifer well, 4S/1W-21R002, which was destroyed in 1990, were plotted together with water level data from nearby well, 4S/1W-27D008, in order to capture the general water level trend for the AHF Aquifer from the 1960's to the present. Similarly, historical Newark Aquifer well, 4S/1W-28D002, which has water level data dating back to the 1930's, became inaccessible in the 1990's; therefore, water levels from the well were plotted together with newer Newark Aquifer wells to document general aquifer water level trends. Locations of the wells in Appendix C are shown in Figure 2. Drastic increases in water levels were observed in all BHF aquifers between 1960 and mid-1970s. This is a result of effective management practices, legal authorities, and infrastructure acquired over the years to support the long-term beneficial uses of the Niles Cone.

A. Horizontal Gradients

Water elevations are higher for the AHF sub-basin compared to the BHF sub-basin; a difference as high as 30.74 feet during WY 24/25 between BHF primary indicator well, 4S/1W-29A006, and AHF primary indicator well, 4S/1W-27D008, and as high as 70 feet historically according to DWR (1967). This water level differential creates a strong gradient from the AHF toward the BHF sub-basins. However, the Hayward Fault is relatively impermeable and impedes the lateral flow of groundwater.

Water elevations are presented on contour maps for the AHF and BHF aquifers (Figures 4, 5, 6, and 7 for the Spring 2025 and Figures 8, 9, 10, and 11 for the Fall 2025). Water elevation contours were produced by computer software interpolation of the data and then modified manually based on contouring logic as needed. For contouring, an attempt was made to use only static water elevations and to not include water elevations from operating wells. The water elevations are piezometric heads, which are the levels to which water will rise in a well if it is not being pumped. The piezometric head is the level of the water surface in an unconfined aquifer and is the combination of elevation and pressure heads in a confined aquifer at atmospheric pressure. Artesian wells were noted as being artesian but are not measured, though during the contouring process, it is understood that the water level at artesian wells are above the ground surface elevation. Groundwater movement is driven by the groundwater gradient, from high to low values of piezometric head. The discussion below focuses mainly on the data collected during the Fall 2025 Groundwater Monitoring Program when groundwater tends to be at the seasonal low and most susceptible to saltwater intrusion.

Water elevations from wells screened in the AHF Aquifer, along with contours constructed from these elevations, are presented on Figure 8. The water elevations indicate that groundwater flows radially toward the middle of the sub-basin and Peralta-Tyson Wellfield.

This groundwater flow is probably due to recharge from the hills surrounding the basin, Alameda Creek, ACWD's recharge ponds; thinning of the alluvial aquifer along its borders; and pumping at the Peralta-Tyson Wellfield. The groundwater gradient generally varies with the regional topography, except in the vicinity of the recharge ponds and Peralta-Tyson Wellfield.

Water elevations from wells screened in the Newark Aquifer, along with contours constructed from these elevations, are presented on Figure 9. The water elevation contours indicate groundwater flows radially from the recharge ponds outward to the northwest, west, and southwest, and locally toward the Mowry Wellfield. The average basin wide horizontal groundwater gradient in the Newark Aquifer is approximately 0.0004 ft./ft.

Water elevations from wells screened in the Centerville-Fremont Aquifer, along with contours constructed from these elevations, are presented on Figure 10. The water elevation contours indicate that groundwater flows radially inward toward the vicinity of Cherry Street and Central Avenue. The groundwater depression near Cherry Street and Central Avenue is due mostly to the operation of Aquifer Reclamation Program wells (now Newark Desalination Facility supply wells) Cedar 1 (4S/1W-31N001), Darvon 2 (4S/2W-36A007), Bellflower (5S/1W-06H004), and Farwell (5S/1W-05C001). Groundwater flows from the recharge ponds toward the depression with an average gradient of approximately 0.0006 ft./ft. Pumping from the Centerville-Fremont Aquifer at the Mowry Wellfield has decreased since the increase in water production at the Newark Desalination Facility in 2010.

Between 2004 and 2014, 22 Centerville and Fremont Aquifer wells were installed as part of four DWR Local Groundwater Assistance Grants that were supplemented with cost share funding from ACWD. The wells were installed to investigate the movement of saltwater, characterize lithologic properties, and fill in monitoring gaps within the Centerville and Fremont Aquifers. The results of the four studies conducted are documented individually in the following reports: *Northwest Niles Cone Monitoring Wells Project* (ACWD, 2006), *Southwest Niles Cone Monitoring Wells Project* (ACWD, 2007), *Inland Saltwater Intrusion Monitoring Wells Project* (ACWD, 2010), and *The Niles Cone Saltwater Intrusion and Aquifer Characterization Project* (ACWD, 2016). Lithologic data collected during these studies allowed for improved characterization of the Centerville and Fremont Aquifers and the reclassification of older monitoring wells as being either screened in the Centerville Aquifer or Fremont Aquifer. The groundwater contours in Figures 6 and 10 are based on water levels measured from wells screened solely in the Centerville Aquifer. Fremont Aquifer water levels are also shown on the figures (annotated in red) but are not used in the contouring. A separate water elevation contour was not generated for the Fremont Aquifer because it is hydraulically connected to the Centerville Aquifer, and there are relatively fewer monitoring wells that are solely screened in the Fremont Aquifer.

Water elevations from wells screened in the Deep Aquifers, along with contours constructed from these elevations, are presented on Figure 11. Data from the Deep Aquifers are limited, but the water elevation contours indicate that groundwater gradient is relatively flat with groundwater flowing mainly from the recharge ponds toward local depressions due to pumping of agricultural and industrial wells from the Deep Aquifers. Historically, DWR interpreted a northerly direction of groundwater flow in the Deep Aquifers (DWR, 1967).

B. Vertical Gradients

Vertical gradients are important to determine the vertical direction of groundwater flow within and between aquifers and the magnitude of pressure driving the water. Vertical gradients can only be accurately determined if wells are either nested (multiple wells in the same borehole) or clustered (separate wells in close proximity) to eliminate the horizontal component of head.

ACWD acquired a well cluster (4S/1W-20R003, 4S/1W-20R004, and 4S/1W-20R005) from the Union Pacific Railroad that is solely screened within the Newark Aquifer (Table 2). This well cluster is located adjacent to Alameda Creek, and their water elevations indicate a downward gradient in this area of the basin within the Newark Aquifer.

Changes in head of water and water chemistry allow evaluation of the vertical direction of groundwater flow and the potential impact of one aquifer affecting water quality in shallower or deeper aquifers. Table 2 shows seven clusters selected in order to create a general understanding across the BHF sub-basin. All of the clustered wells in Table 2 indicate that the gradient from the Newark Aquifer is higher than other gradients between deeper aquifers. The high gradient between the Newark Aquifer and the deeper aquifers indicates that the Newark Aquifer is more hydraulically isolated at these cluster locations than the deeper aquifers due to the low permeability aquitard below the Newark Aquifer. Water levels in all of the clustered wells in Table 2 indicate a generally continuously downward gradient from the Newark Aquifer to the immediately underlying aquifer (Centerville Aquifer). The vertical gradient in the deeper aquifers is more variable. Both upward and downward gradients were observed between the Centerville Aquifer and the Fremont Aquifer and between the Fremont Aquifer and the Deep Aquifers.

The only exception to the general downward gradient from the Newark Aquifer to the underlying Centerville Aquifer is observed at a well cluster located at the southwest corner of the basin, near Plummer Creek. The wells were installed in late 2006 and early 2007, as part of the Southwest Niles Cone Monitoring Wells Project funded by the DWR Local Groundwater Assistance Grant Program. The water elevation for the Newark Aquifer well (5S/2W-14E008) during Fall 2025 was 3.66 feet while the Centerville, Fremont and Deep Aquifer wells in the cluster were all under artesian conditions.

The Newark Aquifer appears to be hydraulically connected to the surrounding salt ponds and salt marsh in the vicinity of well 5S/2W-14E008, located near the bay, as indicated by the high chloride concentration (46,481 ppm) detected. The deeper aquifers beneath the Newark Aquifer appear more confined. The well cluster is located south of Coyote Hills, near an area with relatively shallow bedrock. The Deep Aquifer wells in this cluster have water elevations that are significantly higher than water levels in the corresponding aquifer that are more inland. Due to the limited data available in the area, the relationships between the deeper water-bearing zones and the aquifers east of Coyote Hills are uncertain. As a result, additional studies are needed to provide further insight.

VII. WATER SAMPLE RESULTS

The chloride and TDS analytical results from Spring 2025 and Fall 2025 are in Appendix E and F, respectively. Historically, chloride concentrations have been highest in the Newark Aquifer close to the bay, decreasing with depth to the Centerville-Fremont Aquifer, and again decreasing with depth to the Deep Aquifers. During Fall 2025, the highest chloride concentration was again detected from a Newark Aquifer well. The wide range of concentrations observed in the Newark Aquifer reflects the influence of water from the recharge area in the east and the influence of higher salinity sources in the west. Also, the heterogeneous and anisotropic nature of the permeable sediments influences the complexity of the patterns seen on the contour maps.

ACWD has consistently analyzed water samples for chloride and occasionally analyzed them for additional inorganic and organic constituents. Chloride analysis is used to indicate saltwater intrusion since chloride makes up approximately 54% of total dissolved solids in sea water and it is conservative (non-reactive). The secondary MCL range for chloride is 250 ppm (recommended) to 500 ppm (upper).

"TDS or Total Dissolved Solids is defined as the total amount of solids remaining when a water sample is evaporated to dryness... [and]...salinity means essentially the same as TDS" (Drever, 1988). "In principle, it is the sum of all dissolved constituents, with bicarbonate converted to equivalent carbonate" (Drever, 1988). The secondary MCL range for TDS is 500 ppm (recommended) to 1,000 ppm (upper).

Water quality contours were produced by computer interpolation of the data and then manually modified based on contouring logic and on historical information. The chloride and TDS contours were prepared primarily for groundwater protection purposes. Therefore, if multiple water quality results within a water-bearing zone were available for a given location, then the higher concentration was used to derive the contour lines.

A. Chloride Results

Fall 2025 chloride results are presented on maps for the AHF Aquifer and each of the BHF aquifers on Figures 12, 13, 14, and 15.

1. Comparison Between Fall 2025 and Fall 2024

Differences between the Fall 2025 chloride figures and the Fall 2024 figures can be best explained by the availability and accessibility of certain wells for sampling, wells used for contouring, and slight variations in chloride concentrations from year to year.

a. Above Hayward Fault Aquifer

Chloride and TDS data for the AHF Aquifer are presented on Figure 12. The AHF Aquifer has never been affected by saltwater intrusion because the Hayward Fault acts as a low permeability barrier between BHF aquifers and the AHF Aquifer. The Fall 2025 chloride concentrations for the AHF Aquifer are similar compared to the Fall 2024 chloride concentrations. During Fall 2025, chloride concentrations at the Peralta-Tyson

Wellfield ranged between 68 ppm to 75 ppm, which is similar to the previous year's chloride concentrations which ranged between 68 ppm to 74 ppm. All chloride concentrations in the AHF Aquifer are well below the secondary MCL of 250 ppm.

b. Newark Aquifer

The Newark Aquifer chloride contours for Fall 2025 are similar to the Fall 2024 contours. Newark Aquifer wells 4S/1W-19E002, 4S/1W-30E004, and 5S/1W-05M001 located at various locations in the basin all have shown an overall improvement in water quality over at least the last thirty-six years (Figure 16). Chloride concentrations from well 4S/1W-19E002, located closest to the recharge ponds, decreased from a maximum of 1,030 ppm in 1985 to 68 ppm in 2025. Chloride concentrations for well 4S/1W-30E004 decreased from a maximum of 2,600 ppm in 1981 to 102 ppm in 2025. Chloride concentrations in Newark Aquifer well 5S/1W-05M001, located near Mowry Avenue west of I-880, decreased from a maximum of 11,500 ppm in 1989 to 1,322 ppm in 2025 (Figure 16).

Total production from the ARP wells in the Newark Aquifer increased this past year from a total of 2,794 acre-feet (AF) the previous year to 3,265 AF (Table 3 - beginning of October 2024 through September 2025). Lowry (4S/2W-14N001) was pumped and sampled during Fall 2025. In 2002, Cedar 2 (4S/1W-31N003) and Darvon 1 (4S/2W-36A006) were retrofitted in order to convert the wells into supply sources for the Newark Desalination Facility. Out of the 3,265 AF of water pumped from all Newark Aquifer ARP wells, 3,202 was used as a supply source for the Desalination Facility.

c. Centerville-Fremont, Centerville, and Fremont Aquifers

The Centerville-Fremont Aquifer chloride contours for Fall 2025 are similar to the Fall 2024 contours. Near the western end of Automall Parkway, the 250 ppm contour is plotted further southwest this year compared to the previous year because chloride concentration from a Fremont Aquifer well 5S/1W-16M006 in the area was incorrectly included in the generation of the Fall 2024 contours but was corrected this year. Overall, the chloride concentrations are similar between the two years. Improvements in water quality over at least the last forty-eight years in the Centerville-Fremont Aquifer were observed in wells 4S/1W-19L002, 4S/1W-19N003, and 4S/1W-29J003 located near the recharge ponds (Figure 17). Former irrigation well 4S/1W-19N003 was not sampled during Fall 2025 because the well requires repairs prior to sampling. Chloride concentrations at 4S/1W-19N003 had decreased from a maximum of 1,560 ppm in 1976 to 205 ppm in 2020. The well was constructed in 1950 and is screened in both the Centerville and Fremont Aquifers. Even though 4S/1W-19N003 was not sampled, two ACWD monitoring wells 4S/1W-19N005 (screened in the Centerville Aquifer) and 4S/1W-19N004 (screened in the Fremont Aquifer), located approximately 200 feet from 4S/1W-19N003, were sampled. Chloride concentrations detected at these two wells during Fall 2025 were 70 ppm and 211 ppm, respectively. The higher chloride concentrations from 4S/1W-19N004 are plotted in Figure 17 with historical chloride concentrations from 4S/1W-19N003 to help monitor the chloride concentration trend in the area.

The bulge of saline water inland of Fremont Boulevard near Mowry Avenue, as represented by wells 4S/1W-28P007 and 4S/1W-28F024 is of special significance due to the close proximity of the saline water to the Mowry Wellfield. Since 2011, chloride concentrations from 4S/1W-28P007 have decreased from 1,000 ppm to 459 ppm in 2025. Similarly, chloride concentrations at 4S/1W-28F024 have decreased from 290 ppm in 2010 to 99 ppm in 2025. Chloride concentrations at monitoring well 4S/1W-32K011, located approximately a mile southwest of 4S/1W-28P007, have increased from 788 ppm in 2007 to 1,007 ppm in 2025. 4S/1W-32K011 was installed in 2007 as part of the Inland Saltwater Intrusion Monitoring Wells Project funded by the DWR Local Groundwater Assistance Grant Program. Changes in chloride concentrations in this area may reflect the movement of saline water westward due to increase pumping of NDF source wells screened in the Centerville-Fremont Aquifer and the decrease pumping at the Mowry Wellfield. In general, chloride levels in the Centerville Aquifer are lower than chloride levels in the Fremont Aquifer, with the exception of an area extending from near Stevenson Boulevard and Blacow Road to Cherry Street and Boyce Road, and at the southern end of Coyote Hills.

The highest chloride concentration (45,499 ppm) was detected in Centerville Aquifer well 5S/2W-03H004, which was installed in the fall of 2014, as part of the Niles Cone Saltwater Intrusion and Aquifer Characterization Project funded by the DWR Local Groundwater Assistance Grant Program and is located at the southern end of Coyote Hills. The purpose of the project was to further define the extent of saline water in the Centerville and Fremont Aquifers near the southwestern portion of the basin. The elevated chloride concentration detected at 5S/2W-03H004 indicates a potential interconnection of the Centerville Aquifer to nearby salt ponds and or the well is screened through a lens of hypersaline groundwater in the area. ACWD has identified historical abandoned irrigation wells located near 5S/2W-03H004, which may be acting as conduits for the vertical migration of saline water. Two of the abandoned legacy wells were located and destroyed with local and Proposition 1 Groundwater Grant Program funding in March 2022. In general, well destruction in this area is especially challenging due to the surrounding salt marshes. Well 5S/2W-03H004 is part of a two well cluster. The other well 5S/2W-03H005 in the cluster is screened in the deeper Fremont Aquifer and has a chloride concentration of 23 ppm, which indicates the Centerville and Fremont Aquifers are hydraulically separated in this area.

Total production from the ARP wells in the Centerville-Fremont Aquifer increased from a total of 7,057 AF the previous year to 7,772 AF this year (Table 3). Cedar 1 (4S/1W-31N001) and Darvon 2 (4S/2W-36A007) were retrofitted in 2002 as supply sources for the Newark Desalination Facility. As part of the expansion of the Newark Desalination Facility, Bellflower (5S/1W-06H004) and Farwell (5S/1W-05C001) ARP wells were also retrofitted in 2009 to become supply sources to the facility. As permeate production capability increased from 5 MGD to 10 MGD, total blended production was increased up to 12.5 MGD. Out of the 7,772 AF of water produced from all Centerville-Fremont Aquifer ARP wells, 7,609 AF was used as a supply source for the Desalination Facility.

d. Deep Aquifers

During the Fall 2025, the highest chloride concentration in the Deep Aquifers was detected from well 4S/2W-09F014, located west of I-880 next to Old Alameda Creek. Since the well was installed in 2005, chloride concentrations have decreased from a maximum concentration of 730 ppm in 2006 to 634 ppm in 2025. The well is located near former salt ponds where a number of abandoned water wells have been identified. These abandoned wells could have allowed saline water from either the salt ponds or the Newark Aquifer to enter into the Deep Aquifers. The former salt ponds are currently being restored into tidal wetlands as part of the South Bay Salt Pond Restoration Project. Since 2002, ACWD has worked with project proponents to locate and destroy abandoned wells within the project area. As of May 2007, a total of 68 wells were identified in the area near well 4S/2W-09F014, and 43 of the 68 wells were located and destroyed. Attempts to locate the remaining 25 wells have been unsuccessful; most of these wells are believed to be located within Old Alameda Creek or beneath channel levees. ACWD will continue to oversee the proper destruction of any abandoned wells discovered in the area. Although chloride concentrations above 500 ppm were detected at 4S/2W-09F014 and 4S/2W-05G003 which is located approximately 12,000 feet to the northwest of 4S/2W-09F014, the chloride concentrations at both monitoring wells have been relatively stable since 2015, and do not indicate ongoing saltwater intrusion.

Field efforts were successfully coordinated with the City of Hayward to sample the City's Emergency Well C, where 157 ppm of chloride was detected. Well B was not sampled because it was not operational during the program. As the GSA for the portion of the East Bay Plain Subbasin (2-09.04) which underlies Hayward city limits, the City of Hayward will be reporting data associated with Well E.

Increases in chloride concentrations in the Deep Aquifers were observed after 2000 at one monitoring well (4S/2W-13P005) located west of Decoto Road. Chloride concentrations increased from 260 ppm in 2000 to 586 ppm in 2025. The elevated chloride concentration observed at 4S/2W-13P005 appears to be localized and does not appear to be new saltwater intrusion, since similar increases in chloride concentrations are not observed in surrounding Deep Aquifer wells nor other nearby wells. Chloride concentration has been relatively stable since 2020. The well will continue to be monitored for changes in chloride concentration trends.

The Fall 2025 chloride contours for the Deep Aquifers are similar to the Fall 2024 contours. Dashed contour lines were used to approximate chloride and TDS concentrations in the areas near water wells 4S/2W-36D003 (located near Brittany Avenue and Newark Boulevard) and 5S/2W-12B008 (located near Central Avenue and Cherry Street). Well 4S/2W-36D003 was last sampled in 2012 and 587 ppm of chloride and 1,400 ppm of TDS were detected. The well could not be sampled this year because the well was not operational during the program. Chloride and TDS concentrations of 494 ppm and 1,000 ppm, respectively, were detected at private well 5S/2W-12B008. Dashed contour lines were also used near the northwestern tip of the basin because the area immediately to the east is outside of ACWD groundwater statutory service area boundary and outside of ACWD's monitoring network.

Improvement in water quality over the last 40 to 50 years was observed in the Deep Aquifers just south and southwest of the recharge ponds as exhibited by the water quality history of wells 4S/1W-31B003, 4S/1W-30E003, and 4S/1W-31J001 (Figure 18). Maximum chloride concentrations were detected at these three wells in 1971, 1981, and 1979 at 1,520 ppm 825 ppm, and 805 ppm, respectively. Since then, chloride concentrations have decreased at these three wells to 298 ppm, 134 ppm, and 217 ppm, respectively.

There was no ARP well production from the Deep Aquifers this past year. The only Deep Aquifer ARP well, Willowood 1 (4S/1W-31B003), has not been operated since August 2001.

2. Comparison Between Fall 2025 and Fall 1962

Since 1962, ACWD has recharged the Niles Cone through the recharge ponds with local runoff and purchased water from the State Water Project. During normal to wet years, groundwater recharge consists of mostly local runoff. As a result of the recharge activities, water levels in the Newark Aquifer have increased over time, restoring the bayward direction of groundwater flow by early to mid-1970s, thereby stopping additional saltwater intrusion into the basin. This recharge effort has also moved the 250 ppm contour line away from ACWD's Mowry Wellfield restoring an area of saline water to potable water.

Comparisons of the 250 ppm contour line for Fall 1962 and Fall 2025 aim to illustrate the difference in chloride distribution between these two time periods relative to the 250 ppm contour line. The figures do not provide information regarding concentration trends in recent years (see Section VII.A.1 for discussion of changes in recent years).

A comparison between Fall 1962 and Fall 2025 250 ppm contour lines in the Newark Aquifer (Figure 19) indicates a decrease in chloride concentrations from the Hayward Fault to approximately I-880.

A comparison between Fall 1962 and Fall 2025 250 ppm contour lines in the Centerville-Fremont Aquifer (Figure 20) indicates: a decrease in chloride levels in the recharge ponds area to beyond Fremont Boulevard, a decrease in chloride levels in a small southwest portion of the sub-basin near Cherry Street, and an increase in chloride levels in areas west and east of the Fall 1962 250 ppm contour line. An increase in area, as defined by the 250 ppm contour line near Mowry Avenue and Paseo Padre Parkway is of special significance due to its proximity to the Mowry Wellfield.

A comparison between Fall 1962 and Fall 2025 250 ppm contour lines in the Deep Aquifers (Figure 21) indicates: a decrease in chloride levels in the vicinity of the recharge ponds, a decrease in chloride levels just north of Darvon 1 & 2, and an increase in chloride levels around most of the Fall 1962 250 ppm contour line. The increase in chloride levels in the west and northwestern portion of the basin is interpreted as extending from Mowry Avenue to Highway 92. The northwestern portion of the increase is based on samples collected from monitoring wells installed in 2005 as part of the Northwest Niles Cone Monitoring Wells Project funded by the DWR Local Groundwater Assistance Grant Program.

However, it is unknown exactly when elevated chloride levels first appeared in this area of the basin.

In general, recharging the groundwater basin with watershed runoff and imported water since 1962 has decreased the chloride concentrations near the recharge ponds and some distance toward the bay in all three aquifers, but especially in the Newark Aquifer. The increase in chloride concentrations in both the Centerville-Fremont and the Deep Aquifers surrounding the Fall 1962 impacted areas may be due to changes in the monitoring network over time as historical wells are destroyed due to damage or development and new wells are installed, and mixing between highly saline water (>250 ppm) with less saline water (<250 ppm) as infiltration from the recharge area dilutes and disperses the saline water. It may also be due to vertical movement of saline water from other aquifers through poorly constructed wells or natural weaknesses in the aquitards or both.

B. Total Dissolved Solids Sample Results

The Fall 2025 TDS results are presented on maps for the AHF Aquifer and each of the BHF aquifers on Figures 12, 22, 23, and 24. TDS concentrations in the AHF Aquifer at the Peralta-Tyson Wellfield ranged between 430 ppm and 610 ppm, which is slightly higher than the previous year's range of 420 ppm and 550 ppm. TDS concentrations have historically been higher near Lake Elizabeth as indicated by well 4S/1W-34C001. Since 2000, the average TDS concentration detected at the well is approximately 1,013 ppm.

The 1,000 ppm contour line for TDS in the Newark Aquifer (Figure 22) appears to have the general shape of the 250 ppm chloride line (Figure 13). Two Newark Aquifer wells at the Mowry Wellfield were sampled and up to 470 ppm of TDS was detected during Fall 2025. Since 2000 (when ACWD first produced TDS contour figures), TDS concentrations have ranged from approximately 400 to 600 ppm.

In the Centerville-Fremont and Deep Aquifers, the 750 ppm contour lines for TDS (Figures 23 and 24) both appear to have roughly similar shapes as the 250 ppm chloride lines (Figures 14 and 15, respectively). Similar to the chloride results, elevated levels of TDS (exceeding 1,000 ppm) in the Centerville-Fremont Aquifer were detected inland of Fremont Boulevard near Mowry Avenue, south of the Mowry Wellfield. In general, since 2000, TDS concentrations for the Centerville-Fremont and Deep Aquifers have ranged between 400 ppm and 1,000 ppm in the Mowry Wellfield with an average of 521 ppm.

C. Per- and Polyfluoroalkyl Substances Sample Results

Based on available data, selected monitoring wells were sampled during Fall 2025 to help monitor basin wide distribution of PFAS in the Niles Cone. Water samples were collected from 32 monitoring wells and 3 surface water locations adjacent and upstream of ACWD recharge facilities. Monitoring wells were sampled using a low-flow purge method in general accordance with California State Water Quality Control Board's *Per- and Polyfluoroalkyl Substances (PFAS) sampling Guidelines for Non-Drinking Water* (September 2020). Samples were submitted to a State certified laboratory under chain of custodies and analyzed using U.S. EPA Method 533. PFAS results collected during WY 2024/25 from monitoring wells and ACWD production wells are in Appendix D.

The majority of the PFAS exceedances above the MCL in groundwater are due to the presence of PFOS which has a MCL of 4 parts per trillion (ppt) and is present in both the AHF and BHF aquifers. Figures 25 through 28 provide information on PFAS in surface water, the AHF, and the BHF aquifers. Although the lateral and vertical extent of the PFAS in groundwater have been largely defined, ACWD continues to work on identifying data gaps and recommendations for more in-depth characterization of PFAS in the Niles Cone.

Surface water samples were collected on September 4, with the highest concentrations of PFOA (6.1 ppt), PFOS (14 ppt), and PFHxS (11 ppt), detected from a sample collected at Arroyo de la Laguna, a tributary to Alameda Creek. Groundwater samples collected during Fall 2025 documented PFOS concentrations ranging from <2.0 ppt to 13 ppt, PFOA concentrations ranging from <2.0 to 4.6 ppt, and PFHxS concentrations ranging from <2.0 to 13 ppt. PFNA was not detected in any of the samples collected (see Figures 25, 26, 27, and 28). Increasing PFHxS concentrations were observed in one Newark Aquifer monitoring well 5S/1W-06H006. However, since only four PFHxS results are available for this well, ACWD will continue to monitor this well to confirm possible trend.

PFOS concentrations exceeding the MCL were detected in all ACWD production wells with the exception of Mowry 2 and Farwell. PFOA concentrations exceeding the MCL of 4 ppt were observed at Peralta-Tyson wells, Darvon 1, and Nursery with concentrations ranging from 4.3 ppt to 5.1 ppt. PFHxS exceeding the MCL of 10 ppt was only detected in Cedar 2. ACWD continues to work with the Regional Water Quality Control Board (Regional Board) to determine potential source(s) that might be contributing to the higher levels of PFHxS in Cedar 2 compared to other wells in the Newark Aquifer. In general, PFAS concentrations in the basin are fairly consistent. Since PFAS exceeding the MCLs have been detected at ACWD production wells, ACWD will continue to coordinate with the Regional Board and the State Board's Division of Drinking Water in collecting PFAS data and developing strategies to better protect the Niles Cone. As previously mentioned, water entering ACWD's distribution system is treated and monitored for PFAS to ensure that ACWD's customers are receiving water that meets all state and federal drinking water quality standards.

VIII. CONCLUSIONS

In general, compared to levels observed during Fall 2024, groundwater levels observed during Fall 2025 are slightly lower in the AHF aquifer and Newark Aquifer. Water level at the primary BHF indicator well, 4S/1W-29A006, decreased by 2.15 feet from 14.43 to 12.28 feet. Water level at the AHF primary indicator well, 4S/1W-27D008, decreased by 6.64 feet, from 44.18 to 37.54 feet.

The long-term critical minimum operating levels, as measured in ACWD's two primary indicator monitoring wells, are +15 feet (NGVD 1929) for the AHF Sub-basin and 0 feet (NGVD 1929) for the BHF Sub-basin. A short-term level of -5 feet (NGVD 1929) at the BHF primary indicator well is the current expected worst case for a multi-year critical drought. Water levels at the two primary AHF and BHF indicator wells were well above the SGMA minimum thresholds during WY 24/25.

Groundwater in the AHF Aquifer flows toward the center of the sub-basin and Peralta-Tyson Wellfield. In general, groundwater gradient varies with the regional topography, except in the vicinity of the recharge ponds and the Peralta-Tyson Wellfield. Groundwater in the Newark Aquifer flows radially from the recharge area outward to the northwest, west, and southwest, and locally toward the Mowry Wellfield. The average basin wide horizontal groundwater gradient in the Newark Aquifer is approximately 0.0004 ft./ft. Groundwater in the Centerville-Fremont Aquifer flows inward toward the vicinity of Cherry Street and Central Avenue near the vicinity of Aquifer Reclamation Program wells Cedar 1, Darvon 2, Bellflower, and Farwell. Data from the Deep Aquifers are limited, but the water elevation contours indicate that groundwater gradient is relatively flat with groundwater flowing mainly from the recharge ponds toward local depressions.

Chloride concentrations at the AHF Aquifer are similar during Fall 2025 compared to Fall 2024; all chloride concentrations are below the secondary MCL. Chloride concentrations for the Newark, Centerville-Fremont, and Deep Aquifers are also similar between the two programs. The differences in the chloride contours between Fall 2025 and Fall 2024 in these aquifers are best explained by the availability and accessibility of certain wells for sampling, wells used for contouring, and variations in chloride concentrations from year to year. Chloride concentrations at Centerville-Fremont Aquifer well 4S/1W-28F024, located between the Mowry Wellfield and the bulge of saline water inland of Fremont Boulevard, decreased slightly from 103 ppm to 99 ppm. Changes in chloride concentration are of special significance in this area due to the close proximity of the Mowry Wellfield to the bulge of saline water.

In order to understand changes in water quality over several years, it is best to interpret water sample results from individual wells. In general, Figures 16, 17, and 18 indicate that recharging the groundwater basin with watershed runoff and imported water since 1962 has decreased the chloride levels in all three aquifers near the recharge ponds and some distance toward the bay in all three aquifers.

Comparisons of the 250 ppm contour line for Fall 1962 and Fall 2025 aim to illustrate the difference in chloride distribution between these two time periods relative to the 250 ppm contour line. A decrease in chloride content near the recharge ponds and some distance toward the bay is observed in the BHF aquifers, especially in the Newark Aquifer. However, an increase in chloride concentrations is also observed surrounding some historically impacted areas in the Centerville-Fremont and the Deep Aquifers (Figures 19, 20, and 21). This increase in area may be due to changes in the monitoring network over time as historical wells are destroyed due to damage or development and new wells are installed, and mixing between highly saline water (>250 ppm) with less saline water (<250 ppm) as infiltration from the recharge area dilutes and disperses the saline water. It may also be due to vertical movement of saline water from other aquifers through poorly constructed wells or natural weaknesses in the aquitards or both. ACWD will continue to monitor the residual impact of the historical saltwater intrusion and identify potential vertical conduits and mitigate them as appropriate.

PFAS were detected above MCLs in the AHF Aquifer, Newark Aquifer, and Centerville-Fremont Aquifer. All groundwater from ACWD production wells that exceed MCLs is treated to meet drinking water standards prior to distribution. Basin wide PFAS sampling will continue annually to establish long-term trends.

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APPENDIX A

TABLES

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TABLE 1

2025 GROUNDWATER MONITORING PROGRAM SUMMARY

GROUPING OF WELLS	NUMBER OF WELLS Spring	NUMBER OF WELLS Fall
WELLS SAMPLED (METHOD OF SAMPLING)		
Owner's Pump	13	24
Wells With Air Compressor	73	159
ACWD's Dedicated Pump	12	21
TOTAL WELLS SAMPLED*	**98**	**204**
WELLS SAMPLED, BUT UNABLE TO MEASURE WATER LEVEL	18	32
WELLS THAT WERE MEASURED FOR WATER LEVELS	245	245
TOTAL WELLS SAMPLED OR MEASURED	**263**	**277**
TOTAL WELLS NOT SAMPLED AND NOT MEASURED	**30**	**18**
TOTAL NUMBER OF WELLS IN THE PROGRAM	**293**	**295**

*WELLS SAMPLED BY AQUIFER		
Newark Aquifer	30	71
Centerville-Fremont Aquifer	44	83
Deep Aquifer	17	33
Above Hayward Fault Aquifer	7	17
TOTAL IN ALL AQUIFERS	**98**	**204**

TABLE 2
GROUNDWATER MONITORING PROGRAM FALL 2025
VERTICAL GRADIENTS AT
SELECTED CLUSTERED WELLS

Well Number	Aquifer	Water Depth (feet)	Ref Point Elevation* (feet)	Water Elevation* (feet)	Screen Pack (feet)	Center of Screen (feet)	Vertical Gradient	Direction	Chloride (ppm)	TDS (ppm)
4S/1W-20R003	N	42.19	59.11	16.92	38.0-58.0	48	-0.040	▼	---	---
4S/1W-20R004	N	43.53	59.2	15.67	74.5-84.5	79.5	-0.030	▼	---	---
4S/1W-20R005	N	44.32	59.06	14.74	105.0-115.0	110	---	---	67	400
5S/1W-05H006	N	21.78	34.29	12.51	50-80	65	-0.110	▼	161	1,100
5S/1W-05H005	C	41.55	34.31	-7.24	230-260	245	0.005	▲	305	1,000
5S/1W-05H004	F	41.01	34.25	-6.76	330-340	335	-0.005	▼	19	340
5S/1W-05H003	D	41.73	34.31	-7.42	450-480	465	---	---	26	330
4S/1W-28P008	N	42.13	53.53	11.40	60-100	80	-0.114	▼	86	670
4S/1W-28P004	C	55.82	53.56	-2.26	190-210	200	-0.005	▼	79	520
4S/1W-28P007	F	56.58	53.50	-3.08	330-340, 350-380	355	0.0016	▲	459	1,300
4S/1W-28P006	D	56.6	53.66	-2.94	430-460	445	---	---	188	640
4S/2W-13P004	N	14.25	25.90	11.65	48-58, 68-78	63	-0.078	▼	97	680
4S/2W-13P007	C	27.74	26.00	-1.74	180-290	235	-0.002	▼	113	710
4S/2W-13P006	F	28.15	26.15	-2.00	340-360	350	-0.009	▼	168	690
4S/2W-13P005	D	28.51	25.98	-2.53	400-420	410	---	---	586	1,300
4S/2W-36N012	N	7.14	15.86	8.72	50-70, 90-110	80	-0.130	▼	4,549	8,400
4S/2W-36N011	C	25.06	17.50	-7.56	190-220	205	0.035	▲	248	660
4S/2W-36N010	F	21.14	16.77	-4.37	280-310	295	---	---	1,111	2,000
4S/2W-12K011	N	40.93	53.67	12.74	110-150	130	-0.140	▼	36	410
4S/2W-12K010	C	53.99	53.39	-0.60	210-240	225	-0.011	▼	63	560
4S/2W-12K009	F	54.91	53.41	-1.50	300-310	305	0.002	▲	140	620
4S/2W-12K008	D	54.16	53.11	-1.05	470-510	490	---	---	43	380
4S/1W-19N014	N	28.6	40.5	11.90	60-100	80	-0.102	▼	66	400
4S/1W-19N005	C	42.44	40.55	-1.89	200-230	215	-0.006	▼	70	410
4S/1W-19N004	F	42.99	40.68	-2.31	270-310	290	0.002	▲	211	720
4S/1W-19N002	D	42.58	40.45	-2.13	370-410	390	---	---	296	860

N = Newark, C = Centerville, F = Fremont, D = Deep

*NGVD 1929

TABLE 3

AQUIFER RECLAMATION PROGRAM WELL PRODUCTION

WELL NAME	OCTOBER 2022 THROUGH SEPTEMBER 2023 (ACRE-FEET)	OCTOBER 2023 THROUGH SEPTEMBER 2024 (ACRE-FEET)	OCTOBER 2024 THROUGH SEPTEMBER 2025 (ACRE-FEET)
NEWARK AQUIFER			
CEDAR 2 (ARP)	16	5	40
CEDAR 2 (Desal)	807	937	1150
DARVON 1 (ARP)	34	5	22
DARVON 1 (Desal)	628	1,846	2052
LOWRY	1	1	1
SITE A	0	0	0
SITE B	0	0	0
SITE C	0	0	0
SITE D	0	0	0
SITE E	0	0	0
Supply for Desalination Facility Subtotal	**1,435**	**2,783**	**3,202**
ARP Pumping Subtotal	**51**	**11**	**63**
Aquifer Total	**1,486**	**2,794**	**3,266**
CENTERVILLE FREMONT AQUIFER			
BELLFLOWER (ARP)	13	43	49
BELLFLOWER (Desal)	2,121	1,017	1,611
CEDAR 1 (ARP)	70	39	65
CEDAR 1 (Desal)	998	1,570	1,593
DARVON 2 (ARP)	0	5	14
DARVON 2 (Desal)	2,644	2,498	2,427
FARWELL (ARP)	14	15	35
FARWELL (Desal)	2,133	1,870	1,978
Supply for Desalination Facility Subtotal	**7,896**	**6,955**	**7,609**
ARP Pumping Subtotal	**97**	**102**	**164**
Aquifer Total	**7,993**	**7,057**	**7,772**
DEEP AQUIFER			
WILLOWOOD 1	**0**	**0**	**0**
Aquifer Total	**0**	**0**	**0**
TOTAL FROM ALL AQUIFERS			
Supply for Desalination Facility	**9,331**	**9,738**	**10,811**
ARP Pumping	**148**	**113**	**227**
Total Pumping	**9,479**	**9,851**	**11,038**

ARP = Aquifer Reclamation Program pumping or pump-to-waste due to sampling or well maintenance needs

Desal = Source supply for Newark Desalination Facility

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APPENDIX B

FIGURES

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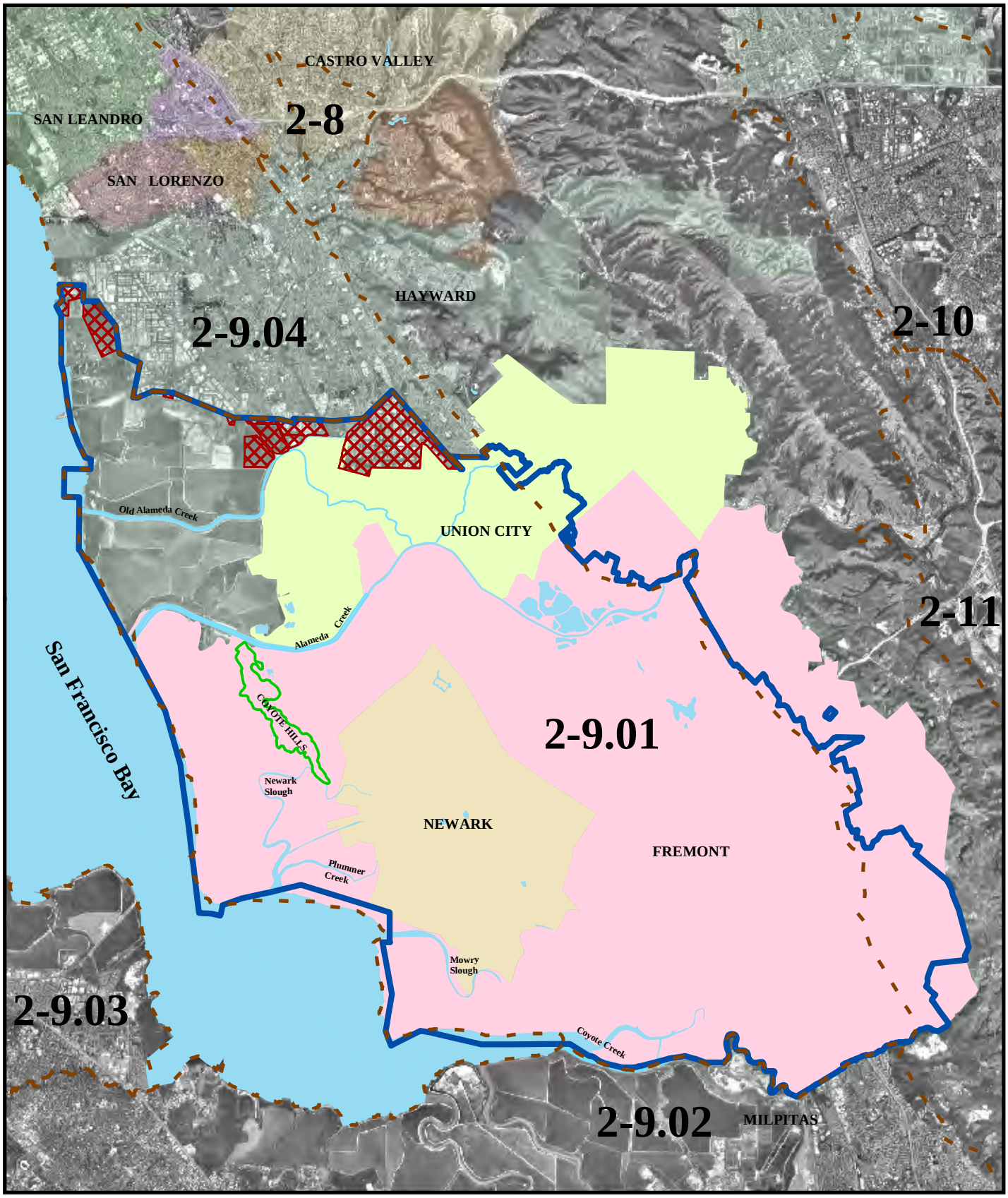
FIGURE 1: LOCAL AGENCY BOUNDARIES



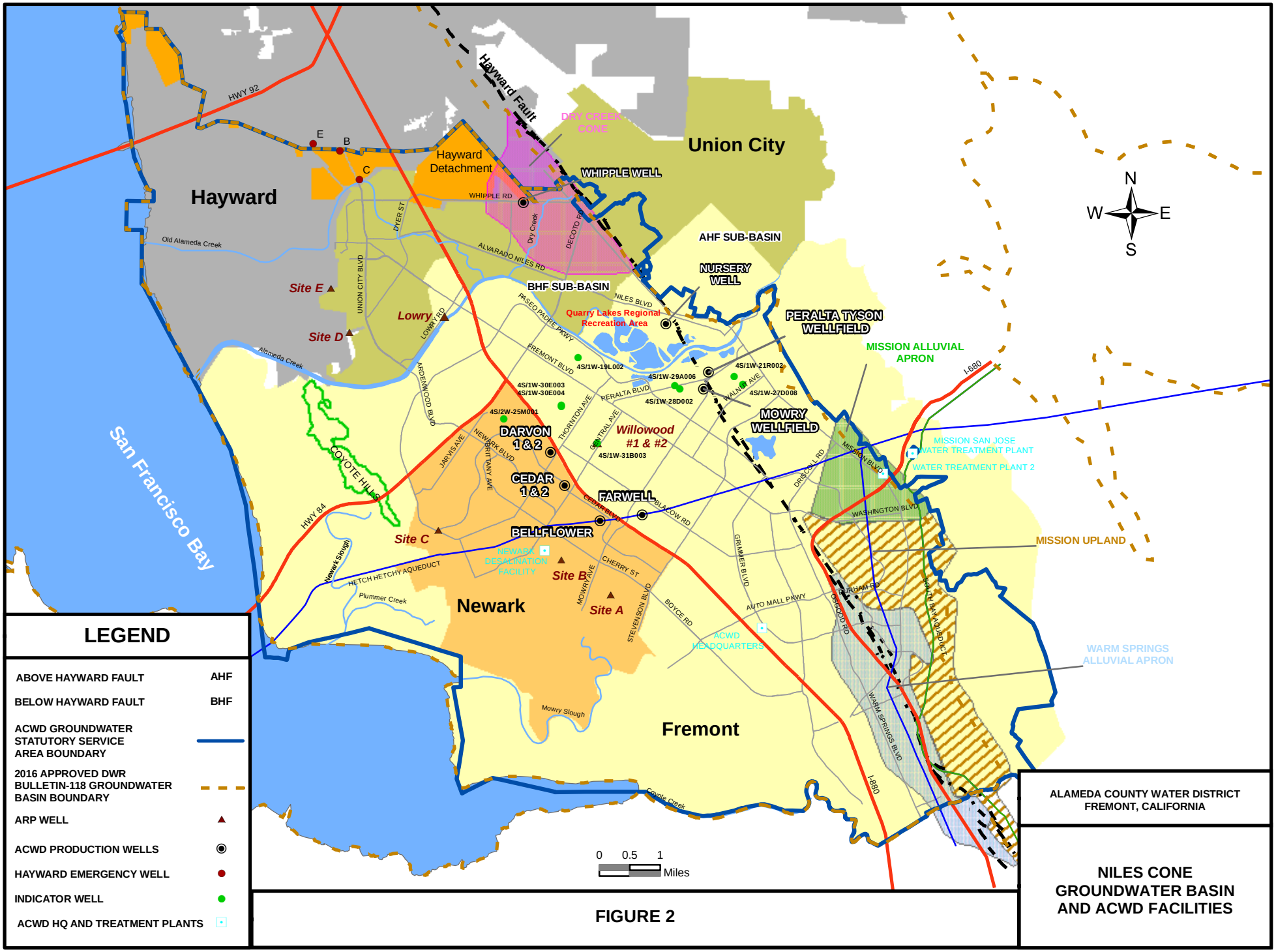
ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY

Hayward Detachment

2016 APPROVED DWR BULLETIN-118 GROUNDWATER BASIN BOUNDARY

N
W E
S

0 1 2 Miles



LEGEND

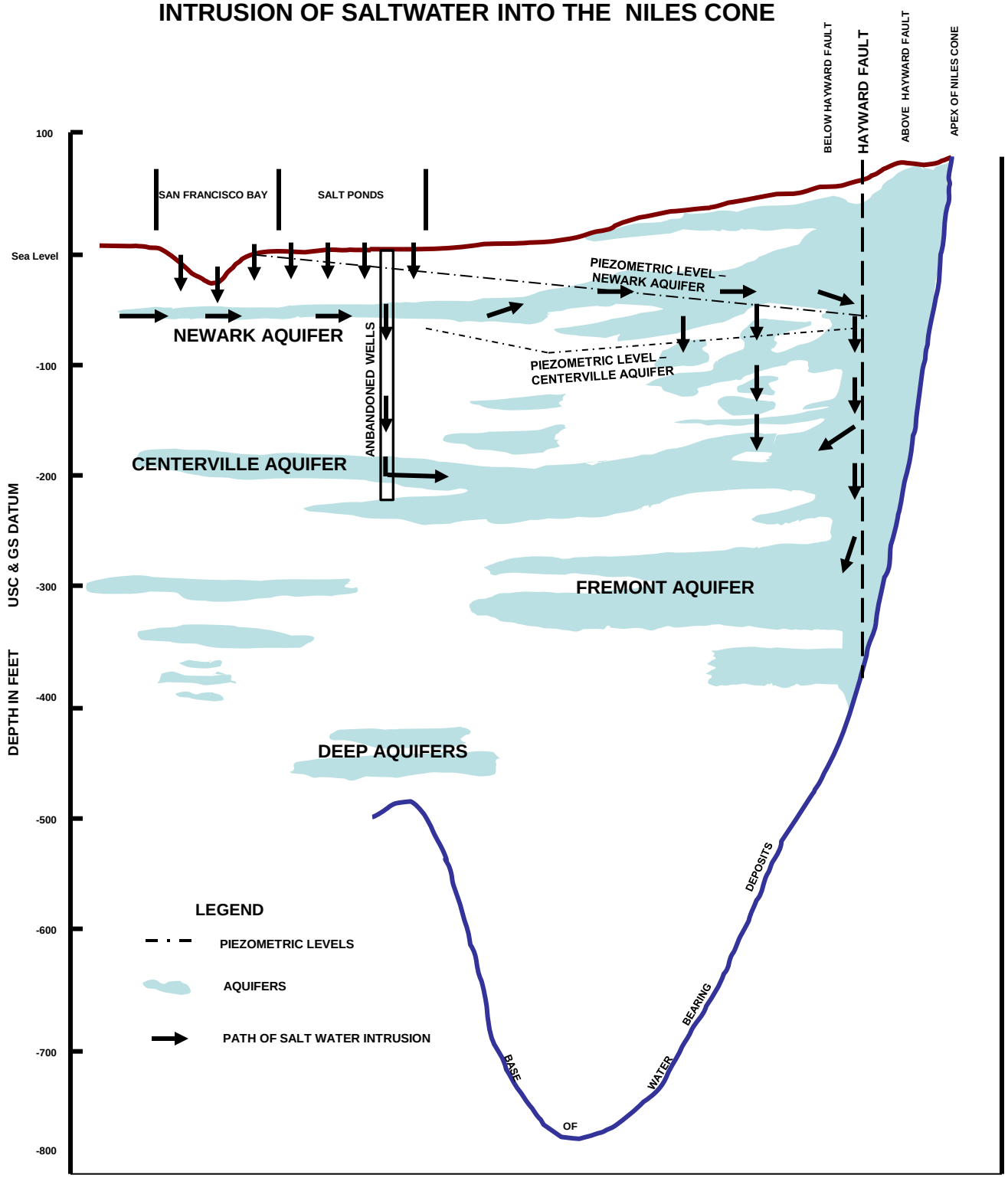
ABOVE HAYWARD FAULT	AHF
BELOW HAYWARD FAULT	BHF
ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY	
2016 APPROVED DWR BULLETIN-118 GROUNDWATER BASIN BOUNDARY	
ARP WELL	
ACWD PRODUCTION WELLS	
HAYWARD EMERGENCY WELL	
INDICATOR WELL	
ACWD HQ AND TREATMENT PLANTS	

FIGURE 2

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

NILES CONE GROUNDWATER BASIN AND ACWD FACILITIES

FIGURE 3: CONCEPTUAL DIAGRAM OF HISTORICAL INTRUSION OF SALTWATER INTO THE NILES CONE



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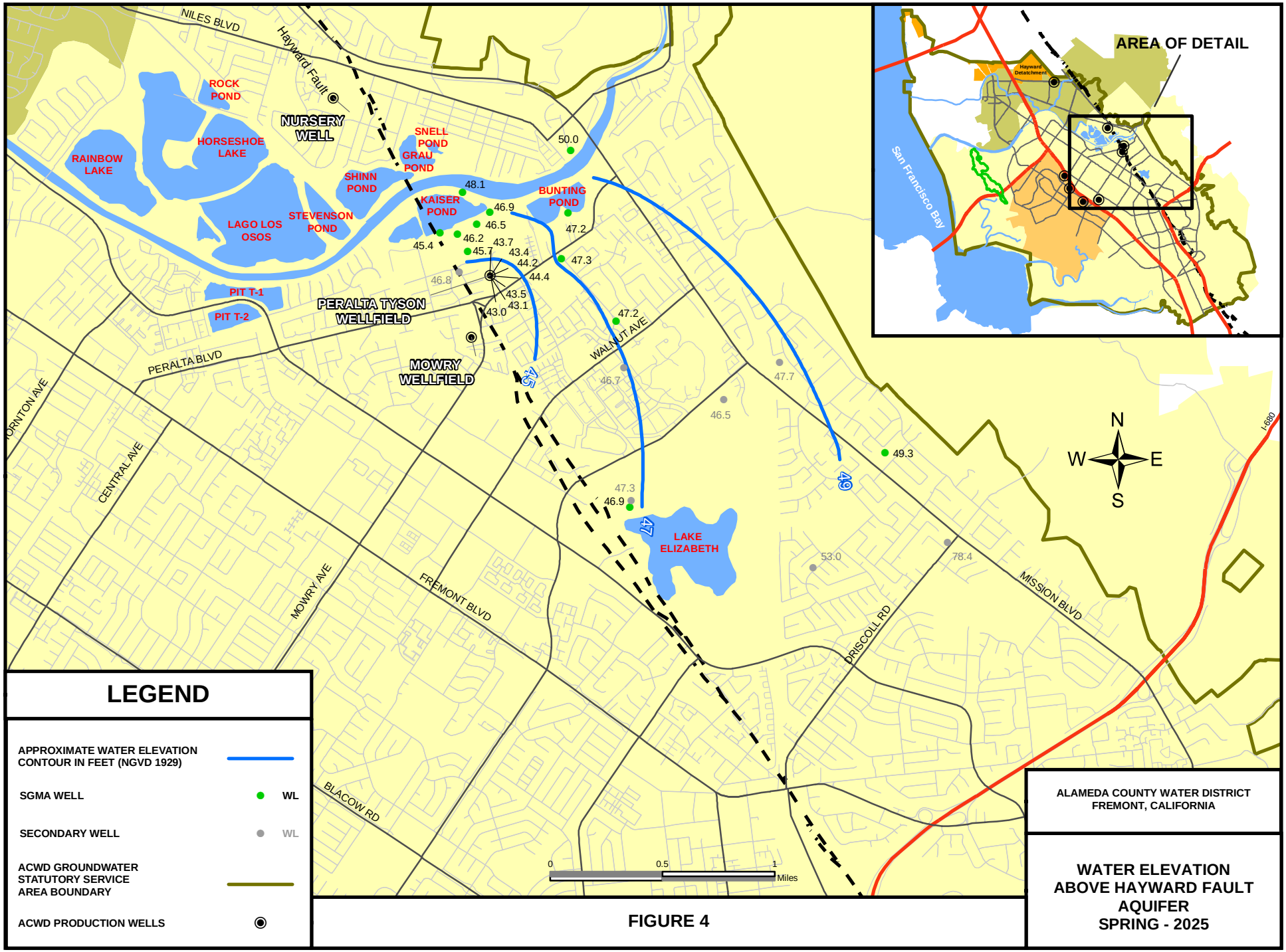


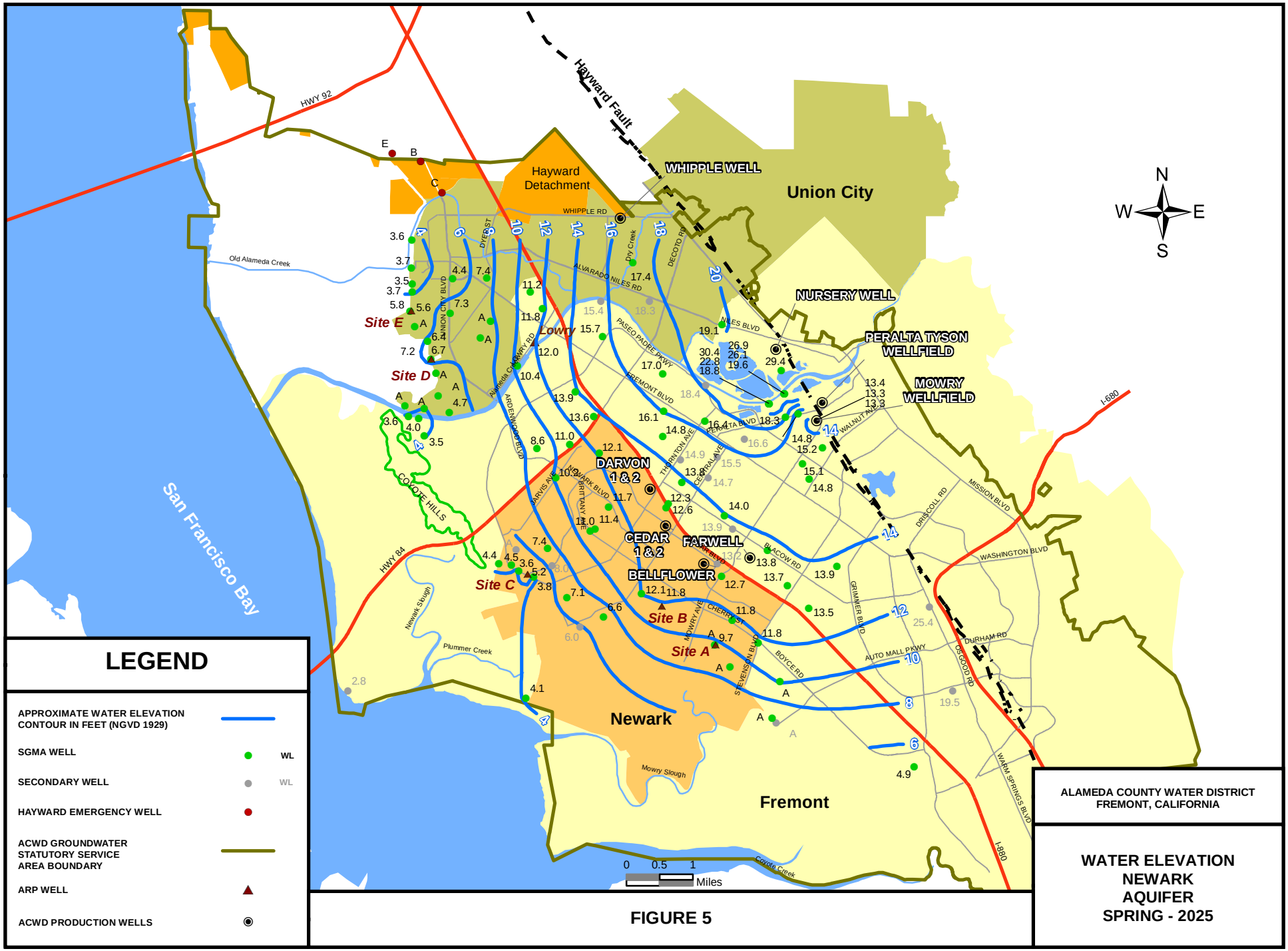
LEGEND

- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)
- SGMA WELL ● WL
- SECONDARY WELL ● WL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ACWD PRODUCTION WELLS ◉

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

FIGURE 4

WATER ELEVATION ABOVE HAYWARD FAULT AQUIFER SPRING - 2025



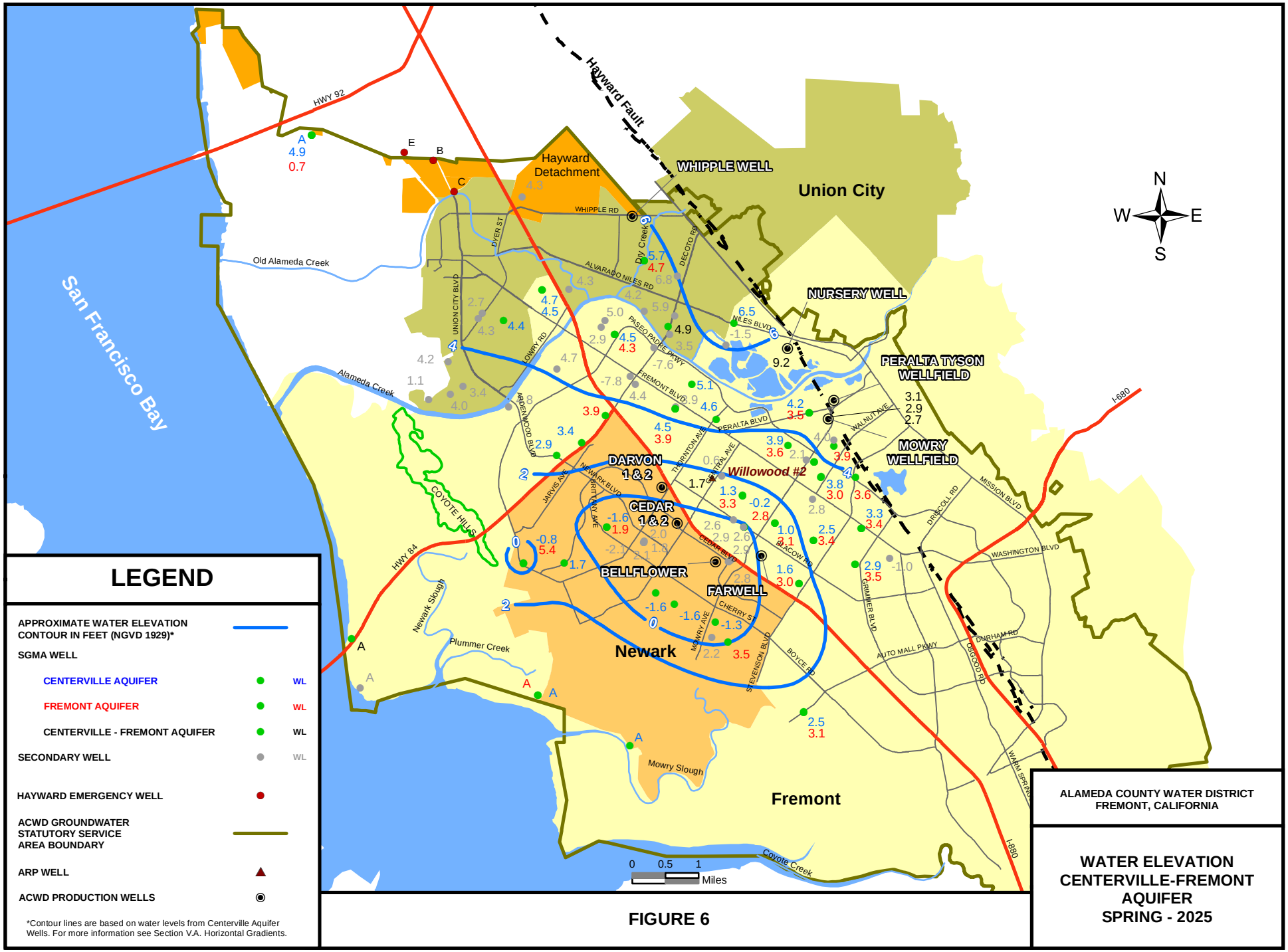
LEGEND

- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)
- SGMA WELL — WL
- SECONDARY WELL — WL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

FIGURE 5

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

WATER ELEVATION
NEWARK
AQUIFER
SPRING - 2025



LEGEND

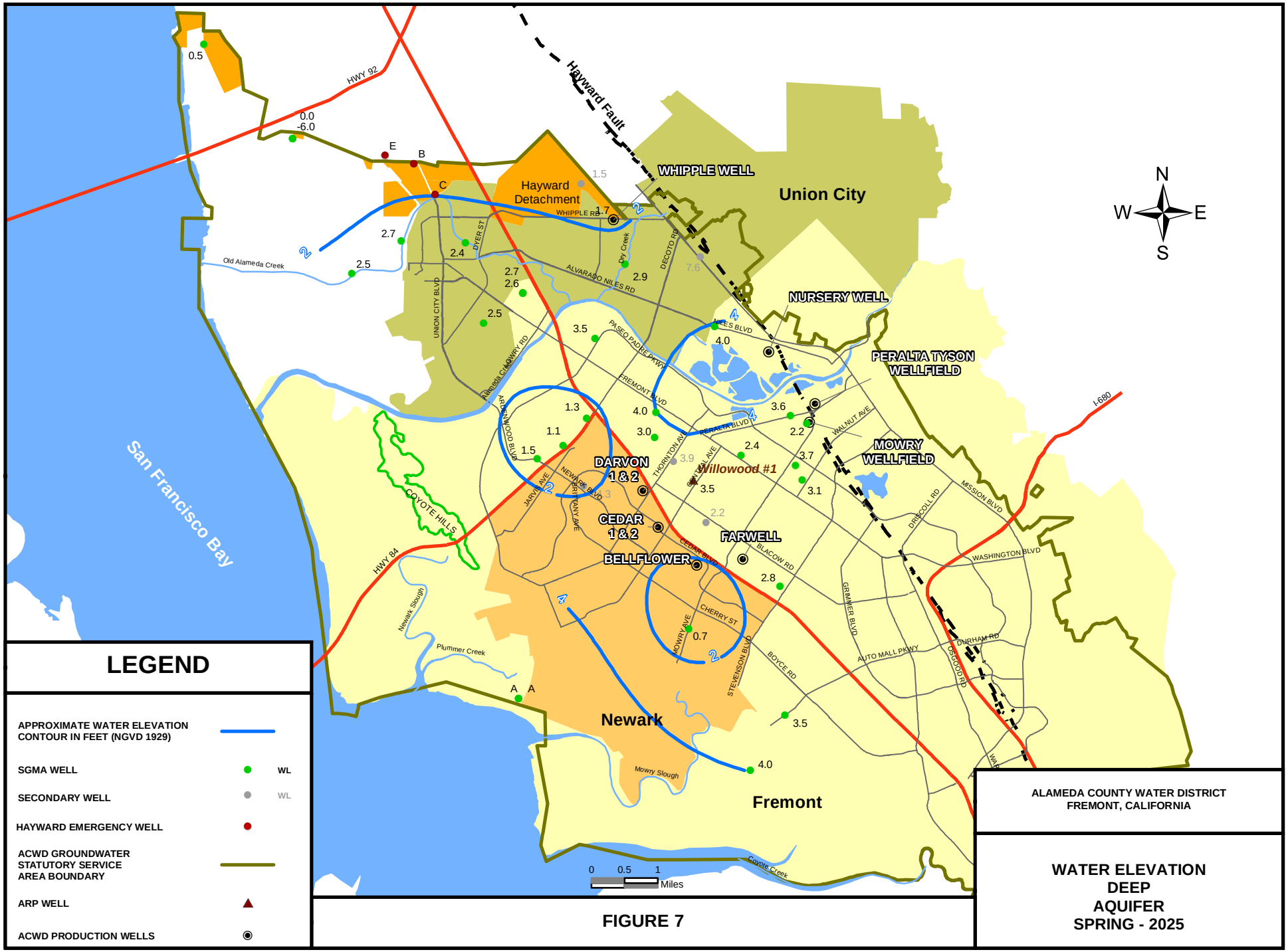
- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)*
- SGMA WELL
  - CENTERVILLE AQUIFER — WL
  - FREMONT AQUIFER — WL
  - CENTERVILLE - FREMONT AQUIFER — WL
- SECONDARY WELL — WL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

*Contour lines are based on water levels from Centerville Aquifer Wells. For more information see Section V.A. Horizontal Gradients.

FIGURE 6

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

WATER ELEVATION CENTERVILLE-FREMONT AQUIFER SPRING - 2025



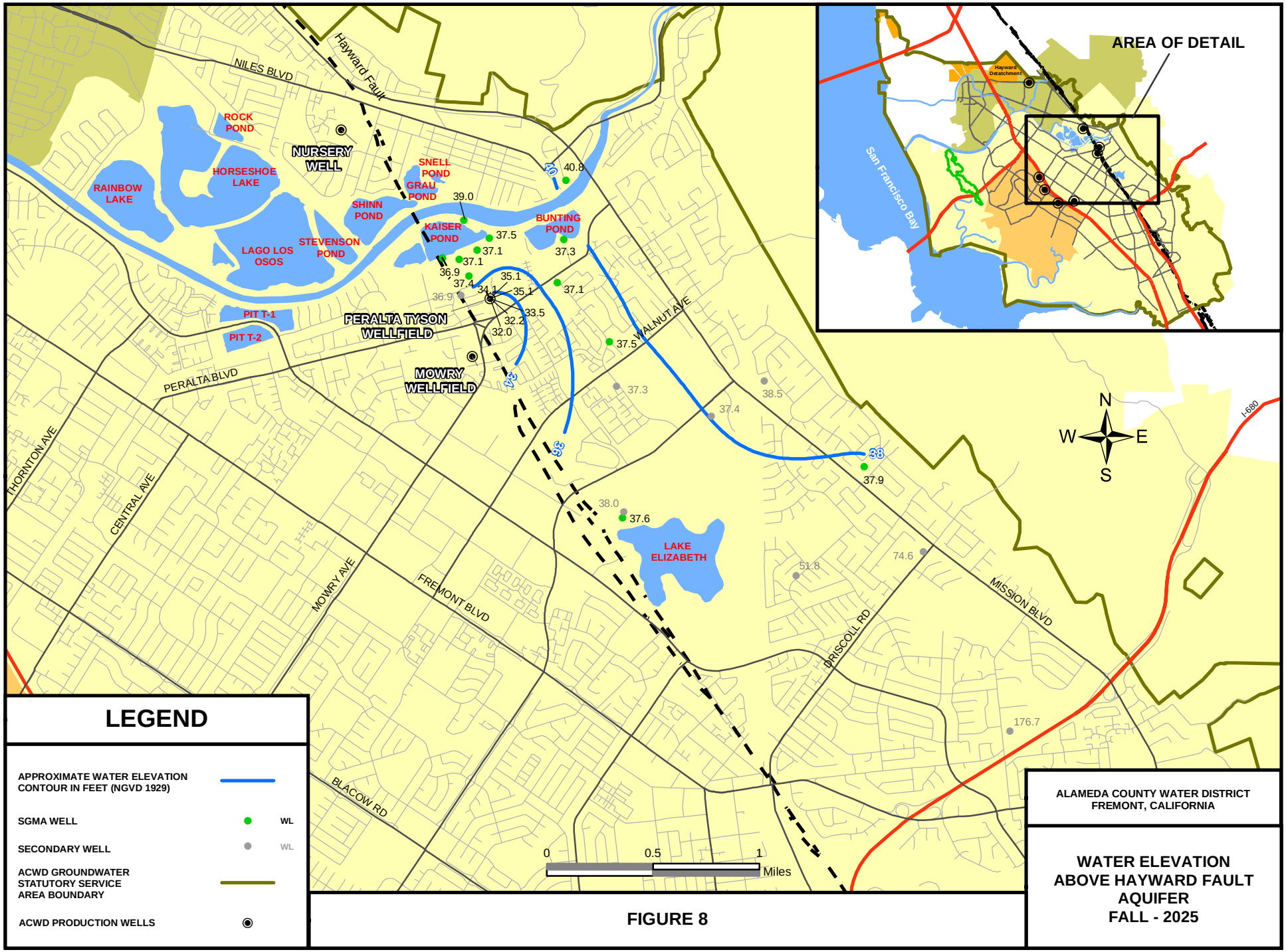
LEGEND

- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)
- SGMA WELL — WL
- SECONDARY WELL — WL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

FIGURE 7

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

WATER ELEVATION
DEEP
AQUIFER
SPRING - 2025



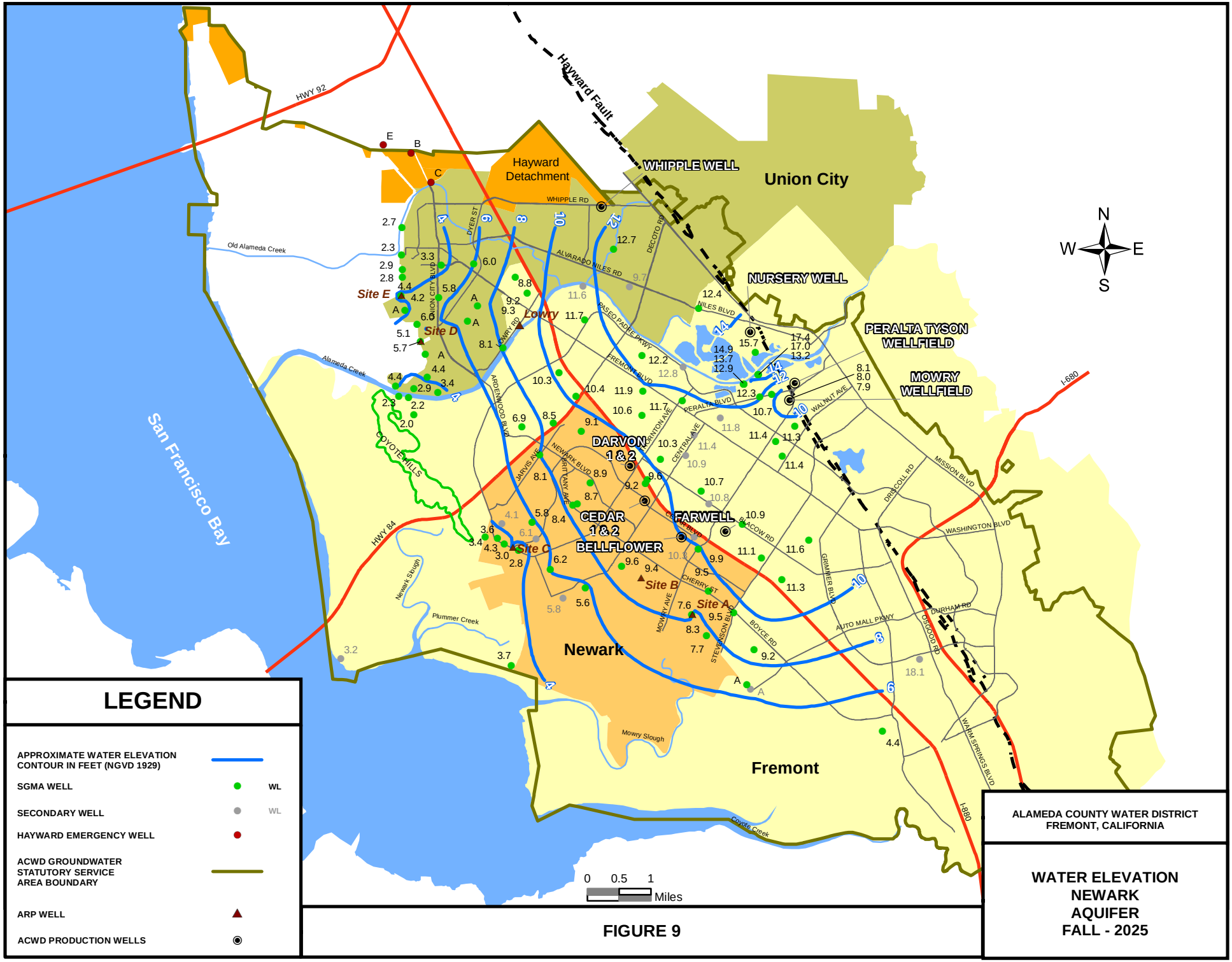
LEGEND

- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)
- SGMA WELL — WL
- SECONDARY WELL — WL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ACWD PRODUCTION WELLS

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

WATER ELEVATION ABOVE HAYWARD FAULT AQUIFER FALL - 2025

FIGURE 8



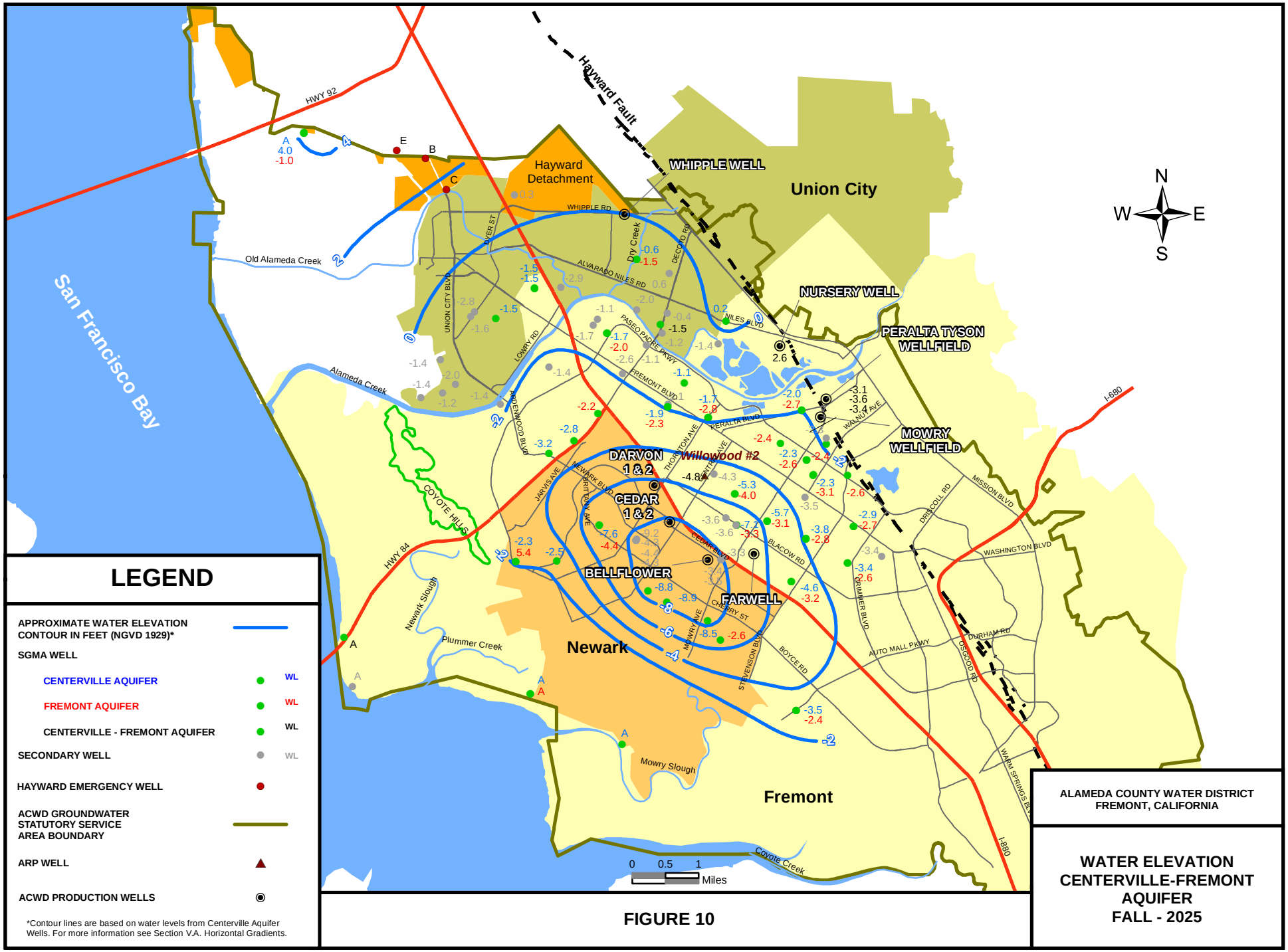
LEGEND

- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)
- SGMA WELL — WL
- SECONDARY WELL — WL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

FIGURE 9

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

WATER ELEVATION
NEWARK
AQUIFER
FALL - 2025



LEGEND

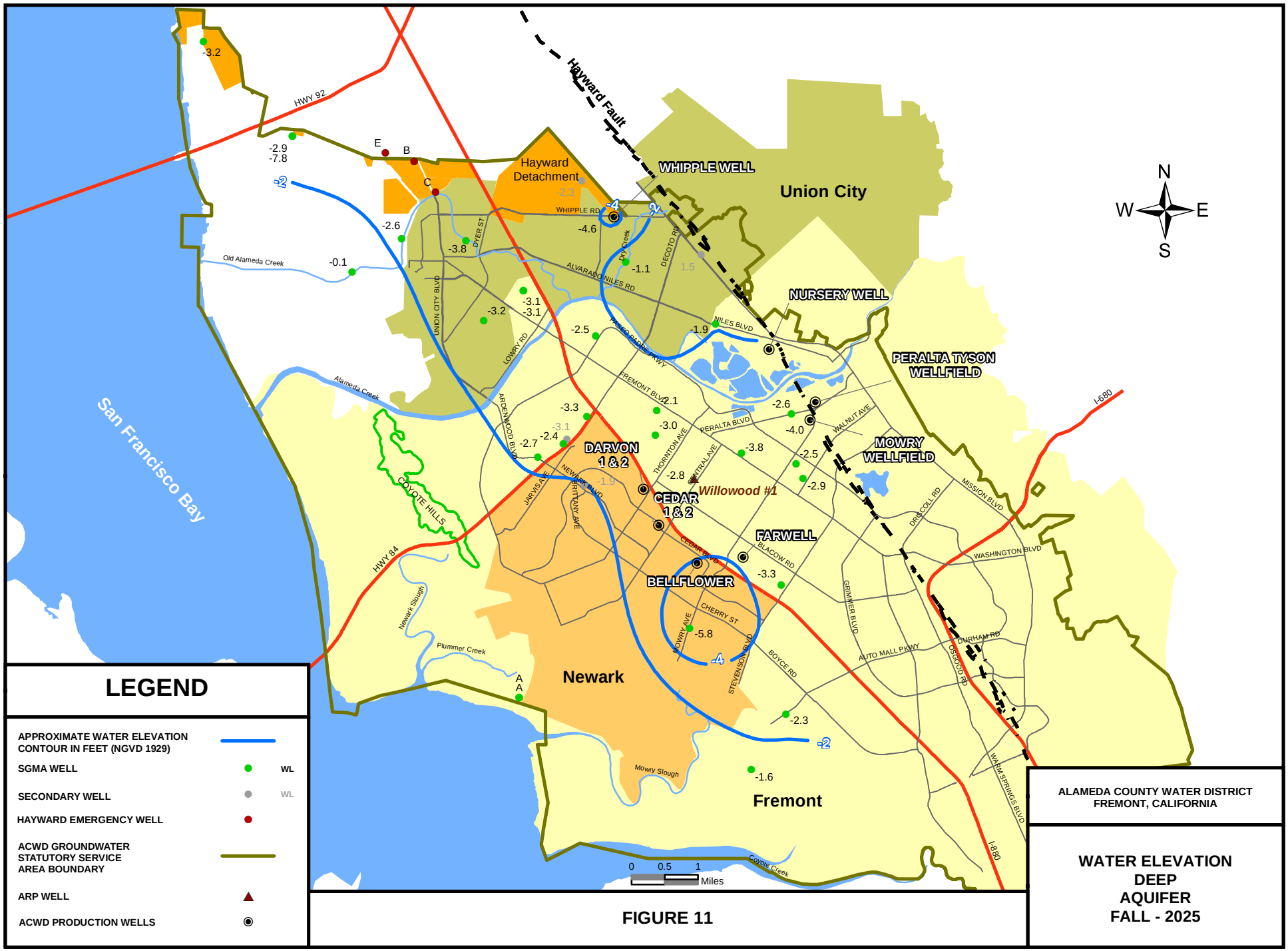
- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)*
- SGMA WELL
  - CENTERVILLE AQUIFER — WL
  - FREMONT AQUIFER — WL
  - CENTERVILLE - FREMONT AQUIFER — WL
- SECONDARY WELL — WL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

*Contour lines are based on water levels from Centerville Aquifer Wells. For more information see Section V.A. Horizontal Gradients.

FIGURE 10

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

WATER ELEVATION CENTERVILLE-FREMONT AQUIFER FALL - 2025



LEGEND

- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)
- SGMA WELL — WL
- SECONDARY WELL — WL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

FIGURE 11

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

WATER ELEVATION
DEEP
AQUIFER
FALL - 2025

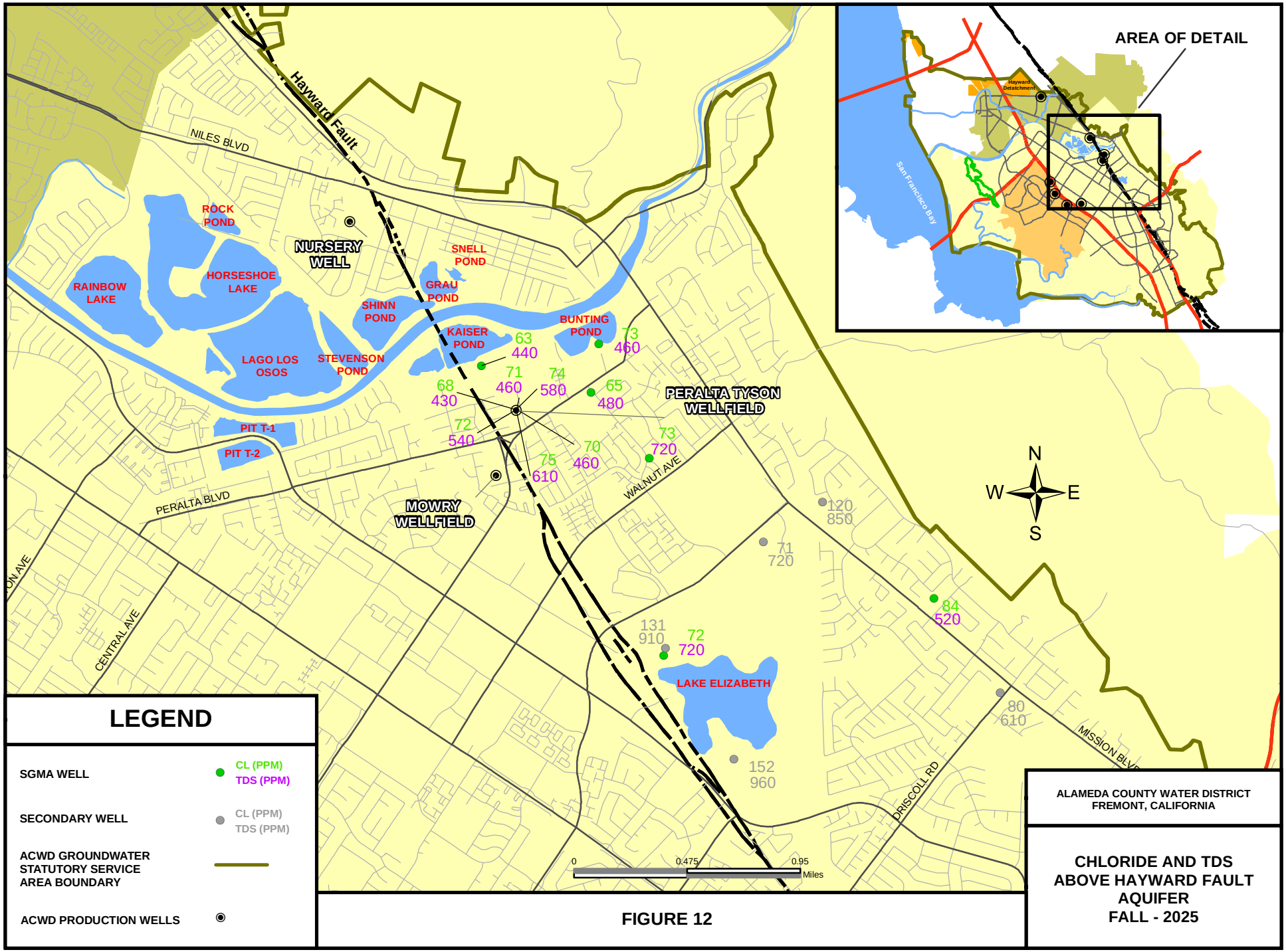
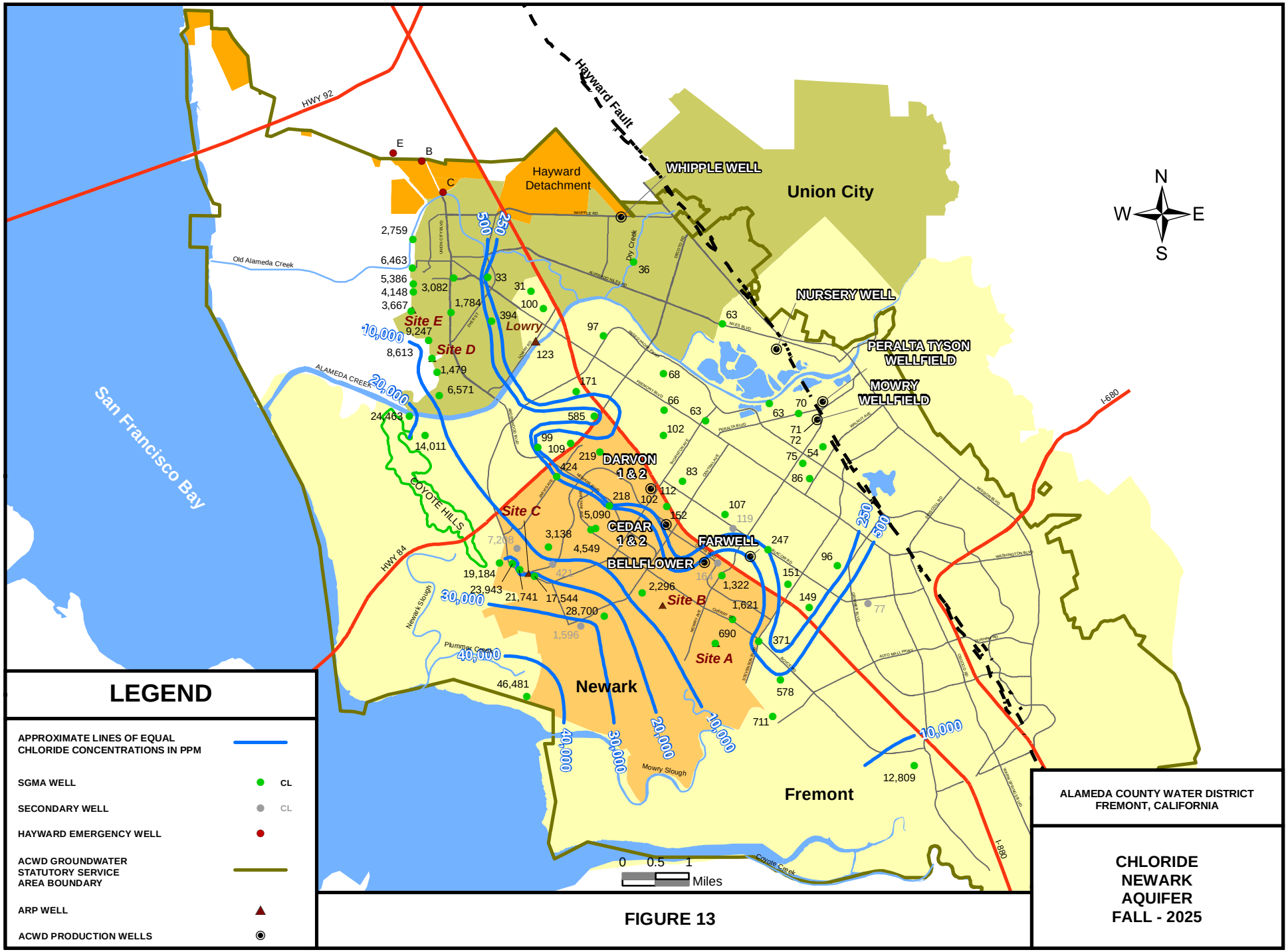

AREA OF DETAIL
Hayward Fault
NILES BLVD
ROCK POND
NURSERY WELL
SNELL POND
RAINBOW LAKE
HORSESHOE LAKE
GRAU POND
SHINN POND
BUNTING POND
KAISER POND
LAGO LOS OSOS
STEVENSON POND
PERALTA TYSON WELLFIELD
PIT T-1
PIT T-2
PERALTA BLVD
MOWRY WELLFIELD
WALNUT AVE
CENTRAL AVE
LAKE ELIZABETH
DRISCOLL RD
MISSION BLVD
63 440
71 460
74 580
68 430
65 480
72 540
73 720
70 460
75 610
73 460
120 850
71 720
84 520
131 910
72 720
80 610
152 960
N
W
E
S
0
0.475
0.95
Miles
LEGEND
SGMA WELL
CL (PPM)
TDS (PPM)
SECONDARY WELL
CL (PPM)
TDS (PPM)
ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
ACWD PRODUCTION WELLS
ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA
CHLORIDE AND TDS ABOVE HAYWARD FAULT AQUIFER
FALL - 2025

FIGURE 12



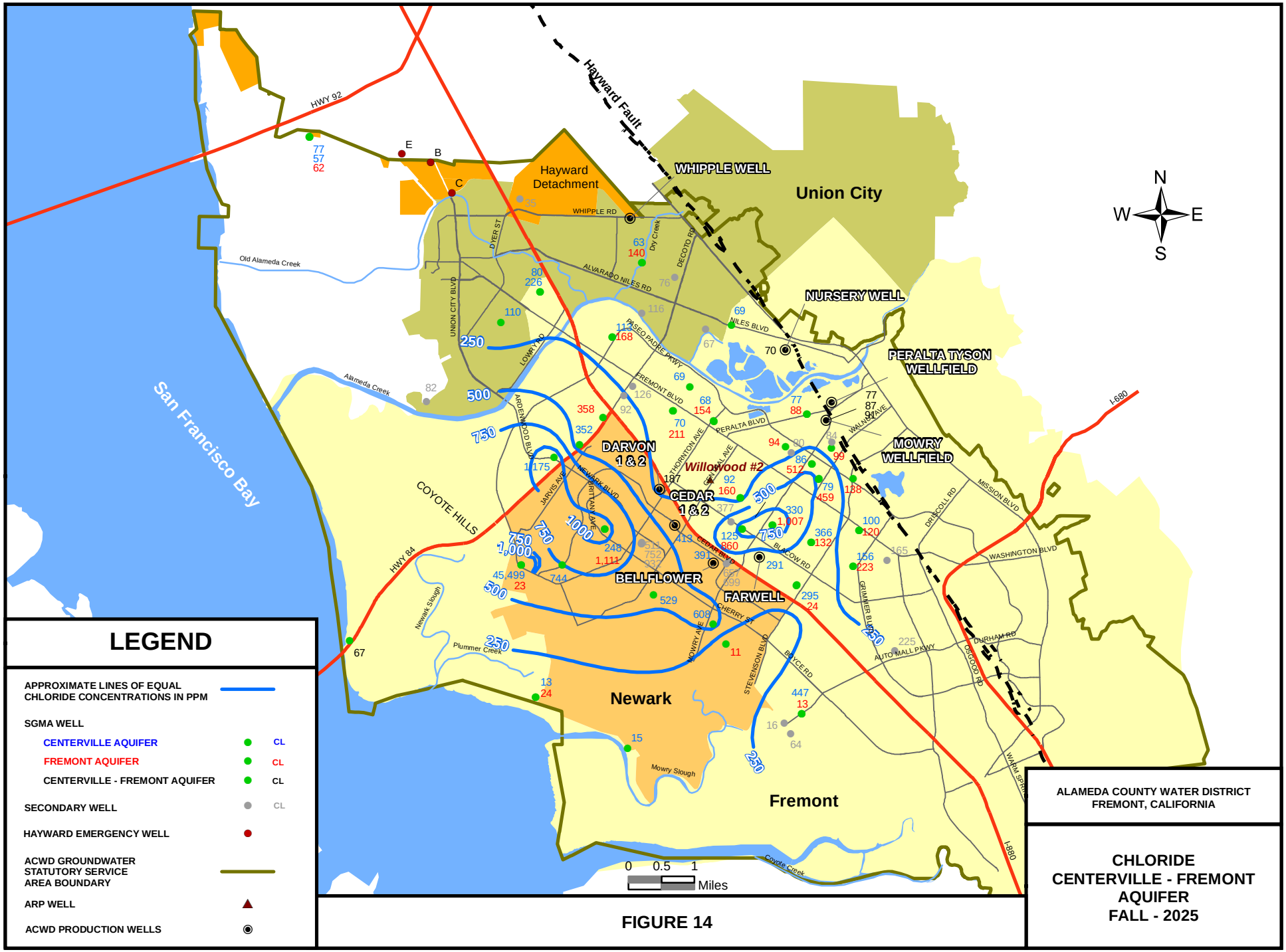
LEGEND

- APPROXIMATE LINES OF EQUAL CHLORIDE CONCENTRATIONS IN PPM
- SGMA WELL — CL
- SECONDARY WELL — CL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

FIGURE 13

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

CHLORIDE NEWARK AQUIFER FALL - 2025



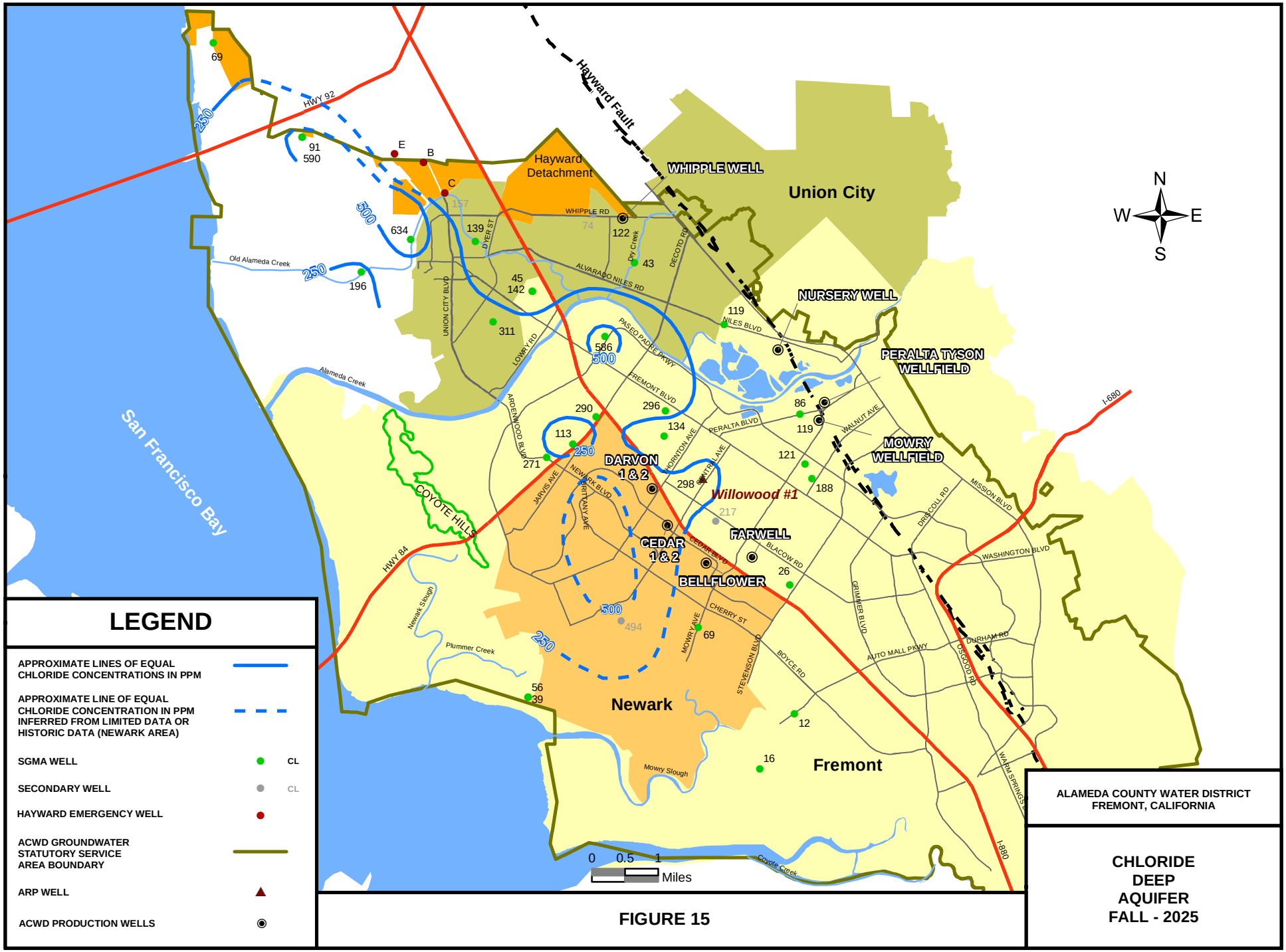
LEGEND

- APPROXIMATE LINES OF EQUAL CHLORIDE CONCENTRATIONS IN PPM
- SGMA WELL
  - CENTERVILLE AQUIFER — CL
  - FREMONT AQUIFER — CL
  - CENTERVILLE - FREMONT AQUIFER — CL
- SECONDARY WELL — CL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

CHLORIDE
CENTERVILLE - FREMONT AQUIFER
FALL - 2025

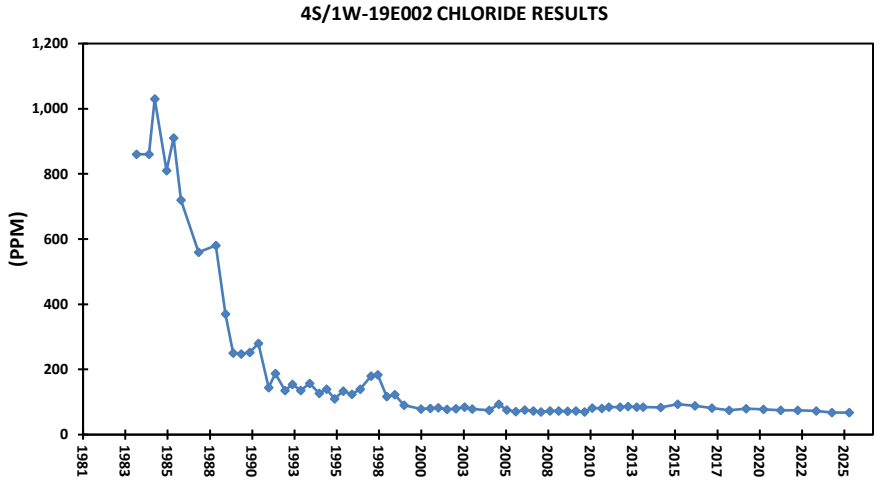
FIGURE 14

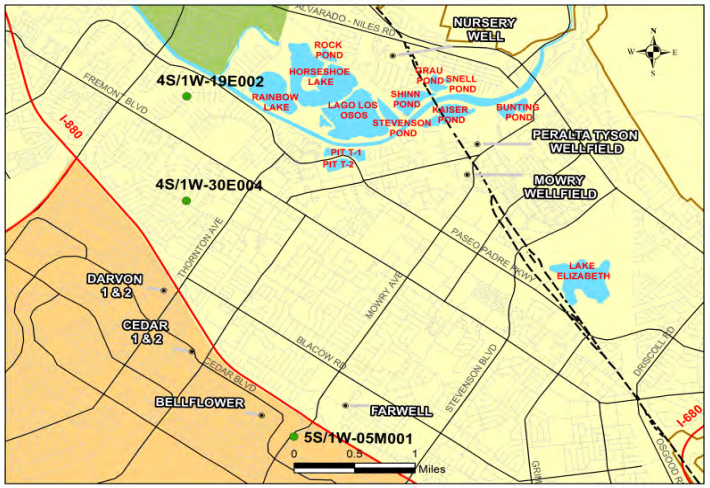


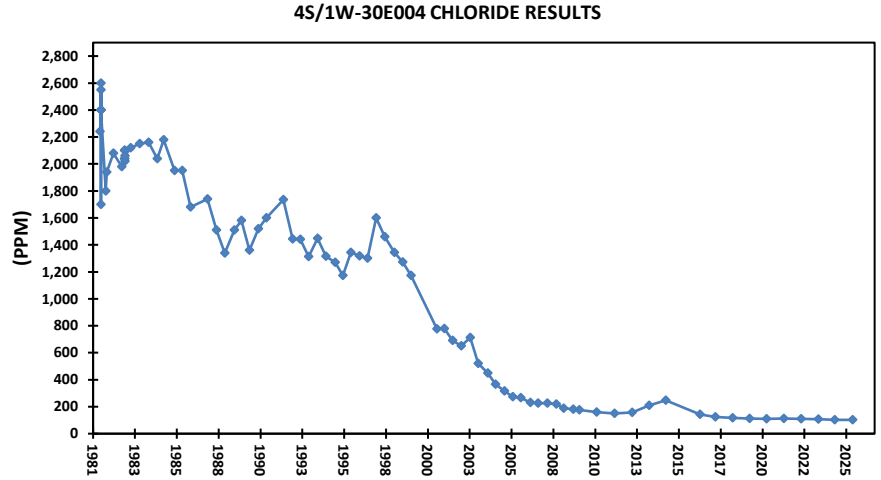
ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

CHLORIDE DEEP AQUIFER FALL - 2025

FIGURE 15







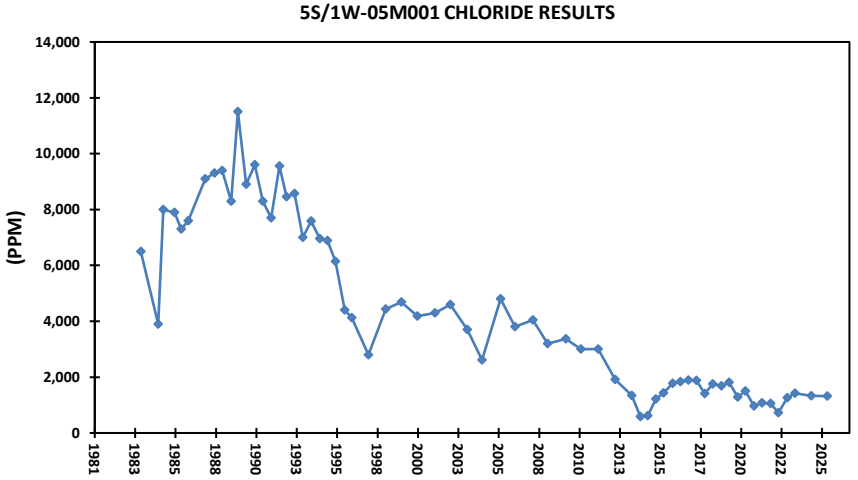
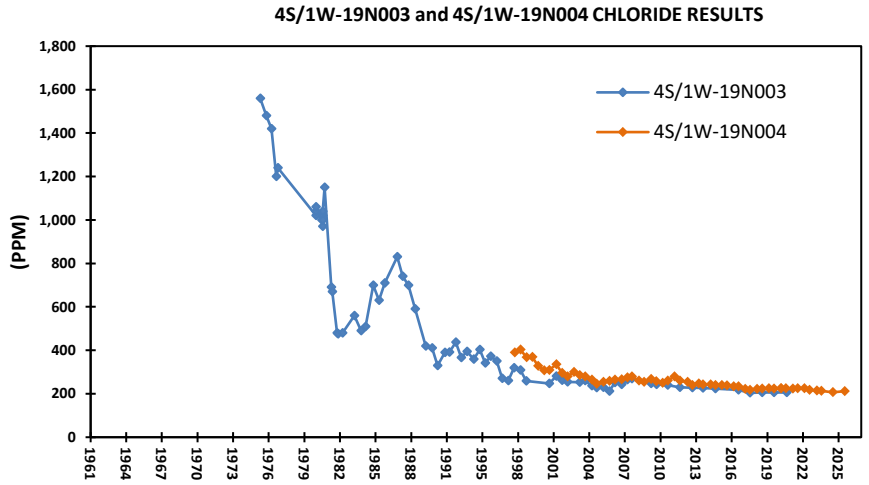
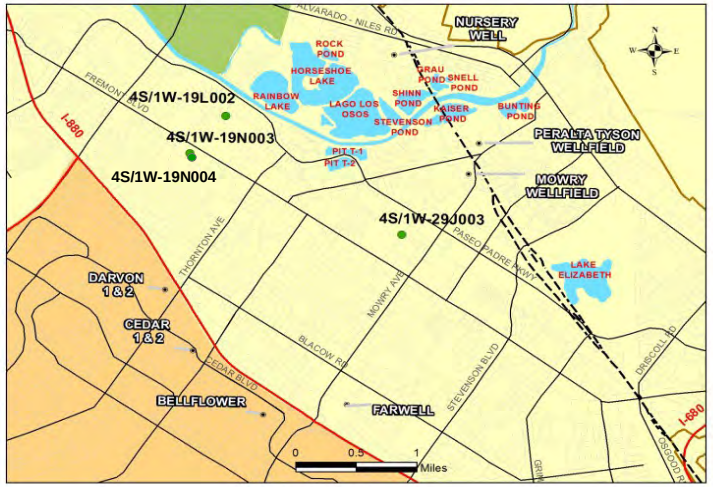
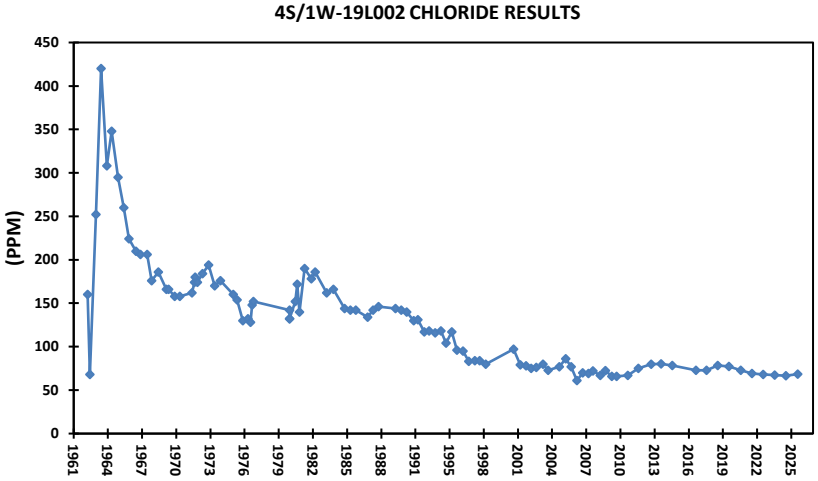


Figure 16
AREA OF IMPROVEMENT NEWARK AQUIFER







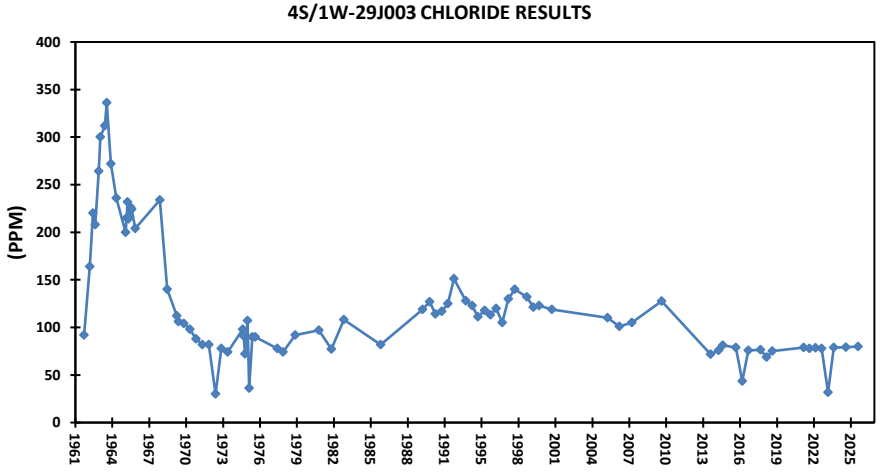
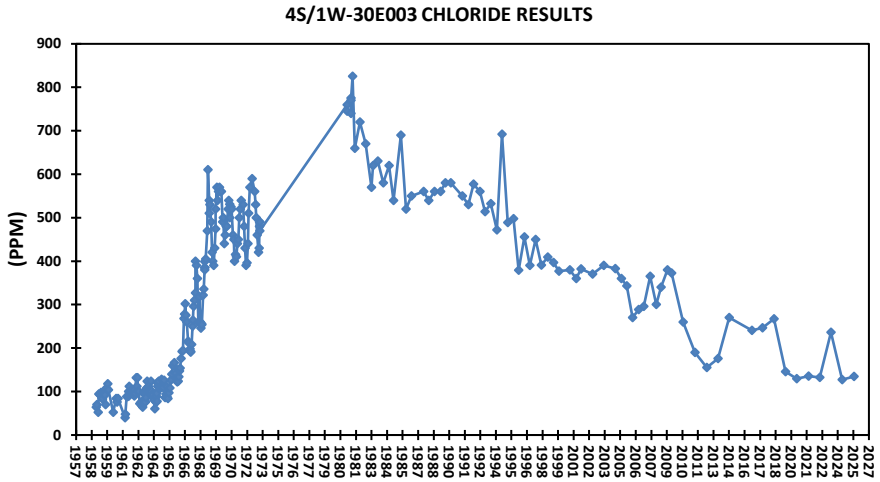
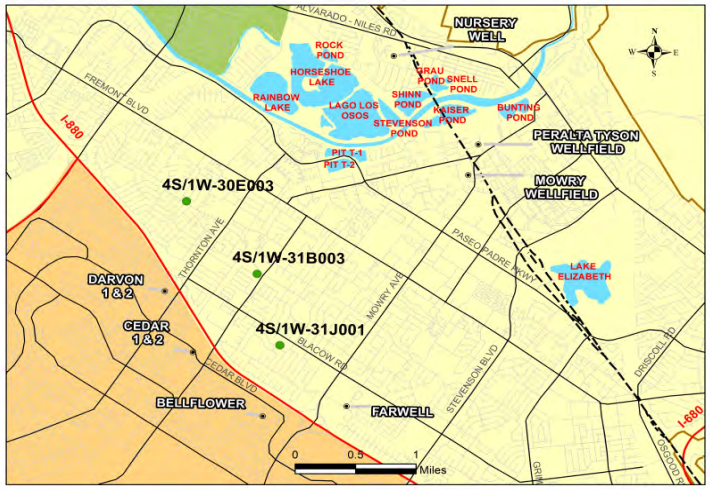
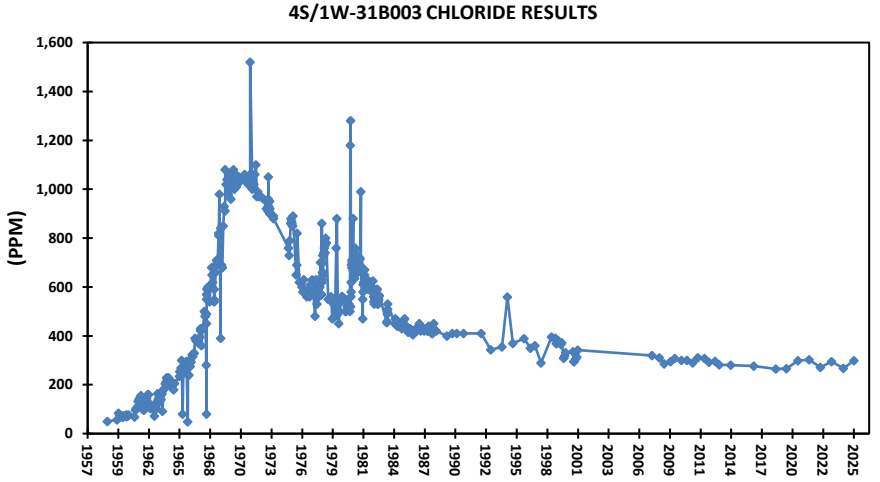


Figure 17
AREA OF IMPROVEMENT CENTERVILLE - FREMONT AQUIFER







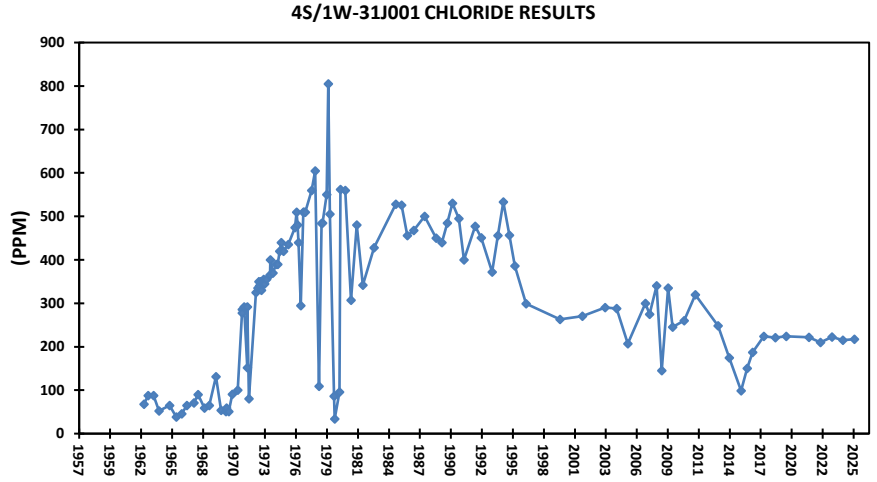
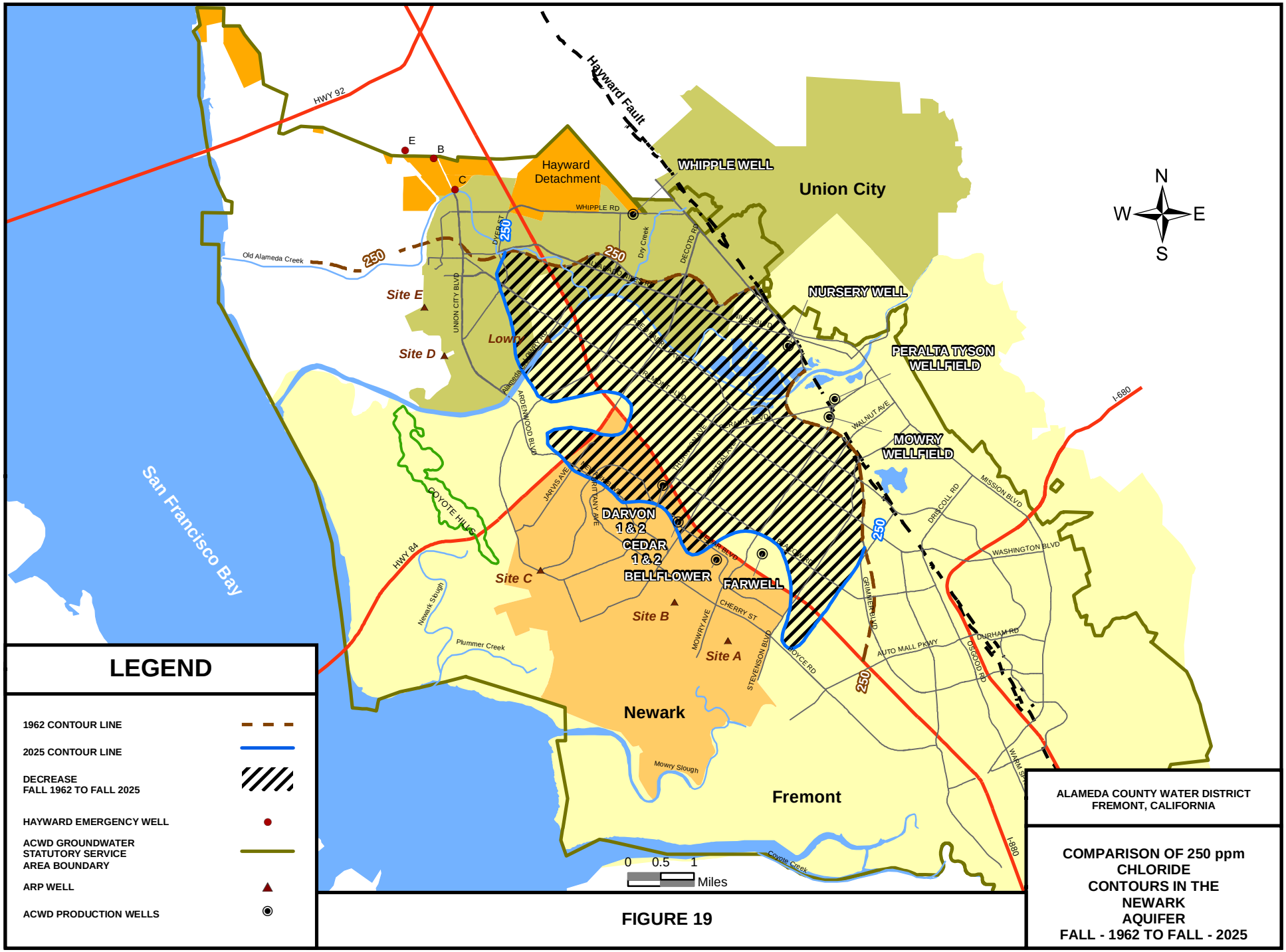


Figure 18
AREA OF IMPROVEMENT DEEP AQUIFER


Hayward Fault
HWY 92
Old Alameda Creek
Hayward Detachment
WHIPPLE WELL
Union City
NURSERY WELL
PERALTA TYSON WELLFIELD
MOWRY WELLFIELD
DARVON 1 & 2
CEDAR 1 & 2
BELLFLOWER
FARWELL
Site A
Site B
Site C
Site D
Site E
Lowry
Newark
Fremont
San Francisco Bay
HWY 84
I-680
I-880
250
N
S
E
W
0 0.5 1
Miles
LEGEND
1962 CONTOUR LINE
2025 CONTOUR LINE
DECREASE FALL 1962 TO FALL 2025
HAYWARD EMERGENCY WELL
ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
ARP WELL
ACWD PRODUCTION WELLS
ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA
COMPARISON OF 250 ppm CHLORIDE CONTOURS IN THE NEWARK AQUIFER
FALL - 1962 TO FALL - 2025
FIGURE 19

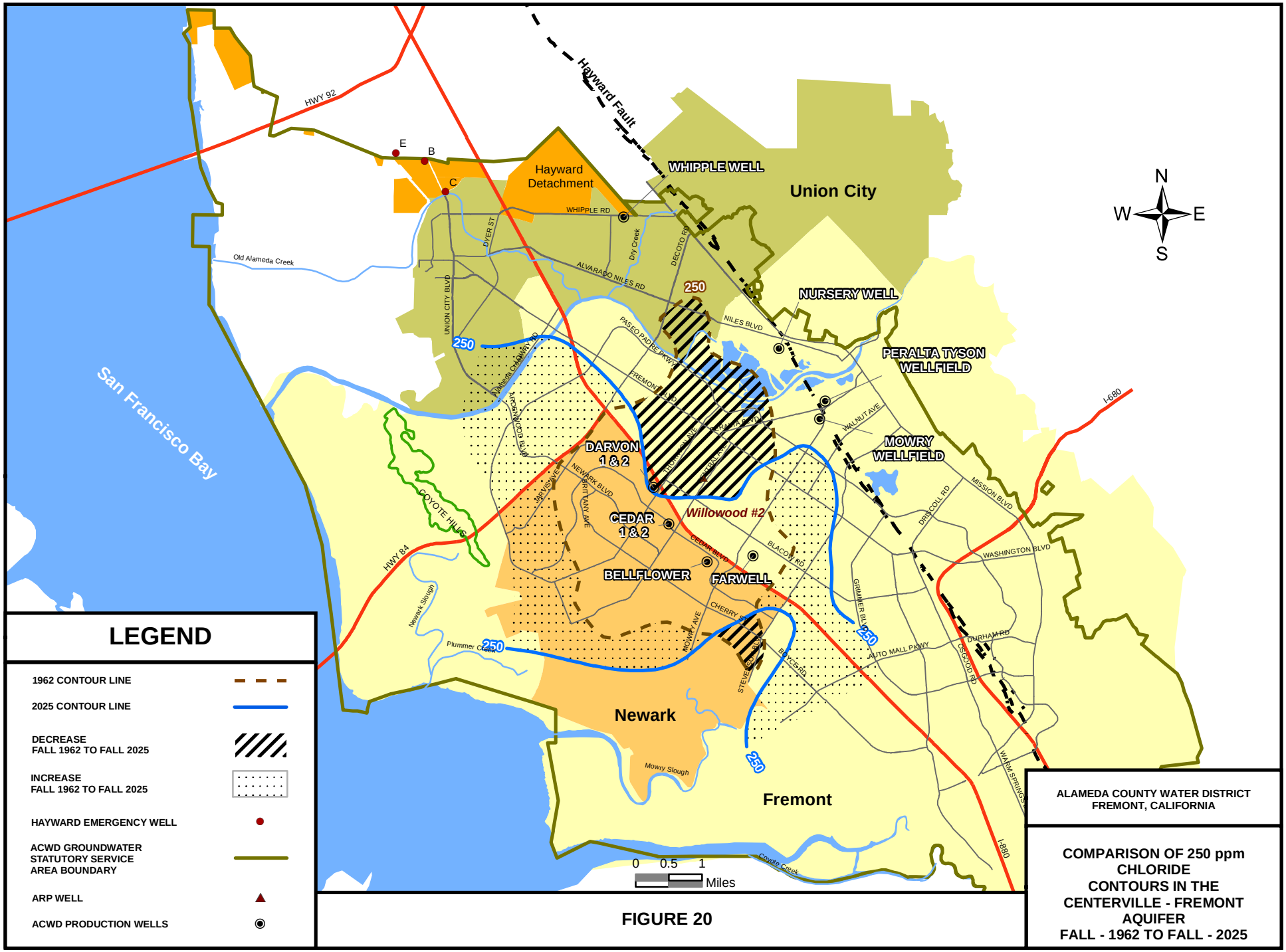


FIGURE 20

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

COMPARISON OF 250 ppm CHLORIDE CONTOURS IN THE CENTERVILLE - FREMONT AQUIFER FALL - 1962 TO FALL - 2025

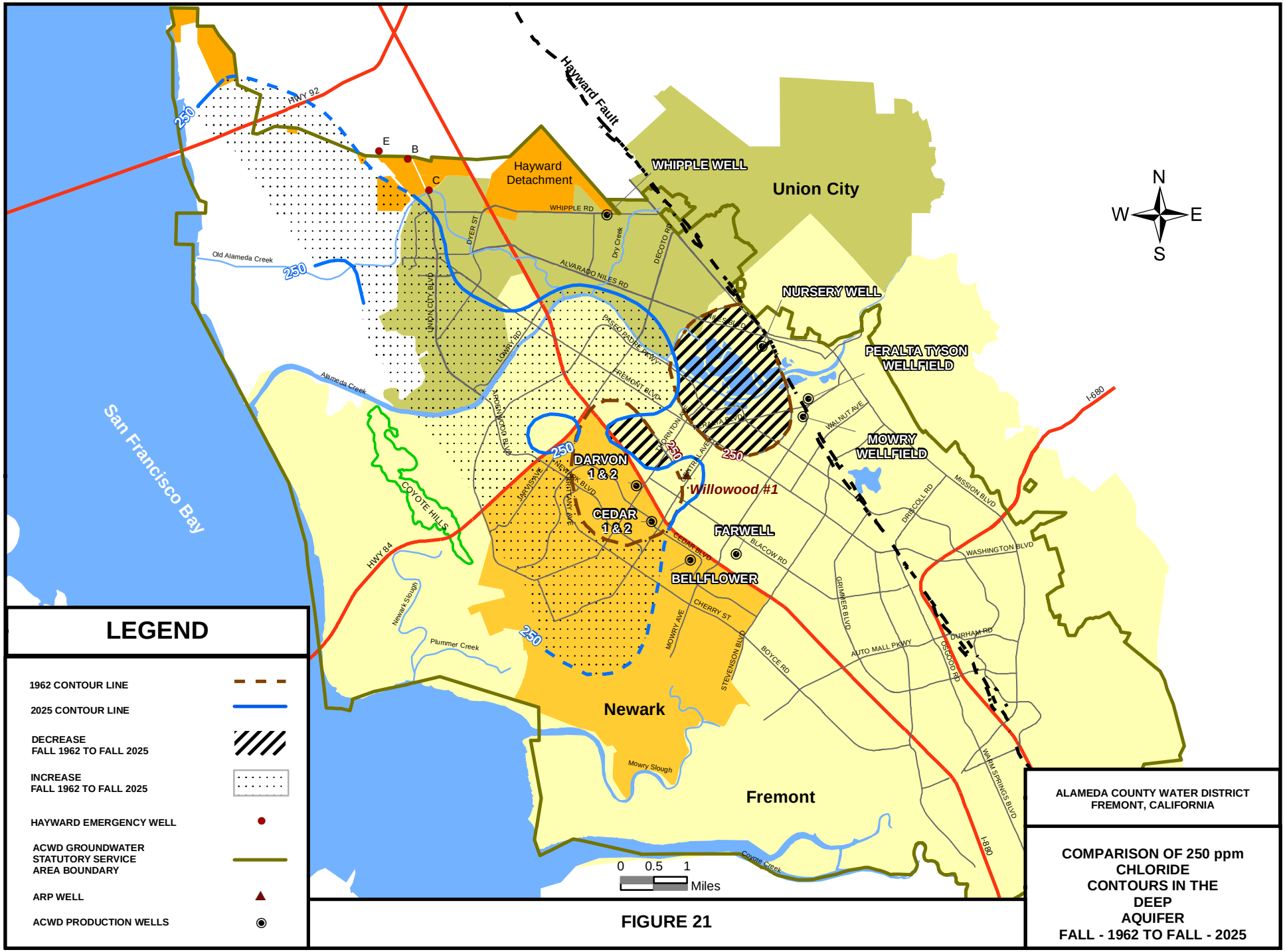
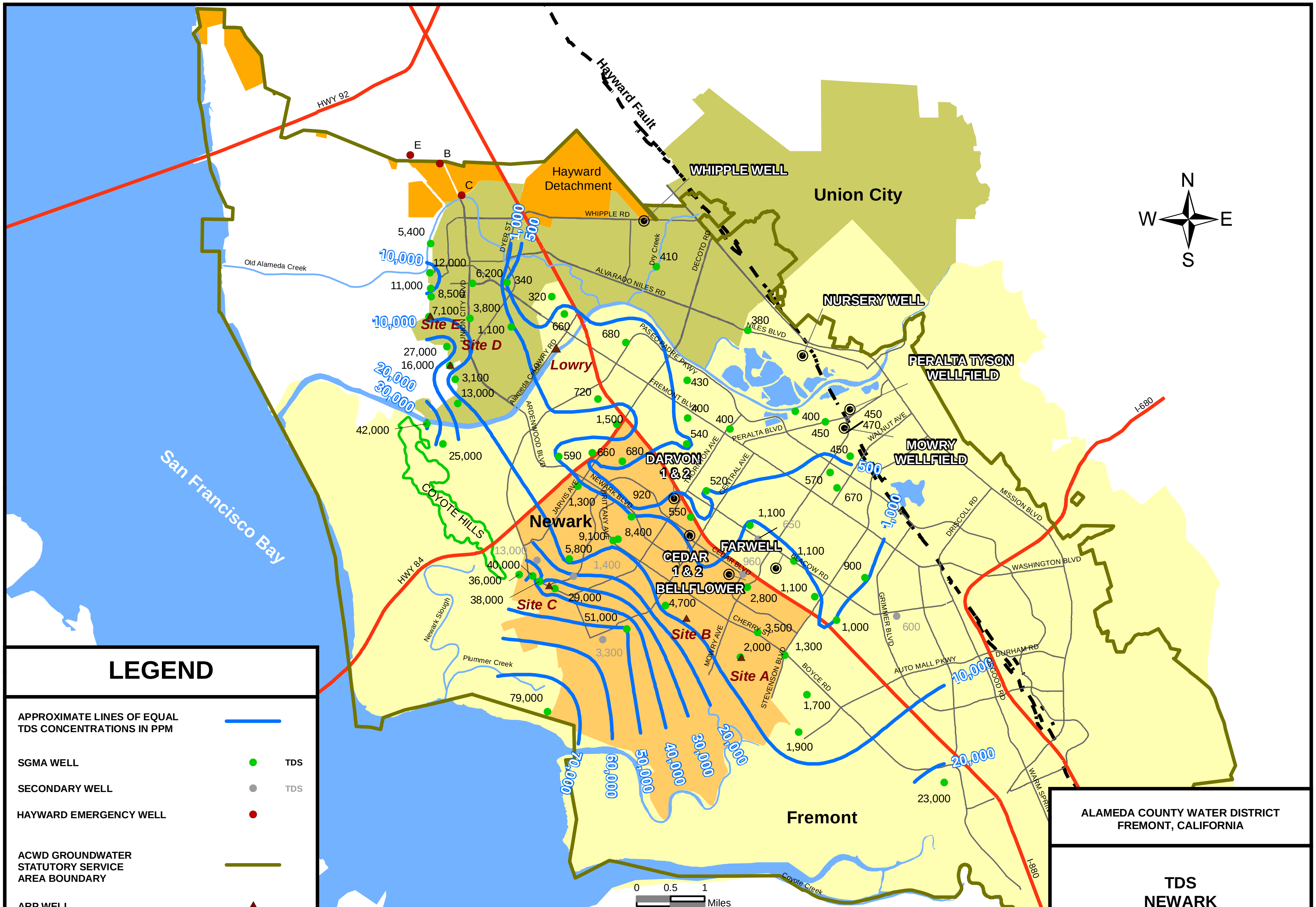


FIGURE 21

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

COMPARISON OF 250 ppm CHLORIDE CONTOURS IN THE DEEP AQUIFER FALL - 1962 TO FALL - 2025



LEGEND

APPROXIMATE LINES OF EQUAL TDS CONCENTRATIONS IN PPM

SGMA WELL — TDS

SECONDARY WELL — TDS

HAYWARD EMERGENCY WELL

ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY

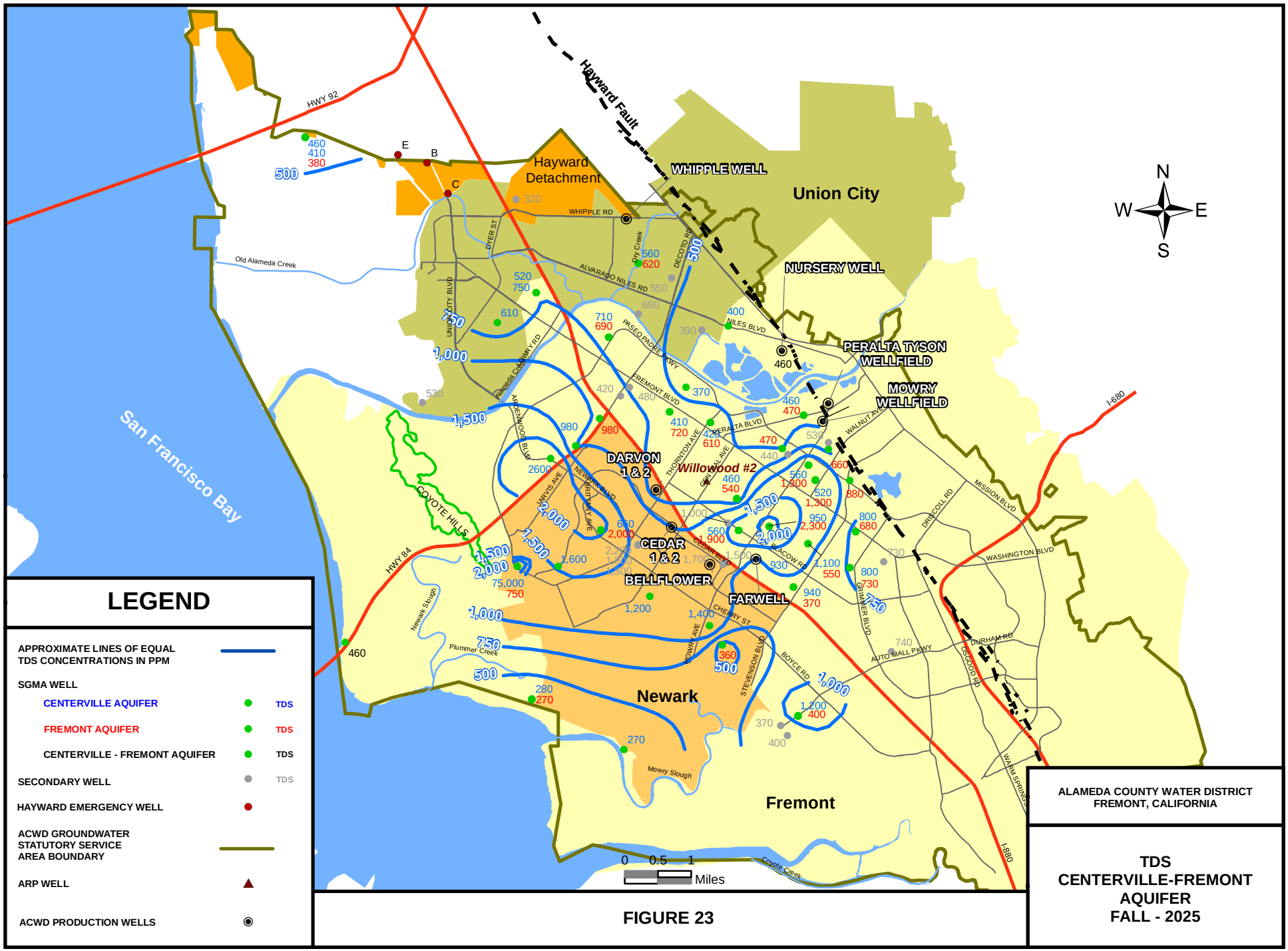
ARP WELL

ACWD PRODUCTION WELLS

FIGURE 22

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

TDS
NEWARK
AQUIFER
FALL - 2025



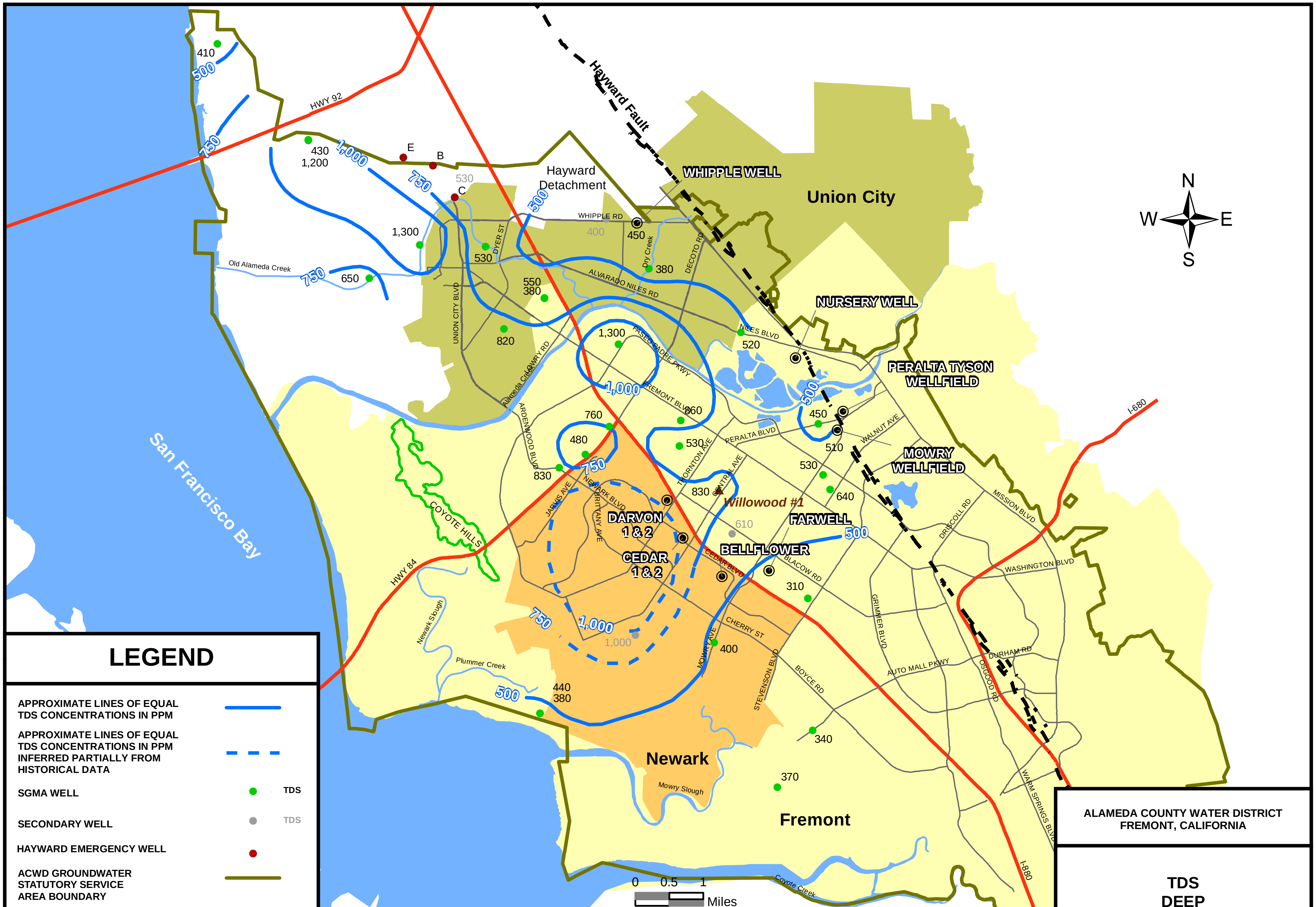
LEGEND

- APPROXIMATE LINES OF EQUAL TDS CONCENTRATIONS IN PPM
- SGMA WELL
  - CENTERVILLE AQUIFER — TDS
  - FREMONT AQUIFER — TDS
  - CENTERVILLE - FREMONT AQUIFER — TDS
- SECONDARY WELL — TDS
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

FIGURE 23

TDS CENTERVILLE-FREMONT AQUIFER FALL - 2025



LEGEND

APPROXIMATE LINES OF EQUAL TDS CONCENTRATIONS IN PPM

APPROXIMATE LINES OF EQUAL TDS CONCENTRATIONS IN PPM INFERRED PARTIALLY FROM HISTORICAL DATA

SGMA WELL — TDS

SECONDARY WELL — TDS

HAYWARD EMERGENCY WELL

ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY

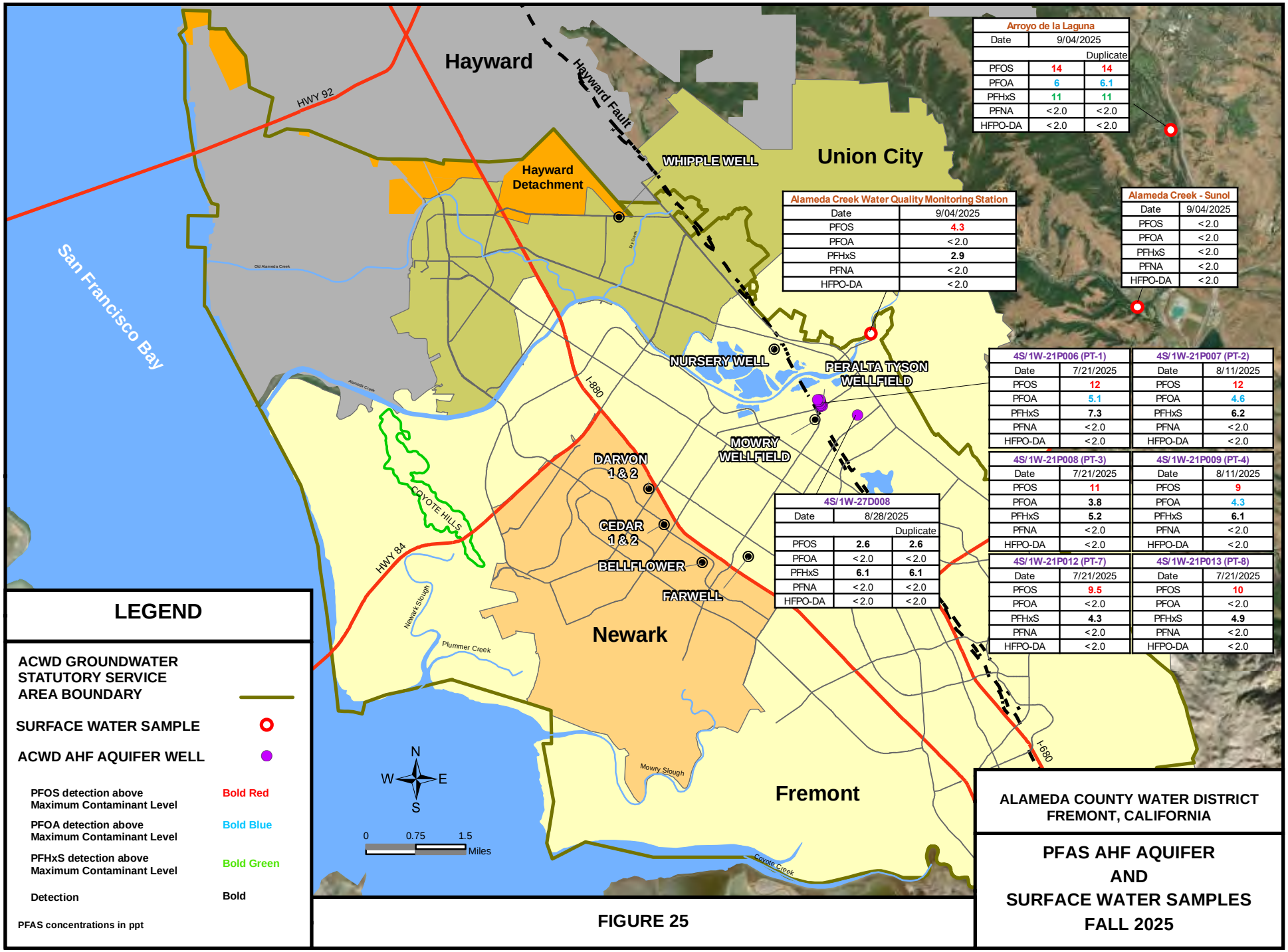
ARP WELL

ACWD PRODUCTION WELLS

FIGURE 24

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

TDS
DEEP
AQUIFER
FALL - 2025



Arroyo de la Laguna		
Date	9/04/2025	
		Duplicate
PFOS	14	14
PFOA	6	6.1
PFHxS	11	11
PFNA	< 2.0	< 2.0
HFPO-DA	< 2.0	< 2.0

Alameda Creek Water Quality Monitoring Station	
Date	9/04/2025
PFOS	4.3
PFOA	< 2.0
PFHxS	2.9
PFNA	< 2.0
HFPO-DA	< 2.0

Alameda Creek - Sunol	
Date	9/04/2025
PFOS	< 2.0
PFOA	< 2.0
PFHxS	< 2.0
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-21P006 (PT-1)	
Date	7/21/2025
PFOS	12
PFOA	5.1
PFHxS	7.3
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-21P007 (PT-2)	
Date	8/11/2025
PFOS	12
PFOA	4.6
PFHxS	6.2
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-21P008 (PT-3)	
Date	7/21/2025
PFOS	11
PFOA	3.8
PFHxS	5.2
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-21P009 (PT-4)	
Date	8/11/2025
PFOS	9
PFOA	4.3
PFHxS	6.1
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-21P012 (PT-7)	
Date	7/21/2025
PFOS	9.5
PFOA	< 2.0
PFHxS	4.3
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-21P013 (PT-8)	
Date	7/21/2025
PFOS	10
PFOA	< 2.0
PFHxS	4.9
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-27D008		
Date	8/28/2025	
		Duplicate
PFOS	2.6	2.6
PFOA	< 2.0	< 2.0
PFHxS	6.1	6.1
PFNA	< 2.0	< 2.0
HFPO-DA	< 2.0	< 2.0

LEGEND

ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY

SURFACE WATER SAMPLE

ACWD AHF AQUIFER WELL

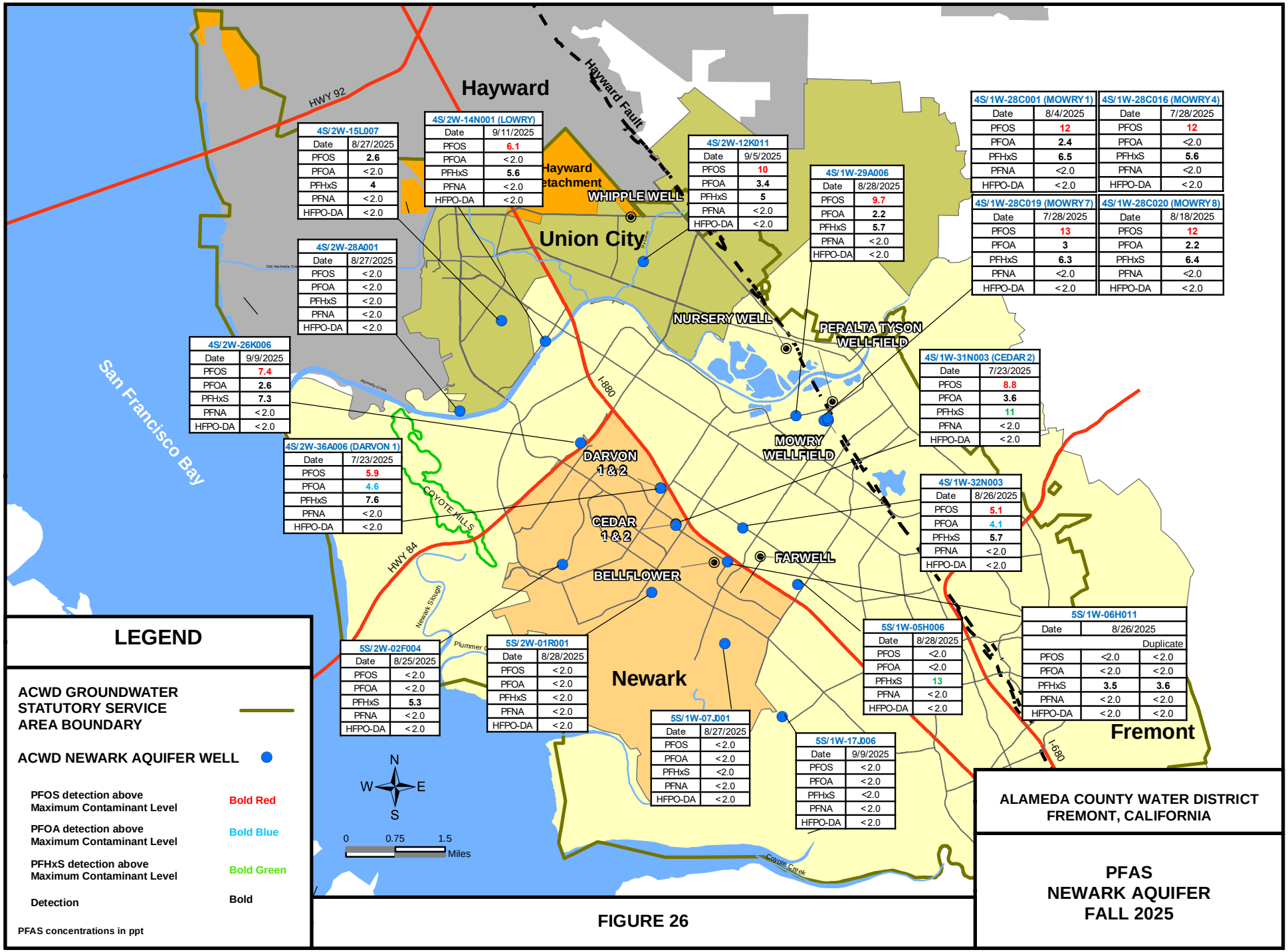
PFOS detection above Maximum Contaminant Level	Bold Red
PFOA detection above Maximum Contaminant Level	Bold Blue
PFHxS detection above Maximum Contaminant Level	Bold Green
Detection	Bold

PFAS concentrations in ppt

FIGURE 25

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

PFAS AHF AQUIFER AND SURFACE WATER SAMPLES FALL 2025



4S/2W-15L007	
Date	8/27/2025
PFOS	2.6
PFOA	< 2.0
PFHxS	4
PFNA	< 2.0
HFPO-DA	< 2.0

4S/2W-14N001 (LOWRY)	
Date	9/11/2025
PFOS	6.1
PFOA	< 2.0
PFHxS	5.6
PFNA	< 2.0
HFPO-DA	< 2.0

4S/2W-12K011	
Date	9/5/2025
PFOS	10
PFOA	3.4
PFHxS	5
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-29A006	
Date	8/28/2025
PFOS	9.7
PFOA	2.2
PFHxS	5.7
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-28C001 (MOWRY 1)	
Date	8/4/2025
PFOS	12
PFOA	2.4
PFHxS	6.5
PFNA	<2.0
HFPO-DA	< 2.0

4S/1W-28C016 (MOWRY 4)	
Date	7/28/2025
PFOS	12
PFOA	<2.0
PFHxS	5.6
PFNA	<2.0
HFPO-DA	< 2.0

4S/1W-28C019 (MOWRY 7)	
Date	7/28/2025
PFOS	13
PFOA	3
PFHxS	6.3
PFNA	<2.0
HFPO-DA	< 2.0

4S/1W-28C020 (MOWRY 8)	
Date	8/18/2025
PFOS	12
PFOA	2.2
PFHxS	6.4
PFNA	<2.0
HFPO-DA	< 2.0

4S/2W-28A001	
Date	8/27/2025
PFOS	< 2.0
PFOA	< 2.0
PFHxS	< 2.0
PFNA	< 2.0
HFPO-DA	< 2.0

4S/2W-26K006	
Date	9/9/2025
PFOS	7.4
PFOA	2.6
PFHxS	7.3
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-31N003 (CEDAR 2)	
Date	7/23/2025
PFOS	8.8
PFOA	3.6
PFHxS	11
PFNA	< 2.0
HFPO-DA	< 2.0

4S/2W-36A006 (DARVON 1)	
Date	7/23/2025
PFOS	5.9
PFOA	4.6
PFHxS	7.6
PFNA	< 2.0
HFPO-DA	< 2.0

4S/1W-32N003	
Date	8/26/2025
PFOS	5.1
PFOA	4.1
PFHxS	5.7
PFNA	< 2.0
HFPO-DA	< 2.0

5S/2W-02F004	
Date	8/25/2025
PFOS	< 2.0
PFOA	< 2.0
PFHxS	5.3
PFNA	< 2.0
HFPO-DA	< 2.0

5S/2W-01R001	
Date	8/28/2025
PFOS	< 2.0
PFOA	< 2.0
PFHxS	< 2.0
PFNA	< 2.0
HFPO-DA	< 2.0

5S/1W-07J001	
Date	8/27/2025
PFOS	< 2.0
PFOA	< 2.0
PFHxS	<2.0
PFNA	< 2.0
HFPO-DA	< 2.0

5S/1W-05H006	
Date	8/28/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	13
PFNA	< 2.0
HFPO-DA	< 2.0

5S/1W-17J006	
Date	9/9/2025
PFOS	< 2.0
PFOA	< 2.0
PFHxS	<2.0
PFNA	< 2.0
HFPO-DA	< 2.0

5S/1W-06H011		
Date	8/26/2025	
		Duplicate
PFOS	<2.0	< 2.0
PFOA	< 2.0	< 2.0
PFHxS	3.5	3.6
PFNA	< 2.0	< 2.0
HFPO-DA	< 2.0	< 2.0

LEGEND

ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY

ACWD NEWARK AQUIFER WELL

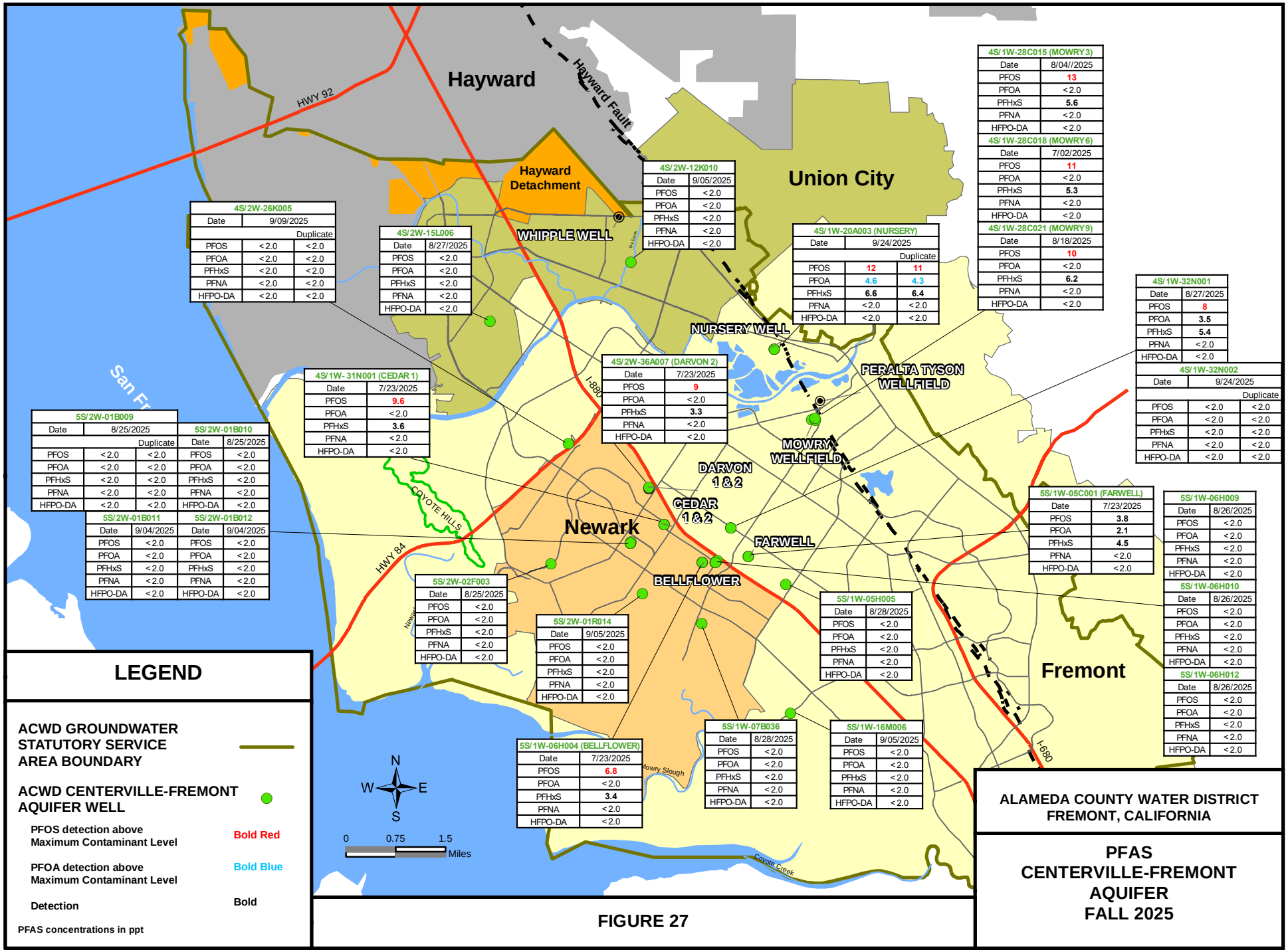
PFOS detection above Maximum Contaminant Level	Bold Red
PFOA detection above Maximum Contaminant Level	Bold Blue
PFHxS detection above Maximum Contaminant Level	Bold Green
Detection	Bold

PFAS concentrations in ppt

FIGURE 26

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

PFAS
NEWARK AQUIFER
FALL 2025



4S/2W-26K005		
Date	9/09/2025	
		Duplicate
PFOS	<2.0	<2.0
PFOA	<2.0	<2.0
PFHxS	<2.0	<2.0
PFNA	<2.0	<2.0
HFPO-DA	<2.0	<2.0

4S/2W-15L006	
Date	8/27/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

4S/2W-12K010	
Date	9/05/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

4S/1W-20A003 (NURSERY)		
Date	9/24/2025	
		Duplicate
PFOS	12	11
PFOA	4.6	4.3
PFHxS	6.6	6.4
PFNA	<2.0	<2.0
HFPO-DA	<2.0	<2.0

4S/1W-28C015 (MOWRY3)	
Date	8/04//2025
PFOS	13
PFOA	<2.0
PFHxS	5.6
PFNA	<2.0
HFPO-DA	<2.0

4S/1W-28C018 (MOWRY6)	
Date	7/02/2025
PFOS	11
PFOA	<2.0
PFHxS	5.3
PFNA	<2.0
HFPO-DA	<2.0

4S/1W-28C021 (MOWRY9)	
Date	8/18/2025
PFOS	10
PFOA	<2.0
PFHxS	6.2
PFNA	<2.0
HFPO-DA	<2.0

4S/1W-32N001	
Date	8/27/2025
PFOS	8
PFOA	3.5
PFHxS	5.4
PFNA	<2.0
HFPO-DA	<2.0

4S/1W-32N002		
Date	9/24/2025	
		Duplicate
PFOS	<2.0	<2.0
PFOA	<2.0	<2.0
PFHxS	<2.0	<2.0
PFNA	<2.0	<2.0
HFPO-DA	<2.0	<2.0

4S/1W- 31N001 (CEDAR 1)	
Date	7/23/2025
PFOS	9.6
PFOA	<2.0
PFHxS	3.6
PFNA	<2.0
HFPO-DA	<2.0

4S/2W-36A007 (DARVON 2)	
Date	7/23/2025
PFOS	9
PFOA	<2.0
PFHxS	3.3
PFNA	<2.0
HFPO-DA	<2.0

5S/2W-01B009		
Date	8/25/2025	
		Duplicate
PFOS	<2.0	<2.0
PFOA	<2.0	<2.0
PFHxS	<2.0	<2.0
PFNA	<2.0	<2.0
HFPO-DA	<2.0	<2.0

5S/2W-01B010	
Date	8/25/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

5S/2W-01B011		5S/2W-01B012	
Date	9/04/2025	Date	9/04/2025
PFOS	<2.0	PFOS	<2.0
PFOA	<2.0	PFOA	<2.0
PFHxS	<2.0	PFHxS	<2.0
PFNA	<2.0	PFNA	<2.0
HFPO-DA	<2.0	HFPO-DA	<2.0

5S/2W-02F003	
Date	8/25/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

5S/2W-01R014	
Date	9/05/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

5S/1W-05C001 (FARWELL)	
Date	7/23/2025
PFOS	3.8
PFOA	2.1
PFHxS	4.5
PFNA	<2.0
HFPO-DA	<2.0

5S/1W-05H005	
Date	8/28/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

5S/1W-06H009	
Date	8/26/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

5S/1W-06H010	
Date	8/26/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

5S/1W-06H012	
Date	8/26/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

5S/1W-06H004 (BELLFLOWER)	
Date	7/23/2025
PFOS	6.8
PFOA	<2.0
PFHxS	3.4
PFNA	<2.0
HFPO-DA	<2.0

5S/1W-07B036	
Date	8/28/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

5S/1W-16M006	
Date	9/05/2025
PFOS	<2.0
PFOA	<2.0
PFHxS	<2.0
PFNA	<2.0
HFPO-DA	<2.0

LEGEND

ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY

ACWD CENTERVILLE-FREMONT AQUIFER WELL

PFOS detection above Maximum Contaminant Level — Bold Red

PFOA detection above Maximum Contaminant Level — Bold Blue

Detection — Bold

PFAS concentrations in ppt

FIGURE 27

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

PFAS CENTERVILLE-FREMONT AQUIFER FALL 2025

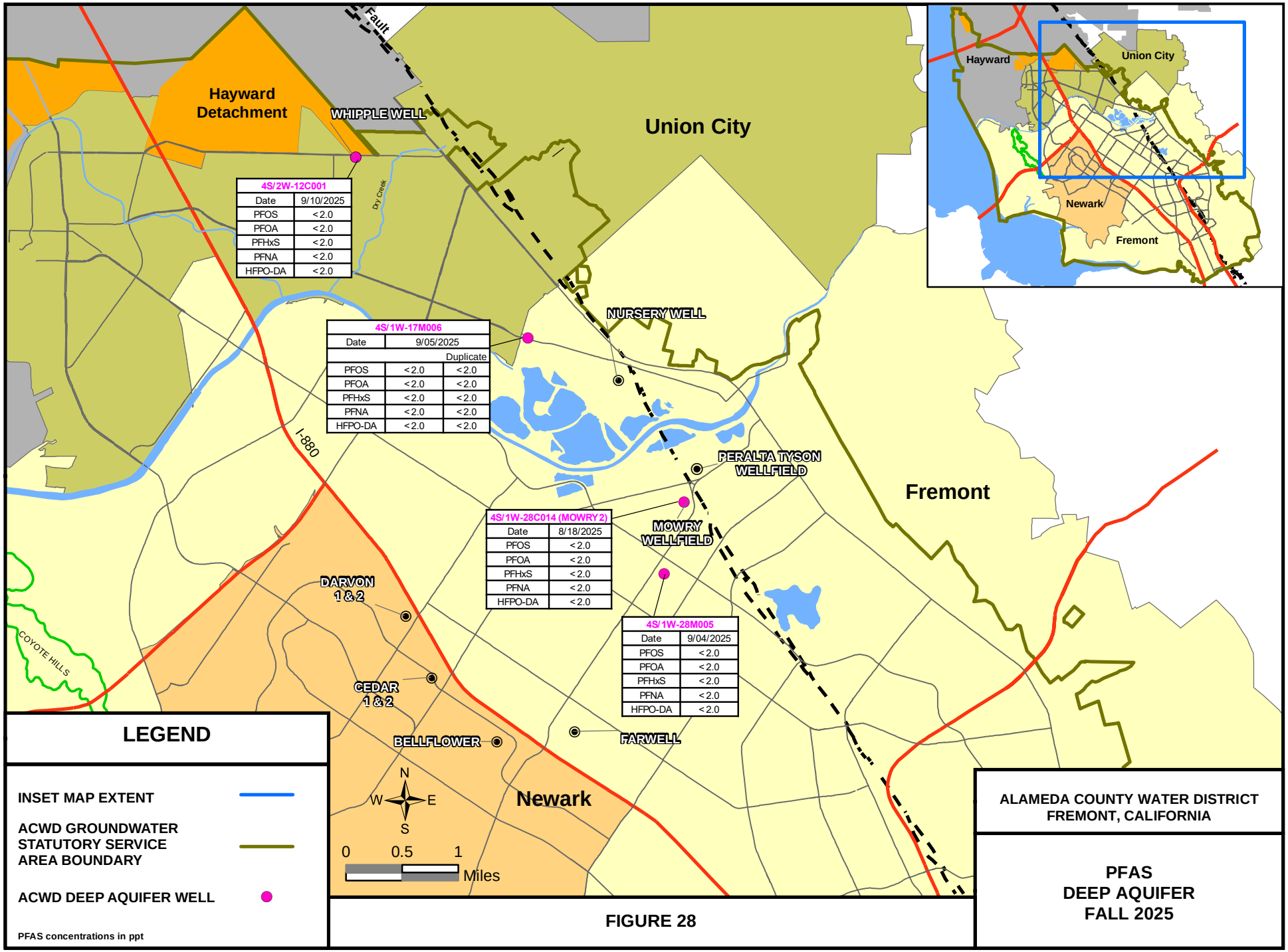

Hayward Detachment
WHIPPLE WELL
Union City
Fault
Dry Creek
4S/2W-12C001
Date 9/10/2025
PFOS <2.0
PFOA <2.0
PFHxS <2.0
PFNA <2.0
HFPO-DA <2.0
NURSERY WELL
4S/1W-17M006
Date 9/05/2025
Duplicate
PFOS <2.0 <2.0
PFOA <2.0 <2.0
PFHxS <2.0 <2.0
PFNA <2.0 <2.0
HFPO-DA <2.0 <2.0
I-880
PERALTA TYSON WELLFIELD
Fremont
4S/1W-28C014 (MOWRY2)
Date 8/18/2025
PFOS <2.0
PFOA <2.0
PFHxS <2.0
PFNA <2.0
HFPO-DA <2.0
MOWRY WELLFIELD
4S/1W-28M005
Date 9/04/2025
PFOS <2.0
PFOA <2.0
PFHxS <2.0
PFNA <2.0
HFPO-DA <2.0
DARVON 1 & 2
COYOTE HILLS
CEDAR 1 & 2
BELLFLOWER
FARWELL
Newark
N
W
E
S
0 0.5 1
Miles
Hayward
Union City
Newark
Fremont
LEGEND
INSET MAP EXTENT
ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
ACWD DEEP AQUIFER WELL
PFAS concentrations in ppt
ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA
PFAS
DEEP AQUIFER
FALL 2025

FIGURE 28

APPENDIX C

OBSERVED HISTORICAL GROUNDWATER ELEVATIONS

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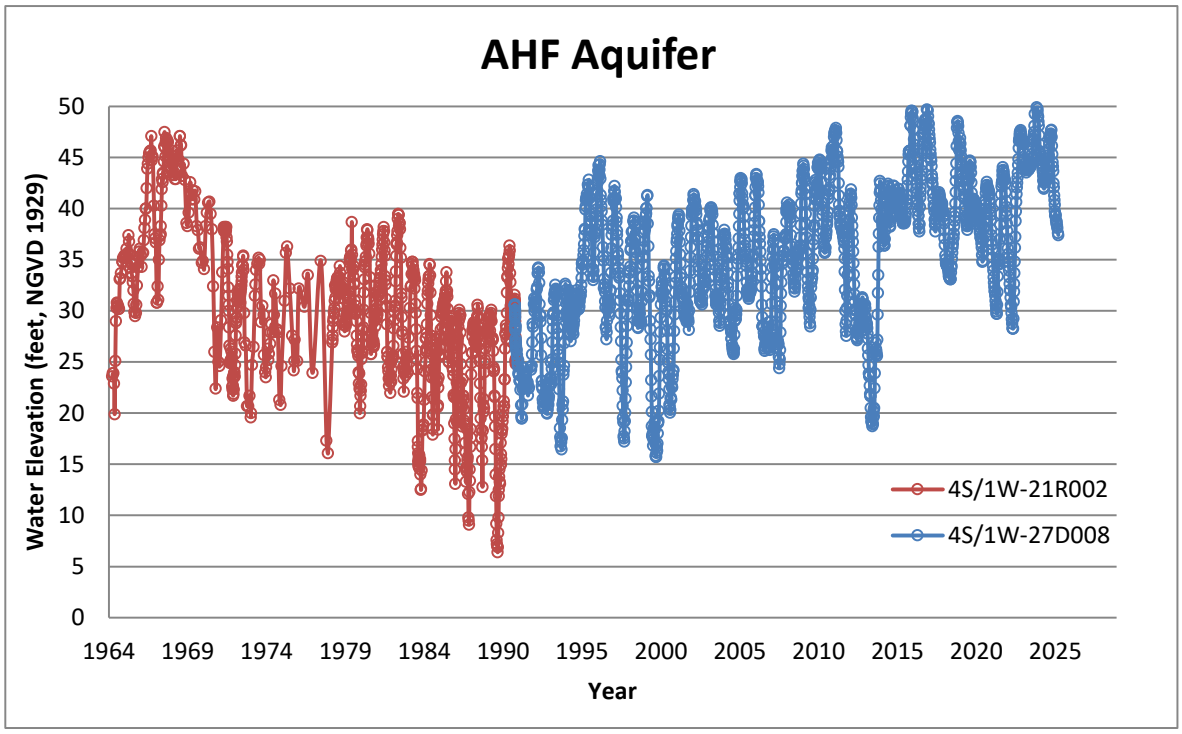
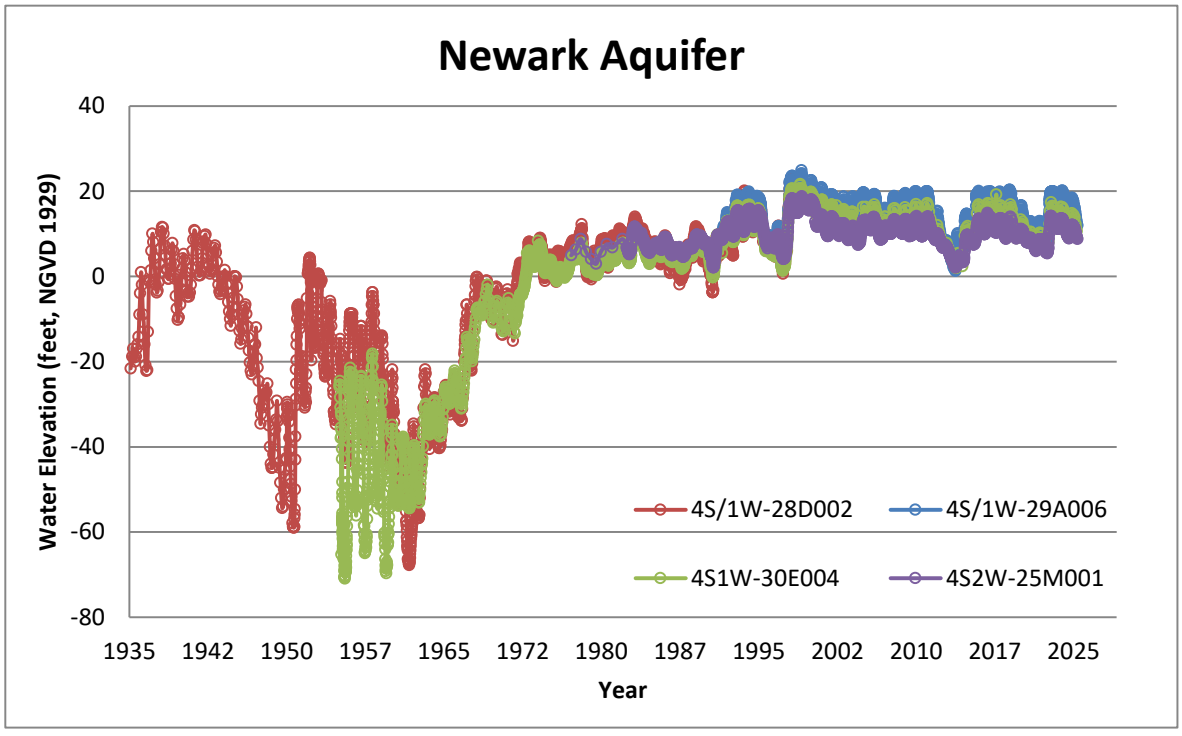
Observed Historical Groundwater Elevations

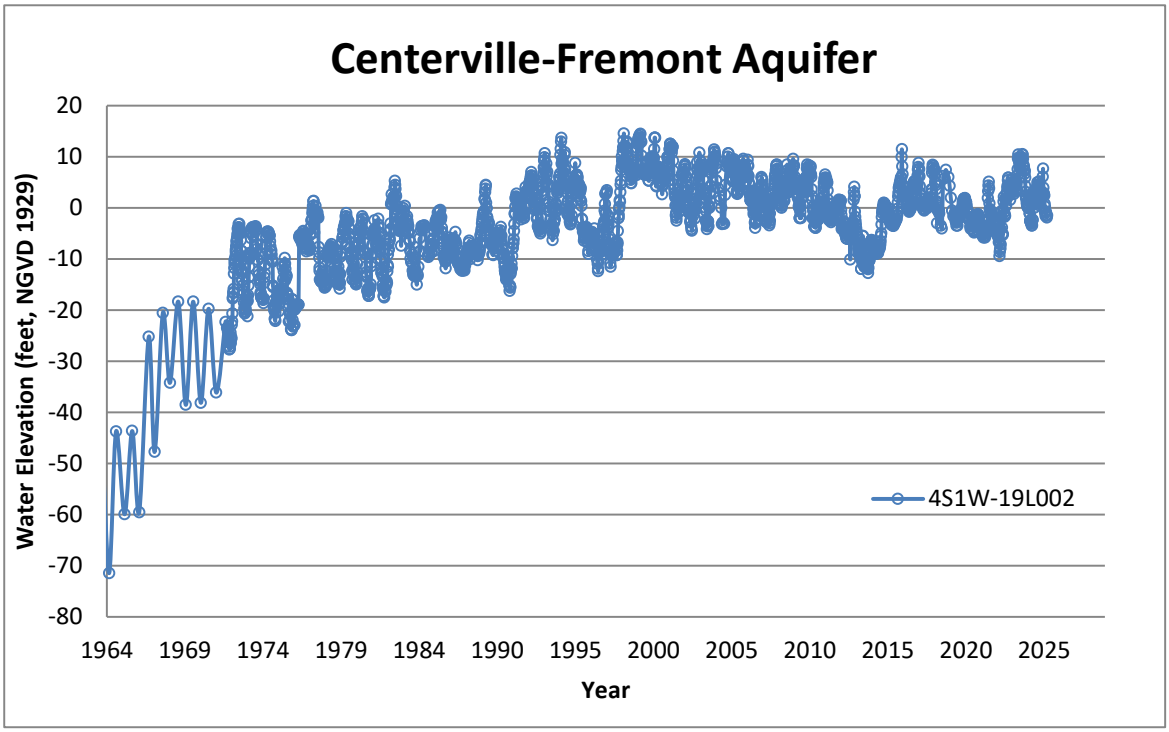
A



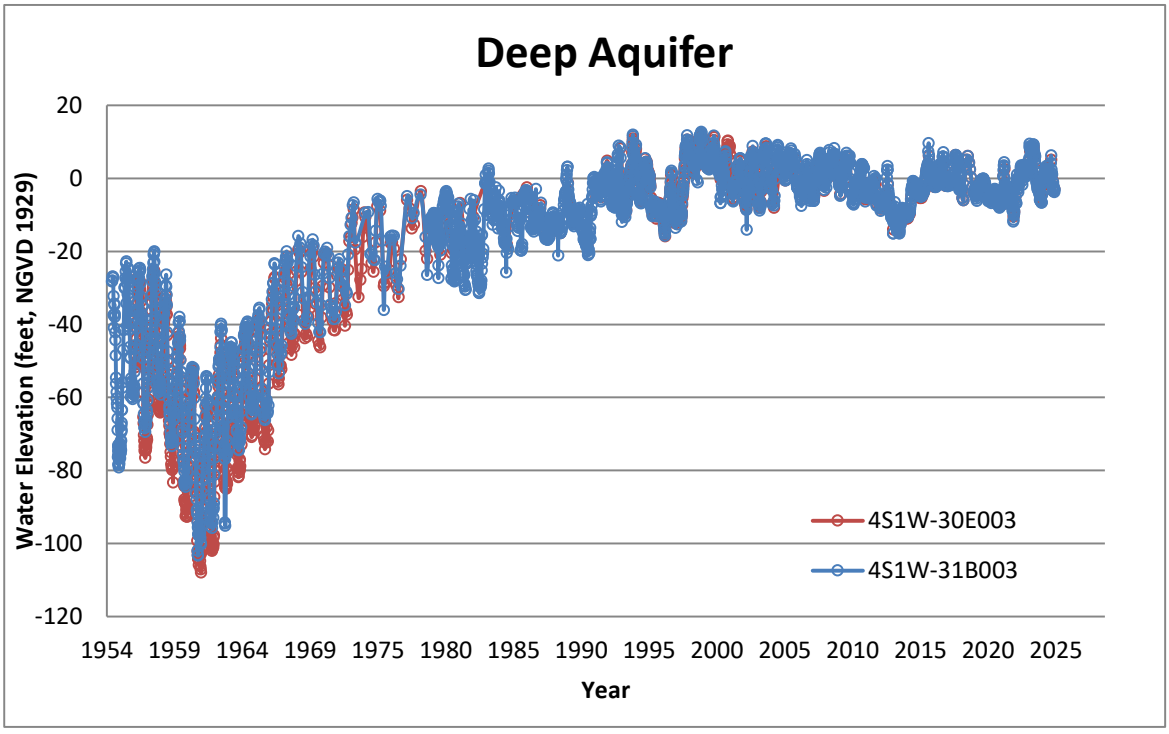
B



C


Centerville-Fremont Aquifer
Water Elevation (feet, NGVD 1929)
20
10
0
-10
-20
-30
-40
-50
-60
-70
-80
1964
1969
1974
1979
1984
1990
1995
2000
2005
2010
2015
2020
2025
Year
4S1W-19L002

D


Deep Aquifer
Water Elevation (feet, NGVD 1929)
20
0
-20
-40
-60
-80
-100
-120
1954
1959
1964
1969
1975
1980
1985
1990
1995
2000
2005
2010
2015
2020
2025
Year
4S1W-30E003
4S1W-31B003

APPENDIX D

PFAS ANALYTICAL

DATA WY 2024/25

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WY24/25 PFAS Analytical Data

Well Number	Alternate Well ID	Aquifer	Sample Date	Notes	PFOS	PFOA	PFBS	PFHpA	PFHxS	PFNA	PFDA	PFDoA	PFHxA	PFUnA	HFPO- DA	9Cl- PF3ONS	11Cl-PF3OUdS	ADONA	4:2FTS
MCL					**4**	**4**			**10**	**10**					**10**				
4S/1W-28C001	Mowry 1	N	2024-11-06		**12**	**2.8**	**7.4**	< 2.0	**6.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-02-03		**12**	**2.3**	**7.2**	< 2.0	**6.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-23		**12**	**2.5**	**7.1**	< 2.0	**6.1**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-04		**12**	**2.4**	**6.3**	< 2.0	**6.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-28C014	Mowry 2	D	2024-11-13		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-02-12		< 2.0	< 2.0	< 2.0	< 2.0	**2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-23		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-18		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-28C015	Mowry 3	CF	2024-11-06		**13**	< 2.0	**3.9**	< 2.0	**5.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-02-03		**13**	< 2.0	**4.4**	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-23		**13**	< 2.0	**3.8**	< 2.0	**5.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-04		**13**	< 2.0	**3.8**	< 2.0	**5.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-28C016	Mowry 4	N	2024-12-16		**12**	< 2.0	**6.7**	< 2.0	**6.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-02-26		**12**	< 2.0	**6.5**	< 2.0	**6.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-28		**13**	**2.3**	**6.6**	< 2.0	**6.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-28		**12**	< 2.0	**5.7**	< 2.0	**5.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-28C018	Mowry 6	CF	2024-11-13		**11**	< 2.0	**3.5**	< 2.0	**5.8**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-29		**10**	< 2.0	**4.3**	< 2.0	**6.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-14		**8.4**	< 2.0	**3.1**	< 2.0	**5.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-28		**11**	< 2.0	**3.5**	< 2.0	**5.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-28C019	Mowry 7	N	2024-11-13		**13**	**3**	**7.7**	< 2.0	**7.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-02-26		**11**	**2.2**	**6.4**	< 2.0	**6.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-28		**13**	**3**	**7.6**	< 2.0	**7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-28		**13**	**3**	**6.7**	< 2.0	**6.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-28C020	Mowry 8	N	2024-11-06		**12**	**2**	**6.3**	< 2.0	**6.1**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-02-12		**11**	< 2.0	**6.8**	< 2.0	**6.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-14		**12**	**2.5**	**6.8**	< 2.0	**6.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-18		**12**	**2.2**	**6.3**	< 2.0	**6.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-28C021	Mowry 9	CF	2024-11-13		**11**	< 2.0	**3.6**	< 2.0	**6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-02-26		**12**	< 2.0	**3.8**	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-28		**11**	< 2.0	**3.6**	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-18		**10**	< 2.0	**4**	< 2.0	**6.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-21P006	PT-1	AHF	2024-11-18		**8.5**	**4**	**7**	< 2.0	**6.6**	< 2.0	< 2.0	< 2.0	**3.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-06		**8.5**	**4.3**	**7.6**	< 2.0	**6.1**	< 2.0	< 2.0	< 2.0	**3.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-05-28		**9.8**	**4.6**	**7.4**	**2.1**	**7.2**	< 2.0	< 2.0	< 2.0	**4.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-21		**12**	**5.1**	**6.7**	**2.1**	**7.3**	< 2.0	< 2.0	< 2.0	**4.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-21P007	PT-2	AHF	2024-11-18		**9.8**	**3.4**	**6.7**	< 2.0	**6.5**	< 2.0	< 2.0	< 2.0	**2.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-29		**8.1**	**3.9**	**7.2**	< 2.0	**6.8**	< 2.0	< 2.0	< 2.0	**3.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-14		**9.5**	**4.4**	**6.6**	< 2.0	**7**	< 2.0	< 2.0	< 2.0	**3.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-11		**12**	**4.6**	**6.6**	< 2.0	**6.2**	< 2.0	< 2.0	< 2.0	**4.1**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-21P008	PT-3	AHF	2024-11-18		**9.8**	**2**	**7.1**	< 2.0	**6.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-02-05		**8.6**	**3.2**	**7.4**	< 2.0	**6.3**	< 2.0	< 2.0	< 2.0	**2.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-05-05		**9.6**	**3.2**	**7.1**	< 2.0	**6.3**	< 2.0	< 2.0	< 2.0	**2.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-21		**11**	**3.8**	**6.6**	< 2.0	**5.2**	< 2.0	< 2.0	< 2.0	**3.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-21P009	PT-4	AHF	2024-11-18		**8.1**	**3**	**7.2**	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	**2.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-22		**8**	**3.6**	**7.1**	< 2.0	**5.8**	< 2.0	< 2.0	< 2.0	**3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-23		**7.8**	**3.6**	**6.4**	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	**2.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-11		**9**	**4.3**	**7**	< 2.0	**6.1**	< 2.0	< 2.0	< 2.0	**3.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0

WY24/25 PFAS Analytical Data

Well Number	Alternate Well ID	Aquifer	Sample Date	Notes	6:2FTS	8:2FTS	NFDHA	PFBA	PFEESA	PFHpS	PFMBA	PFMPA	PFPeA	PFPeS	Hazard Index*
MCL															**1**
4S/1W-28C001	Mowry 1	N	2024-11-06		< 2.0	< 2.0	< 2.0	**3.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
			2025-02-03		< 2.0	< 2.0	< 2.0	**4.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
			2025-04-23		< 2.0	< 2.0	< 2.0	**4.1**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
			2025-08-04		< 2.0	< 2.0	< 2.0	**3.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.8**
4S/1W-28C014	Mowry 2	D	2024-11-13		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.2**
			2025-02-12		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.2**
			2025-04-23		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.2**
			2025-08-18		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.2**
4S/1W-28C015	Mowry 3	CF	2024-11-06		< 2.0	< 2.0	< 2.0	**2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-02-03		< 2.0	< 2.0	< 2.0	**2.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-04-23		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.5**
			2025-08-04		< 2.0	< 2.0	< 2.0	**2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
4S/1W-28C016	Mowry 4	N	2024-12-16		< 2.0	< 2.0	< 2.0	**4.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-02-26		< 2.0	< 2.0	< 2.0	**4.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
			2025-04-28		< 2.0	< 2.0	< 2.0	**4.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.8**
			2025-07-28		< 2.0	< 2.0	< 2.0	**3.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
4S/1W-28C018	Mowry 6	CF	2024-11-13		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-01-29		< 2.0	< 2.0	< 2.0	**2.1**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-04-14		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-07-28		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.5**
4S/1W-28C019	Mowry 7	N	2024-11-13		< 2.0	< 2.0	< 2.0	**4.1**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.8**
			2025-02-26		< 2.0	< 2.0	< 2.0	**5.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
			2025-04-28		< 2.0	< 2.0	< 2.0	**5.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.8**
			2025-07-28		< 2.0	< 2.0	< 2.0	**4.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
4S/1W-28C020	Mowry 8	N	2024-11-06		< 2.0	< 2.0	< 2.0	**3.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
			2025-02-12		< 2.0	< 2.0	< 2.0	**3.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
			2025-04-14		< 2.0	< 2.0	< 2.0	**4.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.8**
			2025-08-18		< 2.0	< 2.0	< 2.0	**3.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
4S/1W-28C021	Mowry 9	CF	2024-11-13		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-02-26		< 2.0	< 2.0	< 2.0	**2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-04-28		< 2.0	< 2.0	< 2.0	**2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-08-18		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
4S/1W-21P006	PT-1	AHF	2024-11-18		< 2.0	< 2.0	< 2.0	**6.3**	< 2.0	< 2.0	< 2.0	< 2.0	**3.7**	< 2.0	**0.7**
			2025-01-06		< 2.0	< 2.0	< 2.0	**6.4**	< 2.0	< 2.0	< 2.0	< 2.0	**4.2**	< 2.0	**0.7**
			2025-05-28		< 2.0	< 2.0	< 2.0	**5.3**	< 2.0	< 2.0	< 2.0	< 2.0	**5.1**	< 2.0	**0.8**
			2025-07-21		< 2.0	< 2.0	< 2.0	**5.4**	< 2.0	< 2.0	< 2.0	< 2.0	**5.2**	< 2.0	**0.8**
4S/1W-21P007	PT-2	AHF	2024-11-18		< 2.0	< 2.0	< 2.0	**5.2**	< 2.0	< 2.0	< 2.0	< 2.0	**2.9**	< 2.0	**0.7**
			2025-01-29		< 2.0	< 2.0	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	< 2.0	**3.5**	< 2.0	**0.8**
			2025-04-14		< 2.0	< 2.0	< 2.0	**5.6**	< 2.0	< 2.0	< 2.0	< 2.0	**3.9**	< 2.0	**0.8**
			2025-08-11		< 2.0	< 2.0	< 2.0	**5.2**	< 2.0	< 2.0	< 2.0	< 2.0	**4.5**	< 2.0	**0.7**
4S/1W-21P008	PT-3	AHF	2024-11-18		< 2.0	< 2.0	< 2.0	**5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
			2025-02-05		< 2.0	< 2.0	< 2.0	**5.4**	< 2.0	< 2.0	< 2.0	< 2.0	**2.5**	< 2.0	**0.7**
			2025-05-05		< 2.0	< 2.0	< 2.0	**7.1**	< 2.0	< 2.0	< 2.0	< 2.0	**2.8**	< 2.0	**0.7**
			2025-07-21		< 2.0	< 2.0	< 2.0	**6.2**	< 2.0	< 2.0	< 2.0	< 2.0	**3.7**	< 2.0	**0.7**
4S/1W-21P009	PT-4	AHF	2024-11-18		< 2.0	< 2.0	< 2.0	**5.8**	< 2.0	< 2.0	< 2.0	< 2.0	**2.4**	< 2.0	**0.7**
			2025-01-22		< 2.0	< 2.0	< 2.0	**6**	< 2.0	< 2.0	< 2.0	< 2.0	**3.2**	< 2.0	**0.7**
			2025-04-23		< 2.0	< 2.0	< 2.0	**5.5**	< 2.0	< 2.0	< 2.0	< 2.0	**3.2**	< 2.0	**0.7**
			2025-08-11		< 2.0	< 2.0	< 2.0	**5.7**	< 2.0	< 2.0	< 2.0	< 2.0	**4.1**	< 2.0	**0.7**

WY24/25 PFAS Analytical Data

Well Number	Alternate Well ID	Aquifer	Sample Date	Notes	PFOS	PFOA	PFBS	PFHpA	PFHxS	PFNA	PFDA	PFDoA	PFHxA	PFUnA	HFPO- DA	9Cl- PF3ONS	11Cl-PF3OUdS	ADONA	4:2FTS
MCL					**4**	**4**			**10**	**10**					**10**				
4S/1W-21P010	PT-5	AHF	2024-11-20		**10**	**2.5**	**6.8**	< 2.0	**6**	< 2.0	< 2.0	< 2.0	**2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-06		**9.9**	**3.1**	**6.9**	< 2.0	**5.5**	< 2.0	< 2.0	< 2.0	**2.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-21P011	PT-6	AHF	2024-11-20		**10**	**2.2**	**6.6**	< 2.0	**5.7**	< 2.0	< 2.0	< 2.0	**2.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-02-05		**9.4**	**2**	**6.4**	< 2.0	**5.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-21P012	PT-7	AHF	2024-11-25		**9.1**	**3.1**	**6.8**	< 2.0	**5.2**	< 2.0	< 2.0	< 2.0	**3.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-22		**10**	**3.9**	**5.8**	< 2.0	**5**	< 2.0	< 2.0	< 2.0	**3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-05-05		**9.7**	**3.2**	**5.5**	< 2.0	**4.6**	< 2.0	< 2.0	< 2.0	**2.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-21		**9.5**	< 2.0	**5.3**	< 2.0	**4.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-21P013	PT-8	AHF	2024-11-25		**9.5**	< 2.0	**5.6**	< 2.0	**4.8**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-21		**9.9**	< 2.0	**6.3**	< 2.0	**5.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-14		**10**	< 2.0	**6.2**	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-21		**10**	< 2.0	**5.4**	< 2.0	**4.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/1W-06H004	Bellflower	C	2024-11-18		**6.5**	< 2.0	**1.7 J**	< 2.0	**3.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-15		**6.2**	< 2.0	< 2.0	< 2.0	**3.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-07		**6**	< 2.0	< 2.0	< 2.0	**3.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-23		**6.8**	< 2.0	< 2.0	< 2.0	**3.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-31N001	Cedar 1	C	2024-11-13		**9.2**	< 2.0	**2**	< 2.0	**3.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-15		**9.1**	< 2.0	**2.1**	< 2.0	**3.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-07		**8.4**	< 2.0	< 2.0	< 2.0	**3.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-23		**9.6**	< 2.0	**2**	< 2.0	**3.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-31N003	Cedar 2	N	2024-11-13		**8.8**	**3.6**	**7.7**	< 2.0	**12**	< 2.0	< 2.0	< 2.0	**4.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-15		**9.4**	**3.8**	**7.8**	< 2.0	**13**	< 2.0	< 2.0	< 2.0	**5.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-07		**8.2**	**3.5**	**7.6**	< 2.0	**12**	< 2.0	< 2.0	< 2.0	**4.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-23		**8.8**	**3.6**	**7.3**	< 2.0	**11**	< 2.0	< 2.0	< 2.0	**4.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-36A006	Darvon 1	N	2024-12-02		**5.5**	**4.4**	**7.2**	< 2.0	**7.4**	< 2.0	< 2.0	< 2.0	**2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-15		**5.8**	**4.6**	**7.4**	< 2.0	**7.9**	< 2.0	< 2.0	< 2.0	**2.1**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-07		**5.1**	**4.4**	**7**	< 2.0	**7.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-23		**5.9**	**4.6**	**7.3**	< 2.0	**7.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-36A007	Darvon 2	CF	2024-12-02		**8.5**	< 2.0	**2.5**	< 2.0	**3.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-15		**8.2**	< 2.0	**2.4**	< 2.0	**3.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-07		**8**	< 2.0	**2.4**	< 2.0	**3.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-23		**9**	< 2.0	**2.3**	< 2.0	**3.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/1W-05C001	Farwell	C	2024-11-20		**3.8**	< 2.0	**3.4**	< 2.0	**4.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-01-15		**3.8**	**2.1**	**3.6**	< 2.0	**4.8**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-04-07		**3.3**	**2**	**3.4**	< 2.0	**4.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-07-23		**3.8**	**2.1**	**3.6**	< 2.0	**4.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-20A003	Nursery	CF	2025-09-24		**12**	**4.6**	**6.9**	< 2.0	**6.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-09-24	Duplicate	**11**	**4.3**	**6.8**	< 2.0	**6.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-12C001	Whipple	D	2025-09-10		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-14N001	Lowry	N	2025-09-11		**6.1**	< 2.0	**3.8**	< 2.0	**5.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-17M006	Kraftile - D	D	2025-09-05		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-09-05	Duplicate	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-27D008	AHF Indicator	AHF	2025-08-28		**2.6**	< 2.0	**4.4**	< 2.0	**6.1**	< 2.0	< 2.0	< 2.0	**3.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-28	Duplicate	**2.6**	< 2.0	**4.1**	< 2.0	**6.1**	< 2.0	< 2.0	< 2.0	**3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-28M005	Hastings - D	D	2025-09-04		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-29A006	BHF Indicator	N	2025-08-28		**9.7**	**2.2**	**6.2**	< 2.0	**5.7**	< 2.0	< 2.0	< 2.0	**5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-32N001	Blacow Rd - C	C	2025-08-27		**8**	**3.5**	**3.8**	< 2.0	**5.4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-32N002	Blacow Rd - F	F	2025-08-27		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-27	Duplicate	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/1W-32N003	3-MN	N	2025-08-26		**5.1**	**4.1**	**6.5**	< 2.0	**5.7**	< 2.0	< 2.0	< 2.0	**3.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0

WY24/25 PFAS Analytical Data

Well Number	Alternate Well ID	Aquifer	Sample Date	Notes	6:2FTS	8:2FTS	NFDHA	PFBA	PFEESA	PFHpS	PFMBA	PFMPA	PFPeA	PFPeS	Hazard Index*
MCL															**1**
4S/1W-21P010	PT-5	AHF	2024-11-20		< 2.0	< 2.0	< 2.0	**8.8**	< 2.0	< 2.0	< 2.0	< 2.0	**2.1**	< 2.0	**0.7**
			2025-01-06		< 2.0	< 2.0	< 2.0	**6.4**	< 2.0	< 2.0	< 2.0	< 2.0	**2.6**	< 2.0	**0.7**
4S/1W-21P011	PT-6	AHF	2024-11-20		< 2.0	< 2.0	< 2.0	**6.9**	< 2.0	< 2.0	< 2.0	< 2.0	**2.8**	< 2.0	**0.7**
			2025-02-05		< 2.0	< 2.0	< 2.0	**5.2**	< 2.0	< 2.0	< 2.0	< 2.0	**2**	< 2.0	**0.7**
4S/1W-21P012	PT-7	AHF	2024-11-25		< 2.0	< 2.0	< 2.0	**7.7**	< 2.0	< 2.0	< 2.0	< 2.0	**3.7**	< 2.0	**0.6**
			2025-01-22		< 2.0	< 2.0	< 2.0	**7.4**	< 2.0	< 2.0	< 2.0	< 2.0	**3.1**	< 2.0	**0.7**
			2025-05-05		< 2.0	< 2.0	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	< 2.0	**2.9**	< 2.0	**0.6**
			2025-07-21		< 2.0	< 2.0	< 2.0	**3.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
4S/1W-21P013	PT-8	AHF	2024-11-25		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-01-21		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
			2025-04-14		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
			2025-07-21		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
5S/1W-06H004	Bellflower	C	2024-11-18		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-01-15		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-04-07		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.3**
			2025-07-23		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.3**
4S/1W-31N001	Cedar 1	C	2024-11-13		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-01-15		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-04-07		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-07-23		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
4S/1W-31N003	Cedar 2	N	2024-11-13		< 2.0	< 2.0	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	< 2.0	**6.5**	**2.7**	**1.2**
			2025-01-15		< 2.0	< 2.0	< 2.0	**6.1**	< 2.0	< 2.0	< 2.0	< 2.0	**6.6**	**2.3**	**1.3**
			2025-04-07		< 2.0	< 2.0	< 2.0	**5.9**	< 2.0	< 2.0	< 2.0	< 2.0	**6.2**	**2.6**	**1.2**
			2025-07-23		< 2.0	< 2.0	< 2.0	**5.7**	< 2.0	< 2.0	< 2.0	< 2.0	**5.6**	**2.2**	**1.1**
4S/2W-36A006	Darvon 1	N	2024-12-02		< 2.0	< 2.0	< 2.0	**6.6**	< 2.0	< 2.0	< 2.0	< 2.0	**2.2**	< 2.0	**0.7**
			2025-01-15		< 2.0	< 2.0	< 2.0	**6.8**	< 2.0	< 2.0	< 2.0	< 2.0	**2.5**	< 2.0	**0.8**
			2025-04-07		< 2.0	< 2.0	< 2.0	**6.2**	< 2.0	< 2.0	< 2.0	< 2.0	**2.4**	< 2.0	**0.7**
			2025-07-23		< 2.0	< 2.0	< 2.0	**6.3**	< 2.0	< 2.0	< 2.0	< 2.0	**2.3**	< 2.0	**0.8**
4S/2W-36A007	Darvon 2	CF	2024-12-02		< 2.0	< 2.0	< 2.0	**2.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-01-15		< 2.0	< 2.0	< 2.0	**2.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-04-07		< 2.0	< 2.0	< 2.0	**2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-07-23		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
5S/1W-05C001	Farwell	C	2024-11-20		< 2.0	< 2.0	< 2.0	**2.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.5**
			2025-01-15		< 2.0	< 2.0	< 2.0	**2.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.5**
			2025-04-07		< 2.0	< 2.0	< 2.0	**2.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-07-23		< 2.0	< 2.0	< 2.0	**2.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.5**
4S/1W-20A003	Nursery	CF	2025-09-24		< 2.0	< 2.0	< 2.0	**6.2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.8**
			2025-09-24	Duplicate	< 2.0	< 2.0	< 2.0	**6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.8**
4S/2W-12C001	Whipple	D	2025-09-10		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
4S/2W-14N001	Lowry	N	2025-09-11		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.6**
4S/1W-17M006	Kraftile - D	D	2025-09-05		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
			2025-09-05	Duplicate	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
4S/1W-27D008	AHF Indicator	AHF	2025-08-28		< 2.0	< 2.0	< 2.0	**3.6**	< 2.0	< 2.0	< 2.0	< 2.0	**4.3**	< 2.0	**0.6**
			2025-08-28	Duplicate	< 2.0	< 2.0	< 2.0	**3.4**	< 2.0	< 2.0	< 2.0	< 2.0	**3.8**	< 2.0	**0.6**
4S/1W-28M005	Hastings - D	D	2025-09-04		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.1**
4S/1W-29A006	BHF Indicator	N	2025-08-28		**2.4**	< 2.0	< 2.0	**5.7**	< 2.0	< 2.0	< 2.0	< 2.0	**11**	< 2.0	**0.7**
4S/1W-32N001	Blacow Rd - C	C	2025-08-27		< 2.0	< 2.0	< 2.0	**3.7**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.5**
4S/1W-32N002	Blacow Rd - F	F	2025-08-27		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
			2025-08-27	Duplicate	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
4S/1W-32N003	3-MN	N	2025-08-26		< 2.0	< 2.0	< 2.0	**4.5**	< 2.0	< 2.0	< 2.0	< 2.0	**3.5**	< 2.0	**0.6**

WY24/25 PFAS Analytical Data

Well Number	Alternate Well ID	Aquifer	Sample Date	Notes	PFOS	PFOA	PFBS	PFHpA	PFHxS	PFNA	PFDA	PFDoA	PFHxA	PFUnA	HFPO- DA	9Cl- PF3ONS	11Cl-PF3OUdS	ADONA	4:2FTS
MCL					**4**	**4**			**10**	**10**					**10**				
4S/2W-12K010	Pacific & Lewis - C	C	2025-09-05		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-12K011	Pacific & Lewis - N	N	2025-09-05		**10**	**3.4**	**6.7**	< 2.0	**5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-15L006	Contempo - C	C	2025-08-27		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-15L007	Contempo - N	N	2025-08-27		**2.6**	< 2.0	**2.1**	< 2.0	**4**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-26K005	Clstr #2 - CF	C	2025-09-09		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-09-09	Duplicate	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-26K006	Clstr #2 - N	N	2025-09-09		**7.4**	**2.6**	**6**	< 2.0	**7.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
4S/2W-28A001	E-37	N	2025-08-27		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/1W-05H005	Farwell - C	C	2025-08-28		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/1W-05H006	Farwell - N	N	2025-08-28		< 2.0	< 2.0	**4.9**	**4.3**	**13**	< 2.0	< 2.0	< 2.0	**12**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S1W-06H009	2-SF	F	2025-08-26		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S1W-06H010	2-TF	F	2025-08-26		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S1W-06H011	2-MN	N	2025-08-26		< 2.0	< 2.0	**2**	< 2.0	**3.5**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-26	Duplicate	< 2.0	< 2.0	**2**	< 2.0	**3.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S1W-06H012	2-MF	F	2025-08-26		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/1W-07B036	Silliman MW	C	2025-08-28		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/1W-07J001	E-77	N	2025-08-27		< 2.0	< 2.0	**2.1**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/1W-16M006	Automall - C	C	2025-09-05		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/1W-17J006	E-113	N	2025-09-09		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S2W-01B009	1-MF	F	2025-08-25		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-08-25	Duplicate	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S2W-01B010	1-MC	C	2025-08-25		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S2W-01B011	1-SF	F	2025-09-04		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S2W-01B012	1-TF	F	2025-09-04		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/2W-01R001	E-68	N	2025-08-28		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/2W-01R014	NDF MW	C	2025-09-05		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/2W-02F003	Well W	C	2025-08-25		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
5S/2W-02F004	Well X	N	2025-08-25		< 2.0	< 2.0	**4.9**	< 2.0	**5.3**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
Alameda Creek	ACWQMS	SW	2025-09-04		**4.3**	< 2.0	**2.6**	< 2.0	**2.9**	< 2.0	< 2.0	< 2.0	**3.6**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
Alameda Creek	Sunol	SW	2025-09-04		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
Arroyo de la Laguna		SW	2025-09-04		**14**	**6**	**8.9**	**3.4**	**11**	< 2.0	< 2.0	< 2.0	**15**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0
			2025-09-04	Duplicate	**14**	**6.1**	**9.1**	**3.2**	**11**	< 2.0	< 2.0	< 2.0	**15**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0

WY24/25 PFAS Analytical Data

Well Number	Alternate Well ID	Aquifer	Sample Date	Notes	6:2FTS	8:2FTS	NFDHA	PFBA	PFEESA	PFHpS	PFMBA	PFMPA	PFPeA	PFPeS	Hazard Index*
MCL															**1**
4S/2W-12K010	Pacific & Lewis - C	C	2025-09-05		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
4S/2W-12K011	Pacific & Lewis - N	N	2025-09-05		< 2.0	< 2.0	< 2.0	**2.7**	< 2.0	< 2.0	< 2.0	< 2.0	**2**	< 2.0	**0.5**
4S/2W-15L006	Contempo - C	C	2025-08-27		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
4S/2W-15L007	Contempo - N	N	2025-08-27		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
4S/2W-26K005	Clstr #2 - CF	C	2025-09-09		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
			2025-09-09	Duplicate	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
4S/2W-26K006	Clstr #2 - N	N	2025-09-09		< 2.0	< 2.0	< 2.0	**6.9**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.7**
4S/2W-28A001	E-37	N	2025-08-27		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S/1W-05H005	Farwell - C	C	2025-08-28		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S/1W-05H006	Farwell - N	N	2025-08-28		< 2.0	< 2.0	< 2.0	**7**	< 2.0	< 2.0	< 2.0	< 2.0	**16**	**4**	**1.3**
5S1W-06H009	2-SF	F	2025-08-26		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S1W-06H010	2-TF	F	2025-08-26		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S1W-06H011	2-MN	N	2025-08-26		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
			2025-08-26	Duplicate	< 2.0	< 2.0	< 2.0	**2**	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.4**
5S1W-06H012	2-MF	F	2025-08-26		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S/1W-07B036	Silliman MW	C	2025-08-28		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S/1W-07J001	E-77	N	2025-08-27		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.2**
5S/1W-16M006	Automall - C	C	2025-09-05		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S/1W-17J006	E-113	N	2025-09-09		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.1**
5S2W-01B009	1-MF	F	2025-08-25		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
			2025-08-25	Duplicate	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S2W-01B010	1-MC	C	2025-08-25		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S2W-01B011	1-SF	F	2025-09-04		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S2W-01B012	1-TF	F	2025-09-04		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S/2W-01R001	E-68	N	2025-08-28		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S/2W-01R014	NDF MW	C	2025-09-05		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S/2W-02F003	Well W	C	2025-08-25		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
5S/2W-02F004	Well X	N	2025-08-25		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	**0.5**
Alameda Creek	ACWQMS	SW	2025-09-04		< 2.0	< 2.0	< 2.0	**2.4**	< 2.0	< 2.0	< 2.0	< 2.0	**2.4**	< 2.0	**0.3**
Alameda Creek	Sunol	SW	2025-09-04		< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	0.0
Arroyo de la Laguna		SW	2025-09-04		< 2.0	< 2.0	< 2.0	**7.3**	< 2.0	< 2.0	< 2.0	< 2.0	**10**	< 2.0	**1.2**
			2025-09-04	Duplicate	< 2.0	< 2.0	< 2.0	**7.5**	< 2.0	< 2.0	< 2.0	< 2.0	**10**	< 2.0	**1.2**

SW = surface water
PFOS=Perfluorooctanesulfonic acid
PFOA=Perfluorooctanoic acid
PFBS=Perfluorobutanesulfonic acid
PFHpA=Perfluoroheptanoic acid
PFHxS=Perfluorohexanesulfonic acid
PFNA=Perfluorononanoic acid
PFDA=Perfluorodecanoic acid
PFDoA=Perfluorododecanoic acid
PFHxA=Perfluorohexanoic acid
PFUnA=Perfluoroundecanoic acid
HFPO-DA=Hexafluoropropylene Oxide Dimer Acid
PFBA=Perfluorobutanoic acid
ADONA=4,8-Dioxa-3H-perfluorononanoic acid
4:2FTS=1H,1H,2H,2H-Perfluorohexane sulfonic acid
6:2FTS=1H,1H,2H,2H-Perfluorooctane sulfonic acid
8:2FTS=1H,1H,2H,2H-Perfluorodecane sulfonic acid
NFDHA=Nonafluoro-3,6-dioxaheptanoic acid
9Cl-PF3ONS=9-Chlorohexadecafluoro-3-oxanonane-1-sulfonic acid
11Cl- PF3OUdS=11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic acid
PFEESA=Perfluoro (2-ethoxyethane) sulfonic acid
PFHpS=Perfluoroheptanesulfonic acid
PFMBA=Perfluoro-4-methoxybutanoic acid
PFMPA=Perfluoro-3-methoxypropanoic acid
PFPeA=Perfluoropentanoic acid
PFPeS=Perfluoropentanesulfonic acid

* Hazard Index for mixutres containing two or more of PFHxS, PFNA, HFPO-DA, and PFBS

APPENDIX E

SPRING 2025 GROUNDWATER MONITORING RECORDS

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Alameda County Water District
Groundwater Monitoring Program
Spring 2025

Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
3S/3W-25C020	WD2	D	Alameda County Water District	3/25/2025	8.84	0.46	3/27/2025	69	420	PWC
4S/1W-07C005		FD	MASONIC HOMES OF CALIFORNIA	3/26/2025	101.31	2.95		--	--	UTS Off
4S/1W-07K001		D	Masonic Homes of California	3/26/2025	67.4	7.63		--	--	PI
4S/1W-07N005		CF	City of Union City	3/26/2025	55.29	6.8		--	--	Call CoUC for sample
4S/1W-17M006	Well L	D	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	49.9	4.05		--	--	PWC
4S/1W-17M007	Well M	C	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	50	6.55		--	--	PWC
4S/1W-17M008	Well N	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	49.62	19.14		--	--	PWC Changed well cap
4S/1W-18K005		F	City of Union City	3/26/2025	48.6		3/26/2025	67	380	NMP UTM Call CoUC for sample
4S/1W-18M010		C	Frank J & Catherine M Thrall	3/27/2025	39.92	5.88		--	--	UTS Call to open gate
4S/1W-18N004		C	Eleanor Kabrich	4/3/2025	41.6	3.54	4/3/2025	79	400	NMP UTM UTS NSP
4S/1W-19A003		F	Alameda County Flood Control	3/24/2025	54.37	-1.46		--	--	
4S/1W-19E002	PIEZ#4	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	37.95	17.04		--	--	PWC
4S/1W-19J006		N	Alameda County Flood Control	3/24/2025	51.28	18.45		--	--	PWC
4S/1W-19L002	HUDSON/NICOLET	C	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	40.39	5.14		--	--	OBS@160' PWC double checked measurement
4S/1W-19N002	Well H	D	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	40.45	4	3/18/2025	295	830	PWC
4S/1W-19N003	WESTRIDGE PARK	C	CITY OF FREMONT	3/24/2025	39.81	3.91		--	--	PWC
4S/1W-19N004	Well I	F	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	40.68	3.9	3/18/2025	209	670	PWC
4S/1W-19N005	Well J	C	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	40.55	4.45	3/18/2025	70	390	PWC
4S/1W-19N014	Well K	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	40.5	16.1	3/18/2025	68	400	PWC
4S/1W-20A003	Nursery Well	CF	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	63.42	9.16		--	--	OFF
4S/1W-20G001	Montecito Well	CFD	Alameda County Water District	3/26/2025	60.72	16.2		--	--	UTS
4S/1W-20H003	DH-4	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	67.52	29.45		--	--	PWC
4S/1W-20J004	UP-1A	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	58.9	26.91		--	--	PWC
4S/1W-20J005	UP-1C	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	59.14	19.59		--	--	PWC small lid, leftmost facing creek
4S/1W-20J006	UP-1B	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	59.07	26.13		--	--	PWC smaller lid
4S/1W-20R003	UP-2A	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	59.11	22.79		--	--	PWC
4S/1W-20R004	UP-2B	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	59.2	30.45		--	--	PWC
4S/1W-20R005	UP-2C	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	59.06	18.8		--	--	PWC Leftmost Well
4S/1W-21F005	KAISER #5	AHF	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	69.7	48.07		--	--	
4S/1W-21H002	Vallejo St. @ End	AHF	Alameda County Water District	3/25/2025	75.08	49.99		--	--	PWC Dam Up
4S/1W-21J003	EB-1	AHF	Alameda County Water District	3/24/2025	77.3	47.19		--	--	PWC
4S/1W-21L003		AHF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	66.57	45.74		--	--	
4S/1W-21L005	DH-6	AHF	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	67.46	46.21		--	--	PWC Well cap changed
4S/1W-21L006	DH-5	AHF	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	67.81	46.51		--	--	
4S/1W-21L007	KAISER #1	AHF	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	70.62	46.85		--	--	
4S/1W-21L008	KAISER #4	AHF	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	66.94	45.42		--	--	PWC
4S/1W-21P004		AHF	CITY OF FREMONT	3/24/2025	65.29	46.75		--	--	
4S/1W-21P006	P.T. #1	AHF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	66.37	43.47		--	--	
4S/1W-21P007	P.T. #2	AHF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	66.77	43.02		--	--	
4S/1W-21P008	P.T. #3	AHF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	66.54		3/26/2025	73	530	
4S/1W-21P009	P.T. #4	AHF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	66.44	43.15		--	--	
4S/1W-21P010	P.T. #5	AHF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	67.28	43.41		--	--	
4S/1W-21P011	P.T. #6	AHF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	67.69	43.68		--	--	
4S/1W-21P012	P.T. #7	AHF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	68.36	44.37	3/3/2025	74	460	
4S/1W-21P013	P. T. #8	AHF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	68.86	44.24		--	--	
4S/1W-21R007	MW-12(offsite)	AHF	Alameda County Water District	3/24/2025	72.21	47.3		--	--	PWC
4S/1W-26L006		AHF	CITY OF FREMONT	3/24/2025	65.88	49.34	3/25/2025	90	590	
4S/1W-26Q011		AHF	ERNIE SILVA	3/26/2025	96.44	78.41		--	--	used tape to measure
4S/1W-27A002		AHF	Fremont Community Church	3/26/2025	71.09	47.66	3/26/2025	116	810	NO3; used tape to measure
4S/1W-27D008	AHF Indicator	AHF	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	66.59	47.22		--	--	PWC
4S/1W-27E001		AHF	CHURCH OF JESUS CHRIST	3/24/2025	62.86	46.72		--	--	PI UTS

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Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
4S/1W-27G002		AHF	CITY OF FREMONT	3/25/2025	62.73	46.54	3/25/2025	72	620	UTS COF
4S/1W-27P001		AHF	CITY OF FREMONT	3/25/2025	54.04	46.88		--	--	
4S/1W-27P002		AHF	CITY OF FREMONT	3/25/2025	52.65	47.34	3/25/2025	35	240	
4S/1W-28C001	Mowry #1	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	64.81		3/24/2025	73	480	RUN
4S/1W-28C014	Mowry #2	D	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	63.64	2.24	3/31/2025	115	480	
4S/1W-28C015	Mowry #3	CF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	63.87	3.1		--	--	
4S/1W-28C016	Mowry #4	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	66.08	13.32		--	--	
4S/1W-28C018	Mowry #6	CF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	64.8	2.85	3/10/2025	87	490	
4S/1W-28C019	Mowry #7	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	63.82	13.26		--	--	
4S/1W-28C020	Mowry #8	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	64.13	13.41	3/24/2025	73	470	
4S/1W-28C021	Mowry #9	CF	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	65.02	2.66		--	--	
4S/1W-28D001	Well A	D	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	63.03	3.65		--	--	PWC
4S/1W-28D008	Well B	F	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	62.77	3.47		--	--	PWC
4S/1W-28D011	Well C	C	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	62.9	4.21		--	--	PWC Well cap changed
4S/1W-28D012	Well D	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	62.86	14.76		--	--	PWC
4S/1W-28F018	BART Way - N	N	Alameda County Water District	3/24/2025	58.71	15.18	3/20/2025	46	440	PWC
4S/1W-28F024	BART WAY-F	F	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	59.15	3.85	3/20/2025	99	660	PWC
4S/1W-28G005		C	Washington Township Healthcare Dist	3/25/2025	57.79	4	3/25/2025	85	590	New contact
4S/1W-28M002	HASTINGS - N	N	Alameda County Water District	3/24/2025	53.81	15.1	3/18/2025	76	550	PWC
4S/1W-28M005	HASTINGS - D	D	Alameda County Water District	3/24/2025	54.12	3.72	3/18/2025	121	490	PWC
4S/1W-28M006		C	Mercedes Williams	3/26/2025	57.09	2.14		--	--	PI UTS Open fence
4S/1W-28M009	HASTINGS - F	F	Alameda County Water District	3/24/2025	54.21	3.61	3/18/2025	505	1,500	PWC
4S/1W-28M010	HASTINGS - C	C	Alameda County Water District	3/24/2025	54.2	3.89	3/18/2025	86	550	PWC
4S/1W-28P004	BEACON	C	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	53.56	3.8	3/18/2025	80	540	PWC
4S/1W-28P006	Well E	D	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	53.66	3.14	3/18/2025	189	670	PWC
4S/1W-28P007	Well F	F	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	53.5	3.05	3/18/2025	470	1,100	PWC
4S/1W-28P008	Well G	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	53.53	14.82	3/18/2025	85	640	PWC
4S/1W-28R003	Fmt. Library F	F	Alameda County Water District	3/24/2025	59.7	3.56	3/18/2025	139	870	PWC Paint
4S/1W-29A006	BHF Indicator	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	61.23	18.31		--	--	PWC
4S/1W-29F002		N	Robert D & Virginia W. Grate	3/26/2025	51.93	16.65		--	--	PWC
4S/1W-29H002	Centerville Par	F	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	52.44	3.59	4/1/2025	94	460	PWC
4S/1W-29J003		C	CITY OF FREMONT	3/24/2025	55.28			--	--	UTM UTS
4S/1W-29J008		N	Eugene Dias	3/27/2025	58.48			--	--	PI UTM UTS No access
4S/1W-29L012	Fremont Mattos	D	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	50.62	2.43		--	--	PWC Need 2" pipe
4S/1W-30A002	Well O	FD	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	51.81	3.51		--	--	PWC
4S/1W-30A004	Well Q	C	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	52.01	4.56		--	--	PWC
4S/1W-30A005	Well R	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	52.2	16.41		--	--	PWC
4S/1W-30E003	CORONADO 2	D	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	42.12	3.03		--	--	PWC transducer
4S/1W-30E004	CORONADO 1	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	42.17	14.77		--	--	PWC
4S/1W-30J002	Central Apts.	N	Jeffery H. Lee	3/25/2025	46.74	15.49		--	--	PWC
4S/1W-30L006		D	Joseph G. Dutra	3/26/2025	42.23	3.88		--	--	DA UTS call first for permission
4S/1W-30L008		N	Joseph G. Dutra	3/26/2025	41.9	14.91		--	--	DA UTS call first for permission
4S/1W-30R002		C	Frank G. & Alice C. Garcia	3/26/2025	46.14	0.64		--	--	PI leave card w/water levels for owner
4S/1W-30R004		N	Frank G. & Alice C. Garcia	3/26/2025	45.19	14.69		--	--	leave card w/water level for owner
4S/1W-31B003	Willowood #1	D	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	43.54	3.48		--	--	PWC
4S/1W-31B011	Willowood # 2	CF	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	44.47	1.7		--	--	Measured from sole plate
4S/1W-31C003	Towers @ Hansen	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	36.56	13.84	4/1/2025	90	530	PWC
4S/1W-31J001		D	GLENMOOR GARDENS HOMEOWNERS ASSOCIA	3/26/2025	38.94	2.19		--	--	Sampled from tank
4S/1W-31L008	off Blacow@Line F-1	N	Alameda County Water District	3/24/2025	36.76	12.64		--	--	PWC
4S/1W-31L011		N	Alameda County Water District	3/25/2025	34.47	12.27		--	--	PWC
4S/1W-31N001	Cedar #1	C	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	35.37		3/19/2025	398	1,000	RUN UTM

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Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
4S/1W-31N003	Cedar #2	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	35.2		3/19/2025	148	760	RUN
4S/1W-32E011	Meyer Park - C	C	Alameda County Water District	3/25/2025	43.68	1.33		--	--	PWC
4S/1W-32E012	Meyer Park - F	F	Alameda County Water District	3/25/2025	43.89	3.27		--	--	PWC
4S/1W-32K011	Serra Place-F	F	Alameda County Water District	3/25/2025	43.39	3.11		--	--	PWC
4S/1W-32K014	Serra-C	C	Alameda County Water District	3/25/2025	43.28	1.02		--	--	PWC
4S/1W-32M010	Eggers near Patti's	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	38.67	13.96		--	--	M PWC
4S/1W-32N001	Blacow - C	C	Alameda County Water District	3/25/2025	37.65	-0.17	3/21/2025	124	580	PWC
4S/1W-32N002	Blacow - F	F	Alameda County Water District	3/25/2025	37.59	2.84	3/21/2025	862	1,800	PWC
4S/1W-32N003	3-MN	N	Alameda County Water District	3/25/2025	37.11	13.88	3/21/2025	123	670	PWC
4S/1W-32N004	3-SF	F	Alameda County Water District	3/25/2025	38.05	2.56	3/21/2025	380	1,200	PWC
4S/1W-32N005	3-TF	F	Alameda County Water District	3/25/2025	37.17	2.62		--	--	
4S/1W-33E001	Walnut Ave.Well	CF	City of Fremont	3/24/2025	49.62	2.8		--	--	
4S/1W-33N002	Knoll Park	C	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	43.75	2.5	3/21/2025	385	1,200	PWC
4S/1W-33N003	Knoll Park - F	F	Alameda County Water District	3/24/2025	43.64	3.38	3/21/2025	131	570	PWC
4S/1W-33R007	Margery/Bl - C	C	Alameda County Water District	3/24/2025	53.25	3.25		--	--	PWC
4S/1W-33R008	Margery/Bl - F	F	Alameda County Water District	3/24/2025	53.18	3.41		--	--	PWC
4S/1W-34A002		AHF	Elsie Nines	3/26/2025	60	52.95		--	--	
4S/1W-34C001	Swim Lagoon	AHF	CITY OF FREMONT	3/25/2025	61.3		3/25/2025	141	900	NMP UTM Sample from sprinklers
4S/1W-35R003		AHF	Mary A Souza	3/27/2025	190.16	--		--	--	
4S/2W-02H001	BART @ Whipple	D	Bay Area Rapid Transit District	3/28/2025	36.21	1.53		--	--	Durham WLI needed, Flashlight
4S/2W-03R003		CF	F E DUBOIS	3/28/2025	12	4.34		--	--	
4S/2W-04E002	E-3	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	4.72	--		--	--	PWC
4S/2W-04F001	Well B	D	City of Hayward			--		--	--	PI
4S/2W-04R001	Hayward Emergen	D	City of Hayward			--		--	--	NMP
4S/2W-05G001	Eden Landing F1	F	Alameda County Water District	3/25/2025	6.75	0.73		--	--	PWC
4S/2W-05G002	Eden Landing D1	D	Alameda County Water District	3/25/2025	6.35	-0.01		--	--	PWC
4S/2W-05G003	Eden Landing D2	D	Alameda County Water District	3/25/2025	5.82	-5.99		--	--	PWC
4S/2W-05G004	Eden Landing C2	C	Alameda County Water District	3/25/2025	6.73	4.91		--	--	PWC
4S/2W-05G005	Eden Landing	C	Alameda County Water District	3/25/2025	6.93	A		--	--	PWC Artesian
4S/2W-08Q001	2D2	D	Alameda County Water District	3/25/2025	9.25	2.48		--	--	M PWC
4S/2W-09F014	Veasy Bridgegat	D	Alameda County Water District	3/25/2025	8.25	2.74		--	--	PWC transducer
4S/2W-09L002	E-12	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	9.11	3.62		--	--	PWC
4S/2W-09P010	E-17	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	11.31	3.69	4/2/2025	6,460	12,000	PWC
4S/2W-10E004	Tidewater	D	Alameda County Water District	3/25/2025	14.54	2.36	3/27/2025	138	530	PWC transducer
4S/2W-11A003		D	U.S. PIPE HOLDINGS CORPORATION	3/28/2025	40.58	--	3/28/2025	76	420	
4S/2W-12C001	Whipple Well	D	ALAMEDA COUNTY WATER DISTRICT	3/28/2025	68.61	1.74		--	--	
4S/2W-12K008	Pacific & Lewis - D	D	Alameda County Water District	3/25/2025	53.11	2.89		--	--	PWC Transducer
4S/2W-12K009	Pacific & Lewis - F	F	Alameda County Water District	3/25/2025	53.41	4.7		--	--	PWC transducer
4S/2W-12K010	Pacific & Lewis -C	C	Alameda County Water District	3/25/2025	53.39	5.71		--	--	PWC transducer
4S/2W-12K011	Pacific & Lewis - N	N	Alameda County Water District	3/25/2025	53.67	17.43		--	--	PWC transducer
4S/2W-13E003		N	ALAMEDA COUNTY FLOOD CONTROL	3/28/2025	27.93	15.42		--	--	PWC End of Beard Rd
4S/2W-13H004		N	CITY OF UNION CITY	3/24/2025	37.55	18.32		--	--	UC Library; measuring pt is under gray plastic cap
4S/2W-13K004		C	RAYMOND N. NELSEN	3/28/2025	35.04	4.19		--	--	Need Wrench
4S/2W-13M005		C	Rolando & Ada Belluomini	3/28/2025	26.46	2.85		--	--	3478 Beard Rd
4S/2W-13M006		C	ROSEMARY & ROBERT MAZZA	3/28/2025	27.42	4.99		--	--	3332 Beard Rd; Tape
4S/2W-13P004	PIEZ#3	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	25.9	15.7	3/19/2025	98	630	PWC Transducer
4S/2W-13P005	WELL G-1	D	Alameda County Water District	3/25/2025	25.98	3.49	3/19/2025	585	1,400	PWC
4S/2W-13P006	WELL H-1	F	Alameda County Water District	3/25/2025	26.15	4.27	3/19/2025	168	760	PWC
4S/2W-13P007	WELL I-1	C	Alameda County Water District	3/25/2025	26	4.54	3/19/2025	113	710	PWC
4S/2W-13R007	Morello/Cherry Blosm	CF	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	37.62	4.91		--	--	Morello Ct
4S/2W-14C001		CF	Tropics Mobile Home Park	3/28/2025	23.27	4.35		--	--	Almaden Blvd/Cumana Cir

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Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
4S/2W-14D003	Lake Chad	D	Alameda County Water District	3/25/2025	13.95	2.74	3/19/2025	45	390	PWC Transducer
4S/2W-14D004	LAKE CHAD - D	D	Alameda County Water District	3/25/2025	13.9	2.59	3/19/2025	146	530	PWC Transducer
4S/2W-14D005	LAKE CHAD - C	C	Alameda County Water District	3/25/2025	14.1	4.66	3/19/2025	225	740	PWC
4S/2W-14D006	LAKE CHAD - C	C	Alameda County Water District	3/25/2025	14.18	4.5	3/19/2025	80	520	PWC
4S/2W-14D007	LAKE CHAD - N	N	Alameda County Water District	3/25/2025	14.07	11.18	3/19/2025	33	360	PWC
4S/2W-14H003		N	City of Union City	3/27/2025	25.22	--		--	--	DA NMP UTM
4S/2W-14L006	PIEZ#2	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	14.97	11.76		--	--	PWC
4S/2W-14N001	Lowry	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	20.73	11.97		--	--	
4S/2W-15C007	PIEZ#1	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	9.31	7.39	3/27/2025	44	410	PWC
4S/2W-15L005	Contempo Pk	D	Alameda County Water District	3/25/2025	7.63	2.52	3/19/2025	330	860	PWC Transducer
4S/2W-15L006	Contempo - C	C	Alameda County Water District	3/25/2025	7.59	4.41	3/19/2025	110	640	PWC
4S/2W-15L007	Contempo - N	N	Alameda County Water District	3/25/2025	7.66	A	3/19/2025	320	960	PWC
4S/2W-15M003		C	CITY OF UNION CITY	3/27/2025	7.77	2.66		--	--	
4S/2W-15M004		C	CITY OF UNION CITY	3/26/2025	7.73	4.33		--	--	
4S/2W-15P001	PIEZ#10	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	6.1	A		--	--	PWC
4S/2W-16A008	Alvarado @ UC Blvd	N	Alameda County Water District	3/26/2025	5.64	4.43	4/1/2025	3,194	6,300	PWC
4S/2W-16C011	E-19	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	10.31	3.45		--	--	PWC
4S/2W-16C012	E-20	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	4.62	3.74	4/4/2025	4,389	8,600	PWC
4S/2W-16J002	E-23	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	8.38	7.32		--	--	PWC
4S/2W-16L011	E-26	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	3.34	A		--	--	
4S/2W-16L014	E-101	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	8.5	5.77		--	--	PWC New Flat Cap
4S/2W-16L015	Site E	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	11.82	5.6		--	--	
4S/2W-16Q001	E-27	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	9.13	6.39		--	--	M NA PWC UTM
4S/2W-21B007	Site D	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	10.94	7.17		--	--	
4S/2W-21G001		CF	ALAMEDA COUNTY FLOOD CONTROL	3/26/2025	8.08	4.22		--	--	UTS
4S/2W-21G004	E-31	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	8.79	6.71		--	--	PWC
4S/2W-21G006	E-33	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	4.11	A		--	--	PWC Fence, Artesian
4S/2W-21G009	E-109	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	8.96	--		--	--	M OBS@4' PWC UTM
4S/2W-21J001		CF	ALAMEDA COUNTY FLOOD CONTROL	3/24/2025	7.07	3.95		--	--	
4S/2W-21N001	E-40	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	5.49	A		--	--	PWC
4S/2W-21P001		C	ALAMEDA COUNTY FLOOD CONTROL	3/26/2025	8.17	1.1		--	--	PWC
4S/2W-21P003	E-39	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	3.96	A		--	--	PWC
4S/2W-21Q001		C	ALAMEDA COUNTY FLOOD CONTROL	3/24/2025	5.73	3.37		--	--	PWC
4S/2W-21Q002	E-36	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	5.57	A		--	--	M PWC
4S/2W-22H003	Lowry @ Novato	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	18.16	10.42		--	--	PWC
4S/2W-22P002	#8	CF	EAST BAY REGIONAL PARK DIST.	3/25/2025	10.91	4.79		--	--	OFF UTS
4S/2W-23F002	#2	C	CITY OF FREMONT	3/24/2025	15.76	4.72		--	--	UTS Call to sample; Macbeth Ave
4S/2W-23J002	AC So. Siward Dr.	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	24.14	13.93		--	--	PWC
4S/2W-24A007		C	DINO R & RINA M CIARLO	3/28/2025	42.7	-7.63		--	--	
4S/2W-24L001		C	Gerald Bruce Johnson	3/28/2025	31.63	--		--	--	NA PI UTM
4S/2W-24L003		C	Sohan S & Bhupinder K Virdee	3/28/2025	33.43	4.39		--	--	RUN well runs periodically
4S/2W-24L006		F	BETTY KITANI	3/28/2025	32	-7.81		--	--	NA UTM
4S/2W-25D001	CLSTR#1	D	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	22.23	1.29	3/25/2025	291	750	PWC transducer
4S/2W-25D002	CLSTR#1	F	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	23.47	3.92	3/25/2025	364	940	PWC
4S/2W-25D003	CLSTR#1	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	22.99	13.63	3/25/2025	605	1,500	PWC
4S/2W-25M001	Ramsgate	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	22.14	12.09	4/2/2025	232	660	PWC
4S/2W-26H001		D	EAST BAY REGIONAL PARK DIST.	3/24/2025	19.94	--	3/24/2025	179	590	UTS
4S/2W-26K004	CLSTR#2	D	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	20.31	1.12		--	--	PWC
4S/2W-26K005	CLSTR#2	C	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	19.91	3.38		--	--	PWC
4S/2W-26K006	CLSTR#2	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	19.77	10.97		--	--	PWC
4S/2W-26L001	CLSTR#3	D	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	15.74	1.51	3/25/2025	258	800	M PWC cracked pad

Alameda County Water District
Groundwater Monitoring Program
Spring 2025

Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
4S/2W-26L002	CLSTR#3	C	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	15.26	2.89	3/25/2025	1,177	2,200	PWC
4S/2W-26M008	CLSTR#3	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	14.38	8.56	3/25/2025	98	620	M PWC
4S/2W-27L001	#10	C	Founders Title Co.	3/25/2025	9.18	--		--	--	OBS@8" UTM UTS
4S/2W-28A001	E-37	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	6.97	4.65		--	--	PWC
4S/2W-28C001	E-42	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	4.69	3.48		--	--	PWC
4S/2W-28D001	E-43	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	4.84	3.6		--	--	PWC
4S/2W-28G001	E-41	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	6.71	3.97	3/25/2025	13,844	26,000	PWC
4S/2W-35B002		N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	15.05	10.22		--	--	M PWC
4S/2W-36A006	Darvon #1	N	ALAMEDA COUNTY WATER DISTRICT	3/28/2025	34.06	--	3/19/2025	112	600	RUN
4S/2W-36A007	Darvon #2	CF	ALAMEDA COUNTY WATER DISTRICT	3/28/2025	33.6	--	3/19/2025	190	630	RUN
4S/2W-36D003		D	CITY OF NEWARK	3/24/2025	22.62	4.32		--	--	UTS
4S/2W-36F005	PIEZ#5	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	21.43	11.72		--	--	PWC
4S/2W-36N006	Cherry&Montcalm-N	N	ALAMEDA COUNTY WATER DISTRICT	3/24/2025	14.67	11.01		--	--	PWC
4S/2W-36N010	Well T	F	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	16.77	1.86	3/20/2025	1,113	2,300	PWC
4S/2W-36N011	Well U	C	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	17.5	-1.65	3/20/2025	251	700	PWC
4S/2W-36N012	Well V	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	15.86	11.38	3/20/2025	4,831	8,900	PWC
5S/1W-02N001	Williams #23	N	Dean A. & Donna H. Olsen	3/27/2025	38.01	25.43		--	--	
5S/1W-03C007		C	PRESBYTERY OF SAN FRANCISCO	3/25/2025	50.39	-0.96		--	--	Call church
5S/1W-03G003		N	LEONCIO H & MAGDELENA C ISLAYA	3/25/2025	49.24	--		--	--	NMP OBS@surface UTM
5S/1W-03N004	Irv.Park/LibraryWell	N	CITY OF FREMONT	3/27/2025	36.99	--	3/27/2025	71	550	NMP
5S/1W-04H003	PIEZ#9	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	42.88	13.86		--	--	PWC
5S/1W-04H004	Robin & Ladner	C	Alameda County Water District	3/26/2025	45.11	2.9		--	--	PWC
5S/1W-04H005	Robin & Ladner	F	Alameda County Water District	3/26/2025	44.92	3.52		--	--	PWC
5S/1W-04P002	Curtis St. MW	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	28.16	13.51	3/21/2025	155	1,000	PWC
5S/1W-05B001	Blacow Rd.	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	38.26	13.75		--	--	PWC
5S/1W-05C001	Farwell	C	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	38.29	--	3/19/2025	292	900	RUN UTM transducer
5S/1W-05H003	WELL C-1	D	Alameda County Water District	3/25/2025	34.31	2.81		--	--	M PWC lid cracked
5S/1W-05H004	WELL D-1	F	Alameda County Water District	3/25/2025	34.25	2.98		--	--	PWC
5S/1W-05H005	WELL E-1	C	Alameda County Water District	3/25/2025	34.31	1.64		--	--	PWC
5S/1W-05H006	WELL F-1	N	Alameda County Water District	3/25/2025	34.29	13.68		--	--	PWC
5S/1W-05M001	PIEZ#7	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	29.42	12.72	3/28/2025	1,044	2,300	M PWC
5S/1W-06H001		CF	Sam L. Arnold	3/28/2025	28.54	--		--	--	EPD NMP UTM
5S/1W-06H004	Bellflower	C	ALAMEDA COUNTY WATER DISTRICT	3/28/2025	30.25	--	3/19/2025	396	970	
5S/1W-06H009	2-SF	F	Alameda County Water District	3/26/2025	33.04	2.82	3/21/2025	702	1,500	PWC
5S/1W-06H010	2-TF	F	Alameda County Water District	3/26/2025	32.55	2.89		--	--	
5S/1W-06H011	2-MN	N	Alameda County Water District	3/26/2025	32.59	13.18	3/27/2025	165	930	PWC
5S/1W-06H012	2-MF	F	Alameda County Water District	3/26/2025	32.59	2.86	3/27/2025	657	1,400	PWC
5S/1W-06N006	Site B	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	21.04	11.83		--	--	
5S/1W-06N007	MW in site B	C	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	21.65	-1.61		--	--	M UT
5S/1W-07B036	Silliman - MW	C	Alameda County Water District	3/26/2025	16	-1.26	3/27/2025	591	1,300	PWC
5S/1W-07G010	Y	D	Alameda County Water District	3/28/2025	13.06	0.68		--	--	M PWC
5S/1W-07H002		CF	Brook R. & Forrest E. Heath	3/26/2025	10.37	2.2		--	--	EPD OBS@~15
5S/1W-07J001	E-77	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	9.51	A	4/1/2025	516	1,700	PWC Artesian
5S/1W-07J003	Site A	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	11.48	9.69		--	--	OFF probe can get stuck
5S/1W-07J005	Site A -MW	F	Alameda County Water District	3/26/2025	11.45	3.5		--	--	PWC encampment outside fence
5S/1W-08D001	E-117	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	18.15	11.78		--	--	PWC
5S/1W-08G002	E-81	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	15.36	11.75		--	--	PWC
5S/1W-08P004	E-82	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	8.7	A		--	--	PWC Artesian
5S/1W-10K002		C	SOUTHLAKE MOBIL HOME PARK	3/26/2025	26.96	--		--	--	NMP OBS@~ 56' UTM
5S/1W-14B003		N	J.C. & A.C. LOPES	3/26/2025	38.26	19.51		--	--	
5S/1W-16M006	AutoMall-C	C	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	11.67	2.53	3/20/2025	456	1,300	PWC

Alameda County Water District
Groundwater Monitoring Program
Spring 2025

Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
5S/1W-16M007	AutoMall-F	F	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	11.91	3.07	3/20/2025	13	380	PWC
5S/1W-16M008	AutoMall D1	D	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	11.86	3.5	3/20/2025	12	340	PWC
5S/1W-17A003	E-115	N	Alameda County Water District	3/28/2025	10.2	A		--	--	M PWC
5S/1W-17J001		CF	OAKLAND SCAVENGER CO.	3/25/2025	6.47	--		--	--	NMP UTM
5S/1W-17J004	E-88	N	Alameda County Water District	3/25/2025	6.74	A		--	--	M
5S/1W-17J006	E-113	N	Alameda County Water District	3/28/2025	6.25	A		--	--	PWC
5S/1W-17R021		CF	WASTE MANAGEMENT OF ALAMEDA COUNTY	3/25/2025	9.67	--	3/25/2025	67	400	NMP RUN UTM
5S/1W-20G001	WM-C	D	Alameda County Water District	3/25/2025	8.29	3.98	4/4/2025	16	330	PWC
5S/1W-22H001	E-100	N	Alameda County Water District	3/28/2025	10.42	4.92		--	--	PWC
5S/2W-01B002		C	J.S. OLIVEIRA	3/28/2025	18.59	-5.58		--	--	M PWC
5S/2W-01B009	1-MF	F	Alameda County Water District	3/26/2025	22.42	2.12	4/1/2025	744	1,600	PWC
5S/2W-01B010	1-MC	C	Alameda County Water District	3/26/2025	22.14	-2.14	4/1/2025	521	1,100	PWC
5S/2W-01B011	1-SF	F	Alameda County Water District	3/26/2025	22.07	2.04	4/1/2025	914	1,900	PWC
5S/2W-01B012	1-TF	F	Alameda County Water District	3/26/2025	23.9	1.83		--	--	
5S/2W-01R001	E-68	N	ALAMEDA COUNTY WATER DISTRICT	3/26/2025	17.04	12.09		--	--	PWC
5S/2W-01R014	DESAL.PLANT MW	C	Alameda County Water District	3/26/2025	18.28	-1.64	3/20/2025	543	1,200	PWC
5S/2W-02C005	E-123	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	9.81	7.38		--	--	PWC
5S/2W-02E001	E-49	N	ALAMEDA COUNTY WATER DISTRICT	3/28/2025	5.11	3.84		--	--	PWC
5S/2W-02F003	Well W	C	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	10.36	1.7	3/28/2025	896	1,700	PWC
5S/2W-02F004	Well X	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	10.34	7.95	3/28/2025	420	1,400	PWC
5S/2W-02M006	E-51	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	7.93	3.57		--	--	M PWC
5S/2W-02M007	Site C	N	ALAMEDA COUNTY WATER DISTRICT	3/25/2025	11.08	5.19		--	--	M UTS Hole in fence
5S/2W-02Q001	OBSER. WELL #1	N	ALAMEDA COUNTY WATER DISTRICT	3/28/2025	9.63	7.1		--	--	
5S/2W-03A003	E-48	N	Alameda County Water District	3/28/2025	5.47	A		--	--	M PWC
5S/2W-03G001	E-44	N	Alameda County Water District	3/26/2025	6.9	4.38	3/26/2025	20,282	34,000	PWC
5S/2W-03H002	E-47	N	Alameda County Water District	3/28/2025	4.89	4.48	3/20/2025	28,639	48,000	PWC
5S/2W-03H004	Old Jarvis - C	C	Alameda County Water District	3/28/2025	5.84	-0.75	3/20/2025	44,887	77,000	PWC
5S/2W-03H005	Old Jarvis - F	F	Alameda County Water District	3/28/2025	5.8	5.41		--	--	PWC
5S/2W-08M011	Dumbarton - F	CF	Alameda County Water District	3/25/2025	6.45	A	3/27/2025	66	430	PWC
5S/2W-11H002	E-60	N	Alameda County Water District	3/27/2025	9.47	5.98		--	--	PWC
5S/2W-12B008		D	LESLIE SALT CO.	3/27/2025	12.49	--	3/27/2025	488	11,00	NMP RUN UTM capped M.P.
5S/2W-12C003	E-62	N	Alameda County Water District	3/27/2025	10.1	6.57		--	--	PWC
5S/2W-14E005	DE1-D1	D	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	7.92	A		--	--	PWC
5S/2W-14E006	DE1-F	F	Alameda County Water District	3/27/2025	7.96	A		--	--	PWC
5S/2W-14E007	DE1-C	C	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	7.77	A		--	--	PWC
5S/2W-14E008	DE1-N	N	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	7.75	4.11		--	--	PWC
5S/2W-14E009	DE1-D2	D	ALAMEDA COUNTY WATER DISTRICT	3/27/2025	7.88	A		--	--	PWC
5S/2W-17F002		N	LESLIE SALT CO.	3/25/2025	7.7	2.84		--	--	M label wells
5S/2W-17F003		C	LESLIE SALT CO.	3/25/2025	7.8	A		--	--	M label wells
5S/2W-24B003	Mowry Slough - C	C	Alameda County Water District	3/27/2025	8.73	A		--	--	PWC

*NGVD 1929

APPENDIX F

FALL 2025 GROUNDWATER MONITORING RECORDS

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Alameda County Water District
Groundwater Monitoring Program
Fall 2025

Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
3S/3W-25C020	WD2	D	Alameda County Water District	9/16/2025	8.84	-3.24	9/16/2025	69	410	PWC
4S/1W-07C005		FD	MASONIC HOMES OF CALIFORNIA	9/17/2025	101.31	-3.3		--	--	UTS Off
4S/1W-07K001		D	Masonic Homes of California	9/17/2025	67.4	1.48		--	--	PI
4S/1W-07N005		CF	City of Union City	9/16/2025	55.29	0.57	9/16/2025	76	550	Call CoUC for sample
4S/1W-17M006	Well L	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	49.9	-1.95	9/9/2025	119	520	PWC
4S/1W-17M007	Well M	C	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	50	0.2	9/9/2025	69	400	PWC
4S/1W-17M008	Well N	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	49.62	12.37	9/9/2025	63	380	PWC cracked 2" PVC at top
4S/1W-18K005		F	City of Union City	9/16/2025	48.6	--	9/16/2025	67	390	NMP UTM Chris (CoUC) Sampled from tank
4S/1W-18M010		C	Frank J & Catherine M Thrall	9/16/2025	39.92	-0.41		--	--	Call Mina to open gate
4S/1W-18N004		C	Eleanor Kabrich	9/18/2025	41.6	-1.21		--	--	
4S/1W-19A003		F	Alameda County Flood Control	9/16/2025	54.37	-1.43		--	--	
4S/1W-19E002	PIEZ#4	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	37.95	12.24	8/20/2025	68	430	PWC
4S/1W-19J006		N	Alameda County Flood Control	9/16/2025	51.28	12.75		--	--	PWC
4S/1W-19L002	HUDSON/NICOLET	C	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	40.39	-1.12	9/9/2025	69	370	OBS@160' PWC double checked measurement
4S/1W-19N002	Well H	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	40.45	-2.13	8/19/2025	296	860	PWC
4S/1W-19N003	WESTRIDGE PARK	C	CITY OF FREMONT	9/16/2025	39.81	-2.14		--	--	PWC Well not secure, no well cap, lid rusted
4S/1W-19N004	Well I	F	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	40.68	-2.31	8/19/2025	211	720	PWC
4S/1W-19N005	Well J	C	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	40.55	-1.89	8/19/2025	70	410	PWC
4S/1W-19N014	Well K	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	40.5	11.9	8/19/2025	66	400	PWC
4S/1W-20A003	Nursery Well	CF	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	63.42	2.6	9/24/2025	70	460	OFF UTS
4S/1W-20G001	Montecito Well	CFD	Alameda County Water District	9/17/2025	60.72	6.81		--	--	
4S/1W-20H003	DH-4	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	67.52	15.65		--	--	PWC
4S/1W-20J004	UP-1A	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	58.9	17.37		--	--	PWC
4S/1W-20J005	UP-1C	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	59.14	13.17		--	--	PWC small lid, leftmost facing creek
4S/1W-20J006	UP-1B	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	59.07	16.96		--	--	PWC smaller lid
4S/1W-20R003	UP-2A	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	59.11	14.88		--	--	PWC
4S/1W-20R004	UP-2B	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	59.2	13.65		--	--	PWC
4S/1W-20R005	UP-2C	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	59.06	12.86	8/27/2025	63	400	PWC Leftmost Well
4S/1W-21F005	KAISER #5	AHF	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	69.7	39		--	--	Cracked concrete pad
4S/1W-21H002	Vallejo St. @ End	AHF	Alameda County Water District	9/16/2025	75.08	40.78		--	--	PWC Dam Down
4S/1W-21J003	EB-1	AHF	Alameda County Water District	9/17/2025	77.3	37.31	8/27/2025	73	460	PWC
4S/1W-21L003		AHF	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	66.57	37.42		--	--	Well pad removed; measured TOC
4S/1W-21L005	DH-6	AHF	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	67.46	37.06	8/27/2025	63	440	PWC
4S/1W-21L006	DH-5	AHF	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	67.81	37.14		--	--	
4S/1W-21L007	KAISER #1	AHF	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	70.62	37.49		--	--	
4S/1W-21L008	KAISER #4	AHF	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	66.94	36.91		--	--	PWC
4S/1W-21P004		AHF	CITY OF FREMONT	9/18/2025	65.29	36.86		--	--	
4S/1W-21P006	P.T. #1	AHF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	66.37	--	8/26/2025	75	610	RUN
4S/1W-21P007	P.T. #2	AHF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	66.77	31.99	8/11/2025	72	540	
4S/1W-21P008	P.T. #3	AHF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	66.54	--	9/9/2025	70	460	RUN
4S/1W-21P009	P.T. #4	AHF	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	66.44	32.19	8/11/2025	74	580	
4S/1W-21P010	P.T. #5	AHF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	67.28	33.52		--	--	
4S/1W-21P011	P.T. #6	AHF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	67.69	35.11		--	--	
4S/1W-21P012	P.T. #7	AHF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	68.36	35.06	8/19/2025	68	430	
4S/1W-21P013	P. T. #8	AHF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	68.86	34.13	8/20/2025	71	460	
4S/1W-21R007	MW-12(offsite)	AHF	Alameda County Water District	9/15/2025	72.21	37.13	8/20/2025	65	480	PWC
4S/1W-26L006		AHF	CITY OF FREMONT	9/15/2025	65.88	37.91	9/15/2025	84	520	Sample from sprinkler
4S/1W-26Q011		AHF	ERNIE SILVA	9/15/2025	96.44	74.59	9/15/2025	80	610	used tape to measure
4S/1W-27A002		AHF	Fremont Community Church	9/17/2025	71.09	38.45	9/17/2025	120	850	
4S/1W-27D008	AHF Indicator	AHF	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	66.59	37.54	9/4/2025	73	720	PWC
4S/1W-27E001		AHF	CHURCH OF JESUS CHRIST	9/16/2025	62.86	37.25		--	--	PI UTS

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Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
4S/1W-27G002		AHF	CITY OF FREMONT	9/18/2025	62.73	37.4	9/18/2025	71	720	
4S/1W-27P001		AHF	CITY OF FREMONT	9/18/2025	54.04	37.57	9/18/2025	72	720	Sampled from sprinkler
4S/1W-27P002		AHF	CITY OF FREMONT	9/18/2025	52.65	38.03	9/18/2025	131	910	PI Sampled from well faucet
4S/1W-28C001	Mowry #1	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	64.81	--	8/4/2025	72	470	RUN
4S/1W-28C014	Mowry #2	D	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	63.64	-4	8/18/2025	119	510	
4S/1W-28C015	Mowry #3	CF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	63.87	-3.13	8/4/2025	77	450	
4S/1W-28C016	Mowry #4	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	66.08	7.9		--	--	
4S/1W-28C018	Mowry #6	CF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	64.8	-3.44	8/25/2025	91	500	
4S/1W-28C019	Mowry #7	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	63.82	8.04		--	--	
4S/1W-28C020	Mowry #8	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	64.13	8.12	8/18/2025	71	450	
4S/1W-28C021	Mowry #9	CF	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	65.02	-3.57	8/18/2025	87	500	
4S/1W-28D001	Well A	D	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	63.03	-2.59	8/20/2025	86	450	PWC
4S/1W-28D008	Well B	F	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	62.77	-2.68	8/20/2025	88	470	PWC
4S/1W-28D011	Well C	C	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	62.9	-2.01	8/20/2025	77	460	PWC
4S/1W-28D012	Well D	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	62.86	10.67	8/20/2025	70	450	PWC Cracked pad
4S/1W-28F018	BART Way - N	N	Alameda County Water District	9/15/2025	58.71	11.29	8/28/2025	54	450	PWC
4S/1W-28F024	BART WAY-F	F	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	59.15	-2.4	8/28/2025	99	660	PWC
4S/1W-28G005		C	Washington Township Healthcare Dist	9/18/2025	57.4	-2.33	9/16/2025	84	530	New contact call for access
4S/1W-28M002	HASTINGS - N	N	Alameda County Water District	9/15/2025	53.81	11.39	8/19/2025	75	570	PWC
4S/1W-28M005	HASTINGS - D	D	Alameda County Water District	9/15/2025	54.12	-2.46	8/19/2025	121	530	PWC
4S/1W-28M006		C	Mercedes Williams	9/15/2025	57.09	--		--	--	NA PI Fenced; no customer contact
4S/1W-28M009	HASTINGS - F	F	Alameda County Water District	9/15/2025	54.21	-2.64	8/19/2025	512	1,300	PWC
4S/1W-28M010	HASTINGS - C	C	Alameda County Water District	9/15/2025	54.2	-2.25	8/19/2025	86	560	PWC
4S/1W-28P004	BEACON	C	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	53.56	-2.26	8/25/2025	79	520	PWC
4S/1W-28P006	Well E	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	53.66	-2.94	8/25/2025	188	640	PWC
4S/1W-28P007	Well F	F	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	53.5	-3.08	8/25/2025	459	1,300	PWC
4S/1W-28P008	Well G	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	53.53	11.4	8/25/2025	86	670	PWC
4S/1W-28R003	Fmt. Library F	F	Alameda County Water District	9/15/2025	59.7	-2.6	8/20/2025	138	880	PWC
4S/1W-29A006	BHF Indicator	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	61.23	12.28		--	--	PWC
4S/1W-29F002		N	Robert D & Virginia W. Grate	9/17/2025	51.93	11.8		--	--	PWC
4S/1W-29H002	Centerville Par	F	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	52.44	-2.37	8/20/2025	94	470	PWC
4S/1W-29J003		C	CITY OF FREMONT	9/17/2025	55.28	--	9/17/2025	80	440	UTM Sampled from sprinklers
4S/1W-29J008		N	Eugene Dias	9/18/2025	58.48	--		--	--	NA PI UTM UTS locked gate, phone disconnected; left door hanger
4S/1W-29L012	Fremont Mattos	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	50.62	-3.78		--	--	PWC Need 2" pipe
4S/1W-30A002	Well O	FD	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	51.81	-2.79	8/20/2025	154	610	PWC
4S/1W-30A004	Well Q	C	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	52.01	-1.74	8/20/2025	68	420	PWC
4S/1W-30A005	Well R	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	52.2	11.69	8/20/2025	63	400	PWC
4S/1W-30E003	CORONADO 2	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	42.12	-2.95	9/24/2025	134	530	PWC transducer
4S/1W-30E004	CORONADO 1	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	42.17	10.59	9/24/2025	102	540	PWC
4S/1W-30J002	Central Apts.	N	Jeffery H. Lee	9/16/2025	46.74	11.37		--	--	PWC
4S/1W-30L006		D	Joseph G. Dutra	9/18/2025	42.23	--		--	--	NA
4S/1W-30L008		N	Joseph G. Dutra	9/18/2025	41.9	--		--	--	NA
4S/1W-30R002		C	Frank G. & Alice C. Garcia	9/18/2025	46.14	-4.26		--	--	PI leave card w/water levels for owner
4S/1W-30R004		N	Frank G. & Alice C. Garcia	9/18/2025	45.19	10.91		--	--	leave card w/water level for owner
4S/1W-31B003	Willowood #1	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	43.54	-2.76	9/3/2025	298	830	PWC
4S/1W-31B011	Willowood # 2	CF	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	44.47	-4.82		--	--	Measured from sole plate
4S/1W-31C003	Towers @ Hansen	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	36.56	10.31	8/29/2025	83	520	PWC
4S/1W-31J001		D	GLENMOOR GARDENS HOMEOWNERS ASSOCIA	9/18/2025	38.94	--	9/18/2025	217	610	RUN Sampled from tank
4S/1W-31L008	off Blacow@Line F-1	N	Alameda County Water District	9/15/2025	36.76	9.59		--	--	PWC
4S/1W-31L011		N	Alameda County Water District	9/15/2025	34.47	9.16	8/26/2025	102	550	PWC
4S/1W-31N001	Cedar #1	C	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	35.37	--	8/20/2025	413	1,000	RUN UTM

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Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
4S/1W-31N003	Cedar #2	N	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	35.2	--	8/20/2025	152	800	RUN UTM
4S/1W-32E011	Meyer Park - C	C	Alameda County Water District	9/16/2025	43.68	-5.35	8/26/2025	92	460	PWC
4S/1W-32E012	Meyer Park - F	F	Alameda County Water District	9/16/2025	43.89	-3.95	8/26/2025	160	540	PWC
4S/1W-32K011	Serra Place-F	F	Alameda County Water District	9/16/2025	43.39	-3.06	8/26/2025	1,007	2,300	PWC
4S/1W-32K014	Serra-C	C	Alameda County Water District	9/16/2025	43.28	-5.74	8/26/2025	330	950	PWC
4S/1W-32M010	Eggers near Patti's	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	38.67	10.7	8/29/2025	107	1,100	M PWC Well head is crooked
4S/1W-32N001	Blacow - C	C	Alameda County Water District	9/15/2025	37.65	-7.07	8/29/2025	125	560	PWC
4S/1W-32N002	Blacow - F	F	Alameda County Water District	9/15/2025	37.59	-3.31	8/29/2025	860	1,900	PWC
4S/1W-32N003	3-MN	N	Alameda County Water District	9/15/2025	37.11	10.78	8/29/2025	119	650	PWC
4S/1W-32N004	3-SF	F	Alameda County Water District	9/15/2025	38.05	-3.65	8/29/2025	377	1,000	PWC
4S/1W-32N005	3-TF	F	Alameda County Water District	9/15/2025	37.17	-3.56		--	--	
4S/1W-33E001	Walnut Ave.Well	CF	City of Fremont	9/15/2025	49.62	-3.5		--	--	
4S/1W-33N002	Knoll Park	C	ALAMEDA COUNTY WATER DISTRICT	9/15/2025	43.75	-3.81	8/25/2025	366	1,100	PWC
4S/1W-33N003	Knoll Park - F	F	Alameda County Water District	9/15/2025	43.64	-2.8	8/25/2025	132	550	PWC
4S/1W-33R007	Margery/Bl - C	C	Alameda County Water District	9/15/2025	53.25	-2.92	8/19/2025	100	800	PWC
4S/1W-33R008	Margery/Bl - F	F	Alameda County Water District	9/15/2025	53.18	-2.74	8/19/2025	120	680	PWC
4S/1W-34A002		AHF	Elsie Nines	9/18/2025	60	51.84		--	--	
4S/1W-34C001	Swim Lagoon	AHF	CITY OF FREMONT	9/18/2025	61.3	--	9/18/2025	152	960	NMP UTM
4S/1W-35R003		AHF	Mary A Souza	9/18/2025	190.16	176.74		--	--	DA; fence locked
4S/2W-02H001	BART @ Whipple	D	Bay Area Rapid Transit District	9/19/2025	36.21	-2.29		--	--	Durham WLI needed, Flashlight
4S/2W-03R003		CF	F E DUBOIS	9/18/2025	12	0.26	9/18/2025	35	320	
4S/2W-04E002	E-3	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	4.72	--		--	--	NA PWC UTM Gate Blocked
4S/2W-04F001	Well B	D	City of Hayward			--		--	--	PI
4S/2W-04R001	Hayward Emergen	D	City of Hayward			--	9/17/2025	157	530	RUN
4S/2W-05G001	Eden Landing F1	F	Alameda County Water District	9/16/2025	6.75	-1.03	9/12/2025	62	380	PWC
4S/2W-05G002	Eden Landing D1	D	Alameda County Water District	9/16/2025	6.35	-2.94	9/12/2025	91	430	PWC
4S/2W-05G003	Eden Landing D2	D	Alameda County Water District	9/16/2025	5.82	-7.78	9/12/2025	590	1,200	PWC
4S/2W-05G004	Eden Landing C2	C	Alameda County Water District	9/16/2025	6.73	3.96	9/12/2025	57	410	PWC
4S/2W-05G005	Eden Landing	C	Alameda County Water District	9/16/2025	6.93	A	9/16/2025	77	460	PWC Artesian
4S/2W-08Q001	2D2	D	Alameda County Water District	9/17/2025	9.25	-0.12	9/17/2025	196	650	M PWC
4S/2W-09F014	Veasy Bridgegat	D	Alameda County Water District	9/17/2025	8.25	-2.62	9/17/2025	634	1,300	PWC transducer
4S/2W-09L002	E-12	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	9.11	2.72	9/18/2025	2,759	5,400	PWC
4S/2W-09P010	E-17	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	11.31	2.34	9/18/2025	6,463	12,000	PWC
4S/2W-10E004	Tidewater	D	Alameda County Water District	9/17/2025	14.54	-3.79	9/5/2025	139	530	PWC transducer
4S/2W-11A003		D	U.S. PIPE HOLDINGS CORPORATION	9/19/2025	40.58	--	9/19/2025	74	400	RUN UTM
4S/2W-12C001	Whipple Well	D	ALAMEDA COUNTY WATER DISTRICT	9/19/2025	68.61	-4.64	9/10/2025	122	450	
4S/2W-12K008	Pacific & Lewis - D	D	Alameda County Water District	9/17/2025	53.11	-1.05	8/22/2025	43	380	PWC Transducer
4S/2W-12K009	Pacific & Lewis - F	F	Alameda County Water District	9/17/2025	53.41	-1.5	8/22/2025	140	620	PWC transducer
4S/2W-12K010	Pacific & Lewis -C	C	Alameda County Water District	9/17/2025	53.39	-0.6	8/22/2025	63	560	PWC transducer
4S/2W-12K011	Pacific & Lewis - N	N	Alameda County Water District	9/17/2025	53.67	12.74	8/22/2025	36	410	PWC transducer
4S/2W-13E003		N	ALAMEDA COUNTY FLOOD CONTROL	9/19/2025	27.93	11.56		--	--	PWC End of Beard Rd
4S/2W-13H004		N	CITY OF UNION CITY	9/19/2025	37.55	9.73		--	--	UC Library; measuring pt is under gray plastic cap
4S/2W-13K004		C	RAYMOND N. NELSEN	9/17/2025	35.04	-1.96	9/17/2025	116	680	Need Wrench
4S/2W-13M005		C	Rolando & Ada Belluomini	9/19/2025	26.46	-1.72		--	--	
4S/2W-13M006		C	ROSEMARY & ROBERT MAZZA	9/19/2025	27.42	-1.11		--	--	
4S/2W-13P004	PIEZ#3	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	25.9	11.65	8/27/2025	97	680	PWC Transducer
4S/2W-13P005	WELL G-1	D	Alameda County Water District	9/17/2025	25.98	-2.53	8/27/2025	586	1,300	PWC
4S/2W-13P006	WELL H-1	F	Alameda County Water District	9/17/2025	26.15	-2	8/27/2025	168	690	PWC
4S/2W-13P007	WELL I-1	C	Alameda County Water District	9/17/2025	26	-1.74	8/27/2025	113	710	PWC
4S/2W-13R007	Morello/Cherry Blosm	CF	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	37.62	-1.51		--	--	Morello Ct
4S/2W-14C001		CF	Tropics Mobile Home Park	9/18/2025	23.27	-2.88		--	--	Almaden Blvd/Cumana Cir

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Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
4S/2W-14D003	Lake Chad	D	Alameda County Water District	9/17/2025	13.95	-3.1	8/22/2025	45	380	PWC Transducer
4S/2W-14D004	LAKE CHAD - D	D	Alameda County Water District	9/17/2025	13.9	-3.06	8/22/2025	142	550	PWC Transducer
4S/2W-14D005	LAKE CHAD - C	C	Alameda County Water District	9/17/2025	14.1	-1.48	8/22/2025	226	750	PWC
4S/2W-14D006	LAKE CHAD - C	C	Alameda County Water District	9/17/2025	14.18	-1.53	8/22/2025	80	520	PWC
4S/2W-14D007	LAKE CHAD - N	N	Alameda County Water District	9/17/2025	14.07	8.75	8/22/2025	31	320	PWC
4S/2W-14H003		N	City of Union City		25.22	--		--	--	DA NMP UTM
4S/2W-14L006	PIEZ#2	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	14.97	9.15	9/3/2025	100	660	PWC
4S/2W-14N001	Lowry	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	20.73	9.33	9/11/2025	123	700	
4S/2W-15C007	PIEZ#1	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	9.31	5.97	9/3/2025	33	340	PWC
4S/2W-15L005	Contempo Pk	D	Alameda County Water District	9/17/2025	7.63	-3.18	8/27/2025	311	820	PWC Transducer
4S/2W-15L006	Contempo - C	C	Alameda County Water District	9/17/2025	7.59	-1.53	8/27/2025	110	610	PWC
4S/2W-15L007	Contempo - N	N	Alameda County Water District	9/17/2025	7.66	A	8/27/2025	394	1,100	PWC Artesian
4S/2W-15M003		C	CITY OF UNION CITY	9/18/2025	7.77	-2.78		--	--	
4S/2W-15M004		C	CITY OF UNION CITY	9/18/2025	7.73	-1.59		--	--	
4S/2W-15P001	PIEZ#10	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	6.1	A		--	--	PWC Artesian
4S/2W-16A008	Alvarado @ UC Blvd	N	Alameda County Water District	9/17/2025	5.64	3.28	9/3/2025	3,082	6,200	PWC
4S/2W-16C011	E-19	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	10.31	2.93	9/18/2025	5,386	11,000	PWC
4S/2W-16C012	E-20	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	4.62	2.84	9/18/2025	4,148	8,500	PWC
4S/2W-16J002	E-23	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	8.38	5.76	9/18/2025	1,784	3,800	PWC
4S/2W-16L011	E-26	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	3.34	A		--	--	
4S/2W-16L014	E-101	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	8.5	4.39	9/25/2025	3,667	7,100	PWC
4S/2W-16L015	Site E	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	11.82	4.21		--	--	
4S/2W-16Q001	E-27	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	9.13	5.99	9/19/2025	9,247	27,000	M NA PWC
4S/2W-21B007	Site D	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	10.94	5.71		--	--	
4S/2W-21G001		CF	ALAMEDA COUNTY FLOOD CONTROL	9/17/2025	8.08	-1.41		--	--	UTS
4S/2W-21G004	E-31	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	8.79	5.11	9/19/2025	8,613	16,000	PWC
4S/2W-21G006	E-33	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	4.11	A	9/19/2025	1,479	3,100	PWC Fence, Artesian
4S/2W-21G009	E-109	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	8.96	--		--	--	M OBS@4' PWC UTM
4S/2W-21J001		CF	ALAMEDA COUNTY FLOOD CONTROL	9/17/2025	7.07	-2.01		--	--	
4S/2W-21N001	E-40	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	5.49	4.39		--	--	PWC
4S/2W-21P001		C	ALAMEDA COUNTY FLOOD CONTROL	9/17/2025	8.17	-1.38	9/19/2025	82	530	OBS@140' PWC
4S/2W-21P003	E-39	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	3.96	2.92		--	--	PWC
4S/2W-21Q001		C	ALAMEDA COUNTY FLOOD CONTROL	9/18/2025	5.73	-1.23		--	--	PWC
4S/2W-21Q002	E-36	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	5.57	4.4	9/19/2025	6,571	13,000	M PWC
4S/2W-22H003	Lowry @ Novato	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	18.16	8.13		--	--	PWC
4S/2W-22P002	#8	CF	EAST BAY REGIONAL PARK DIST.	9/17/2025	10.91	-1.43		--	--	OFF UTS
4S/2W-23F002	#2	C	CITY OF FREMONT	9/19/2025	15.76	-1.43		--	--	UTS Call to sample; Macbeth Ave
4S/2W-23J002	AC So. Siward Dr.	N	ALAMEDA COUNTY WATER DISTRICT	9/26/2025	24.14	10.35	9/4/2025	171	720	PWC
4S/2W-24A007		C	DINO R & RINA M CIARLO	9/18/2025	42.7	-1.13		--	--	
4S/2W-24L001		C	Gerald Bruce Johnson	9/19/2025	31.63	--	9/19/2025	92	420	NA PI UTM covered by building
4S/2W-24L003		C	Sohan S & Bhupinder K Virdee	9/19/2025	33.43	--	9/19/2025	126	480	RUN well runs periodically
4S/2W-24L006		F	BETTY KITANI	9/19/2025	32	-2.56		--	--	NA UTM no response from owner
4S/2W-25D001	CLSTR#1	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	22.23	-3.32	9/11/2025	290	760	PWC transducer
4S/2W-25D002	CLSTR#1	F	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	23.47	-2.23	9/11/2025	358	980	PWC
4S/2W-25D003	CLSTR#1	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	22.99	10.42	9/25/2025	585	1,500	PWC
4S/2W-25M001	Ramsgate	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	22.14	9.09	8/29/2025	219	680	PWC
4S/2W-26H001		D	EAST BAY REGIONAL PARK DIST.	9/17/2025	19.94	-3.08		--	--	RUN UTM
4S/2W-26K004	CLSTR#2	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	20.31	-2.4	9/11/2025	113	480	PWC
4S/2W-26K005	CLSTR#2	C	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	19.91	-2.82	9/11/2025	352	980	PWC
4S/2W-26K006	CLSTR#2	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	19.77	8.53	9/11/2025	109	660	PWC
4S/2W-26L001	CLSTR#3	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	15.74	-2.67	9/12/2025	271	830	M PWC cracked pad

Alameda County Water District
Groundwater Monitoring Program
Fall 2025

Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
4S/2W-26L002	CLSTR#3	C	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	15.26	-3.17	9/12/2025	1,175	2,600	PWC
4S/2W-26M008	CLSTR#3	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	14.38	6.89	9/12/2025	99	590	M PWC Lid
4S/2W-27L001	#10	C	Founders Title Co.	9/17/2025	9.18	--		--	--	OBS@8" UTM UTS
4S/2W-28A001	E-37	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	6.97	3.43		--	--	PWC
4S/2W-28C001	E-42	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	4.69	2.24		--	--	PWC
4S/2W-28D001	E-43	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	4.84	2.31	9/17/2025	24,463	42,000	PWC
4S/2W-28G001	E-41	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	6.71	2	9/17/2025	14,011	25,000	PWC
4S/2W-35B002		N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	15.05	8.05	8/28/2025	424	1,300	M OBS PWC
4S/2W-36A006	Darvon #1	N	ALAMEDA COUNTY WATER DISTRICT	9/19/2025	34.06	--	8/20/2025	112	620	RUN
4S/2W-36A007	Darvon #2	CF	ALAMEDA COUNTY WATER DISTRICT	9/19/2025	33.6	--	8/20/2025	187	610	RUN
4S/2W-36D003		D	CITY OF NEWARK	9/19/2025	22.62	-1.93		--	--	UTS Well has no pump
4S/2W-36F005	PIEZ#5	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	21.43	8.91	9/4/2025	218	920	PWC
4S/2W-36N006	Cherry&Montcalm-N	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	14.67	8.43	8/28/2025	5,090	9,100	PWC
4S/2W-36N010	Well T	F	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	16.77	-4.37	8/28/2025	1,111	2,000	PWC
4S/2W-36N011	Well U	C	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	17.5	-7.56	8/28/2025	248	660	PWC
4S/2W-36N012	Well V	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	15.86	8.72	8/28/2025	4,549	8,400	PWC
5S/1W-02N001	Williams #23	N	Dean A. & Donna H. Olsen		38.01	--		--	--	Well destroyed 9/9/2025
5S/1W-03C007		C	PRESBYTERY OF SAN FRANCISCO	9/18/2025	50.39	-3.43	9/18/2025	165	730	Gate Locked
5S/1W-03G003		N	LEONCIO H & MAGDELENA C ISLAYA	9/18/2025	49.24	--		--	--	NMP OBS@surface UTM
5S/1W-03N004	Irv.Park/LibraryWell	N	CITY OF FREMONT	9/18/2025	36.99	--	9/18/2025	77	600	NMP UTM UTS
5S/1W-04H003	PIEZ#9	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	42.88	11.64	8/20/2025	96	900	OBS@120' PWC
5S/1W-04H004	Robin & Ladner	C	Alameda County Water District	9/16/2025	45.11	-3.4	8/19/2025	156	800	PWC
5S/1W-04H005	Robin & Ladner	F	Alameda County Water District	9/16/2025	44.92	-2.57	8/19/2025	223	730	PWC
5S/1W-04P002	Curtis St. MW	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	28.16	11.28	8/29/2025	149	1,000	PWC
5S/1W-05B001	Blacow Rd.	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	38.26	10.94	9/4/2025	247	1,100	PWC
5S/1W-05C001	Farwell	C	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	38.29	--	8/20/2025	291	930	UTM transducer OFF
5S/1W-05H003	WELL C-1	D	Alameda County Water District	9/16/2025	34.31	-3.32	9/3/2025	26	310	PWC
5S/1W-05H004	WELL D-1	F	Alameda County Water District	9/16/2025	34.25	-3.18	9/3/2025	24	370	PWC
5S/1W-05H005	WELL E-1	C	Alameda County Water District	9/16/2025	34.31	-4.64	9/3/2025	295	940	PWC
5S/1W-05H006	WELL F-1	N	Alameda County Water District	9/16/2025	34.29	11.06	9/3/2025	151	1,100	PWC
5S/1W-05M001	PIEZ#7	N	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	29.42	9.94	9/9/2025	1,322	2,800	M PWC
5S/1W-06H001		CF	Sam L. Arnold	9/16/2025	28.54	--		--	--	EPD NMP UTM
5S/1W-06H004	Bellflower	C	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	30.25	--	8/20/2025	391	980	RUN UTM
5S/1W-06H009	2-SF	F	Alameda County Water District	9/18/2025	33.04	-3.41	8/21/2025	699	1,700	PWC
5S/1W-06H010	2-TF	F	Alameda County Water District	9/18/2025	32.55	-3.45	8/26/2025	--	--	
5S/1W-06H011	2-MN	N	Alameda County Water District	9/18/2025	32.59	10.3	8/21/2025	164	960	PWC
5S/1W-06H012	2-MF	F	Alameda County Water District	9/18/2025	32.59	-3.27	8/21/2025	657	1,500	PWC
5S/1W-06N006	Site B	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	21.04	9.42		--	--	
5S/1W-06N007	MW in site B	C	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	21.65	-8.88		--	--	M UTS
5S/1W-07B036	Silliman - MW	C	Alameda County Water District	9/17/2025	16	-8.52	8/21/2025	608	1,400	PWC
5S/1W-07G010	Y	D	Alameda County Water District	9/17/2025	13.06	-5.77	8/26/2025	69	400	M PWC
5S/1W-07H002		CF	Brook R. & Forrest E. Heath	9/17/2025	10.37	--		--	--	OBS@~15 UTM
5S/1W-07J001	E-77	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	9.51	8.27	9/5/2025	690	2,000	PW
5S/1W-07J003	Site A	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	11.48	7.62		--	--	OFF probe can get stuck
5S/1W-07J005	Site A -MW	F	Alameda County Water District	9/17/2025	11.45	-2.57	9/5/2025	11	360	PWC
5S/1W-08D001	E-117	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	18.15	9.49	9/10/2025	1,621	3,500	PWC
5S/1W-08G002	E-81	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	15.36	9.52	8/28/2025	371	1,300	PWC
5S/1W-08P004	E-82	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	8.7	7.7		--	--	PWC
5S/1W-10K002		C	SOUTHLAKE MOBIL HOME PARK	9/19/2025	26.96	--	9/19/2025	225	740	NMP UTM
5S/1W-14B003		N	J.C. & A.C. LOPES	9/16/2025	38.26	18.06		--	--	
5S/1W-16M006	AutoMall-C	C	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	11.67	-3.51	8/21/2025	447	1,200	PWC

Alameda County Water District
Groundwater Monitoring Program
Fall 2025

Well Number	Alternate Well ID	Aquifer	Owner	Date of Water Level	Reference Elevation* (feet)	Water Elevation* (feet)	Water Sample Date	Chloride (ppm)	TDS (ppm)	Remarks
5S/1W-16M007	AutoMall-F	F	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	11.91	-2.37	8/21/2025	13	400	PWC
5S/1W-16M008	AutoMall D1	D	ALAMEDA COUNTY WATER DISTRICT	9/16/2025	11.86	-2.25	8/21/2025	12	340	PWC
5S/1W-17A003	E-115	N	Alameda County Water District	9/16/2025	10.2	9.2	9/4/2025	578	1,700	M PWC
5S/1W-17J001		CF	OAKLAND SCAVENGER CO.	9/16/2025	6.47	--	9/16/2025	16	370	NMP UTM
5S/1W-17J004	E-88	N	Alameda County Water District	9/16/2025	6.74	A		--	--	M bush overgrowth, Artesian
5S/1W-17J006	E-113	N	Alameda County Water District	9/16/2025	6.25	A	9/10/2025	711	1,900	PWC Artesian
5S/1W-17R021		CF	WASTE MANAGEMENT OF ALAMEDA COUNTY	9/16/2025	9.67	--	9/16/2025	64	400	NMP UTM
5S/1W-20G001	WM-C	D	Alameda County Water District	9/16/2025	8.29	-1.56	8/22/2025	16	370	PWC
5S/1W-22H001	E-100	N	Alameda County Water District	9/16/2025	10.42	4.37	9/10/2025	12,809	23,000	PWC
5S/2W-01B002		C	J.S. OLIVEIRA	9/19/2025	18.59	--		--	--	DA PWC Owner not home
5S/2W-01B009	1-MF	F	Alameda County Water District	9/17/2025	22.42	-4.26	8/21/2025	752	1,800	PWC
5S/2W-01B010	1-MC	C	Alameda County Water District	9/17/2025	22.14	-9.17	8/21/2025	511	1,300	PWC
5S/2W-01B011	1-SF	F	Alameda County Water District	9/17/2025	22.07	-4.33	8/21/2025	932	2,200	PWC
5S/2W-01B012	1-TF	F	Alameda County Water District	9/17/2025	23.9	-4.39	9/4/2025	--	--	
5S/2W-01R001	E-68	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	17.04	9.58	9/10/2025	2,296	4,700	PWC
5S/2W-01R014	DESAL.PLANT MW	C	Alameda County Water District	9/17/2025	18.28	-8.8	8/21/2025	529	1,200	PWC
5S/2W-02C005	E-123	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	9.81	5.81	8/28/2025	3,138	5,800	PWC
5S/2W-02E001	E-49	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	5.11	2.98	9/10/2025	17,544	29,000	PWC
5S/2W-02F003	Well W	C	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	10.36	-2.45	9/4/2025	744	1,600	PWC
5S/2W-02F004	Well X	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	10.34	6.11	9/4/2025	421	1,400	PWC
5S/2W-02M006	E-51	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	7.93	2.8	9/10/2025	21,741	38,000	PWC
5S/2W-02M007	Site C	N	ALAMEDA COUNTY WATER DISTRICT	9/17/2025	11.08	4.34		--	--	UTS
5S/2W-02Q001	OBSER. WELL #1	N	ALAMEDA COUNTY WATER DISTRICT	9/25/2025	9.63	6.17		--	--	
5S/2W-03A003	E-48	N	Alameda County Water District	9/17/2025	5.47	4.07	9/11/2025	7,208	13,000	M PWC bush overgrowth
5S/2W-03G001	E-44	N	Alameda County Water District	9/16/2025	6.9	3.42	8/28/2025	19,184	36,000	PWC
5S/2W-03H002	E-47	N	Alameda County Water District	9/17/2025	4.89	3.6	9/11/2025	23,943	40,000	PWC
5S/2W-03H004	Old Jarvis - C	C	Alameda County Water District	9/17/2025	5.84	-2.32	9/11/2025	45,499	75,000	PWC
5S/2W-03H005	Old Jarvis - F	F	Alameda County Water District	9/17/2025	5.8	5.4	9/11/2025	23	750	PWC
5S/2W-08M011	Dumbarton - F	CF	Alameda County Water District	9/16/2025	6.45	A	8/26/2025	67	460	PWC Artesian
5S/2W-11H002	E-60	N	Alameda County Water District	9/18/2025	9.47	5.78	8/26/2025	1,596	3,300	PWC
5S/2W-12B008		D	LESLIE SALT CO.	9/18/2025	12.49	--	9/18/2025	494	1,000	NMP RUN UTM capped M.P.
5S/2W-12C003	E-62	N	Alameda County Water District	9/18/2025	10.1	5.57	8/26/2025	28,700	51,000	PWC
5S/2W-14E005	DE1-D1	D	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	7.92	A	9/5/2025	39	380	PWC Artesian
5S/2W-14E006	DE1-F	F	Alameda County Water District	9/18/2025	7.96	A	9/5/2025	24	270	PWC Artesian
5S/2W-14E007	DE1-C	C	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	7.77	A	9/5/2025	13	280	PWC Artesian
5S/2W-14E008	DE1-N	N	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	7.75	3.66	9/5/2025	46,481	79,000	PWC
5S/2W-14E009	DE1-D2	D	ALAMEDA COUNTY WATER DISTRICT	9/18/2025	7.88	A	9/5/2025	56	440	PWC Artesian
5S/2W-17F002		N	LESLIE SALT CO.	9/19/2025	7.7	3.19		--	--	M label wells
5S/2W-17F003		C	LESLIE SALT CO.	9/19/2025	7.8	A		--	--	M label wells, Artesian
5S/2W-24B003	Mowry Slough - C	C	Alameda County Water District	9/18/2025	8.73	A	9/5/2025	15	270	PWC Artesian

*NGVD 1929

APPENDIX G

ABBREVIATIONS

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GROUNDWATER MONITORING RECORDS

DESCRIPTION OF ABBREVIATIONS

Alternate Well Identifications

Clstr#1	Cluster Well
Peiz#4	Piezometer

Aquifer Codes

AHF	Above Hayward Fault
CF	Centerville-Fremont
C	Centerville
F	Fremont
D	Deep
N	Newark

Water Sample and Water Level Remarks

BRD	Buried
BOT	Bottles were not filled by owner/operator
C2T	Cap too tight
DA	Denied access (owner/operator refusal or locked gate)
EPD	Electrical power disconnected
NA	Not accessible (physically unable to access the well)
NMP	No measuring port
OBS@##	Obstruction at ## depth (feet)
OFF	Pump off therefore unable to obtain a water sample
PI	Pump inoperative
PWC	Pump with compressor
Run	Pump running
T	Sample obtained from tank
UTL	Unable to locate
UTM	Unable to measure depth to water
UTS	Unable to sample

Other Abbreviations

A	Flowing Artesian Conditions (Water level is above the ground surface)
CL	Chloride
TDS	Total Dissolved Solids
NO3	Nitrate
M	Maintenance Needed
ppm	Parts per million
ppt	Parts per trillion
MCL	Maximum Contaminant Level
NGVD	National Geodetic Vertical Datum of 1929
1929 WL	Water Level
--	Not measured or not sampled

SURVEY REPORT

ON

GROUNDWATER CONDITIONS

February 2026

ALAMEDA COUNTY WATER DISTRICT

Fremont, California

43885 SOUTH GRIMMER BOULEVARD • FREMONT, CALIFORNIA 94538
(510) 668-4200 • www.acwd.org

February 12, 2026

Mr. Aziz Akbari, President
Board of Directors
Alameda County Water District
43885 South Grimmer Boulevard
Fremont, California 94538

Dear President Akbari:

Subject: Survey Report on Groundwater Conditions, February 2026

Submitted herewith is the Survey Report on Groundwater Conditions, as requested by the Board on November 13, 2025. It presents information on groundwater conditions together with estimates of FY 2026/27 costs of replenishing and maintaining the groundwater basin. This report is a prerequisite to consideration by the Board of the rate of replenishment assessment for FY 2026/27, under provisions of Chapter 1942, Statutes of 1961. It provides all the data required pursuant to Section 7 of this statute.

Staff is recommending no change in the replenishment assessment rate in FY 2026/27. Prior increases in the replenishment assessment rate for production for purposes other than agricultural and municipal recreation, along with grant funding, have enabled Alameda County Water District to make substantial upgrades and repairs to aging recharge facilities and to render them in compliance with the Endangered Species Act. For next fiscal year, revenue generated under the current replenishment assessment rate, adopted on April 8, 2025, through Resolution No. 25-018, along with other funding, is expected to be sufficient to cover groundwater basin expenses and fixed and capital costs. Capital items will include scheduled projects devoted to water supply and conveyance for groundwater replenishment, and other improvements identified in the Capital Improvement Program for the groundwater basin, as described in this report. The water supply and conveyance initiatives are critical to ensure reliability of sources of groundwater replenishment for the long-term as each of the District's sources is subject to future uncertainties related to climate change and regulatory and environmental pressures.

Sincerely,

Ed Stevenson
General Manager

PROFESSIONAL CERTIFICATION

The 2026 Survey Report on Groundwater Conditions was prepared by Mikel S. Halliwell, Senior Engineer, under the direction of Michelle Walden, Groundwater Resources Manager, and Laura Hidas, Director of Water Resources. The information and other content in this report, including quantities provided in the tables, text, and figures, were developed with a level of effort and methods considered adequate for the purpose of this report's creation; that is, to provide a reasonable basis for the Board of Directors of Alameda County Water District to determine the need for, and rate of, replenishment assessment for the coming fiscal year, pursuant to the requirements of the Replenishment Assessment Act of the Alameda County Water District.

Mikel S. Halliwell

Mikel S. Halliwell, P.E.
Senior Engineer
Groundwater Resources Division

February 6, 2026
Date

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INTRODUCTION

On November 13, 2025, the Board of Directors (Board) of the Alameda County Water District (ACWD or District) ordered the preparation of a Survey Report on Groundwater Conditions. The purpose of the report is to provide information on the Niles Cone Groundwater Basin (Niles Cone, groundwater basin, or basin) in accordance with Section 7, Chapter 1942, Statutes of 1961, referred to as the Replenishment Assessment Act of the Alameda County Water District (Replenishment Assessment Act).

The report contains the results of an annual study which: 1) estimates the total amount of groundwater production for the coming year; 2) estimates the total amount of groundwater recharge required; 3) determines the extent of any salinity intrusion into the groundwater basin; and 4) analyzes the effects on groundwater levels within the basin due to production and other well pumping, recharge, and sea level. The study reflects actual values of pumping[1], recharge, and sea level from July 2024 through November 2025 (except for private pumping which is projected after September 2025), and projected values for the remainder of Fiscal Year (FY) 2025/26 and the entirety of FY 2026/27. The projections, which were developed in December 2025, are based on a scenario of near-median annual rainfall totals for both Calendar Year (CY) 2026 and CY 2027.

In addition, the report: 1) recommends the amount of supplemental water to be purchased to maintain target basin water levels, and 2) summarizes the cost of the District's groundwater program including the estimated cost of the recommended supplemental supply. The amount of these costs is the basis for the determination by the Board of the need for, and the rate of, a replenishment assessment for FY 2026/27. Depending on the amount of natural recharge realized over the remainder of the winter, some supplemental water ultimately may be needed for replenishment of the basin in FY 2026/27. The possibility of operational adjustments to real-time conditions does not diminish the validity of critical content in this report, including the basis of the recommended rate of replenishment assessment.

The Replenishment Assessment Act requires the Board to perform certain actions prior to specific dates in the process of setting a replenishment assessment rate for the coming fiscal year. In addition, a proposal to increase the replenishment assessment rate is subject to the Proposition 218 notification requirement. If the Board agrees with staff's recommendation to not increase the replenishment assessment rate for purposes other than agricultural and municipal recreation in FY 2026/27, then mailed written notices to well owners and property owners subject to the rate would not be required.

[1] *Actual* values of pumped water were determined from a combination of measured data from wells equipped with functioning meters and estimates for those wells for which data by direct measurement was not available. The estimated component of actual pumping in the District is small relative to that directly measured.

Listed below are the required actions for raising funds by replenishment assessment in FY 2026/27:

	REQUIRED ACTIONS	TENTATIVE DATE	LATEST DATE
1.	Order an Engineering Survey and Report.	Completed on Nov. 13, 2025	
2.	To comply with the Sustainable Groundwater Management Act (SGMA), mail written notices of scheduled Board actions on replenishment assessment to interested parties.	Completed on Feb. 2, 2026	
3.	Declare whether water funds will be raised by (a) a water charge, (b) by a replenishment assessment, or (c) a combination of both.	Feb. 12, 2026	Mar. 10, 2026
4.	To comply with Proposition 218, mail written notices of the proposed increase in the replenishment assessment rate to well owners or operators that would be subject to the new rate. This is not required if the District does not propose to increase the replenishment assessment rate.	Feb. 13, 2026	Feb. 20, 2026
5.	Publish a notice of Public Hearing.	Mar. 27, 2026	Apr. 3, 2026
6.	Hold a Public Hearing - required on 2nd Tuesday of April.	Apr. 14, 2026	Apr. 14, 2026
7.	Complete Public Hearing.	Apr. 14, 2026	May 5, 2026
8.	Make formal findings on groundwater conditions and costs, and rate of replenishment assessment.	Apr. 14, 2026	May 12, 2026

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

1. The water level in the Newark Aquifer has remained above sea level (the local mean level of San Francisco Bay). The aquifer was not overdrawn and there is no indication that saltwater entered the basin between Fall 2024 and Fall 2025.

2. The estimated volume of supplemental water needed for the replenishment of groundwater supplies in FY 2026/27 is nil.

3. Funds will be required in FY 2026/27 to pay capital and operating costs that benefit the groundwater basin, including State Water Project and Semitropic Water Storage District contract costs.

4. The estimate of the District's groundwater program costs for FY 2026/27 is summarized below:

Fixed and Capital Costs	$12,452,000
Variable and Operating Costs	$14,757,000
TOTAL	$27,209,000

Recommendations

1. Based on the assumption of near-median annual rainfall totals for both CY 2026 and CY 2027, it is anticipated that supplemental water for the groundwater basin will not be required in FY 2026/27. Instead, some of the District's state water supply should be banked at the Semitropic Water Storage District.

2. If actual conditions through the spring of 2027 prove significantly drier than anticipated, then the District should consider purchase and/or delivery of supplemental water from the State Water Project, Lake Del Valle, the Semitropic Water Storage District, and/or through other sources as they become available.

3. The District should levy a replenishment assessment to recover a portion of its groundwater program costs in FY 2026/27. The rate of replenishment assessment in FY 2026/27, for purposes other than agricultural and municipal recreation, should be the same as the existing rate (the rate for agricultural and municipal recreation is set at $8 per acre-foot per the Replenishment Assessment Act).

Category	Existing	Proposed
Agricultural and Municipal Recreation	$ 8/acre-foot	$ 8/acre-foot
All Other Purposes	$ 557/acre-foot	$ 557/acre-foot

GROUNDWATER BASIN CONDITIONS

Background

The ACWD Groundwater Statutory Service Area, approximately 68,700 acres (107 square miles), is shown on Plate 1. Table 1 is a tabulation of 2023 land use, and Figure 1 illustrates 2023 land use in pie chart format. The categories in Table 1 and Figure 1 were established with consideration of hydrologic characteristics as well as potential water use. The "Salt Ponds and Marsh" category generally refers to the surface water and marsh system (salt ponds, levees, sloughs, small flood control channels, and marshes) extending from the westerly edge of urban development to the coastline of San Francisco Bay. However, the Alameda Creek Flood Control Channel and re-channelized Alameda Creek, which run through salt pond and marsh areas, are included under "Non-Developed." "Non-Developed" also includes idle land; the natural, wooded portion of Fremont Central Park; Tule Pond; Old Alameda Creek; and the 'natural' parts of the Quarry Lake areas. Buildings, paved parking, and lawns within the Quarry Lakes Recreational Area, the Coyote Hills, and other non-city-owned and operated parks comprise the non-municipal recreation component of "Irrigated Agricultural and Non-Municipal Recreation." City parks, except the natural wooded area of Fremont Central Park, are categorized as part of "Municipal," which also includes residential and retail/storefront-oriented commercial areas. The "Industrial" category refers to non-retail commercial lands such as industrial plants, warehouse areas, and business parks.

The Niles Cone Groundwater Basin, as described by the State of California Department of Water Resources (DWR), exists almost exclusively within the District's boundaries. However, certain aquifer layers of the Niles Cone appear to extend substantially beyond this boundary. The Newark Aquifer and Centerville-Fremont Aquifer, according to DWR (Plate 2), continue westward all the way to the San Francisco Bay Peninsula. In addition, there is evidence that the Deep Aquifer is

hydraulically connected to the adjacent East Bay Plain Groundwater Basin to the north, albeit with some impedance.[2] The amount of groundwater production from the basin west of San Francisco Bay is quite small and is neglected for the purposes of this report. The portion of the Newark Aquifer under the bay provides the means of transporting saline water to the groundwater basin underlying the District.

TABLE 1

LAND USE IN ACWD GROUNDWATER STATUTORY SERVICE AREA, 2023

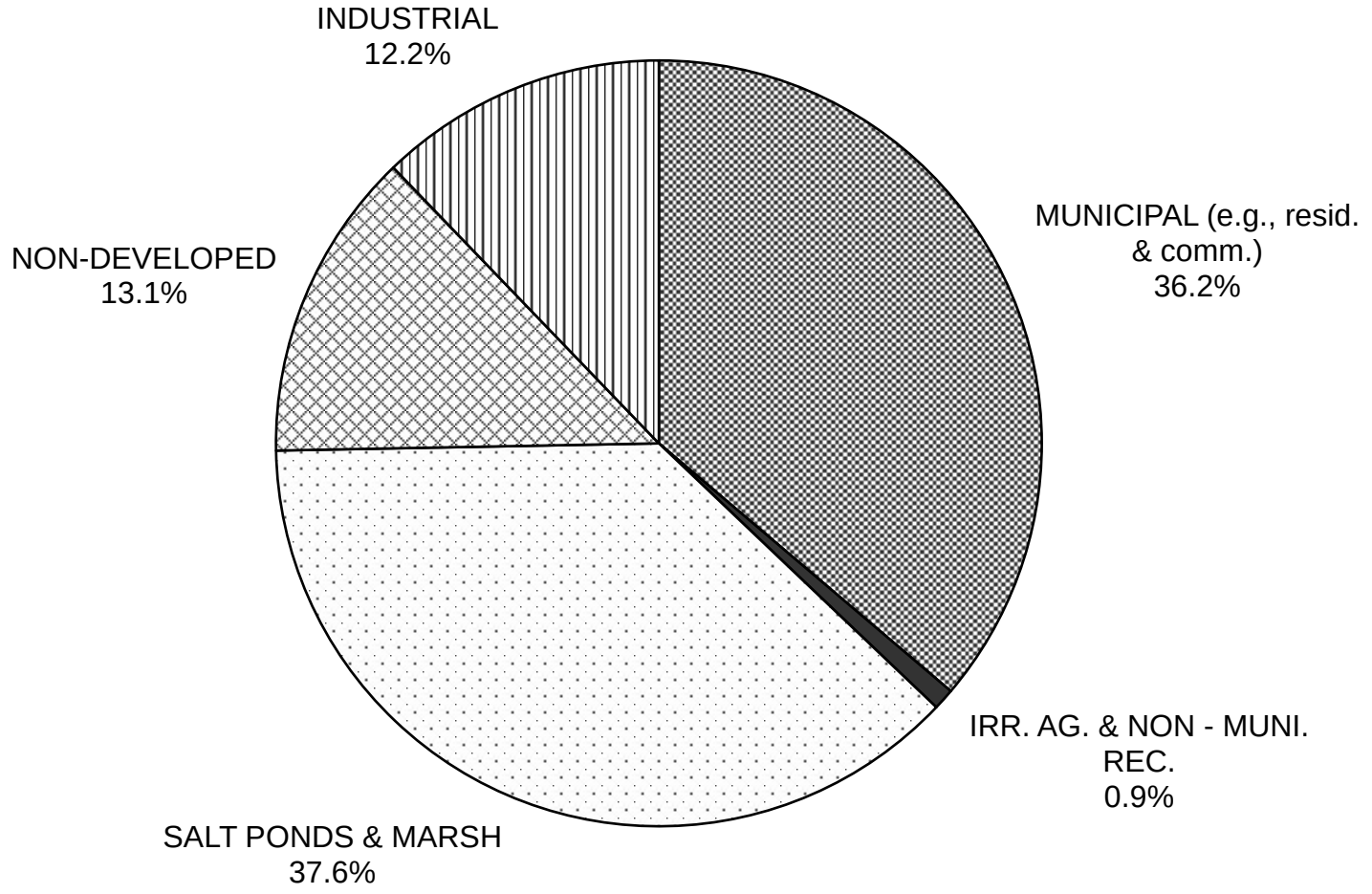
Land Use	**Thousands of Acres**
Municipal (e.g., residential and commercial)	24.9
Industrial	8.4
Irrigated Agricultural and Non-Municipal Recreation	0.6
Non-Developed	9.0
Salt Ponds and Marsh	25.8
TOTAL	68.7

The groundwater basin is divided on the east side of the District by the Hayward Fault. The fault is a relatively impermeable barrier that impedes the flow of water, hence dividing the overall basin into two sub-basins: the Above Hayward Fault (AHF) and Below Hayward Fault (BHF) sub-basins located east and west, respectively, of the Hayward Fault. The AHF Sub-basin is smaller than the BHF Sub-basin. In FY 2024/25, 19% of the groundwater produced from the Niles Cone was pumped from the AHF Sub-basin, whereas 81% was pumped from the BHF Sub-basin.

The BHF Sub-basin is composed of a forebay and three primary aquifers as shown on Plate 2. If the water levels in the Newark Aquifer are below sea level, saline water will flow from the bay and salt evaporation ponds into the Newark Aquifer, then easterly toward the forebay area. Then, following the flow of water caused by pumping, the saline water may move down into the lower levels of the forebay and into the Centerville-Fremont and Deep Aquifers. Saline water can also be transmitted from the upper aquifers to the lower aquifers through natural weaknesses in the aquitards that separate the aquifers, and through defective wells. The saltwater intrusion results when groundwater levels in the Newark Aquifer are below sea level due to an overdraft of the basin. The Newark Aquifer water levels are presently above sea level and are forecast to remain above sea level through June 2026. A graph of historical groundwater levels in the forebay area of the Newark Aquifer is presented on Plate 3.

[2] Luhdorff and Scalmanini Consulting Engineers. 2003. *East Bay Plain Aquifer Test Project, South East Bay Plain and Niles Cone Ground-Water Basins.*

FIGURE 1
LAND USE IN ACWD GROUNDWATER STATUTORY SERVICE AREA
2023



Production of Groundwater

The “production” of groundwater is defined in the Replenishment Assessment Act as the extraction of groundwater by pumping or any other method from shafts, tunnels, wells, excavations, or other sources of groundwater for domestic, irrigation, industrial, or other beneficial uses. Most pumping from the basin is classified as production.

Table 2 lists the various components of groundwater pumping for FY 2024/25 (actual), FY 2025/26 (forecast), and FY 2026/27 (forecast). Most of the FY 2024/25 groundwater production figures in the table were obtained from well meter readings. A relatively small amount of unmetered groundwater production was estimated. Production amounts for FY 2025/26 reflect a combination of actual values (meter readings and estimates) and projections, with actual values through September 2025 for most non-ACWD owned wells on the Replenishment Assessment Program, and through November 2025 for active ACWD wells. The production of groundwater for the remaining months of FY 2025/26 and the entirety of FY 2026/27 was projected based on an analysis of historical trends, expected water demand on the ACWD distribution system, and information provided in planning documents and by well owners/operators.

Production is broken down by usage category and by sub-basin (Above Hayward Fault and Below Hayward Fault). Groundwater supplied to ACWD’s distribution system comprises the “Municipal” category of production, and includes water pumped from ACWD’s two wellfields, and water delivered to the Newark Desalination Facility from certain Aquifer Reclamation Program (ARP) wells. ARP water not diverted to the Newark Desalination Facility (i.e., ARP water discharged to flood control channels) is accounted for in Table 2 under “Aquifer Reclamation,” a category of pumping that is not production.

The purpose of ACWD's ARP is to restore water quality in certain sections of the basin in which groundwater became brackish due to intrusion of saltwater from San Francisco Bay. This saltwater intrusion occurred as a result of high-volume pumping during the 1920s through the early 1960s without adequate recharge (replenishment) of the basin. The ARP involves extracting brackish groundwater, with the objective of improving the quality of groundwater in the basin as recharge water replaces the pumped brackish groundwater. ARP pumping also prevents the plume of brackish water in the Centerville-Fremont Aquifer from further migrating inland toward ACWD’s Mowry Wellfield.

Prior to 2003, all pumped ARP water was discharged to San Francisco Bay. Construction of the Phase 1 Newark Desalination Facility subsequently enabled conversion of a portion of this discharge to potable use. The portion for potable use increased after the Phase 2 expansion of the Newark Desalination Facility in 2010.

“Other Reported Pumping,” the final category listed in Table 2, is extraction of groundwater quantified and reported to ACWD, but is neither production nor “Aquifer Reclamation.” This category may include dewatering of trenches and excavations during construction of subsurface utilities.

“Total Reported Pumping” is the sum of “Total Production,” “Aquifer Reclamation,” and “Other Reported Pumping.” A certain amount of groundwater pumped from the basin is not reported to ACWD, and hence, is not included in Table 2. The District’s groundwater flow model numerically compensates for any unreported pumping through various simulated loss mechanisms in order to achieve a reasonably accurate calculation of the water balance for the groundwater basin (see “Annual Overdraft” and Plates 11, 12, and 13).

TABLE 2
PRODUCTION OF GROUNDWATER
(in thousands of acre-feet)**

	FY 2024/25 Actual	FY 2025/26 Forecast	FY 2026/27 Forecast
ABOVE HAYWARD FAULT			
Municipal*	2.8	4.4	5.3
Industrial	0.1	0.1	0.1
Agricultural	0.0	0.0	0.0
Municipal-Recreation	0.5	0.4	0.4
Non-Municipal Recreation	0.0	0.0	0.1
Subtotal	3.4	4.9	5.9
BELOW HAYWARD FAULT			
Municipal*	13.7	14.7	13.6
Industrial	0.8	0.9	0.9
Agricultural	0.1	0.1	0.1
Municipal-Recreation	0.1	0.2	0.1
Non-Municipal Recreation	0.1	0.1	0.0
Subtotal	14.8	16.0	14.7
TOTAL PRODUCTION BY USE			
Municipal*	16.5	19.1	18.9
Industrial	0.9	1.0	1.0
Agricultural	0.1	0.1	0.1
Municipal-Recreation	0.6	0.6	0.5
Non-Municipal Recreation	0.1	0.1	0.1
TOTAL PRODUCTION	18.2	20.9	20.6
Aquifer Reclamation	0.2	0.1	0.0
Other Reported Pumping	0.0	0.0	0.0
TOTAL REPORTED PUMPING	18.4	21.0	20.6

* The discussion on Page 6 describes how the amounts for these categories have been calculated.
** Categories with quantities of "0.0" may have been measurable amounts of pumping below 50 acre-feet but are reported as 0.0 due to rounding.

Figure 2 provides graphs of historical groundwater pumping from FY 1969/70 through FY 2024/25. The terms "AHF Production" and "BHF Production" in the legend correspond to the subtotaled production of the Above Hayward Fault and Below Hayward Fault, respectively, in Table 2. Similarly, "Aquifer Reclamation," "Other Reported Pumping," and "Total Reported Pumping" refer to the same-named categories in Table 2. Figure 3 indicates the extent to which groundwater comprised the District's distribution system supply in FY 2024/25, and the projected values thereof for FY 2025/26 and FY 2026/27.

As indicated in Figure 3, 32.8% of ACWD's distribution system supply in FY 2024/25 was supplied by groundwater, with 13.8% and 19.0% supplied by the wellfields and the Newark Desalination Facility, respectively. In FY 2025/26, the groundwater share is expected to be 39.9%, with 15.9% from the wellfields and 24.0% from the Newark Desalination Facility. In FY 2026/27, it is anticipated that the wellfields will contribute 16.7%, and the Newark Desalination Facility 21.9%, to provide an estimated groundwater share of 38.6% toward the distribution system supply.

Replenishment Assessment Meters

The establishment of the replenishment assessment required that meters be installed on all active wells in the District. This requirement can, however, be deferred by the Board on a year-to-year basis if it is justified. The Board chose to install the necessary water meters on most wells in FY 1970/71 and FY 1971/72. Additional meters have been installed as necessary for new or reactivated wells.

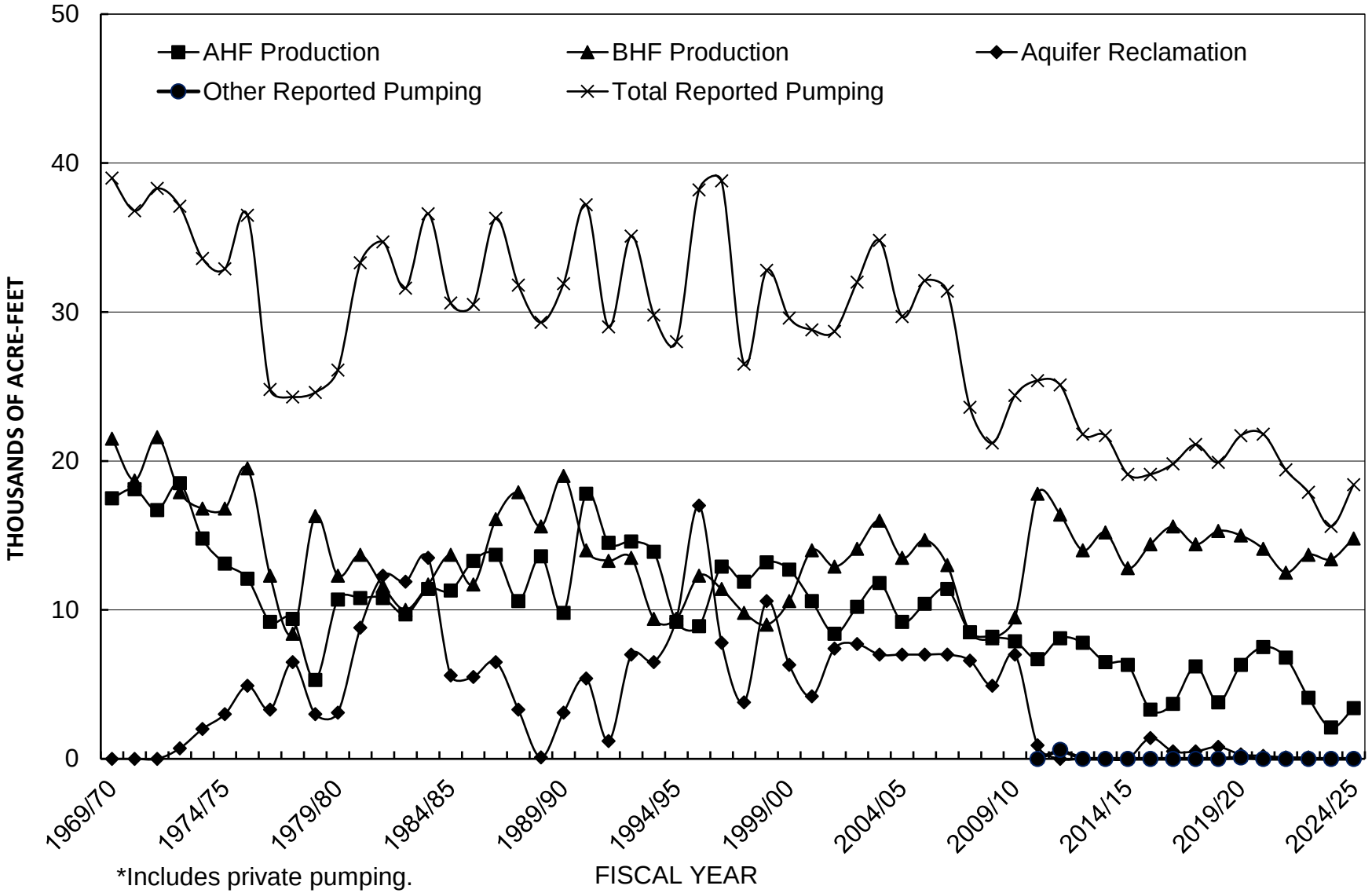
Of the 58 non-ACWD-owned wells with active accounts in the Replenishment Assessment Program, all are currently equipped with meters.[3] All active ACWD production and ARP wells are equipped with functioning meters, except Lowry Well, Nursery Well, and Whipple Well, which are operated infrequently on a standby basis. The amounts pumped from these unequipped wells are based on estimates instead of actual meter readings. Pending a change in their status to more regular use, equipping them with working meters would not be cost effective.[4] To allow for the use of non-metered wells, Section 20 of the Replenishment Assessment Act requires that the Board adopt a resolution extending the date when all water producing facilities are required to be metered. The price of water metering devices or other circumstances can be the basis for the Board's determination. Last year, the Board extended the deadline for metering non-metered wells to March 10, 2026.

Wells with discharge lines not greater than two inches in diameter and providing groundwater for domestic use or for irrigation on less than one acre of land can be excused from the metering requirement, and charged a flat rate established by the Board. The Board would be required to pass a resolution to that effect at the time they fix the general replenishment assessment rate. The Board did not levy a flat rate assessment on these wells for FY 2025/26.

[3] At the time this report was prepared, eleven wells in the Replenishment Assessment Program had metering equipment designated for repair or replacement.

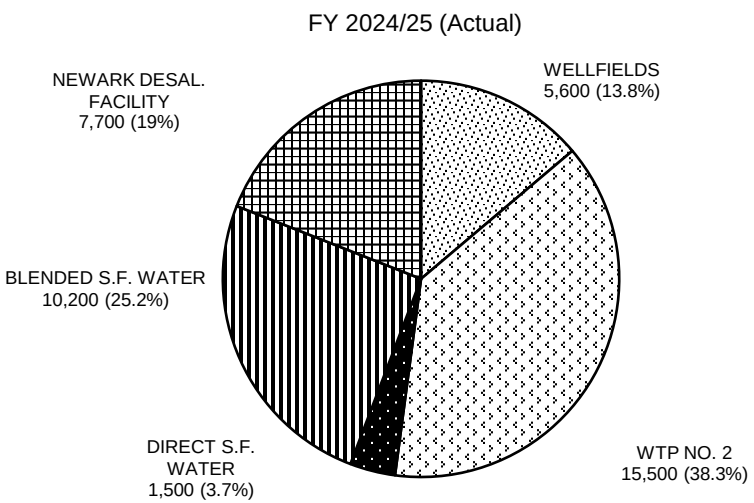
[4] The estimated pumping amounts from Lowry, Nursery, and Whipple wells, combined, are 1.6 acre-feet in FY 2024/25 and 1.4 acre-feet in FY 2025/26.

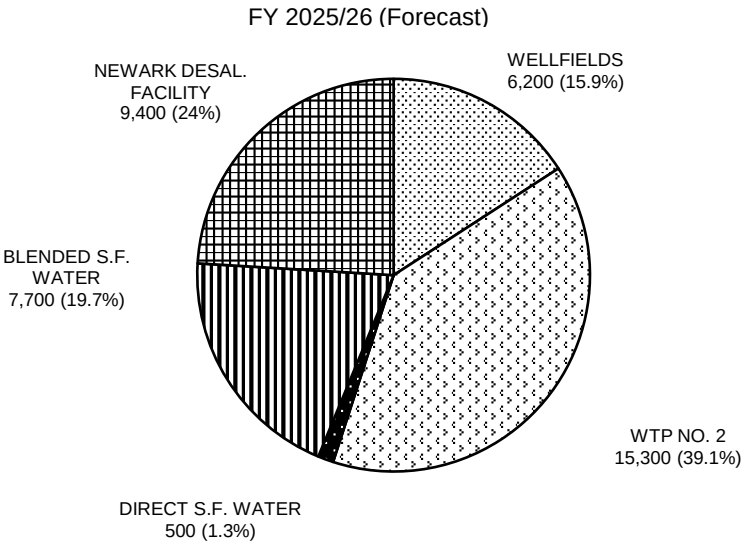
FIGURE 2
HISTORICAL GROUNDWATER PUMPING IN ACWD GROUNDWATER STATUTORY SERVICE AREA*
(ACTUAL THROUGH FY 2024/25)

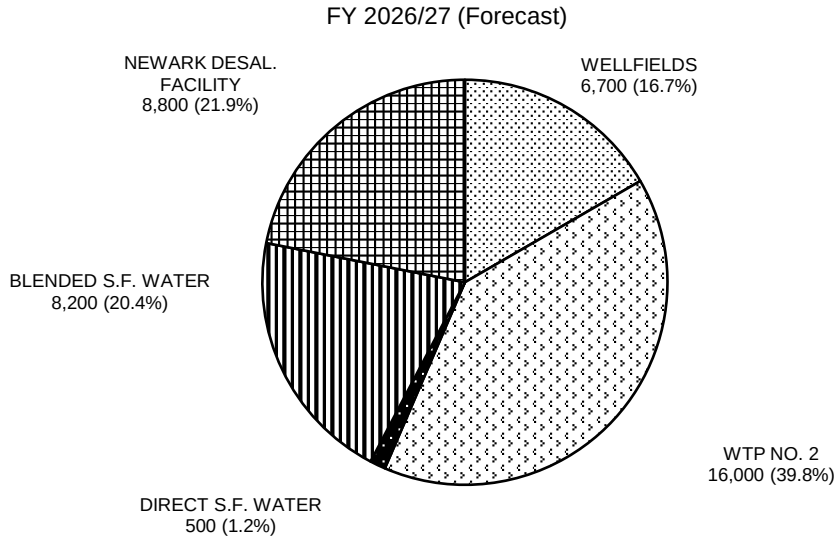


*Includes private pumping.

FIGURE 3 - ACWD DISTRIBUTION SYSTEM SOURCE OF SUPPLY







Annual Overdraft

The annual overdraft, as defined in the Replenishment Assessment Act, “means the amount, as determined by the Board, by which the quantity of groundwater removed by any natural or artificial means from the groundwater supplies within the District during the water year exceeds the quantity of non-saline water replaced therein by the replenishment of such groundwater supplies in the water year by any natural or artificial means other than replenishment under provisions of this act”. Effectively, the annual overdraft is the difference between the amount of groundwater pumped from the basin and the amount of water recharged from local water supplies during the fiscal year.

The net local water recharged to the groundwater basin is composed of the portion of watershed runoff impounded at the recharge facilities, infiltration from applied water (e.g., irrigation) and rainfall, other inflow, less saline and other outflows from the basin. Part of the local recharge from infiltration and applied water may percolate into the brackish water in the Newark Aquifer. While part of this water is not usable directly due to degradation from mixing with saline water, it does contribute to the volume of water in the basin. The component amounts of net local recharge for FY 2024/25 (actual), FY 2025/26 (forecast), and FY 2026/27 (forecast) are listed in Table 3.

TABLE 3

ANNUAL OVERDRAFT
(In Thousands of Acre-Feet)

	FY 2024/25 Actual	FY 2025/26 Forecast	FY 2026/27 Forecast
TOTAL REPORTED PUMPING (Table 2)	18.4	21.0	20.6
LOCAL RECHARGE			
Runoff to the recharge facilities	11.8	19.0	18.5
Infiltration from direct rain and applied water, and other inflow (modeled)	8.9	9.1	8.8
(less) Saline water outflow (modeled)	-6.5	-5.8	-5.8
(less) Other outflow (modeled)	-0.2	-0.1	-0.1
TOTAL NET LOCAL RECHARGE	14.0	22.2	21.4
ANNUAL OVERDRAFT	+4.4	-1.2	-0.8

Values in Table 3 reflect actual conditions from July 2024 through November 2025 (except private pumping which is projected after September 2025) and then projected conditions through the remainder of FY 2025/26 and the entirety of FY 2026/27. Actual values of “Total Reported Pumping” and "Runoff to the recharge facilities” were mostly measured, and future values thereof have been projected based on trends and the selected hydrologic scenario described on Page 1. Amounts for the other flows in Table 3 were obtained with the assistance of ACWD’s groundwater model, which, besides predicting future piezometric head, calculates volumes of flow that cannot easily be measured or estimated by direct methods. The model requires input of measurable or easily estimated parameters, such as rainfall, pumping, recharge at the recharge facilities, and sea

level. Actual values of these parameters were input for the historical portion of the simulation (ending in November 2025), and then forecasted values were appended to model input files to enable the simulation to extend into the future through CY 2027. Resulting model output of simulated flows, including 'actual' values for FY 2024/25, are subject to uncertainty due to limitations of the model and its input parameters.

The District's most recent version of the model, acquired in 2021 and referred to as the Niles East Bay Integrated Model (NEBIM), operates on the *Integrated Water Flow Model* (IWFM) platform. IWFM is the successor platform to *Integrated Groundwater Surface Water Model* (IGSM) upon which the District's previous versions of the model were based. The District retained a consulting firm to develop and calibrate NEBIM. Subsequently, ACWD staff have appended input files and used NEBIM for the Survey Report and the annual SGMA Report.

Among the flow categories referenced in Table 3 and Plates 11, 12, and 13, those whose quantities have been calculated with the aid of NEBIM are described as follows: *Natural saline outflow* includes model-simulated subsurface flow from the Niles Cone to aquifers under San Francisco Bay[5], and net discharge of saline groundwater to salt ponds and streams. *Infiltration from direct rain and applied water, and other inflow* includes model-simulated deep percolation, inflows from small watersheds (hillside areas), and net inflow from the neighboring East Bay Plain Basin. *Other outflow* represents adjusted model-simulated net discharge of groundwater into streams.

Unlike Survey Reports prior to 2023, this report does not distinguish evaporation loss from the recharge facilities because such loss is effectively accounted for through model-simulated evapotranspiration and other processes, which constrain the amount of infiltration from direct rain and applied water, and other inflow.

Change in Piezometric Heads

In this report, each piezometric head value is presented as the actual elevation of the water level in the well in which it was measured, and accordingly, is expected to equate (approximately) to the level of the free water surface in the aquifer if the well is not in a pressure aquifer.

Movement of water within an aquifer is in the direction of decreasing piezometric heads (in certain cases, precise calculations of flow direction may require consideration of not only water levels, but also water density). Prior to 1972, the Newark Aquifer groundwater levels decreased in the landward direction toward the basin forebay (as shown on Plate 2). This caused landward movement of saline water toward the forebay area. The piezometric heads in the lower aquifers were lower than those of the Newark Aquifer, and the aquitards separating the aquifers are thin in the forebay. As a result, saline water in the forebay area migrated downward from the Newark Aquifer and into the lower aquifers. Vertical migration of saline water was also likely facilitated by abandoned or poorly constructed wells.[6]

Quantitative elevations of well levels (piezometric heads) on Plate 4, and elsewhere in this report, are given in reference to the National Geodetic Vertical Datum of 1929 ("NGVD 1929" or "1929 vertical datum"). For example, an elevation of 10.0 feet means 10.0 feet above the 1929 vertical datum. In Survey Reports prepared prior to 2018, elevations were reported in terms of "mean sea

[5] The portion of *natural saline outflow* attributed to flow to aquifers under San Francisco Bay includes not just flow via the Newark Aquifer, but also the Centerville-Fremont and Deep Aquifers. Therefore, some exchange of groundwater between the Niles Cone and aquifers under the bay may not be saline.

[6] Since the early 1970s, when ACWD initiated its Well Ordinance Program, numerous abandoned wells have been properly destroyed and sealed, and appropriate standards for construction of new wells and borings have been mandated.

level" (MSL), with zero feet MSL taken to be the 1929 vertical datum[7]. Therefore, numerical values of elevations in this report are comparable to those previous Survey Reports. To avoid confusion as to how high groundwater levels are relative to contemporary local mean sea level (San Francisco Bay proximal to the Niles Cone Groundwater Basin), this report refrains from use of "MSL". The trend elevation of local sea level in FY 2024/25 is estimated to be 0.65 feet NGVD 1929 per available tidal station data[8]. Accordingly, in this report, only groundwater levels higher than Elevation 0.65 feet are considered "above sea level". Consistent with global sea level trends, the difference between local mean sea level (San Francisco Bay) and Elevation 0 feet NGVD 1929 is likely to increase in future years.

During FY 2024/25, the piezometric heads of groundwater contained within the pressure level areas of the Newark Aquifer were above sea level. The water levels in the Centerville-Fremont Aquifer on Plate 4 fluctuated slightly above and below sea level in the beginning of the fiscal year through July 2024, then were below sea level through mid-October 2024, then above sea level through the remainder of the fiscal year. The water levels in the Deep Aquifer well on Plate 4 were below sea level in the beginning of the fiscal year through late December 2024, above sea level through early April 2025, then fluctuated above and below sea level through early June before spiking substantially above sea level toward the end of the fiscal year. (Note: Charts in Plate 4 include only end-of-month values, and local mean sea level is assumed to coincide with Elevation 0.65 feet, not zero feet, on the vertical axis of each chart.)

The changes in piezometric heads from the beginning to the end of the fiscal year were a decrease of approximately two feet in the Newark Aquifer and increases of approximately four and six feet in the Centerville-Fremont and Deep Aquifers, respectively. However, consistent with the Newark Aquifer, levels in the Centerville-Fremont and Deep Aquifers were, on average, less in FY 2024/25 than they were in FY 2023/24. During FY 2024/25, levels in the Newark Aquifer forebay indicator well varied between Elevation 12 and 18 feet. Since the piezometric heads of the Newark Aquifer remained above sea level (plus an additional increment to overcome higher density of seawater), some of the saltwater in the Newark Aquifer should have been repulsed back toward San Francisco Bay.

The AHF Sub-basin, situated between the Hayward Fault and the hills, is geographically smaller than the BHF Sub-basin but accommodates higher groundwater levels compared to the Newark, Centerville-Fremont, and Deep Aquifers. With reference to the hydrograph of well 4S/1W-27D008 on Plate 4, levels within the AHF were in the upper part of their operating range in FY 2024/25, although the change between the beginning and end of the fiscal year was a decrease of approximately seven feet.

Under the scenario of pumping (Table 2) and recharge (Tables 3 and 4) considered for this report, the water level in the Newark Aquifer forebay indicator well (4S/1W-29A006 on Plate 4) is anticipated to be at Elevation 14 feet in June 2026 and 15 feet in June 2027. The well levels in the Centerville-Fremont and Deep Aquifers are expected to be mostly above Elevation 0 feet for the remainder of the current water year. Levels in the AHF are expected to be higher at the end of FY 2025/26 and FY 2026/27 than they were at the end of FY 2024/25.

[7] NGVD 1929 was established as a sea level-based datum.

[8] Based on the sea level trend line provided by the National Oceanic and Atmospheric Administration (NOAA) for NOAA Tidal Station 9414290, in San Francisco (https://tidesandcurrents.noaa.gov/stationhome.html?id=9414290). The trend elevation for December 2024 (approximately half-way through FY 2024/25) was used for determining when groundwater levels on Plate 4 were above versus below sea level in FY 2024/25.

Extent of Salinity Intrusion

As discussed above under the heading of "Change in Piezometric Heads," the overdraft condition that had existed within the groundwater basin prior to the mid-1970s caused saltwater intrusion to occur in the BHF Sub-basin. Enhancement of ACWD's artificial recharge operation and importation of supplemental water have helped to reverse this condition.

Portions of aquifers that contain water with a chloride concentration greater than 250 parts per million (ppm) are considered to remain degraded by legacy saltwater intrusion. Plates 8 through 10, which were obtained from the District's *2025 Groundwater Monitoring Report* (Groundwater Monitoring Report), indicate the location of the 250-ppm chloride iso-contour line (250-ppm contour line) in the Newark Aquifer, Centerville-Fremont Aquifer, and Deep Aquifer in the fall of 2025. Each plate also includes the corresponding 250-ppm contour line for 1962-the year when supplemental water from the State Water Project was first purchased and groundwater levels began to rebound. These plates aim to illustrate the difference between the two time periods with respect to the 250-ppm contour line.

According to the Groundwater Monitoring Report, chloride concentrations in the AHF Aquifer during Fall 2025 were all below 250 ppm. Chloride contours for the Newark, Centerville-Fremont, and Deep Aquifers in Fall 2025 are similar to those of Fall 2024 except for a noticeable shift to the southwest in the position of the 250-ppm chloride contour for the Centerville Fremont Aquifer near the western end of Automall Parkway. The adjustment is largely consequential of a change in selection of data points for contouring. See the Groundwater Monitoring Report for additional information.

The Groundwater Monitoring Report includes a discussion of trends in chloride over multiple years (indicating overall improvement in water quality), which is useful for assessing success of basin management strategies.

Accumulated Overdraft

The accumulated overdraft is defined in the Replenishment Assessment Act as the amount of water necessary to be replaced in the groundwater basin to prevent the landward movement of bay water into the fresh groundwater basin. This applies only to the BHF Sub-basin. Therefore, for this report, the accumulated overdraft is assumed to be the volume of water required to raise the water levels in the Newark Aquifer to the local mean level of San Francisco Bay.

The accumulated overdraft of the basin has been eliminated since early 1972, as indicated on Plate 3. The water levels in the Newark Aquifer are expected to remain above sea level through FY 2025/26 and for the entire FY 2026/27, based on projections of pumping (Table 2) and local recharge (Table 3). Accordingly, no accumulated overdraft is expected in June 2026.

AMOUNT AND AVAILABILITY OF SUPPLEMENTAL WATER SUPPLIES

Supplemental Water Supplies Available to the District

The District obtains supplemental water for groundwater replenishment from the California State Water Project (SWP), ACWD's share of the local conservation storage in Del Valle Reservoir, ACWD's banked storage at the Semitropic Water Storage District (SWSD), and other sources. 'Withdrawal' of banked water is physically accomplished through an exchange, whereby ACWD receives SWP water from the Sacramento-San Joaquin Delta (Delta) that would otherwise be allocated to the SWSD, or to other State Water Contractors that, in turn, can be compensated

through deliveries from the SWSD. When advantageous, ACWD replenishes its banked water supply through diversion of a portion of its state water allocation to SWSD in lieu of direct delivery to ACWD. The terms of the water banking agreements between ACWD and SWSD include a 10% evaporation and aquifer loss; hence, 90% of ACWD's transfers of SWP water to SWSD (i.e., 90% of the amounts indicated in Plates 11 to 13) is credited to ACWD's balance of banked water.

The amount of water that can be withdrawn from the SWSD in any given year, and the timing of withdrawals, is subject to limitations. To improve flexibility, some SWSD water, when available, may be withdrawn and directed to an intermediate storage facility, such as San Luis Reservoir (SLR), in exchange for water to be delivered to ACWD at a more advantageous time (see Plates 11 through 13). In addition, water may be obtained from other sources, such as in FY 2021/2022 when ACWD obtained some of its imported supply through the State Water Contractors' Dry Year Transfer Program (DYTP). Similar to withdrawal from SWSD 'directly' to ACWD, return of water from SLR to ACWD is also physically accomplished through exchange.

Table 4 indicates the amounts of supplemental water received at ACWD for groundwater replenishment from each of the aforementioned sources in FY 2024/25 and the amounts that are anticipated to be received in FY 2025/26 and FY 2026/27. The anticipated amounts of local recharge in upcoming months should maintain groundwater levels within acceptable ranges through FY 2026/27 without additional supplemental water, according to the model-assisted forecast conducted in December 2025. Assumptions in the analysis include pumping volumes indicated in Table 2, along with a rainfall pattern yielding amounts of local recharge listed in Table 3. The District will adjust procurement of supplemental water in Calendar Year (CY) 2026 and/or CY 2027 depending on real-time conditions and updated forecasts.

TABLE 4

SUPPLEMENTAL WATER SUPPLIES
(In Thousands of Acre-Feet)*

Source	FY 2024/25 Actual	FY 2025/26 Forecast	FY 2026/27 Forecast
State Water Project (SWP)	0.0	0.0	0.0
Del Valle Reservoir	0.0	0.0	0.0
SWSD (without intermediate storage)	0.0	0.0	0.0
SWSD via SLR	0.0	0.0	0.0
Other	0.0	0.0	0.0
TOTAL FOR YEAR	0.0	0.0	0.0

* Values reflect only amounts delivered, or projected to be delivered, to ACWD for groundwater recharge within the fiscal years indicated. This table does not include values for the supply to ACWD's active surface water treatment plant (Treatment Plant No. 2), nor does it include diversions of state water to the SWSD or SLR for future ACWD use. However, values for these entities appear on Plates 11 through 13 and/or are described under "Groundwater Costs and Funding".

External Water Transfer for Future Use

Water banking improves the reliability of supplemental water to the groundwater basin during dry years. As indicated on Plate 11, ACWD deposited some of its SWP supply at SWSD in FY 2024/25 (8,100 acre-feet). The amount of deposit indicated on Plate 12 (6,100 acre-feet) refers to water already delivered to SWSD in July and August of 2025 (2,700 acre-feet) plus additional water (3,400 acre-feet) expected to be delivered in May and June of 2026. Deposits of ACWD SWP supplies to SWSD are expected to continue into FY 2026/27 (6,400 acre-feet), as indicated on Plate 13. Actual deposits or withdrawals through this period will depend on actual hydrologic conditions realized and/or updated forecasts.

Comprehensive Water Supply/Demand Inventory

The water supply/demand inventory for ACWD in FY 2024/25, FY 2025/26, and FY 2026/27 is illustrated in flow chart format on Plates 11, 12, and 13, respectively. These plates depict not only groundwater basin inflows and outflows listed in Tables 2, 3, and 4, but also the supply to Treatment Plant No. 2, inputs of San Francisco Public Utilities Commission water to the distribution system, and external transfers. As noted under "Supplemental Water Supplies Available to the District", external transfers include deposits of banked water (SWP to SWSD) and withdrawals of banked water for holding at intermediate storage facilities (e.g., SWSD to SLR) pending delivery to ACWD.

Volumes of inflow and outflow are added at the lower left of Plates 11, 12, and 13 to give the calculated change in amount of groundwater stored in the basin for each of the three fiscal years. Certain inflows to, and outflows from, the basin, as depicted in the plates, are calculated by the District's groundwater basin flow model; therefore, the change in storage is also effectively a model-calculated quantity. With projected increases in storage in FY 2025/26 and FY 2026/27 (Plates 12 and 13), well levels are anticipated to be in the middle to upper part of their operating range through the end of FY 2026/27.

GROUNDWATER COSTS AND FUNDING

Estimated Groundwater Costs

In FY 2026/27, the District's groundwater program activities will require funds to pay for: 1) fixed SWP and SWSD contract costs for supplemental water; 2) variable SWP costs; 3) capital costs of the District's groundwater recharge facilities; and 4) the District's operation, maintenance, and engineering activities associated with groundwater replenishment and basin management. The estimated cost of the District's groundwater program is shown by major function in Table 5 for FY 2026/27. The amounts on Table 5 reflect costs for only those items in the General Fund, or the portion of such items, which are expected to benefit all users of the groundwater basin. Hence, costs attributed to the distribution system, including (but not limited to) operation of wells and treatment plants to supply the distribution system, are not reflected in Table 5 and therefore not considered in the recommendation of replenishment assessment rates. Individual cost items in the General Fund are reviewed each year for their relevance to the supply and maintenance of the groundwater basin. Administration and General costs support all of the District's operations commonly. Through a detailed evaluation, it is estimated that 15.7% of the total District Administrative and General costs in FY 2026/27 will support the supply and maintenance of the groundwater basin. Additional detail on Capital Improvement Program projects and water supply costs is provided following Table 5.

TABLE 5

ESTIMATED GROUNDWATER COSTS*

FY 2026/27

Item		Cost $
FIXED OR CAPITAL COSTS		
State Water Project Fixed (Groundwater portion)		7,700,000
Water Banking Fixed (Groundwater portion)		388,000
Brackish Groundwater Reclamation Project		2,020,000
Administrative Capital		1,025,000
Delta Conveyance		636,000
Groundwater SGMA Enhancement		313,000
Water Controllers Relocation Planning Study		125,000
Integrated Resources Planning - Extraordinary Expense (Groundwater portion)		118,000
Groundwater PFAs Sampling and Source Investigation		65,000
Vallecitos Channel Betterments		30,000
Recharge Facilities Ancillary Equipment		22,000
ACWD Groundwater Alternative Data Gap Project		10,000
	Subtotal	**$ 12,452,000**
EXPENSES		
State Water Project Variable (Groundwater portion)		55,000
Water Banking Variable (Groundwater portion)		0
Pits and Creek Maintenance and Diversion Pumping		2,695,000
Supervision, Labor and Expense		
1. Management of groundwater basin		2,263,000
2. Management of watershed and recharge facilities		1,113,000
3. Monitoring and analysis of groundwater		522,000
4. Monitoring and analysis of creek and pit water		774,000
5. Well Ordinance administration**		1,436,000
6. Water resources planning		1,439,000
7. Groundwater Protection Program		465,000
8. Local Oversight Program (LUFT/SCP sites)		706,000
Aquifer Reclamation Program **		32,000
Replenishment Assessment and Meter Maintenance		19,000
Administrative and General Expense (Groundwater portion)		3,238,000
	Subtotal	**$ 14,757,000**
	Total	**$ 27,209,000**

* Includes only the non-growth component of costs associated with the management and replenishment of the groundwater basin. Growth and distribution system-related costs are not included herein. Capital costs are based on ACWD's 25-Year Capital Improvement Program (adopted June 2025), State Water Project Fixed, Water Banking Fixed, and Delta Conveyance costs.

** Net cost after permit and lease revenue considered.

Estimated Cost of FY 2026/27 Supplemental Water Supply

The cost of supplemental water for groundwater replenishment in FY 2026/27 is expected to be incurred through ACWD's State Water Project (SWP) contract with the Department of Water Resources, and water banking agreements with the Semitropic Water Storage District (SWSD). As detailed below, SWP and SWSD costs have fixed and variable components. For purposes of this report, fixed costs are generally recurring and independent of the amount of water transferred, whereas variable costs are calculated according to the amount of water transferred. Because variable cost payments are calculated monthly for water transferred over the prior month, transfers payable in FY 2026/27 would occur between June 2026 and May 2027 instead of precisely within the fiscal year (July 2026 through June 2027). Therefore, the volumes of supplemental water for calculation of variable costs discussed below may slightly differ from the amounts in Table 4 and Plate 13.

State Water Project

As listed in Table 5, the share of the SWP cost allocated to the groundwater basin in FY 2026/27 is estimated to be $7,700,000 in fixed cost and $55,000 in variable cost. The net total SWP cost to the basin, $7,755,000, is expected to be fully offset by SWP override tax revenue (see Table 6).

The SWP variable cost to the groundwater basin in FY 2026/27 would be incurred through the delivery of SWP water to SWSD for water banking. The cost, $54,744 rounded to $55,000, has been calculated by applying the groundwater share, 30.1%, to a volume of 5,084 acre-feet to be delivered from June to August of 2026 at $27.3409 per acre-foot, plus 1,492 acre-feet to be delivered in May 2027 at $28.735 per acre-feet. Payment for SWP variable costs of water diverted to SWSD, or from SWSD to SLR, is expected to be credited back to the basin when such water from SLR or SWSD is ultimately received at ACWD (whether delivered to the groundwater basin or Treatment Plant No. 2)[9]. Through this methodology, the groundwater basin shares in the upfront payment for holding of water for future availability when needed, but net actual long-term SWP variable costs for the basin should generally work out to be very close to the transportation charges for actual water delivered to the basin.

As noted in Table 4, it is not expected that supplemental water will be needed for the groundwater basin in FY 2026/27. However, if real time conditions merit such water, the unit SWP variable charge for delivery from the Delta would be $72.2576 per acre-foot in CY 2026 and $75.0611 per acre-foot in CY 2027, according to DWR's latest cost index.

Water Banking (SWSD charges)

The groundwater share of SWSD's annual O&M fee, allocated as a fixed cost, is expected to be approximately $388,000 in FY 2026/27 (30.1% of the total amount of $1,290,000) (see "Water Banking Fixed (Groundwater portion)" in Table 5). No variable SWSD cost is anticipated for FY 2026/27.

Other

No other sources of supplemental water (in addition to those described above) for the groundwater basin are planned for FY 2026/27.

[9] Credit back to the groundwater basin for water pre-diverted to SWSD or SLR and then delivered to ACWD is calculated based on the unit costs that apply in the year that such water is returned to ACWD. Under extreme hydrologic circumstances, not all ACWD water diverted to SLR may be available later for return to ACWD.

Groundwater Basin Capital Improvements

Capital projects expected to incur cost in FY 2026/27 are listed in Table 5 under "Fixed or Capital Costs", specifically, beneath "Water Banking fixed (Groundwater portion)". Highlights of projects are provided below. Most of these projects will require multiple years to complete through planning, design, and construction.

- The *Brackish Groundwater Reclamation Project* will entail installation of a new Aquifer Reclamation Program well to expedite removal of salt from the Fremont Aquifer. DWR has awarded ACWD a grant that is expected to cover 50% of the project work through construction of the well, including acquisition of property to site the well (grant revenue is listed in Table 6).

- *Administrative Capital* includes a portion of costs to upgrade or repair the ACWD headquarters building, computer software, computer hardware, vehicles, vehicle licensing fees, installation of solar panels, and other administrative capital items, to the extent that said portion of these costs serve the supply and quality of groundwater in the basin for the common benefit of its users. Typically, 15 to 16% of the cost of administrative capital items is allocated to the groundwater basin and the remaining 84 to 85% to the distribution system.

- *Delta Conveyance* is a water storage and supply initiative critical to ensure reliability of sources of groundwater replenishment for the long-term. ACWD and other agencies that would benefit from this project are sharing in the costs. The amount shown on Table 5 is the groundwater basin component of ACWD's share for FY 2026/27.

- *Groundwater SGMA Enhancement* will further ACWD's ability to plan the necessary actions to keep the groundwater basin a viable source of water supply under conditions of future sea level rise and other environmental pressures and better meet regulatory requirements of the state's Sustainable Groundwater Management Act (SGMA).

- *Water Controllers Relocation Planning Study* will involve retaining an architect to evaluate the current and future personnel space needs, and functional needs such as telemetry, communications, equipment and materials storage, to determine whether existing District properties adjacent to Alameda Creek or groundwater recharge facilities could meet those needs more effectively than the existing facility at the PT Wellfield.

- *Integrated Resources Planning-Extraordinary Expense (Groundwater portion)*: Integrated Resources Planning (IRP) refers to efforts to develop ACWD's Water Resources Master Plan, which is ACWD's strategy for how it will meet the demands for water today and for the future, including demands on the Niles Cone Groundwater Basin. ACWD's IRP includes technical studies to develop water demand forecasts, study and protect ACWD's existing water supplies from threats, new and alternatives water supplies for future consideration, and demand augmentation (water-use efficiency plans). These efforts are ongoing and occur over time in response to new challenges to ACWD's water supplies, new developments, and evolving regulations. The amount in Table 5 represents the part of the effort in FY 2026/27 expected to benefit the water supply for the groundwater basin. In previous Survey Reports, the groundwater portion of IRP was accounted for under *Program Planning & Environmental Documentation.*

- *Groundwater PFAs Sampling and Source Investigation* will follow up previous sampling of groundwater and surface water to further investigate the occurrence of Per- and Polyfluoroalkyl Substances (PFAs) in groundwater in the Niles Cone and to identify possible sources thereof.

- *Vallecitos Channel Betterments.* Located in the Alameda Creek Watershed, Vallecitos Channel was constructed to convey supplemental water from the South Bay Aqueduct to Alameda Creek for eventual downstream recharge via ACWD's system of inflatable dams and recharge ponds. As an engineered open conduit, Vallecitos Channel is subject to erosion. Work to be conducted under this project will sustain interim viability of the existing channel pending replacement with a pipeline, which would be undertaken through the *Vallecitos Pipeline Project.* This pipeline project is not scheduled to commence until FY 2037/38 (therefore not shown on Table 5).

- *Recharge Facilities Ancillary Equipment* is an aggregation of several items in the Capital Improvement Program pertaining to repair, replacement, and/or upgrade of electrical and mechanical equipment that serve ACWD's recharge operation. Such equipment may include telemetry, pumps/blowers, automated valves, flowmeters, instrumentation and control, and other mechanical and electrical gear.

- *ACWD Groundwater Alternative Data Gap Project* will involve drilling borings and installing monitoring wells in the southern part of the groundwater basin, where productivity of aquifers, sources of recharge, and quality of groundwater are not well understood. Data acquired through this project will improve the District's decision making on actions to sustain the quality and supply of the groundwater in the basin- not only in the southern portion but generally throughout, as conditions in the southern portion are expected to exert some degree of influence on groundwater resources elsewhere in the basin.

Groundwater Program Funding and Replenishment Assessment

In accordance with Section 7, Paragraph f, of the Replenishment Assessment Act, shown below is the rate of replenishment assessment required to be levied upon the production of groundwater to fund the estimated groundwater costs shown on Table 5 without consideration of other revenue sources.

Water Use	Acre-Feet (AF) (from Table 2)	Rate $/AF	Funds $
Agricultural and Municipal Recreation	600	8.00 (a)	4,800
Other than Agricultural and Municipal Recreation	20,000	1,360.21 (b)	27,204,200
		Required Total (from Table 5)	27,209,000

(a) Maximum rate fixed by AB 2052
(b) Computed to nearest 1¢

Historically, the District has used a combination of sources to fund groundwater costs. Table 6 shows the existing and proposed replenishment assessment rates and the corresponding amounts of the other currently utilized sources of groundwater program funds required for the total cost shown on Table 5. The recommended FY 2026/27 replenishment assessment rate (for production for purposes other than agricultural and municipal recreation) has been made with consideration that sources of revenue other than replenishment assessment will be available.

TABLE 6

GROUNDWATER PROGRAM FUNDING AND REPLENISHMENT ASSESSMENT
FY 2026/27

	Acre-Feet	Existing Rate $/AF	Revenue Funds $	Proposed Rate $/AF	Revenue Funds $
A. Replenishment Assessment Categories					
1. Agricultural and Municipal Recreation	600	8	4,800	8	4,800
2. Municipal, Industrial and Non-Municipal Recreation	20,000	557	11,140,000	557	11,140,000
B. Ad Valorem Taxes					
1. Portion of 1% Tax			9,609,000		9,609,000
2. State Water Project			7,755,000		7,755,000
C. Grants			1,520,000		1,520,000
Total Groundwater Revenue			30,028,800		30,028,800
Total Groundwater Costs			27,209,000		27,209,000
Subtotal			2,819,800		2,819,800
Intra-Fund Transfer			(2,819,800)		(2,819,800)
Total			0		0

No change in the replenishment assessment rate is recommended for FY 2026/27. Prior increases in the replenishment assessment rate for production for purposes other than agricultural and municipal recreation, along with grant funding, have enabled Alameda County Water District to make substantial upgrades and repairs to aging recharge facilities and to render them in compliance with the Endangered Species Act. For next fiscal year, revenue generated under the current replenishment assessment rate, adopted on April 8, 2025, through Resolution No. 25-018, along with other funding, is expected to be sufficient to cover groundwater basin expenses and fixed and capital costs. Capital items will include projects devoted to water supply and conveyance for groundwater replenishment, and other improvements identified in the Capital Improvement Program for the groundwater basin, as described in this report. The water supply and conveyance initiatives are critical to ensure reliability of sources of groundwater replenishment for the long-term as each of the District's sources is subject to future uncertainties related to climate change and regulatory and environmental pressures.

The total annual cost to sustain the groundwater basin fluctuates significantly from year to year, mainly due to variability in timing and cost of the fixed and capital items. The projected net positive balance in Table 6 would be applied over the next 15 years as multiyear capital projects such as *Delta Conveyance* and *Vallecitos Channel Pipeline* enter their construction phase following planning and design.

As indicated in Figure 4, the replenishment assessment rates were not increased in FY 1998/99 to FY 2007/08 and in FY 2025/26.

FIGURE 4
REPLENISHMENT ASSESSMENT RATES

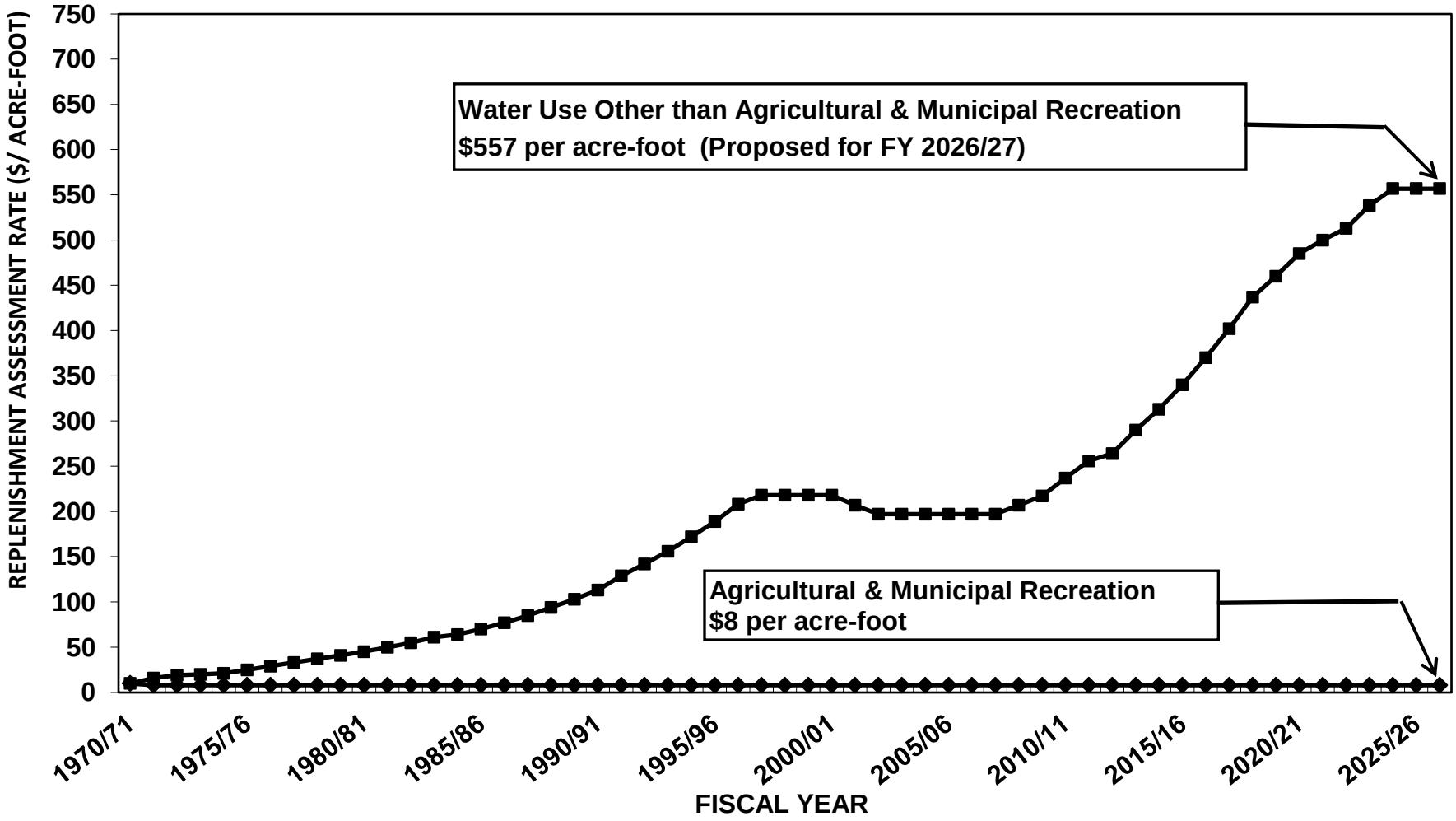
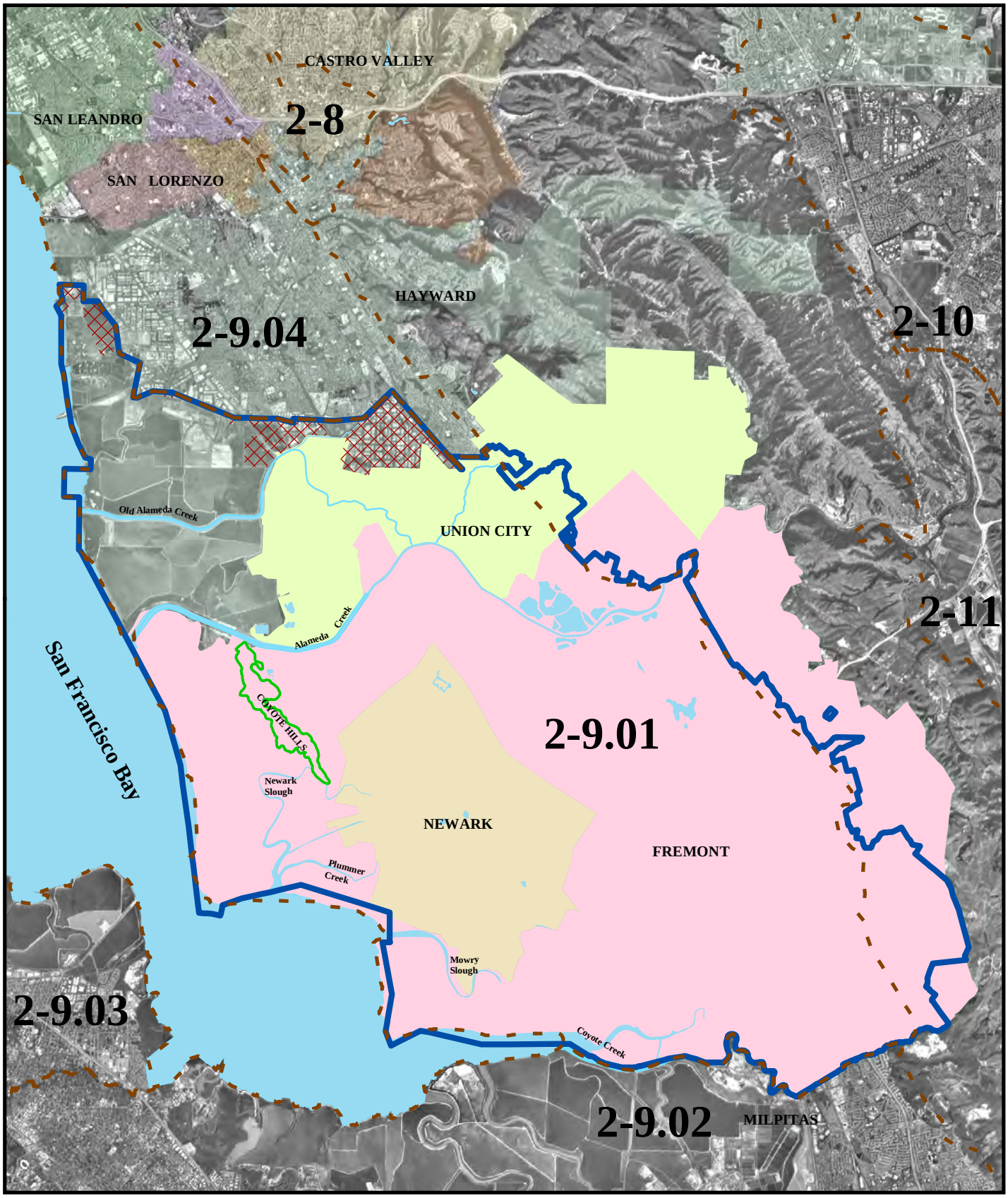


PLATE 1: LOCAL AGENCY BOUNDARIES



ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY

2016 APPROVED DWR BULLETIN-118 GROUNDWATER BASIN BOUNDARY

Hayward Detachment

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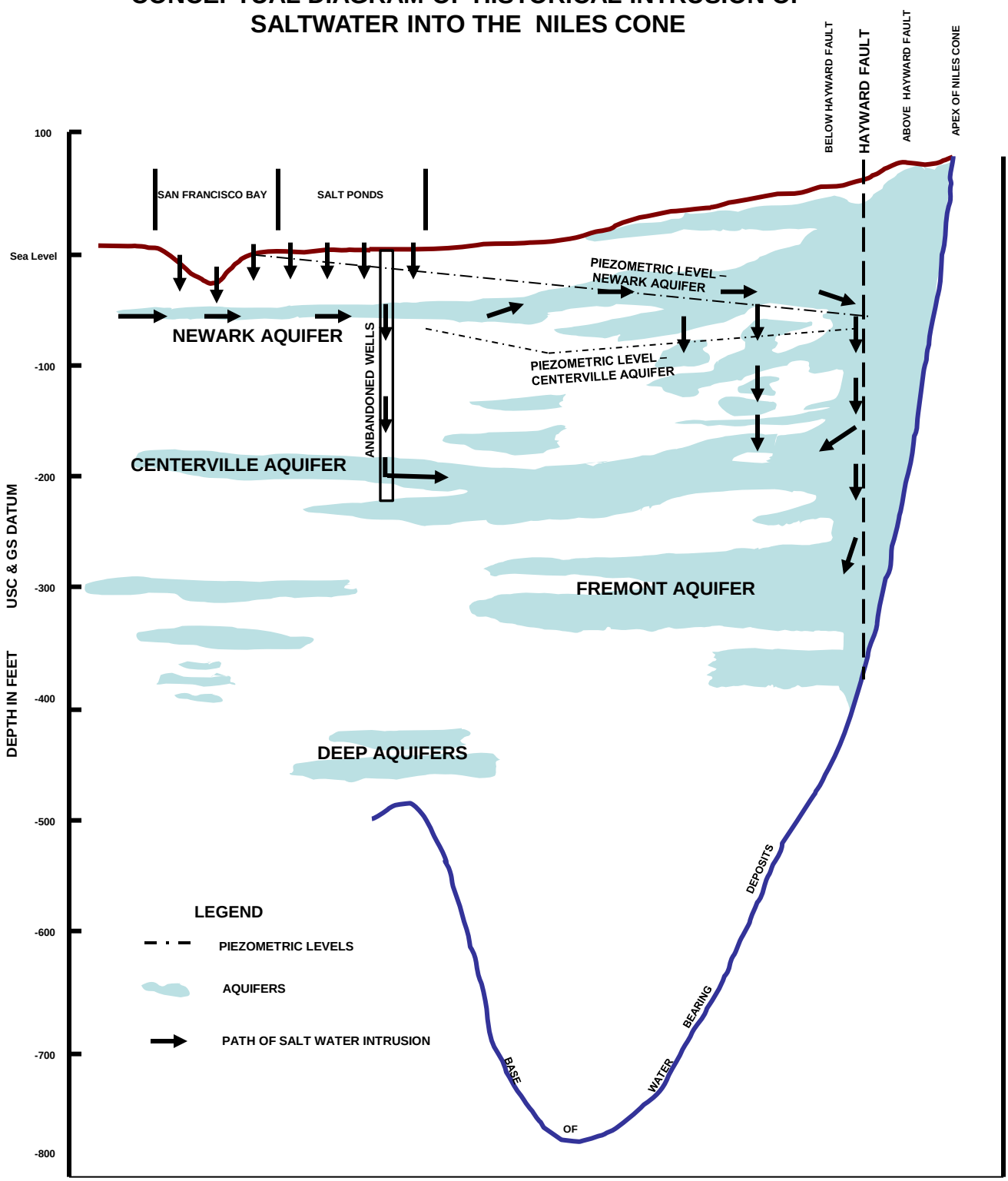
CONCEPTUAL DIAGRAM OF HISTORICAL INTRUSION OF SALTWATER INTO THE NILES CONE



Adapted from State of California Dept. of Water Resources. 1968. *Evaluation of Groundwater Resources, South Bay, Volume 1: Fremont Study Area. Bulletin No. 118-1*.

PLATE 2

HISTORICAL WATER LEVELS IN THE NEWARK AQUIFER (FOREBAY AREA)

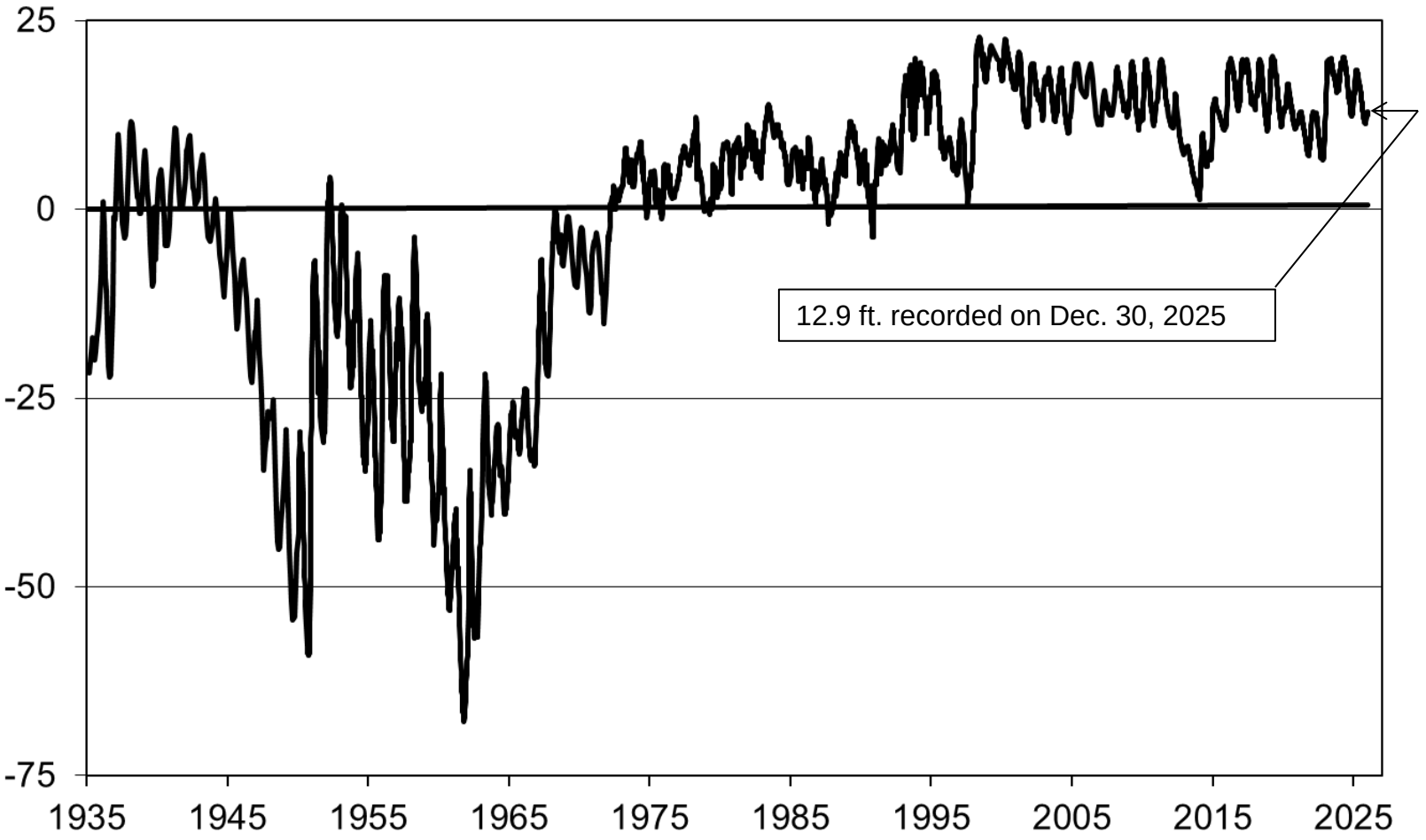
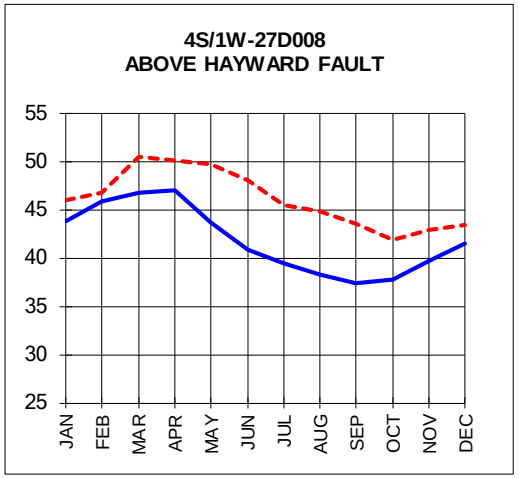
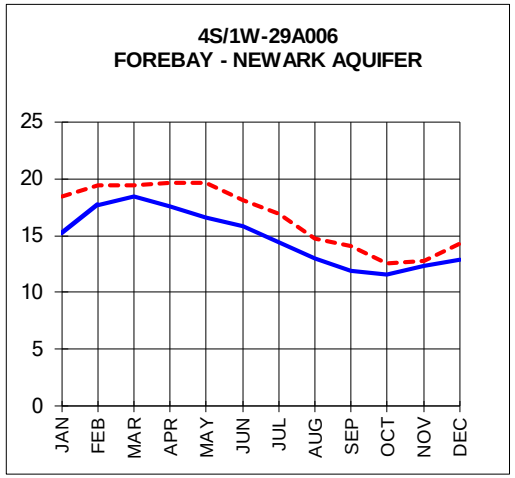
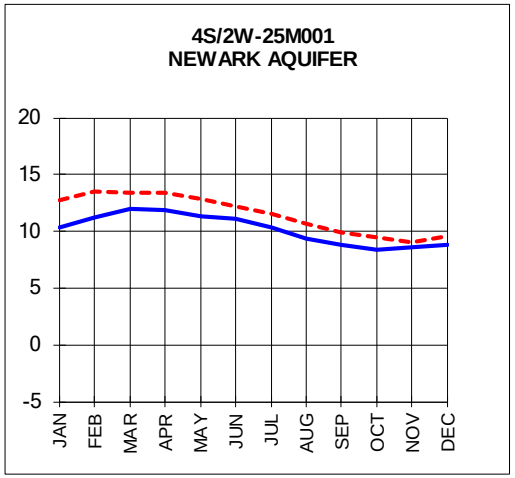
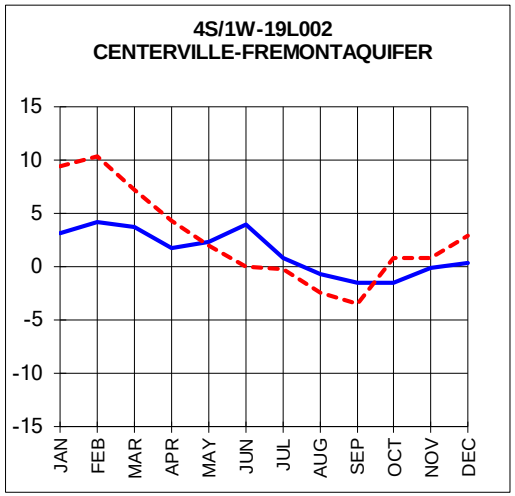


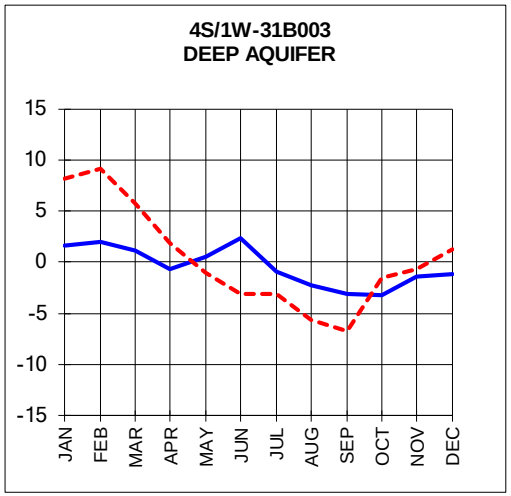
PLATE 3











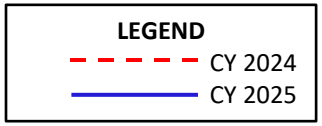


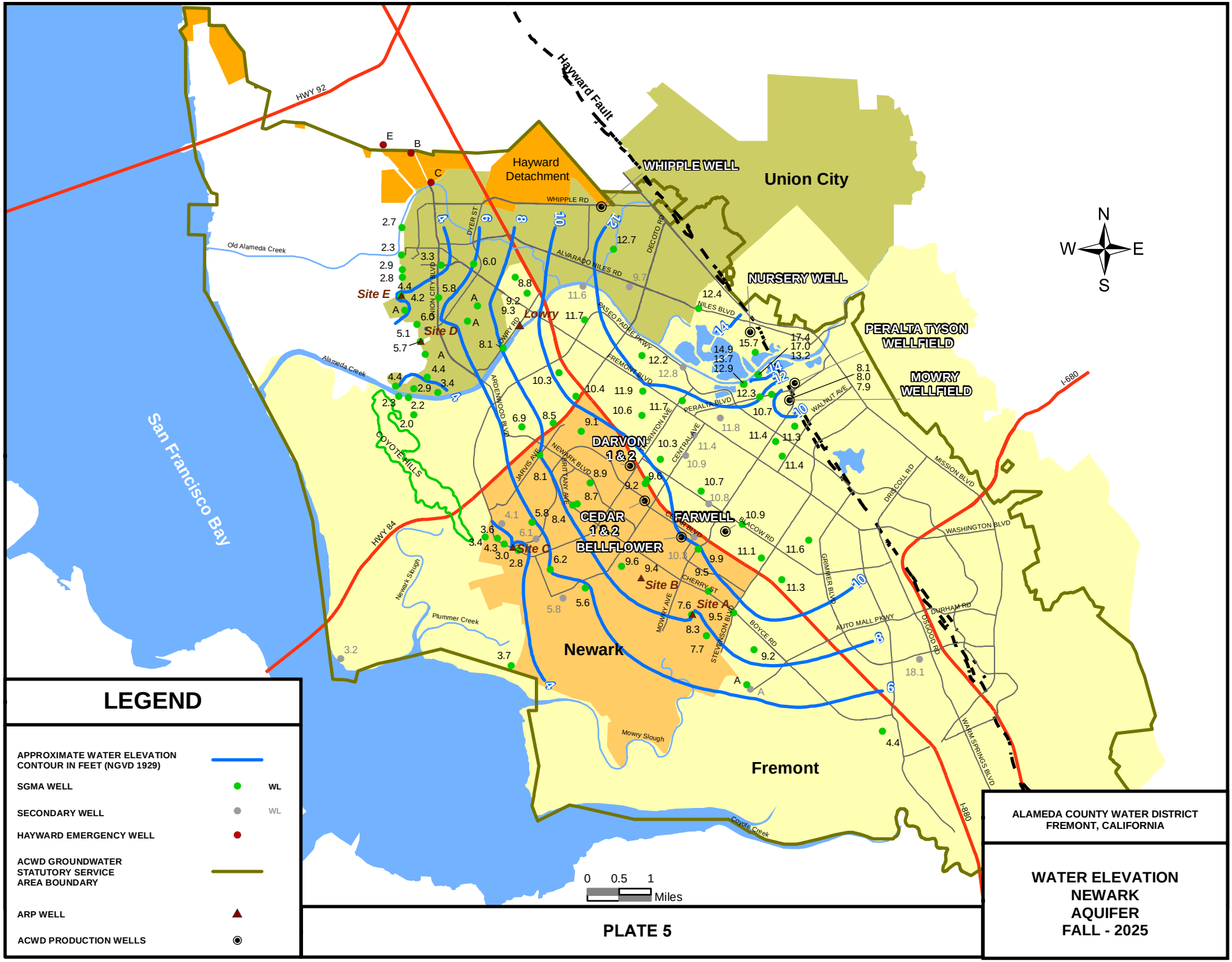
PLATE 4

ALAMEDA COUNTY WATER DISTRICT

GROUNDWATER BASIN END-OF-MONTH WELL LEVEL ELEVATIONS (feet, NGVD 1929)
(Elevation recorded on day nearest to end of month was used for each month.)

TYPICAL INTERVALS OF OCCURRENCE OF BHF AQUIFERS BELOW GROUND SURFACE

NEWARK (UPPER) AQUIFER :	40' to 140'
CENTERVILLE-FREMONT AQUIFERS:	180' to 390'
DEEP AQUIFERS:	400' and deeper



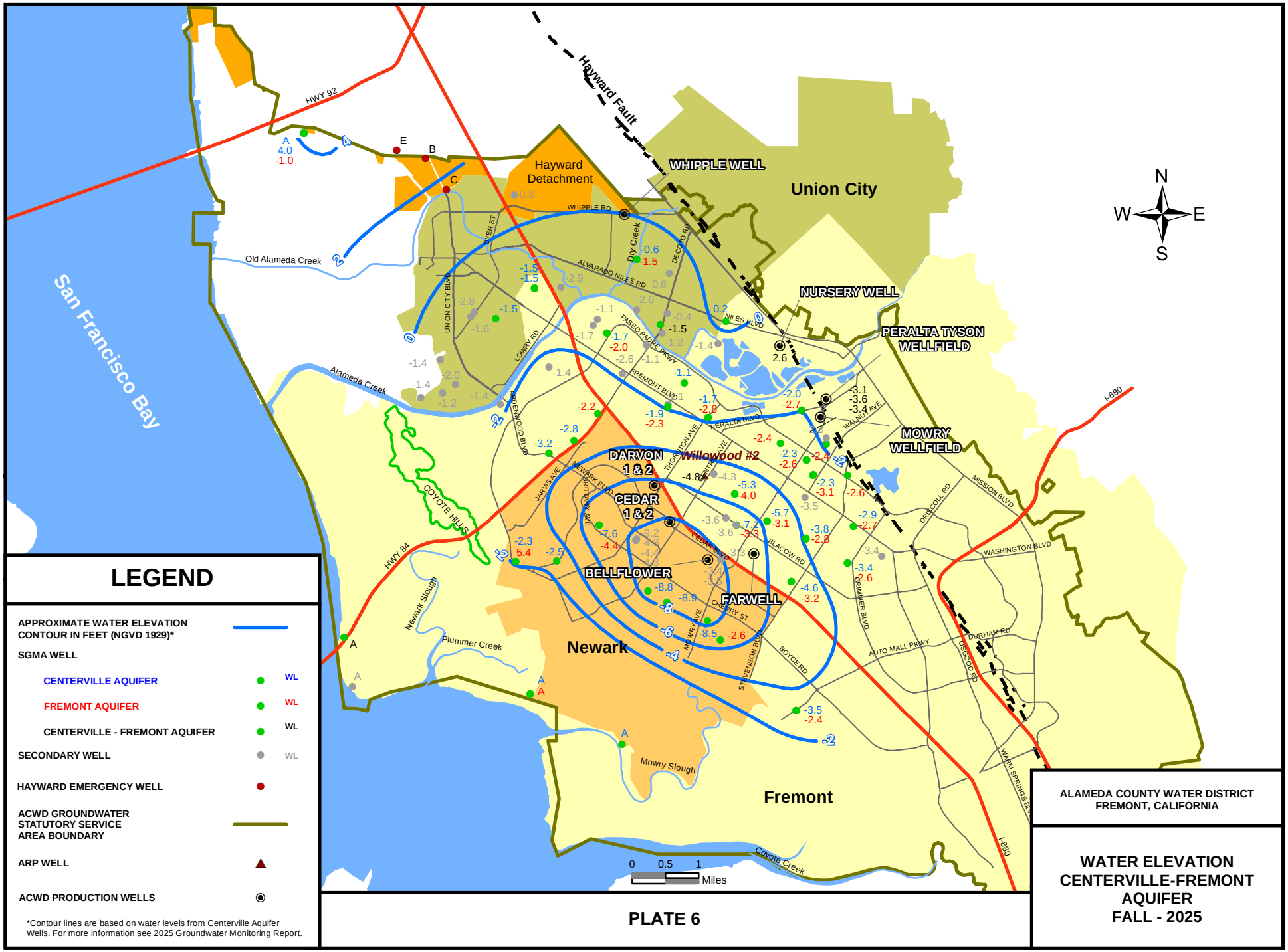
LEGEND

- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)
- SGMA WELL — WL
- SECONDARY WELL — WL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

WATER ELEVATION
NEWARK
AQUIFER
FALL - 2025

PLATE 5



LEGEND

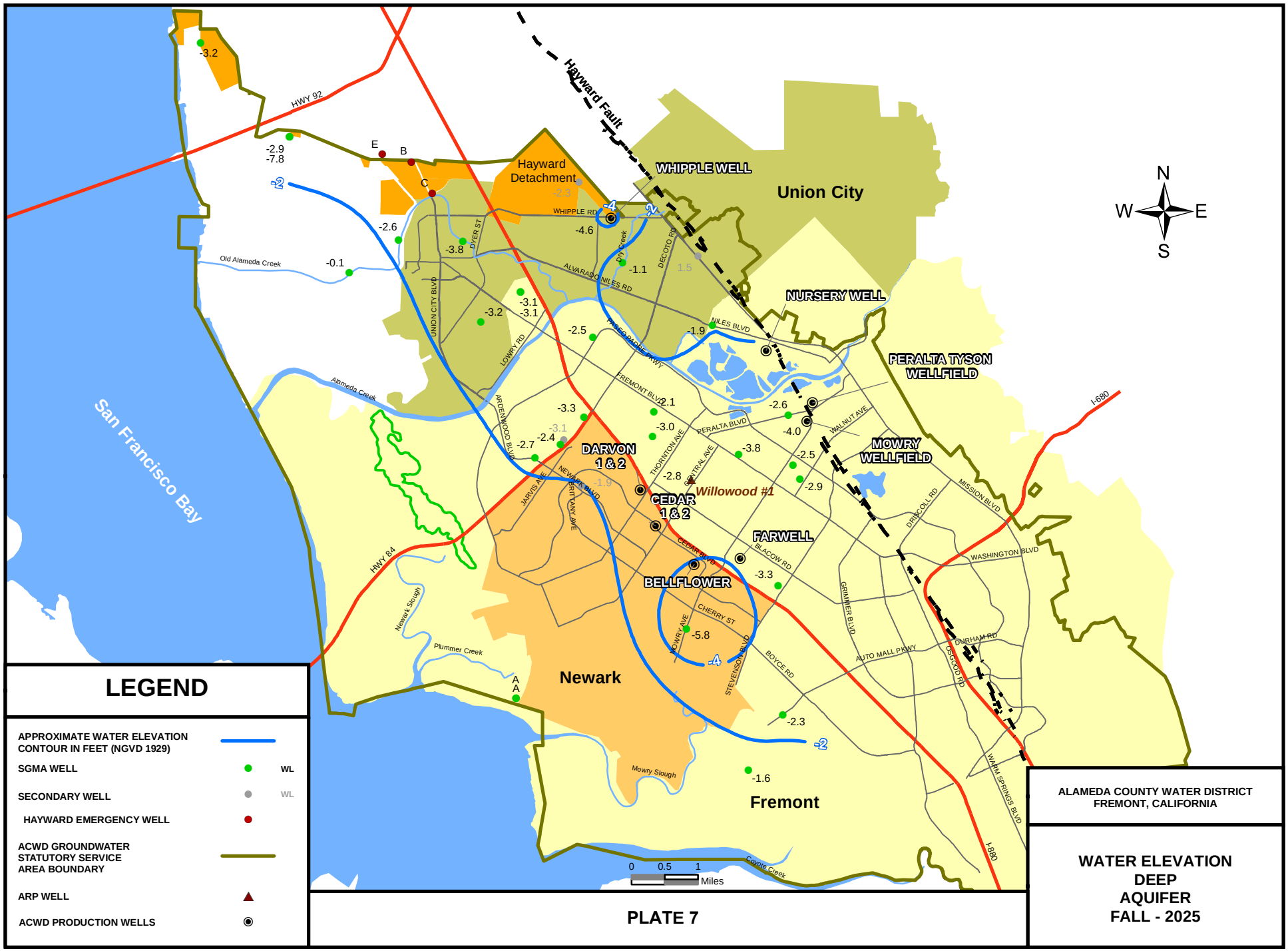
- APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)*
- SGMA WELL
  - CENTERVILLE AQUIFER — WL
  - FREMONT AQUIFER — WL
  - CENTERVILLE - FREMONT AQUIFER — WL
- SECONDARY WELL — WL
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

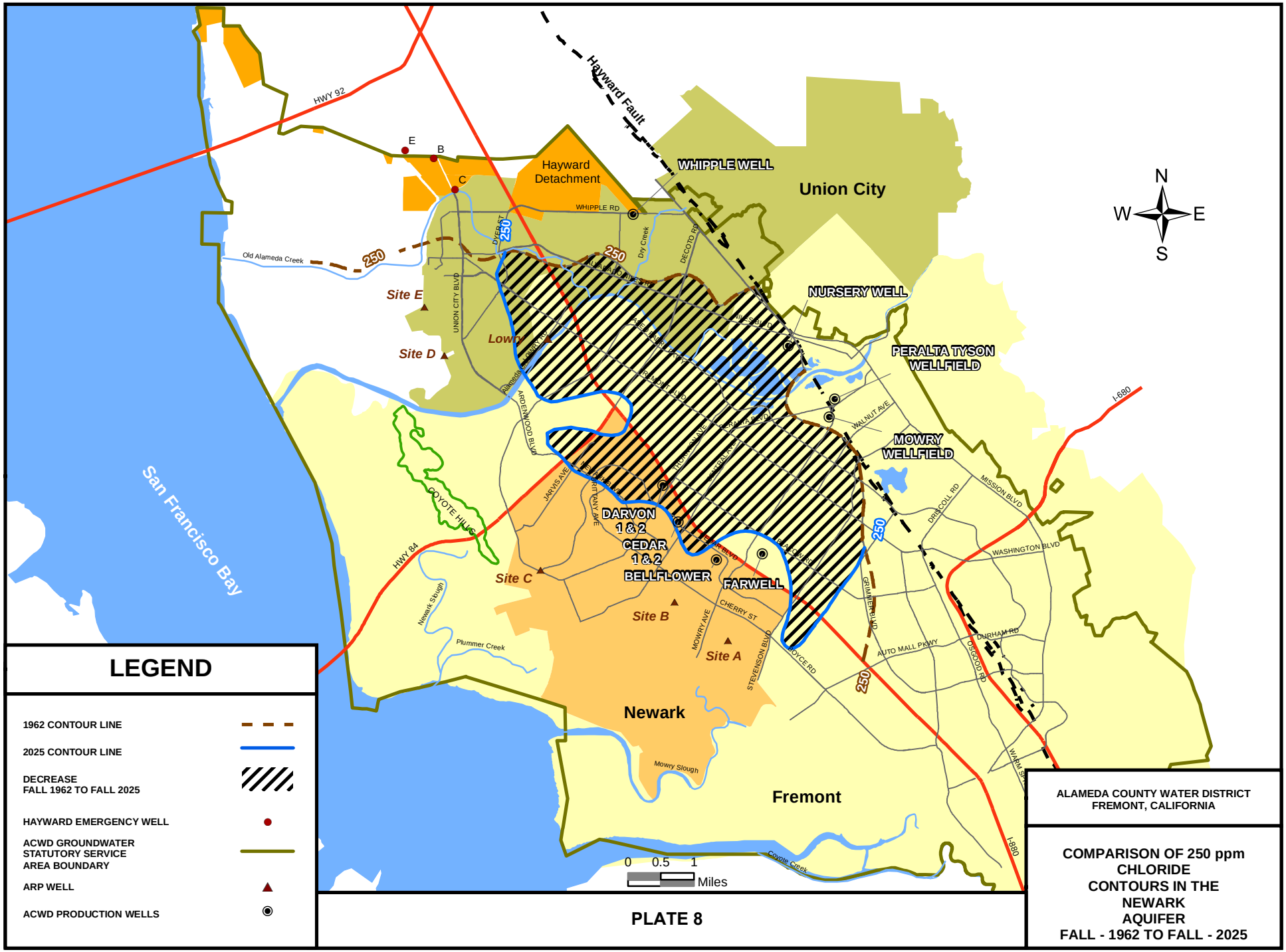
*Contour lines are based on water levels from Centerville Aquifer Wells. For more information see 2025 Groundwater Monitoring Report.

PLATE 6

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

WATER ELEVATION CENTERVILLE-FREMONT AQUIFER FALL - 2025


Hayward Fault
WHIPPLE WELL
Union City
Hayward Detachment
NURSERY WELL
PERALTA TYSON WELLFIELD
MOWRY WELLFIELD
DARVON 1 & 2
CEDAR 1 & 2
Willowood #1
FARWELL
BELLFLOWER
Newark
Fremont
San Francisco Bay
Old Alameda Creek
Alameda Creek
Plummer Creek
Newark Slough
Mowry Slough
Coyote Creek
HWY 92
HWY 84
I-680
I-880
WHIPPLE RD
DYER ST
DECOTO RD
ALVARADO NILES RD
UNION CITY BLVD
LOWRY RD
NILES BLVD
PASEO PADRE PKWY
FREMONT BLVD
ARDENWOOD BLVD
JARVIS AVE
NEWARK BLVD
BRITTANY AVE
THORNTON AVE
CENTRAL AVE
PERALTA BLVD
WALNUT AVE
CEDAR BLVD
BLACOW RD
MOWRY AVE
CHERRY ST
STEVENSON BLVD
BOYCE RD
GRIMMER BLVD
AUTO MALL PKWY
DRISCOLL RD
MISSION BLVD
WASHINGTON BLVD
DURHAM RD
OSGOOD RD
WARM SPRINGS BLVD
N
W
E
S
0 0.5 1 Miles
LEGEND
APPROXIMATE WATER ELEVATION CONTOUR IN FEET (NGVD 1929)
SGMA WELL
WL
SECONDARY WELL
WL
HAYWARD EMERGENCY WELL
ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
ARP WELL
ACWD PRODUCTION WELLS
ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA
WATER ELEVATION
DEEP
AQUIFER
FALL - 2025
PLATE 7



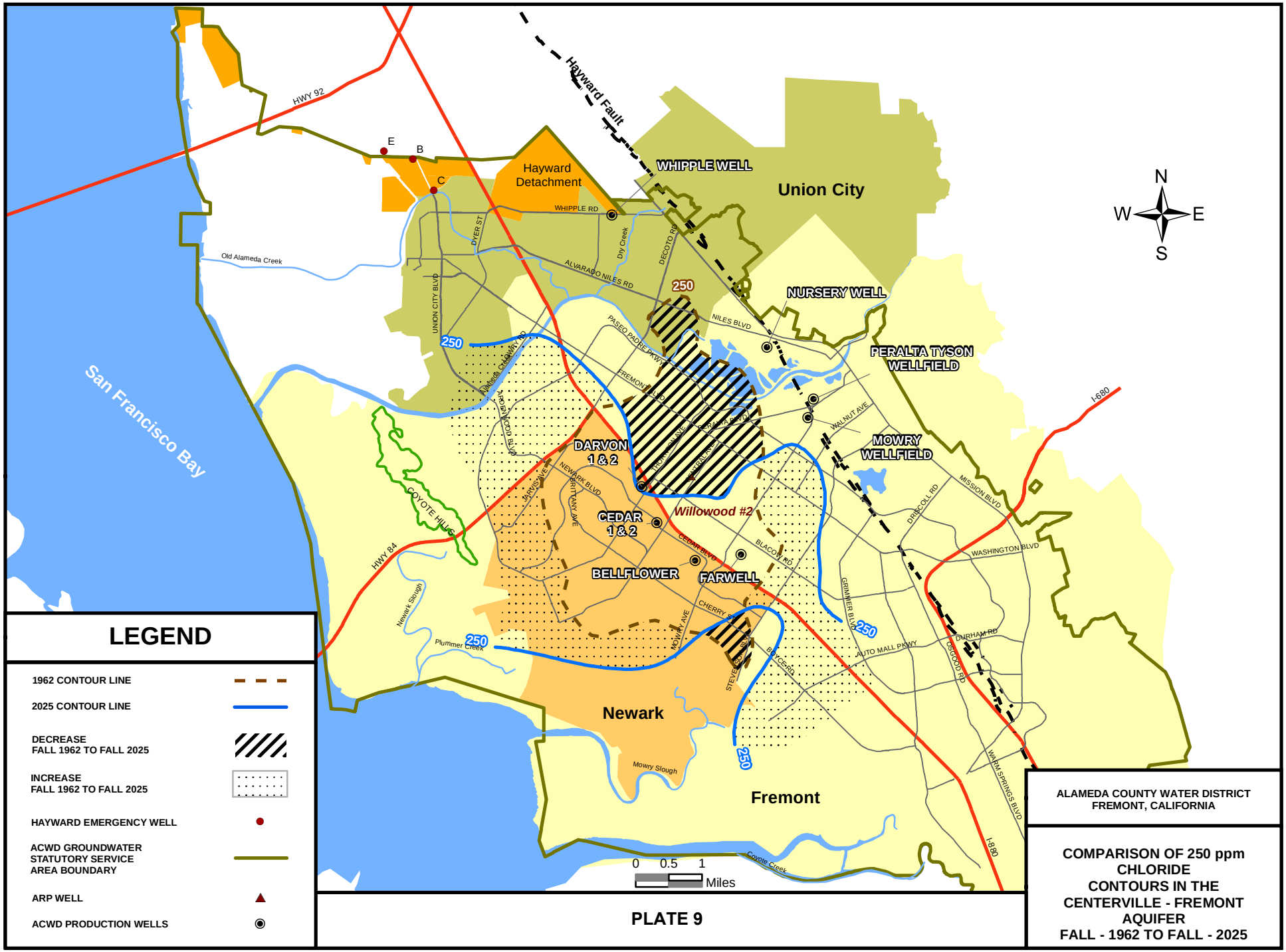
LEGEND

- 1962 CONTOUR LINE
- 2025 CONTOUR LINE
- DECREASE FALL 1962 TO FALL 2025
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

PLATE 8

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

COMPARISON OF 250 ppm CHLORIDE CONTOURS IN THE NEWARK AQUIFER FALL - 1962 TO FALL - 2025



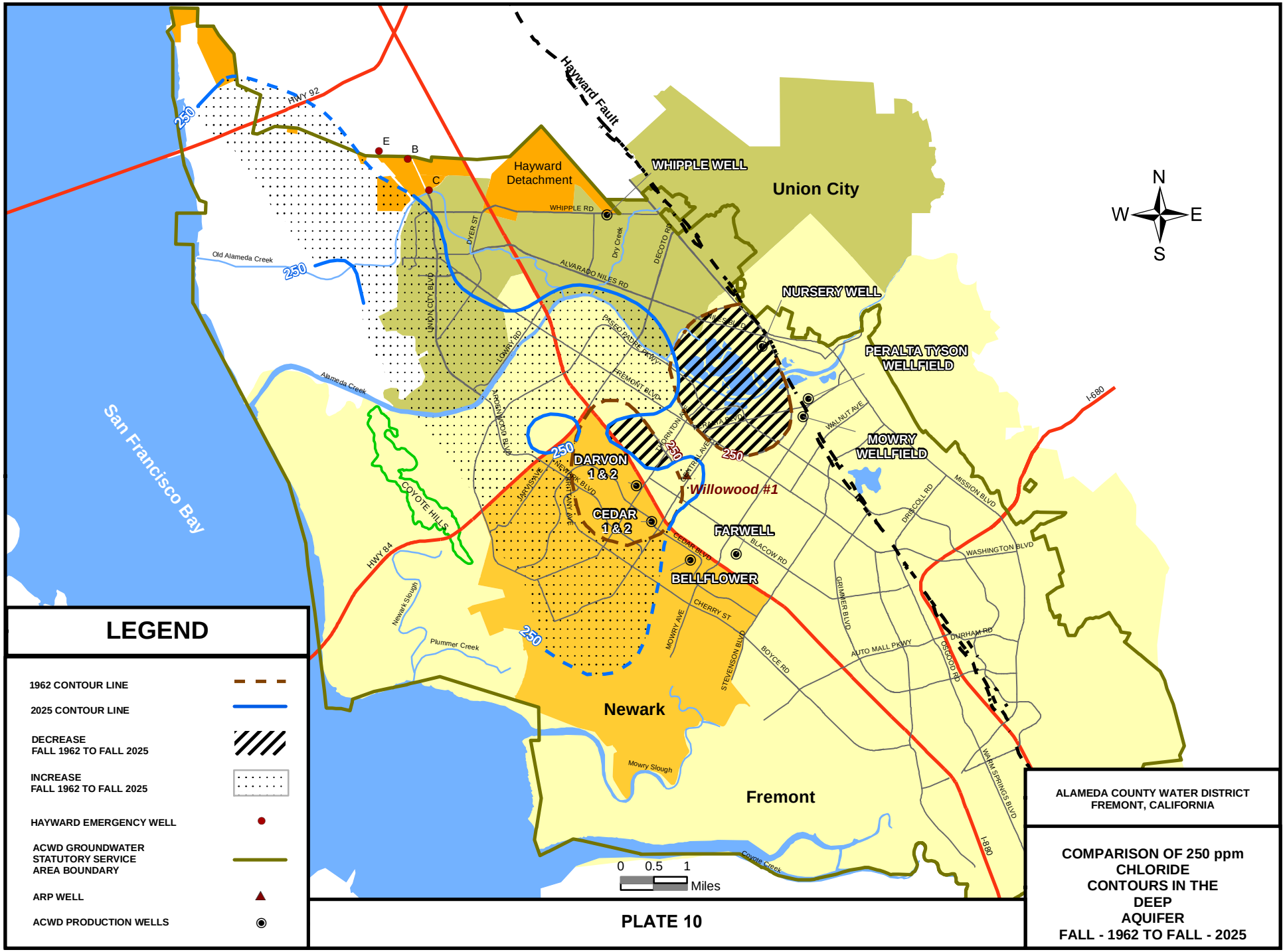
LEGEND

- 1962 CONTOUR LINE
- 2025 CONTOUR LINE
- DECREASE FALL 1962 TO FALL 2025
- INCREASE FALL 1962 TO FALL 2025
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

PLATE 9

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

COMPARISON OF 250 ppm CHLORIDE CONTOURS IN THE CENTERVILLE - FREMONT AQUIFER FALL - 1962 TO FALL - 2025



LEGEND

- 1962 CONTOUR LINE
- 2025 CONTOUR LINE
- DECREASE FALL 1962 TO FALL 2025
- INCREASE FALL 1962 TO FALL 2025
- HAYWARD EMERGENCY WELL
- ACWD GROUNDWATER STATUTORY SERVICE AREA BOUNDARY
- ARP WELL
- ACWD PRODUCTION WELLS

PLATE 10

ALAMEDA COUNTY WATER DISTRICT
FREMONT, CALIFORNIA

COMPARISON OF 250 ppm CHLORIDE CONTOURS IN THE DEEP AQUIFER FALL - 1962 TO FALL - 2025

ALAMEDA COUNTY WATER DISTRICT
WATER SUPPLY/DEMAND INVENTORY FY 2024/25 (ACTUAL)*
(1000's OF ACRE-FEET)

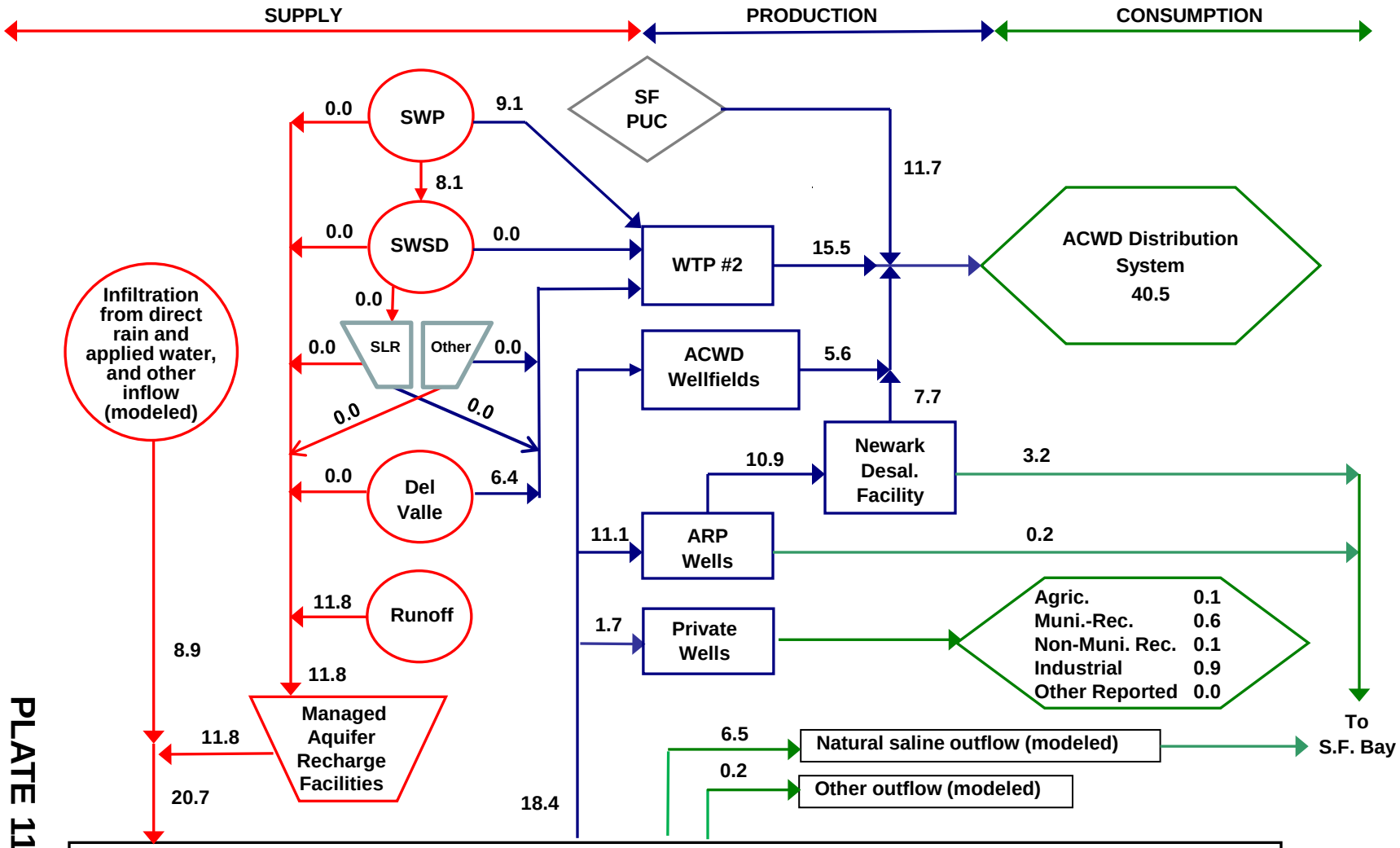


PLATE 11

Total recharge	20.7
Less pumping	-18.4
Less natural saline outflow	-6.5
Less other outflow	-0.2
Basin balance	-4.4

NILES CONE GROUNDWATER BASIN
(1000's of Acre-Feet)

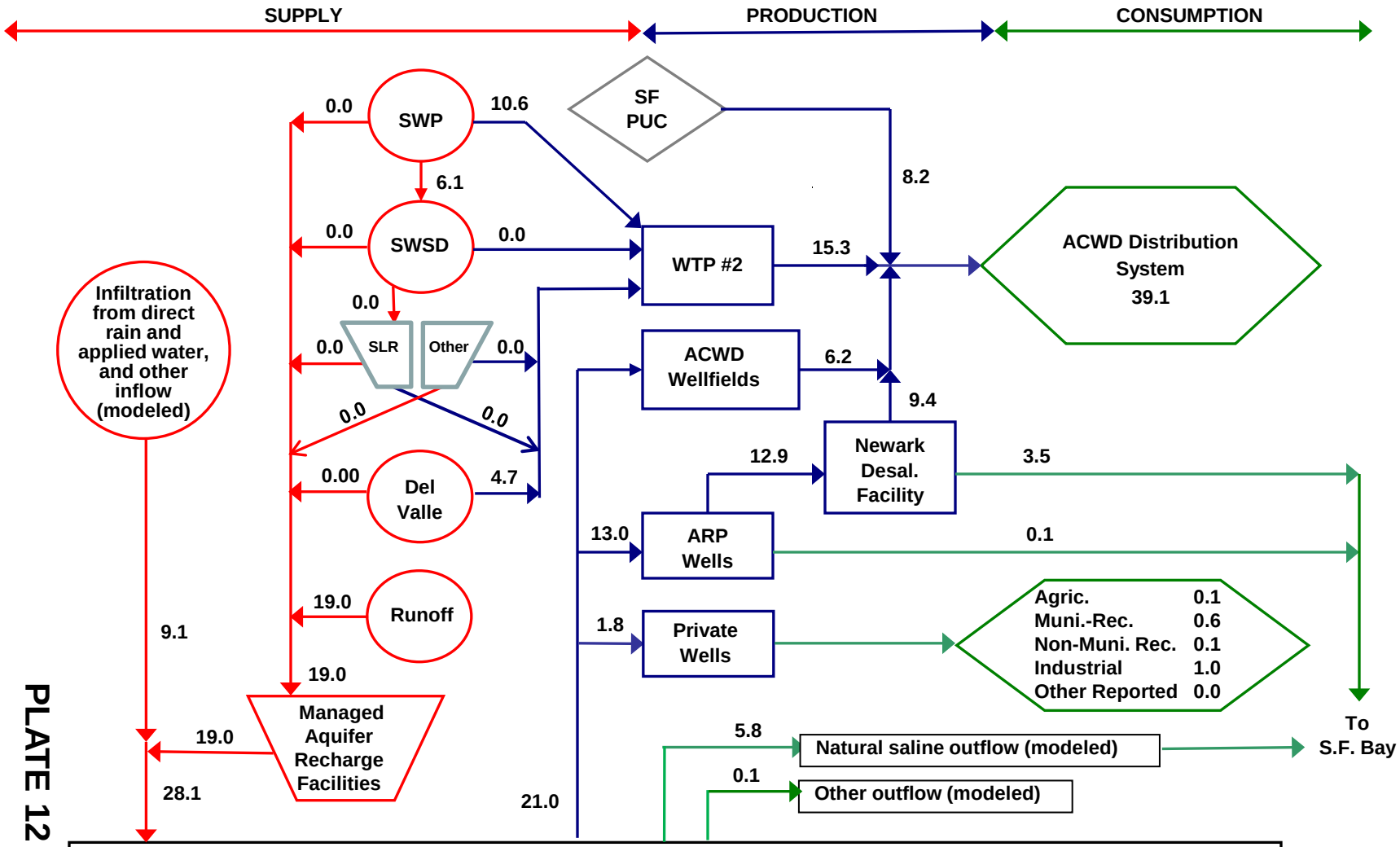
Newark Aquifer Forebay level at end of FY= 15.8 ft. (NGVD 1929)

* Based on actual historical conditions, but quantities herein may deviate from true values due to limitations in accuracy of the numeric model and/or measurements.

ALAMEDA COUNTY WATER DISTRICT

WATER SUPPLY/DEMAND INVENTORY FY 2025/26 (FORECAST)

(1000's OF ACRE-FEET)



Total recharge	28.1
Less pumping	-21.0
Less natural saline outflow	- 5.8
Less other outflow	-0.1
Basin balance	+1.2

NILES CONE GROUNDWATER BASIN
(1000's of Acre-Feet)

Newark Aquifer Forebay level at end of FY= 14 ft. (NGVD 1929)

ALAMEDA COUNTY WATER DISTRICT

WATER SUPPLY/DEMAND INVENTORY FY 2026/27 (FORECAST)

(1000's OF ACRE-FEET)

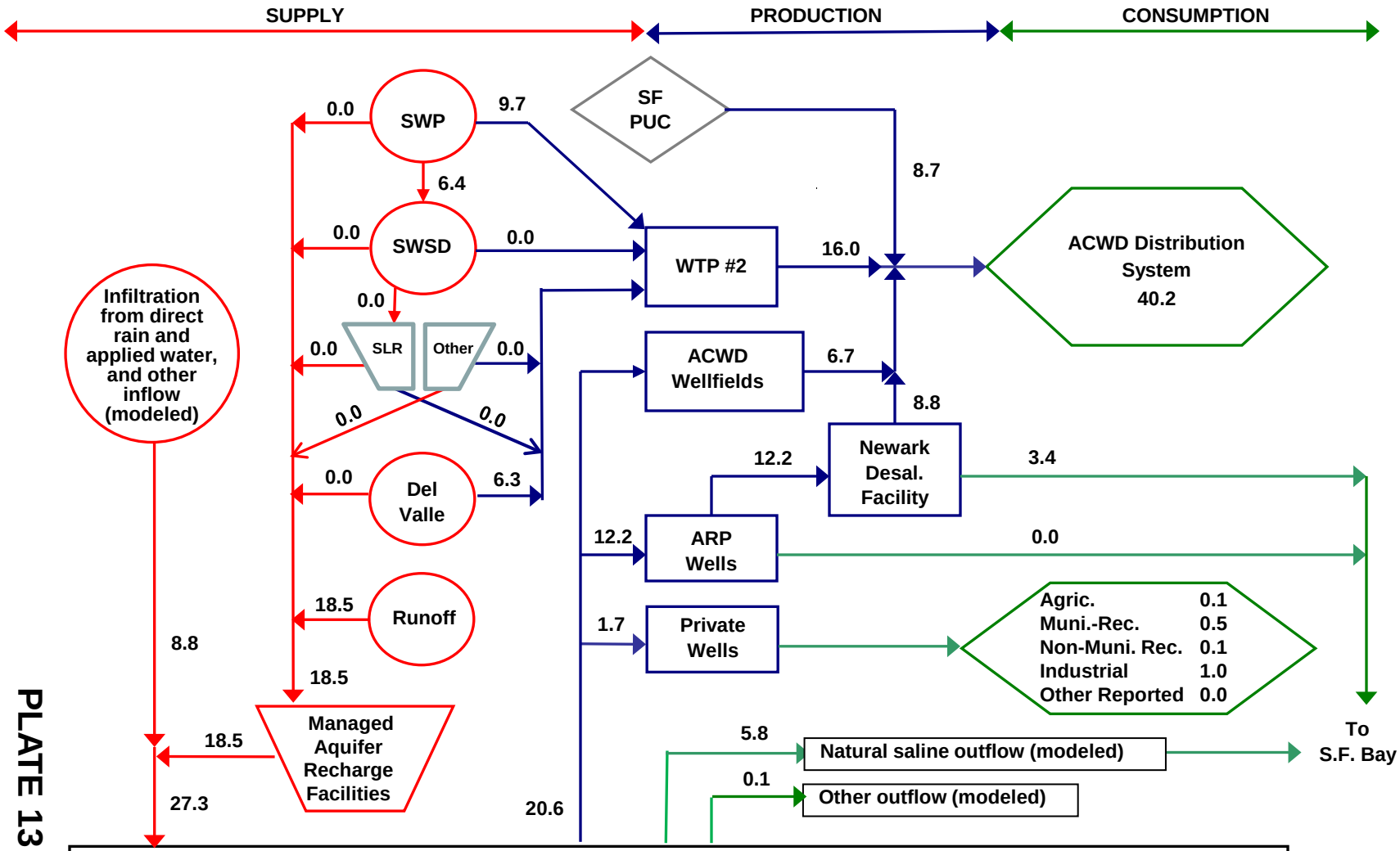


PLATE 13

Total recharge	27.3
Less pumping	-20.6
Less natural saline outflow	- 5.8
Less other outflow	- 0.1
Basin balance	+0.8

NILES CONE GROUNDWATER BASIN
(1000's of Acre-Feet)

Newark Aquifer Forebay level at end of FY= 15 ft. (NGVD 1929)

RESOLUTION NO. _____

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT DECLARING THAT FUNDS SHALL BE RAISED TO REPLENISH THE GROUNDWATER SUPPLIES WITHIN THE DISTRICT AND CALLING A PUBLIC HEARING

_____

WHEREAS, the Alameda County Water District (District) is a county water district duly organized and existing under the County Water District Law (Division 12 of the Water Code of the State of California);

WHEREAS, Chapter 1942, Statutes of 1961 of the Regular Session of the 1961 Legislature of the State of California (Replenishment Assessment Act) establishes the powers and duties of the District relating to replenishment of groundwater;

WHEREAS, on November 13, 2025, the Board of Directors ordered an engineering survey and report to be prepared regarding the groundwater supplies of the District, and the extent of saltwater intrusion in the groundwater basin; and

WHEREAS, the Board of Directors finds and determines that the engineering survey and report has been prepared as required by law, and has been submitted to the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Alameda County Water District as follows:

1. That funds shall be raised for the purchase of water and replenishment of the groundwater supplies within the District and that the estimated costs during FY 2026/27 contained in the engineering survey and report are as follows:

	Water Purchase	Other Costs	TOTAL
Fixed Water Costs and District Capital Costs:	$8,088,000	$4,364,000	$12,452,000
District Expenses and Variable Water Costs:	55,000	14,702,000	14,757,000
TOTAL	$8,143,000	$19,066,000	$27,209,000

2. That a portion of such funds shall be raised by a replenishment assessment.

3 The funds so to be raised will benefit, directly or indirectly, all the persons or real property and improvements within the District.

4. On Tuesday, April 14, 2026, at 6:00 P.M., the Board of Directors will hold a public hearing for the purpose of determining whether, and to what extent, the cost of purchasing water for replenishment and replenishing the groundwater supplies shall be paid for by a replenishment assessment. Members of the public may participate in this meeting in person at the District office located at 43885 South Grimmer Boulevard, Fremont, or via webinar or teleconference. The District will include the remote access information for the public hearing in the notices it will distribute as set forth below. The hearing may be adjourned from time to time; provided that the hearing is completed by May 5, 2026. At the hearing, all interested parties may appear and be heard in support of, or opposition to, the proposed assessment, the engineering survey and report, or the Board's determinations.

5. The District Secretary is directed to publish a notice of the public hearing in full compliance with the Replenishment Assessment Act, at least ten (10) days before the public hearing in The East Bay Times (managed by the Bay Area News Group), a newspaper of general circulation within the District.

PASSED AND ADOPTED THIS 12th day of February 2026, by the following vote:

AYES:

NOES:

ABSENT:

Aziz Akbari, President
Board of Directors
Alameda County Water District

ATTEST:

JR Salinas, Assistant District Secretary
Alameda County Water District
(Seal)

APPROVED AS TO FORM:

Patrick T. Miyaki, General Counsel
Alameda County Water District

RESOLUTION NO. _____

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT EXTENDING DEADLINE FOR INSTALLATION OF MEASURING DEVICES ON WELLS

WHEREAS, the Alameda County Water District (District) operates a groundwater replenishment program pursuant to the Replenishment Assessment Act, which is Chapter 1942 of the Statutes of 1961, and subsequent amendments thereto (Act);

WHEREAS, on February 13, 2025, the Board adopted Resolution No. 25-013 declaring that funds are to be raised for the purchase of water for replenishment;

WHEREAS, Section 20 of the Act declares it to be unlawful to produce groundwater within the District from and after one year following adoption of Resolution No. 25-013 without a water measuring device;

WHEREAS, this Board on February 13, 2025, adopted Resolution No. 25-014 which extended to March 10, 2026, the deadline for installation of measuring devices for wells whose annual water production would not result in revenues justifying the costs to install such water measuring devices; and

WHEREAS, Section 20 of the Act also provides this Board may extend such time on a year-to-year basis.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Alameda County Water District finds that the costs to install water measuring devices on wells that produce small volumes of water annually are not justified at this time because the installation costs will not be returned by the replenishment assessment revenues from the water so produced in a reasonable period of time; and

BE IT FURTHER RESOLVED that the deadline for installation of such water measuring devices is hereby extended to March 9, 2027; and

BE IT FURTHER RESOLVED that notice of the extension of the date to install water measuring devices shall be published in full compliance with the Replenishment Assessment Act.

PASSED AND ADOPTED THIS 12th day of February 2026, by the following vote:

AYES:

NOES:

ABSENT:

Aziz Akbari, President
Board of Directors
Alameda County Water District

ATTEST:

JR Salinas, Assistant District Secretary
Alameda County Water District
(Seal)

APPROVED AS TO FORM:

Patrick T. Miyaki, General Counsel
Alameda County Water District

RESOLUTION NO. _____

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT AMENDING THE RATE AND FEE SCHEDULE REGARDING MISCELLANEOUS FEES AND CHARGES, A WATER CONSERVATION INCENTIVE, FACILITIES CONNECTION CHARGES, A NEW CRISIS ASSISTANCE PROGRAM, AND FINDING THE AMENDMENTS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

This resolution is adopted with reference to the following facts and circumstances that are found by the Board of Directors:

1. The Board of Directors of Alameda County Water District (District) desires to revise certain fees and charges to be collected by the District for the purposes of recovering the costs of providing the service for which the fee or charge is imposed including miscellaneous water-related fees and charges.

2. Proposed changes to the Rate and Fee Schedule were discussed at November 18, 2025, and December 16, 2025, Finance and Administration Committee meetings, and the January 8, 2026, Board meeting.

3. The Board desires to update the Rate and Fee Schedule to add a new Crisis Assistance Program as an element of the District's overall Customer Assistance Program, offering eligible customers a biennial benefit of up to $200 towards outstanding account balances, and to increase the incentive for purchasing a smart irrigation controller.

4. The Board desires to update the Rate and Fee Schedule to reflect previously approved facilities connection charge updates to adjust for inflation based on the July to July increase in the Engineering News-Record Construction Cost Index for the San Francisco Bay Area.

5. The Board finds that the amendments to the Rate and Fee Schedule are reasonable and required for proper operation of the District and do not exceed the amount of the estimated

costs required to provide the services or facilities for which the rates and charges are levied.

6. The Board further finds that the modifications to the rates and charges are exempt from the requirements of the California Environmental Quality Act, pursuant to Public Resources Code §21080(b)(8) of the Public Resources Code, because they are for the purposes of (1) meeting operating expenses, (2) purchasing or leasing supplies, equipment and materials, (3) meeting financial reserve requirements, and (4) obtaining funds for capital projects necessary to maintain service and system reliability within existing service areas.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Alameda County Water District that the Title Page, Section 1, Section 2, Section 3, Section 4, and Section 5 in the Rate and Fee Schedule, as last generally amended through Resolution No. 25-035 are amended as follows:

Title Page
The Title Page is amended by changing the year from "2025" to "2026," and the effective date from "March 1, 2025" to "March 1, 2026"

Section 1 Subsection F
Section 1 Subsection F, titled "Fire Hydrant Meter Charges", is amended to change from "$105.00" to "$110.00"

Section 1 Subsection K
Section 1 Subsection K, titled "Customer Assistance Program and Crisis Assistance Program", is amended to read as follows:

Customer Assistance Program: Eligible customers may apply for financial assistance by completing a Help on Tap application. Qualified customers who satisfy the District eligibility guidelines will receive a credit equal to 100% of the bimonthly service charge for a 5/8" and 3/4" meter for 18-billing cycles or three-years. Qualified customers may reapply after the term expires. The income limit for eligibility is the greater of 50% of Area Median Income or 250% of the Federal Poverty Level.

Crisis Assistance Program: Customers who meet the same income requirements as Help on Tap and comply with other Crisis Assistance Program rules may also apply for and receive crisis assistance of up to $200 applied to an outstanding account balance. This benefit may be received by approved customers once every two years, subject to available program funding.

Section 2 Subsection A

Section 2 Subsection A, titled "Facilities Connection Charges (FCC)" Subsection 1, Subsection 2, and Subsection 3 are amended to read as follows:

A. Facilities Connection Charges (FCC)

All applicants, prior to connecting to a water main, prior to increasing the size of an existing water meter, shall pay the comprehensive Facilities Connection Charges as listed below.

1. FCC for SB 330 Projects

SB 330 projects with applications completed before May 1, 2024, the applicant shall pay the FCC under the then-current fee schedule when the application was submitted and deemed complete and adjusted annually based on the ENR CCI for the San Francisco Bay Area. The annual adjustment will continue for as long as that permit remains "valid."

SB 330 eligible projects include: 1) residential only (not including hotels) projects that create two or more new dwelling units on a project; 2) a mixed-use development consisting of residential and nonresidential uses with at least two-thirds of the square footage of the project designated for residential use (not including hotels), including dwelling units and any uses accessory to the residential units; 3) transitional housing or supportive housing projects.

i. Residential Meter Facilities Connection Charges (FCC)

Category	May 1, 2020	May 1, 2021	May 1, 2022	May 1, 2023	May 1, 2024
SFR Incremental Portion	$6,057	$6,056	$6,056	$6,056	$6,055
SFR Equity Buy-in Portion	$2,849	$3,049	$3,250	$3,450	$3,651
SFR Comprehensive FCC	**$8,906**	**$9,105**	**$9,306**	**$9,506**	**$9,706**
MFR Incremental Portion	$5,087	$5,086	$5,086	$5,085	$5,085
MFR Equity Buy-in Portion	$2,115	$2,353	$2,591	$2,830	$3,067
MFR Comprehensive FCC	**$7,202**	**$7,440**	**$7,677**	**$7,915**	**$8,152**

Category 1 includes single family residential (SFR) detached houses whose combined domestic and irrigation water demands can be met with up to a 1-1/2 inch meter. Category 1 also includes single family residential that has an attached Accessory Dwelling Unit (ADU) as described in Government Code Sections 66324(b) (the ADU will be separately assessed as a multi-family unit). Single family detached houses whose combined domestic and irrigation water demands can be met only with a meter sized 2-inches or larger shall pay Facilities Connection Charges set forth in Section 2.A.1.iii. Category 2 includes multi-family residential (MFR) where there are multiple dwelling units such as duplexes; mobile homes; new accessory dwelling units (as defined by Government Code §66324(d), even if separately metered) constructed along with a new single family residential unit on the same lot; live/work units; and apartments, condominiums, townhouses or other buildings with two or more dwelling units, except those that

meet the criteria for the Residential Dormitory Meter Facilities Connection Charges set forth in Section 2.A.1.ii (a) through (e).

ii. Residential Dormitory Meter Facilities Connection Charges (FCC)

FCC Effective May 1, 2026, for SB 330 Projects with Applications Completed Prior to the Listed Date

Category	May 1, 2020	May 1, 2021	May 1, 2022	May 1, 2023	May 1, 2024
Dorm Incremental Portion	$3,634	$3,634	$3,633	$3,632	$3,632
Dorm Equity Buy-in Portion	$1,712	$1,832	$1,952	$2,069	$2,191
Dorm Comprehensive FCC	**$5,346**	**$5,466**	**$5,585**	**$5,701**	**$5,823**

Only for those developments that meet all of the following criteria:

a) Three (3) or more residential units;
b) One bedroom or studio, single occupancy units;
c) One bathroom maximum;
d) Individual unit area less than or equal to 540 square-feet; and
e) Common kitchen facilities and only limited kitchen facilities in each unit.

iii. Non-Residential Meter Facilities Connection Charges (FCC) (potable)

FCC Effective May 1, 2026, for SB 330 Projects with Applications Completed Prior to the Listed Date

Meter Size	May 1, 2020	May 1, 2021	May 1, 2022	May 1, 2023	May 1, 2024
5/8" Incremental Portion	$6,057	$6,056	$6,056	$6,056	$6,055
5/8" Equity Buy-in Portion	$2,849	$3,049	$3,250	$3,450	$3,651
5/8" Comprehensive FCC	**$8,906**	**$9,105**	**$9,306**	**$9,506**	**$9,706**
3/4" Incremental Portion	$9,085	$9,085	$9,084	$9,083	$9,082
3/4" Equity Buy-in Portion	$4,274	$4,576	$4,876	$5,176	$5,477
3/4" Comprehensive FCC	**$13,359**	**$13,661**	**$13,960**	**$14,259**	**$14,559**
1" Incremental Portion	$15,142	$15,141	$15,141	$15,140	$15,139
1" Equity Buy-in Portion	$7,123	$7,625	$8,126	$8,629	$9,130
1" Comprehensive FCC	**$22,265**	**$22,766**	**$23,268**	**$23,769**	**$24,269**
1.5" Incremental Portion	$30,285	$30,285	$30,285	$30,284	$30,282
1.5" Equity Buy-in Portion	$14,246	$15,250	$16,254	$17,257	$18,261
1.5" Comprehensive FCC	**$44,531**	**$45,535**	**$46,538**	**$47,541**	**$48,543**
2" Incremental Portion	$48,455	$48,454	$48,453	$48,452	$48,450
2" Equity Buy-in Portion	$22,794	$24,401	$26,007	$27,613	$29,218
2" Comprehensive FCC	**$71,249**	**$72,855**	**$74,460**	**$76,065**	**$77,668**
3" Incremental Portion	$105,995	$105,994	$105,994	$105,992	$105,989
3" Equity Buy-in Portion	$49,862	$53,377	$56,892	$60,405	$63,916

3" Comprehensive FCC	**$155,858**	**$159,371**	**$162,887**	**$166,397**	**$169,906**
4" Incremental Portion	$181,705	$181,705	$181,706	$181,705	$181,699
4" Equity Buy-in Portion	$85,479	$91,504	$97,528	$103,553	$109,575
4" Comprehensive FCC	**$267,183**	**$273,209**	**$279,234**	**$285,258**	**$291,273**
6" Incremental Portion	$408,838	$408,838	$408,841	$408,840	$408,828
6" Equity Buy-in Portion	$192,326	$205,884	$219,441	$232,997	$246,545
6" Comprehensive FCC	**$601,164**	**$614,721**	**$628,282**	**$641,836**	**$655,373**
8" Incremental Portion	$484,548	$484,547	$484,551	$484,549	$484,536
8" Equity Buy-in Portion	$227,941	$244,008	$260,078	$276,144	$292,201
8" Comprehensive FCC	**$712,490**	**$728,556**	**$744,629**	**$760,693**	**$776,738**

2. FCC for Non-SB 330 Projects and for SB 330 Projects with Applications Completed on or after May 1, 2024

All applicants, prior to connecting to a water main, prior to increasing the size of an existing water meter, shall pay the comprehensive Facilities Connection Charges as listed below. The FCCs effective May 1, 2026, as listed below have been adjusted for previously approved annual inflation. Annually on May 1 of each year until the District completes a new Facility Connection Charge study, these amounts will be adjusted for inflation based on the Engineering News-Record Construction Cost Index (ENR CCI) for the San Francisco Bay Area.

i. Residential Meter Facilities Connection Charges (FCC)

Category	Effective May 1, 2026
SFR Incremental Portion	$7,463
SFR Equity Buy-In Portion	$3,630
1. SFR Comprehensive FCC	**$11,093**
MFR Incremental Portion	$6,269
MFR Equity Buy-In Portion	$3,049
2. MFR Comprehensive FCC	**$9,318**

Category 1 includes single family residential (SFR) detached houses whose combined domestic and irrigation water demands can be met with up to a 1-1/2 inch meter. Category 1 also includes single family residential that has an attached Accessory Dwelling Unit (ADU) as described in Government Code Sections 66324(b) (the ADU will be separately assessed as a multi-family unit). Single family detached houses whose combined domestic and irrigation water demands can be met only with a meter sized 2-inches or larger shall pay Facilities Connection Charges set forth in Section 2.A.2.iii. Category 2 includes multi-family residential (MFR) where there are multiple dwelling units such as duplexes; mobile homes; new accessory dwelling units (as defined by Government Code §66324(d), even if separately metered) constructed along with a new single family residential unit on the same lot; live/work units; and apartments, condominiums, townhouses or other buildings with two or more dwelling units, except those that meet the criteria for the Residential Dormitory Meter Facilities Connection Charges set forth in Section 2.A.2.ii (a) through (e).

ii. Residential Dormitory Meter Facilities Connection Charges (FCC)

Category	Effective May 1, 2026
Dorm Incremental Portion	$4,477
Dorm Equity Buy-In Portion	$2,178
Dorm Comprehensive FCC	**$6,655**

Only for those developments that meet all of the following criteria:

a) Three (3) or more residential units;
b) One bedroom or studio, single occupancy units;
c) One bathroom maximum;
d) Individual unit area less than or equal to 540 square-feet; and
e) Common kitchen facilities and only limited kitchen facilities in each unit.

iii. Non-Residential Meter Facilities Connection Charges (FCC) (potable)

Meter Size	Effective May 1, 2026
5/8" Incremental Portion	$7,463
5/8" Equity Buy-In Portion	$3,630
5/8" Comprehensive FCC	**$11,093**
3/4" Incremental Portion	$11,196
3/4" Equity Buy-In Portion	$5,446
3/4'' Comprehensive FCC	**$16,642**
1" Incremental Portion	$18,660
1" Equity Buy-In Portion	$9,077
1'' Comprehensive FCC	**$27,737**
1.5" Incremental Portion	$37,321
1.5" Equity Buy-In Portion	$18,153
1.5'' Comprehensive FCC	**$55,474**
2" Incremental Portion	$59,715
2" Equity Buy-In Portion	$29,045
2'' Comprehensive FCC	**$88,760**
3" Incremental Portion	$130,626
3" Equity Buy-In Portion	$63,538
3'' Comprehensive FCC	**$194,164**
4" Incremental Portion	$223,931
4" Equity Buy-In Portion	$108,922
4'' Comprehensive FCC	**$332,853**
6" Incremental Portion	$503,846
6" Equity Buy-In Portion	$245,076
6'' Comprehensive FCC	**$748,922**
8" Incremental Portion	$597,150
8" Equity Buy-In Portion	$290,461
8'' Comprehensive FCC	**$887,611**

Charges in Section 1.A.1.iii and 2.A.2.iii shall not be assessed for dedicated irrigation meters serving limited common area landscaping located on private property within a residential project with a residential homeowners association serving as the account holder for a separate irrigation meter.

If the District determines that the category of water use for a meter does not fit the above-described categories of water use, then the Board shall set a specific Facilities Connection Charge for that meter based on the projected demand on District facilities.

No application for meters sized larger than 2-inches shall be accepted by the District until the applicant has submitted standardized calculations, in a form acceptable to the District, confirming the requested meter size conforms to the applicable American Water Works Association Standard and is appropriate for the application. The District reserves the right to determine the appropriate meter size for any application and may determine such information is necessary in support of any application, regardless of requested meter size.

No meter will be installed until all applicable charges for District work and the applicable Facilities Connection Charge have been paid. No application for connection to a water main will be accepted by the District until and unless one of the following applicable criteria has been met:

a. Meter or water service to be connected to an existing main

Determination by the District of the issuance of a valid building permit from the appropriate city and agreement to the terms specified on the District's application.

b. Meter or water service to be connected to a new main installed by applicant

Determination by the District of the issuance of a valid building permit from the appropriate city, agreement to the terms specified on the District's application, execution of a Public Water System Extension Agreement, and conformance with the terms and conditions thereof.

Section 2 Subsection B

Section 2 Subsection B, titled "Meter Installation Charges", is amended to change "$416.00" to "$424.00"; "$429.00" to "$439.00", "$860.00" to "$874.00".

Section 3 Subsection A

Section 3 Subsection A, titled "Account Establishment", is amended to change "$46.00" to "$13.00"

Section 3 Subsection D

Section 3 Subsection D, titled "Damaged Angle Stop Charge", is amended to change "$347.00" to "$370.00".

Section 3 Subsection F

Section 3 Subsection F, titled "Reconnection Charge - For Replacement of a Pulled Meter & Turn-On", is amended to change "$110.00" to "$115.00".

Section 3 Subsection G

Section 3 Subsection G, titled "Charge for Returned Check, Failed Electronic Fund Transfers, Credit Card Reversals and Similar Failures", is amended to change "$13.00" to "$5.00".

Section 4 Subsection B

Section 4 Subsection B, titled "Inspection/Testing of Backflow Prevention Device" is amended to change from "$87.00" to "$95.00."

Section 4 Subsection D

Section 4 Subsection D, titled "Inspection of Public Records" is amended to read as follows:

D. Inspection of Public Records – California Public Records Act

1. Requests All requests for District records shall be addressed in accordance with the District's Policy on Inspection of Public Records.

2. Fees There are no fees for inspecting public records of the District. However, the District may charge for the direct costs of duplication of the record and the cost for data compilation, extraction, or programming to produce the record.

   For copies of records, the District may charge the following fees:

   (1) for documents up to 11"x17" in size: $0.10 per page
   (2) for documents larger than 11"x17": $0.15 per page
   (3) for electronic records made available in hard copy format: $0.75 per CD
   (4) for all other records: actual costs of duplication
   (5) for data compilation, extraction, or programming (associated with electronic records) to produce the record requested: $50 per hour for all time expended in excess of 15 minutes

   In addition, if a record is to be certified or authenticated, there will be an additional charge of $1.00 for each certificate with seal affixed.

Section 4 Subsection G

Section 4 Subsection G, titled "Electric Vehicle Charging Fee" is amended to change "$0.40" to "$0.43".

Section 4 Subsection I

Section 4 Subsection I, titled "Meter Tampering – (2) Meter Tampering/Ending Replacement" is amended to change "$150.00" to "$190.00"; "Meter Tampering – (3) Meter Tampering/Meter Replacement" is amended to change "$306.00" to "$424.00"; "$364.00" to "$439.00"; "$554.00" to "$874.00".

Section 5 Subsection D

Section 5 Subsection D, titled "Weather-Based Irrigation Controllers (WBIC)" is amended to change "$75.00" to "$100.00".

BE IT FURTHER RESOLVED that the General Manager is directed to incorporate these changes into an amended Rate and Fee Schedule and that all the charges identified in the updated Rate and Fee Schedule shall remain in full force and effect until further order of this Board.

BE IT FURTHER RESOLVED that the General Manager is authorized to file a Notice of Exemption with the Alameda County Clerk's Office.

PASSED AND ADOPTED THIS 12th day of February 2026, by the following vote:

AYES:

NOES:

ABSENT:

Aziz Akbari, President
Board of Directors
Alameda County Water District

ATTEST:

JR Salinas, Assistant District Secretary
Alameda County Water District
(Seal)

APPROVED AS TO FORM:

Patrick T. Miyaki, General Counsel
Alameda County Water District

RESOLUTION NO. _____

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT AUTHORIZING THE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 7 TO THE AGREEMENT FOR THE SUPPLY AND CONVEYANCE OF WATER BY THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF CALIFORNIA UNDER THE DRY YEAR WATER PURCHASE PROGRAM BETWEEN THE DEPARTMENT OF WATER RESOURCES AND ALAMEDA COUNTY WATER DISTRICT AND TO TAKE RELATED ACTIONS, AND TAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT RESPONSIBLE AGENCY ACTIONS BASED ON YUBA COUNTY WATER AGENCY'S PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT AND SUPPLEMENTAL CERTIFIED ENVIRONMENTAL IMPACT REPORT

_____

WHEREAS, Department of Water Resources of the State of California ("DWR") has reached an agreement with the Yuba County Water Agency under its Yuba Accord Purchase Agreement to extend the term for water transfers through 2050; and

WHEREAS, DWR has reached an agreement with the Yuba County Water Agency under its Yuba Accord Purchase Agreement to set the price and other terms for continued water transfers for the period through December 2030; and

WHEREAS, DWR is offering State Water Project Contractors the opportunity to purchase water under the Amendment No. 7 to the Agreement for the Supply and Conveyance of Water by the Department of Water Resources of the State of California to the State Water Project Contractors Under the Dry Year Water Purchase Program (Participation Agreement), which supersedes the original Participation Agreement in its entirety; and

WHEREAS, execution of the Participation Agreement provides the District with access to a dry year water transfer supplies to improve reliability; and

WHEREAS, in 2007 pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq.) (CEQA), and the State CEQA Guidelines (14 Cal. Code Regs. section 15000

et seq.) the Yuba County Water Agency, as Lead Agency, certified a Final Environmental Impact Report (State Clearinghouse No. 200506211) (FEIR) and adopted and approved Findings of Fact, the Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program (MMRP): and

WHEREAS, to facilitate extending the agreement for another 25 years, on September 17, 2024, Yuba County Water Agency certified a supplemental EIR (SEIR) to evaluate the potential environmental effects of the extension and determined that it would not result in any new or changes in environmental impacts as described in the certified 2007 FEIR. No changes or additions were required for the approved 2007 Findings of Fact, the Statement of Overriding Considerations and MMRP; and

WHEREAS, the FEIR and SEIR certified by Yuba County Water Agency and related CEQA documents can be found at Yuba County Water Agency's website, located at https://www.yubawater.org/157/Lower-Yuba-River-Accord. A copy of these documents has also been retained in the District's files and has been made available to, and has been reviewed by, the District's Board of Directors ; and

WHEREAS, the District is a responsible agency for the Extension of the Yuba Accord Long-Term Water Transfer Program under CEQA, and pursuant to State CEQA Guidelines section 15096, the District hereby intends to file a Notice of Determination under State CEQA Guidelines section 15094 and

WHEREAS, the District has heard, been presented with, reviewed, and considered all of the information and data presented to it, including the certified FEIR and SEIR for the Extension of the Yuba Accord Long-Term Water Transfer Program under CEQA; Yuba County Water Agency's findings relating to the Extension of the Yuba Accord Long-Term Water Transfer

Program under CEQA under State CEQA Guidelines section 15091 and 15163(e); and all public comments; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of ALAMEDA COUNTY WATER DISTRICT has independently reviewed and considered the previously certified 2007 Final EIR and 2024 Supplemental EIR for the Extension of the Yuba Accord Long-Term Water Transfer Program, Yuba County's record of proceedings, and the District's record of proceedings, and the District finds that the FEIR and SEIR adequately and properly analyzes the potential environmental impacts of the Extension of the Yuba Accord Long-Term Water Transfer Program.

BE IT FURTHER RESOLVED that the Board of Directors of ALAMEDA COUNTY WATER DISTRICT authorizes the General Manager to execute Amendment No. 7 to the Agreement for the Supply and Conveyance of Water by the Department of Water Resources of the State of California Under the Dry Year Water Purchase Program between the Department of Water Resources and Alameda County Water District.

BE IT FURTHER RESOLVED that the General Manager is authorized to take all further actions as may be necessary to implement this Resolution and Amendment No. 7, including but not limited to purchasing water through the Yuba Accord Long-Term Water Transfer Program and entering into related agreements.

PASSED AND ADOPTED this 12th day of February 2026, by the following vote:

AYES:

NOES:

ABSENT:

Aziz Akbari, President
Board of Directors
Alameda County Water District

ATTEST:

JR Salinas, Assistant District Secretary
Alameda County Water District
(Seal)

APPROVED AS TO FORM:

Patrick T. Miyaki, General Counsel
Alameda County Water District

OPERATIONS & WATER QUALITY COMMITTEE
SUMMARY MINUTES
Tuesday, January 6, 2026
4:15 p.m.

ATTENDANCE
Directors: Paul Sethy (Chair), James Gunther
Staff: Ed Stevenson, Dan Stevenson, Jackie McCloud, Mike Wickham, Robert Marsheck, Cris Pena, Jody Clarke
Public: None

This meeting was conducted in person at the District's Headquarters and virtually by Zoom Webinar and Teleconference, and members of the public were invited to participate. Materials presented to the Committee were posted in advance of the meeting at www.acwd.org and copies of materials as presented are attached to these minutes.

DISCUSSION TOPIC

1. Public Comments: No public comments were received.

2. Specialized Utility Truck Bodies: Jody Clarke, General Facilities Supervisor, provided a presentation on the types of utility truck bodies utilized by District field crews. Mr. Clarke provided background on the utility trucks used by Distribution Maintenance Division (DMD) and Facility Maintenance Division (FMD) field crews, including the Board's approval in May 2025 for purchase of five heavy duty utility trucks. Mr. Clarke provided specific information on the different body types required for the two work groups and noted the different maintenance and emergency response requirements for these two groups. Mr. Clarke provided information on the relatively standard body employed for the FMD utility truck compared with the specialized utility body required to support DMD crew activities. Mr. Clarke noted that an amendment is required to the May 2025 truck order for the two specialized utility bodies for the DMD crew trucks. Mr. Clarke provided information on the cost of this amendment and noted that this will be an item on the agenda at the January Board meeting.

   Staff received comments and responded to questions from the Committee.

3. PFAS Updates: U.S. Environmental Protection Agency (EPA), California Division of Drinking Water (DDW), San Francisco Regional Water Quality Control Board (RWQCB): Cris Pena, Engineering Supervisor, provided a summary of regulatory updates for Per- and polyfluoroalkyl substances (PFAS) from several agencies. In May 2025, the U.S. EPA announced that the Maximum Contaminant Levels (MCLs) established in April 2024 for Perfluorooctane Sulfonate (PFOS) and Perflurooctanoic acid (PFOA) would be kept, and that it intends to rescind the MCLs for Perfluorohexane Sulfonic Acid (PFHxS), Perflurobutane Sulfonic Acid (PFBS), Perfluorononanoic acid (PFNA), GenX Chemical, and the Hazard Index. In October 2025, DDW issued new and/or revised Notification or Response Levels for PFOA, PFOS, PFHxS, and Perfluorohexanoic Acid (PFHxA). Ms. Pena shared that DDW has also issued monitoring orders which contain revised PFAS reporting levels for annual

Consumer Confidence Reports and require California water agencies to perform initial PFAS monitoring of groundwater and surface waters in 2026 to comply with the established U.S. EPA PFAS MCLs, regardless of the EPA's intention of rescinding and delaying parts of the PFAS Rule. In December 2025, the RWQCB adopted a new National Pollutant Discharge Elimination System (NPDES) Permit for General Waste Discharge Requirements for Discharges of Groundwater. Ms. Pena explained that the new NPDES permit applies to the concentrate discharges from the Newark Desalination Facility, becomes effective July 1, 2026, and includes a requirement to sample the NDF influent for PFAS at least once by 2027.

Staff received comments and responded to questions from the Committee.

RECOMMENDATIONS

Topics discussed by the Committee were informational only, and no recommendations were being made.

Alameda County Water District

SPECIALIZED UTILITY TRUCK BODIES

Jody Clarke

General Facilities Supervisor

Background

- DMD and FMD field crews require trucks equipped for specialized tasks.
- Support safe and efficient maintenance and emergency work.
- Board approved purchase of five heavy-duty utility trucks (May 8, 2025).

FMD Utility Truck

- Standard utility body and compartments
- 8,000 lbs. hydraulic crane

DMD Utility Truck

- Custom utility body with specialized compartments
- 3,000 lbs. hydraulic crane
- PTO driven air compressor for pneumatic tools
- Tailgate with tool storage, dewatering pump, and worksurface
- Enhanced worksite safety lighting

Next Steps

- Agenda item for January 2026 Board meeting
- Amendment for specialized utility body packages for two DMD crew trucks
- Approximately $223,591

Questions?

Alameda County Water District

PFAS Updates:
U.S. Environmental Protection Agency
California Division of Drinking Water
San Francisco Bay Regional Water Quality Control Board

Cris Pena, Engineering Supervisor

Operations and Water Quality Committee Meeting

January 6, 2026

PFAS Updates

- US Environmental Protection Agency Maximum Contaminants Levels established in 2024
- California Division of Drinking Water Notification Levels for Per- and Polyfluoroalkyl Substances (PFAS)
- California Division of Drinking Water Monitoring Orders
- General Waste Discharge Requirements for Discharges of Groundwater – National Pollutant Discharge Elimination System (NPDES) Adopted

Definitions

- PFAS: Per- and Polyfluoroalkyl Substances, a large group of widely used, long lasting chemicals which break down very slowly over time and may be linked to harmful health effects in humans and animals.
- MCL: Maximum Contaminant Level, a legally enforceable standard established by the Environmental Protection Agency, which is the highest level of a contaminant that is allowed in drinking water.
- NL: Notification Level, health-based advisory levels established by the California Division of Drinking Water (DDW) for chemicals in drinking water that lack MCLs
- RL: Response Level, advisory level at which DDW recommends removing a source from service or installing treatment.
- µg/L: parts per billion
- ng/L: parts per trillion

US Environmental Protection Agency Maximum Contaminant Level

- Final Rule effective on June 25, 2024

Chemical	Maximum Contaminant Level Goal (MCLG)	Maximum Contaminant level (MCL)
PFOA Perfluorooctanoic acid	0 ng/L	4.0 ng/L
PFOS Perfluorooctane sulfonic acid	0 ng/L	4.0 ng/L
PFHxS Perfluorohexane Sulfonic Acid	10 ng/L	10 ng/L
HFPO-DA (GenX chemicals) hexafluoropropylene oxide dimer acid	10 ng/L	10 ng/L
PFNA Perfluorobutane sulfonic acid	10 ng/L	10 ng/L
Mixture of two or more: PFHxS, PFNA, HFPO-DA, and PFBS	Hazard Index of 1 (unitless)	Hazard Index of 1 (unitless)

CA – Division of Drinking Water Revised Notification Levels

Chemical	Notification Level	Response Level	Issuance
PFOA Perfluorooctanoic acid	4.0 ng/L	10 ng/L	**10/29/2025** 02/06/2020 08/23/2019 07/13/2018
PFOS Perfluorooctane sulfonic acid	4.0 ng/L	40 ng/L	**10/29/2025** 07/13/2018 02/06/2020 08/23/2019
PFHxS Perfluorohexane Sulfonic Acid	3.0 ng/L	10 ng/L	**10/29/2025** 10/31/2022
PFHxA Perfluorohexanoic Acid	1.0 µg/L	10 µg/L	10/29/2025
PFBS Perfluorobutane sulfonic acid	0.5 µg/L	5 µg/L	03/05/2021

PFAS Regulatory Timeline

2018
CA-DDW
PFOA
NL= 14 ng/L
RL = 70 ng/L
PFOS
NL= 13 ng/L
RL = 70 ng/L

2019
CA-DDW
PFOA
NL= 5.1 ng/L
RL = 70 ng/L
PFOS
NL= 6.5 ng/L
RL = 70 ng/L

2020
CA-DDW
PFOA
NL= 5.1 ng/L
RL = 10 ng/L
PFOS
NL= 6.5 ng/L
RL = 40 ng/L

2021
CA-DDW
PFBS
NL= 0.5 µg/L
RL = 5 µg/L

2022
CA-DDW
PFHxS
NL= 3.0 ng/L
RL = 20 ng/L

2025
CA-DDW
PFOA
NL= 4.0 ng/L
RL = 10 ng/L
PFOS
NL= 4.0 ng/L
RL = 40 ng/L
PFHxS
NL= 3.0 ng/L
RL = 10 ng/L
PFHxA
NL= 1.0 µg/L
RL = 10 µg/L

2015
EPA - UCMR3
Minimum Reporting Level
PFOS = 40 ng/L
PFOA = 20 ng/L
PFHxS = 30 ng/L

2023-2024
EPA - UCMR5
Minimum Reporting Level
PFOS = 4 ng/L
PFOA = 4 ng/L
PFHxS = 3 ng/L
PFHxA = 3 ng/L

2024
EPA MCL
PFOS = 4.0 ng/L
PFOA = 4.0 ng/L
PFHxS = 10 ng/L
PFNA = 10 ng/L
GenX = 10 ppt
Haz Index

2025
EPA MCL
PFOS = 4.0 ng/L
PFOA = 4.0 ng/L
Proposed to Rescind
PFHxS
PFNA
GenX
Haz Index

Monitoring Order for ACWD

US EPA PFAS MCL Update

- May 14, 2025
  - Keep MCLs for PFOA and PFOS
  - EPA plans to provide additional time for compliance, including proposal to extend compliance date from 2029 to 2031
  - Intends to rescind MCLs for PFHxS, PFNA, HFPO-DA (commonly known as GenX), and the Hazard Index
  - Plans to issue a proposed rule Fall 2025 and finalize in Spring 2026

Division of Drinking Water Monitoring Orders

December 18, 2025 -DDW issues Monitoring Order DW 2025-0002-DDW

- Purpose to comply with EPA initial PFAS MCLs monitoring requirement
- Initial monitoring for ground and surface waters under the monitoring orders must be completed by end of 2026
- PFOS, PFOA, PFHxS, PFNA, HFPO-DA, and a mixture of PFHxS, PFNA, HFPO-DA, and PFBS
- Lowered Consumer Confidence Report Detection Levels (CCRDL)
- Sample groundwater and surface water quarterly
- Grandfathering of data collected after 2019 allowed

General Waste Discharge Requirements for Discharges of Groundwater

NPDES Permit for General Waste Discharge Requirements for Discharges of Groundwater was adopted December 10, 2025

- Order effective 7/1/2026
- Monitor for PFAS at least once by the end of 2027
- Develop and maintain a contingency plan describing procedures to ensure the facility remains in, or is rapidly returned to, operation in the event of equipment failure or emergency
- Develop and maintain a Spill Prevention Plan
- ACWD facilities remain identified within the permit as examples of Class 1 and Class 2 dischargers
- Order expires 6/30/2031

Impacts to ACWD

- **Blending Facility (w/6 MGD PFAS Treatment)**
  - EPA PFOS limiting: ~24-27 mgd
- **Desal Facility**
  - CA PFHxS limiting: ~18% Blend-around
  - EPA PFOS limiting: ~ 35% Blend-around
- **Additional PFAS monitoring**
- **Update Operational Plans**
- **Update NDF key reliability features for PFAS**
- **Future revisions to Blending Facility and NDF permit amendments**

Questions?

ACWD
ALAMEDA COUNTY WATER DISTRICT

acwd.org

ENGINEERING AND INFORMATION TECHNOLOGY COMMITTEE MEETING SUMMARY MINUTES
Wednesday, January 7, 2026
4:15 p.m.

ATTENDANCE
Directors: James Gunther (Chair), Judy Huang
Staff: Ed Stevenson, Girum Awoke, Shehroz Mirza
Public: None

This meeting was conducted in person at the District's Headquarters and virtually by Zoom Webinar and Teleconference, and members of the public were invited to participate. Materials presented to the Committee were posted in advance of the meeting at www.acwd.org and copies of materials as presented are attached to these minutes.

DISCUSSION TOPICS

1. Public Comments: There were no members of the public in attendance.

2. Engineering and Technology Services (ETS) Department New Employee Introductions: In accordance with a new District initiative to allow Board members to get to know staff and learn about their respective roles and responsibilities, Girum Awoke, Director of Engineering and Technology, and Sean O'Reilly, Development Services Manager introduced newly hired ETS staff to the Committee. Mr. Awoke and Mr. O'Reilly informed the Committee about each new staff member, their background and areas of expertise, and how they will contribute to advancing the mission of the District. The new staff members introduced were Kevin Fitzsimmons, Chief Information Security Officer, and Development Services Technicians Kayley Zabinski, Zoe Chapman-Parish, and Evelyn Trejo Camargo.

   The Committee welcomed the new team members.

3. Dairy Avenue and H Street Main Renewal Project Update: Chris Delp, Project Engineering Supervisor, provided an update on the Dairy Avenue and H Street Main Renewal Project (Project) that is installing approximately one mile of pipe in Newark and Union City. Mr. Delp indicated that the Project was started in the fall of 2024 and is now nearing completion. The new main is in service and approximately 100 customer connections have been transferred; only several small punch list items remain.

   Mr. Delp highlighted unique project features including the Project's proximation to a large school and the use of temporary bypasses. Mr. Delp explained that a new main was installed on H Street directly in front of James Logan High School in Union City. Staff coordinated working hours with City of Union City and school staff in advance, and construction started during a holiday break and continued thereafter with very limited working hours to avoid traffic and student impacts. In both Newark and Union City, portions of the new water main were installed along the original alignment of the existing water main and in the same trench. To remove the old main prior to installation of the new main, temporary bypass pipes were

required to maintain service to customers. Proactive public outreach helped customers understand the need for bypasses and preempted negative feedback regarding bypass impacts. Upon completion of the punch list items, staff anticipates requesting Board authorization of Change Order No. 1, a time extension for excusable delays, and acceptance of the Project, which is tentatively scheduled for the February 2026 Board meeting.

RECOMMENDATIONS

Topics discussed by the Committee were informational only, and no recommendations were being made.

Engineering and Information Technology Committee Briefing

Main Renewal Dairy Avenue and H Street Project Update

Shehroz Mirza
Project Engineer

Project Background

- Project Objective: renew small diameter pipes with greatest propensity for leaks
- Length: Approximately 1 mile
- Number of Service Connections: ~100
- Contractor: JMB Construction, Inc.
- Awarded Construction Contract Value: $4.97M
- Board approved Change order allocation: 7% of contract ($347,000)
- Notice to Proceed Issued: September 11, 2024

Location – Union City

Location - Newark

Unique Project Elements/Challenges

Proximity to James Logan High School

Unique Project Elements/Challenges

Proximity to James Logan High School

Unique Project Elements/Opportunities

Above-ground bypass with service connections in Newark and Union City

Unique Project Elements/Opportunities

Above-ground bypass with service connections in Newark and Union City

Project Status

- Construction
  - All customers transitioned to new services
  - Paving work complete
  - Two minor punchlist items remain
- Change Orders
  - Change Order 1 planned to be recommended at project acceptance
  - Change Order Value: ~$870k, or 18% due to a combination of unforeseen conditions, implementation of Schedule B items, and additional pavement

Next Steps

- Construction
  - Complete punchlist items to satisfaction of ACWD and City
- Recommended Board Action (tentative, February 2026 Board meeting)
  - Approve Change Order No. 1
  - Approve a time extension for excusable delays
  - Adopt a resolution accepting completion of the project

Questions?

LEGAL, INTERGOVERNMENTAL & COMMUNITY AFFAIRS COMMITTEE MEETING
SUMMARY MINUTES
Wednesday, January 14, 2026
4:15 P.M.

ATTENDANCE
Directors: Judy Huang (Chair), Aziz Akbari
Staff: Ed Stevenson, Jackie McCloud, Renee Gonzales, Simon Maranguis
Legislative Consultant: Jonathan Clay, Erin Gilbert
Public: None

This meeting was conducted in person at the District's Headquarters and virtually by Zoom Webinar and Teleconference, and members of the public were invited to participate. Materials presented to the Committee were posted in advance of the meeting at www.acwd.org and copies of materials as presented are attached to these minutes.

DISCUSSION TOPICS

1. Public Comments: No public comment.

2. Update on State Legislation: Jonathan Clay and Erin Gilbert of JGC Government Relations, Inc. (JGC), discussed the updates on state legislation, highlighting the urgency of moving bills through the legislative process. The governor's January budget proposal contrasts with the Legislative Analyst's Office (LAO) outlook, with the governor projecting a $3 billion deficit versus the LAO's $35 billion. The State Water Contractors are pushing for funding to address subsidence and infrastructure maintenance. An Assembly Bill (AB) that is moving forward quickly is AB 35 to expedite Proposition 4 funds allocation. In early February there will be an informational hearing hosted by the assembly on data centers and water use. Also mentioned were changes to legislative committee chairs. Staff and JGC responded to questions from the Committee.

3. Public Outreach Update: Renee Gonzales, Public Affairs Specialist, provided the attached communications and outreach report. Items requested are from December 19, 2025, through January 14, 2026. Ms. Renee Gonzales' overview included a summary of District communication and outreach efforts, website articles, and social and traditional media updates. During this reporting period, Sharene Gonzales, Public Affairs Supervisor, and Jackie McCloud, Special Assistant to the General Manager, met with Dr. Yi He, Professor and Chair of the Department of Marketing in the School of Business at California State University East Bay (CSUEB), to discuss a possible collaboration with Master of Science and Analytics program students to raise the community's awareness of important water-related issues. The Finance and Administration department published the 2025 Annual Comprehensive Financial Report to the District's website. Also, the Development Services Division sent 96 letters to developers, engineers, and consultants regarding 2026 Proposed Revisions to the New Water Service-Related Charges and Fees. The Water Use Efficiency staff met with a local girl scout to review and discuss her final seminar presentation for a project focused on finding and fixing

leaks. The District has distributed 18,047 pieces of school supplies to date for the 2025/26 school year.

Staff responded to questions from the Committee.

4. Water Bottle Refill Station Project Update: Simon Maraguis, Office of the General Manager Intern, provided a presentation on a pilot project to install a water bottle refill station at Thornton Middle School. The presentation focused on the location of the water bottle refill station, accessibility, and maintenance costs. In addition, messaging and signage for the refill stations was discussed.

5. Special Assistant to the General Manager's Report: Ms. McCloud reported on partnering with Ms. Sharene Gonzales, to meet with Dr. Yi He, Professor and Chair of the Department of Marketing in the School of Business at CSUEB. Dr. He proposed a capstone project for students in the Master of Science and Analytics program with the Public Affairs team. Also, Ms. McCloud met with Dr. Balaraman Rajan, Professor in the School of Business at CSUEB, and Russell Perry, Water Resources Analyst, about a proposed undergraduate capstone project focused on the District's residential customer water use efficiency measures. An update regarding the Fremont Unified School District Water Ambassador program highlighted student participation in Module #3 led by District chemists, about water sampling, laboratory analysis, and keeping drinking water safe. In conclusion, Ms. McCloud reported on the progress of the Strategic Plan Update.

   Staff responded to questions from the Committee.

RECOMMENDATIONS

Topics discussed by the Committee were informational only, and no recommendations were being made.

GOVERNMENT RELATIONS

TO: Ed Stevenson, Alameda County Water District

FROM: JGC Government Relations, Inc. – Jonathan Clay & Erin Gilbert

RE: January Legislative Report

DATE: January 9, 2026

The legislature returned to Sacramento on Monday, January 5th and immediately got to work. There were a few committee hearings to hear the "two-year bills" that need to pass their house of origin by the end of January. But the most notable activity was the Governor gave his final State of the State address, and although it was his last state of the state, it was his first since 2020. He quipped that due to his dyslexia he doesn't like giving prepared speeches and has essentially avoided it.

The main themes of his State of the State, besides it sounding like a presidential campaign speech, centered around California leading the nation and not President Trump, the economic strength of California, the successful results of dropping the numbers of unsheltered homeless, affordability of California and the inappropriateness of private equity purchasing homes in California, the crisis of young men and boys, education, and the anniversary of the Los Angeles fires. After almost an hour of speaking some of the facts of the speech appear to be arguable, but you would never guess that he doesn't like public speaking from a prepared speech.

We will see what the legislature takes from the speech and turns into legislation for the year. February 20th is the last day for members to introduce legislation for the year. On Friday, January 9th the Department of Finance and Governor will be releasing the proposed budget for the year. Some early information shows that education spending will be a priority for the Governor. Additionally, we expect the Governor's numbers to look different that LAO's numbers that we previously reported. The Department of Finance tends to paint a rosier picture of the finances than the LAO, and we expect that again.

In terms of legislation, not a lot has been introduced yet. However a two-year bill worth noting is AB 497 by Assembly Member Wilson. This bill would push the State Water Resources Control Board to update the Bay Delta Plan and the Sacramento River by August 31, 2026. The measure also expidetes the process by streamlining comment and review process that typically take large amounts of time when approving plans such as these. What's interesting to note is that Assembly Member Wilson is one of the louder anti-Delta Conveyance Project voices in the legislature so for her to take on this issue is a big deal. Of course some of the in-delta interests have already started voicing opposition.

Finally, the State Water Contractors are gearing up for an aggressive package of legislative efforts centered around the Project and protecting it as an assest – from securing its water rights to seeking funding from the green house gas funds to help counter subsidence, there will be an aggressive effort this year around SWP.

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AB 34 | **Patterson, R** | HTML | PDF

California Renewables Portfolio Standard Program: local publicly owned electric utilities: large hydroelectric generation.

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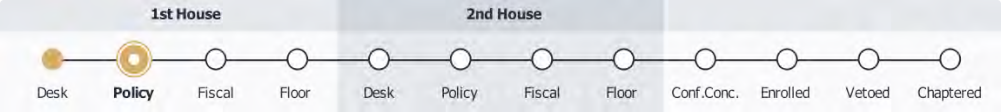

Tracking form

Position	Subject

Bill information

Status: 01/05/2026 - From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended. Re-referred to Com. on NAT. RES. Re-referred to Coms. on U. & E. and NAT. RES. pursuant to Assembly Rule 96.

Calendar: 01/15/26 A-UTILITIES AND ENERGY 1:30 p.m. - 1021 O Street, Room 1100 PETRIE-NORRIS, COTTIE, Chair

Summary: The California Renewables Portfolio Standard Program requires retail sellers and local publicly owned electric utilities to procure a minimum quantity of electricity products from eligible renewable energy resources during certain compliance periods up to December 31, 2030. Current law provides that a local publicly owned electric utility is not required to procure a certain amount of eligible renewable energy resources if, during a year within those compliance periods, the local publicly owned electric utility receives more than 40% of its retail sales from large hydroelectric generation under an ownership agreement or contract in effect as of January 1, 2018. Current law authorizes the State Energy Resources Conservation and Development Commission (Energy Commission) to establish appropriate multiyear compliance periods for local publicly owned electric utilities beyond December 31, 2030. This bill would provide that the provision related to the procurement of eligible renewable energy resources by local publicly owned electric utilities also applies to the compliance periods established by the Energy Commission. (Based on 01/05/2026 text)

Location: 01/05/2026 - Assembly Utilities and Energy
Introduced: 12/02/2024
Is Urgent: N
Is Fiscal: Y

Current Text: 01/05/2026 - Amended
Last Amend: 01/05/2026

AB 35 | **Alvarez, D** | HTML | PDF

Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: Administrative Procedure Act: exemption: program guidelines and selection criteria.

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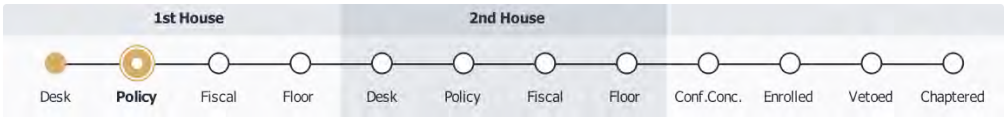

Tracking form

Position	Subject

Bill information

Status: 01/06/2026 - Re-referred to Com. on NAT. RES.

Calendar: 01/12/26 A-NATURAL RESOURCES 2:30 p.m. - State Capitol, Room 437 BRYAN, ISAAC, Chair

Summary: The Administrative Procedure Act sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies. The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 authorized the issuance of bonds in the amount of $10,000,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs. Current law authorizes certain regulations needed to effectuate or implement programs of the act to be adopted as emergency regulations in accordance with the Administrative Procedure Act, as provided. Current law requires the emergency regulations to be filed with the Office of Administrative Law and requires the emergency regulations to remain in effect until repealed or amended by the adopting state agency. This bill would delete the above provisions relating to the adoption of regulations to implement the act as emergency regulations and would instead exempt the adoption of those regulations from the Administrative Procedure Act. (Based on 01/05/2026 text)

Location:	12/18/2025 - Assembly Natural Resources	**Current Text:**	01/05/2026 - Amended
Introduced:	12/02/2024	**Last Amend:**	01/05/2026
Is Urgent:	N		
Is Fiscal:	Y		

AB 262 | **Caloza, D** | **HTML** | **PDF**

California Individual Assistance Act.

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Tracking form

Position	Subject

Bill information

Status: 06/11/2025 - Referred to Com. on G.O.

Summary: The California Disaster Assistance Act requires the Director of Emergency Services to provide financial assistance to local agencies for their personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, subject to specified criteria. The act continuously appropriates moneys in the Disaster Assistance Fund and its subsidiary account, the Earthquake Emergency Investigations Account, without regard to fiscal year, for purposes of the act. This bill would enact the California Individual Assistance Act to establish a grant program to provide financial assistance, upon appropriation by the Legislature, to local agencies, community-based organizations, and individuals for specified costs related to a disaster, as prescribed. The bill would require the director to allocate from the fund, subject to specified conditions, funds to meet the cost of expenses for those purposes. (Based on 05/23/2025 text)

Location:	06/11/2025 - Senate Governmental Organization	**Current Text:**	05/23/2025 - Amended
Introduced:	01/16/2025	**Last Amend:**	05/23/2025
Is Urgent:	Y		
Is Fiscal:	Y		
Current Analysis:	05/28/25 A Floor Analysis (text 05/23/25)		

AB 465 | **Zbur, D** | **HTML** | **PDF**

Local public employees: memoranda of understanding.

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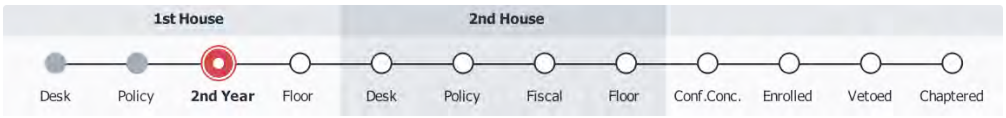

Tracking form

Position	Subject

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/23/2025)(May be acted upon Jan 2026)

Summary: The Meyers-Milias-Brown Act authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations and defines various terms for these purposes. The act prohibits a public agency from, among other things, refusing or failing to meet and negotiate in good faith with a recognized employee organization. Current law states that the Legislature finds and declares that the duties and responsibilities of local agency employer representatives under the act are substantially similar to the duties and responsibilities required under existing collective bargaining enforcement procedures and therefore the costs incurred by the local agency employer representatives in performing those duties and responsibilities under that act are not reimbursable as state-mandated costs. This bill would require, on or after January 1, 2026, a memorandum of understanding between a public agency and a recognized employee organization to include specified provisions including, among other things, a provision providing for a system of progressive discipline that grants due process to an employee when they are disciplined, upon the request of the recognized employee

organization. The bill would define “progressive discipline” and “due process” for this purpose. (Based on 03/13/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	03/13/2025 - Amended
Introduced:	02/06/2025	**Last Amend:**	03/13/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/21/25 A Appropriations (text 03/13/25)		

AB 550 | **Petrie-Norris, D** | **HTML** | **PDF**

The California Endangered Species Act: take of species: renewable electrical generation facilities.

Progress bar

Tracking form

Position	Subject

Bill information

Status: 07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/11/2025)(May be acted upon Jan 2026)

Summary: The California Endangered Species Act prohibits the taking of an endangered, threatened, or candidate species, except as specified. Under the act, the Department of Fish and Wildlife may authorize the take of listed species by certain entities through permits or memorandums of understanding for specified purposes. The act allows take by permit if, among other things, the impact of the authorized take is fully minimized and mitigated. This bill would provide that if an at-risk species, as defined, becomes listed as an endangered, threatened, or candidate species, further authorization or approval shall not be required for a take of that species, if specified conditions are met, including that the potential listing of the at-risk species was anticipated in a permit previously issued by the department for incidental take caused by a renewable electrical generation facility. The bill would authorize the department, in partnership with a permit applicant for an incidental take caused by a renewable electrical generation facility, to develop a research project that evaluates specified factors. The bill would authorize a research project reviewed and approved by the department to contribute to a renewable electrical generation project’s mitigation, as provided. (Based on 05/06/2025 text)

Location:	07/17/2025 - Senate 2 YEAR	**Current Text:**	05/06/2025 - Amended
Introduced:	02/11/2025	**Last Amend:**	05/06/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	07/14/25 S Natural Resources And Water (text 05/06/25)		

AB 569 | **Stefani, D** | **HTML** | **PDF**

California Public Employees' Pension Reform Act of 2013: exceptions: supplemental defined benefit plans.

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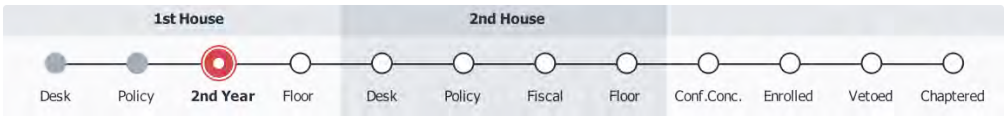

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Position	Subject

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/21/2025)(May be acted upon Jan 2026)

Summary: The California Public Employees' Pension Reform Act of 2013 (PEPRA) on and after January 1, 2013, requires a public retirement system, as defined, to modify its plan or plans to comply with PEPRA, as specified. PEPRA prohibits a public employer from offering a defined benefit pension plan exceeding specified retirement formulas, requires new members of public retirement systems to contribute at least a specified amount of the normal cost, as defined, for their defined benefit plans, and prohibits an enhancement of a public employee's retirement formula or benefit adopted after January 1, 2013, from applying to service performed prior to the operative date of the enhancement. PEPRA prohibits a public employer from offering a supplemental defined benefit plan if the public employer did not do so before January 1, 2013, or, if it did, from offering that plan to an additional employee group after that date. This bill would authorize a public employer, as defined, to bargain over contributions for supplemental retirement benefits administered by, or on behalf of, an exclusive bargaining representative of one or more of the public employer's bargaining units, subject to the limitations specified above. (Based on 04/24/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	04/24/2025 - Amended
Introduced:	02/12/2025	**Last Amend:**	04/24/2025
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	05/19/25 A Appropriations (text 04/24/25)		

AB 637 | **Flora, R** | **HTML** | **PDF**

False or misleading commercial disaster communication.

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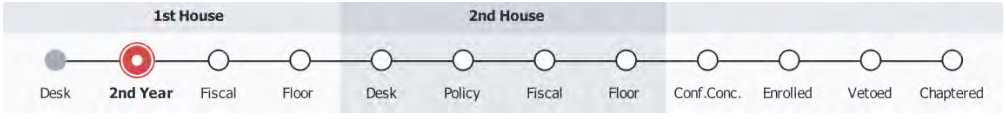

Tracking form

Position	Subject

Bill information

Status:	05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 4/21/2025)(May be acted upon Jan 2026)
Summary:	Current law generally regulates the rules governing insurance and insurance contracts. Current law prohibits a person from engaging in any trade practices that are defined as unfair methods of competition or unfair or deceptive acts or practices in the business of insurance, including publicly making or dissimilating in a publication or advertising device, among others, a statement containing an untrue, deceptive, or misleading statement regarding the business of insurance, and makes a person who engages in those practices liable to the state for a civil penalty not to exceed $5,000 or $10,000, as specified. This bill would authorize a court to increase a civil penalty by up to $2,500 for a commercial disaster communication, as defined, that otherwise constitutes a violation of the above-described provisions. (Based on 04/21/2025 text)

Location:	05/01/2025 - Assembly 2 YEAR	**Current Text:**	04/21/2025 - Amended
Introduced:	02/13/2025	**Last Amend:**	04/21/2025
Is Urgent:	N		
Is Fiscal:	Y		

AB 754 | Connolly, D | HTML | PDF

Floating home marinas: rent caps: County of Marin.

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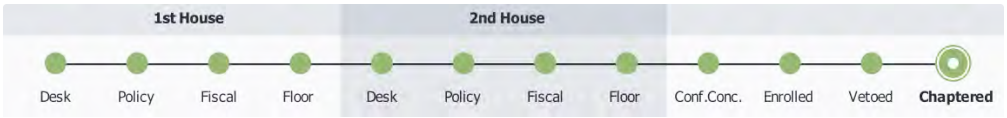

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Position	Subject

Bill information

Status:	10/10/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 498, Statutes of 2025.
Summary:	The Floating Home Residency Law prescribes various terms and conditions on tenancies in floating home marinas, as defined. Current law, until January 1, 2030, prohibits management of a floating home marina located in the Counties of Alameda, Contra Costa, or Marin from increasing the gross rental rate for a tenancy for a floating home berth in a floating home marina more than 3% plus the percentage change in the cost of living, or 5%, whichever is lower, of the lowest gross rental rate charged for a tenancy at any time during the 12 months prior to the effective date of the increase. Current law prohibits management of a floating home marina from increasing the rent of a new homeowner that purchases a floating home in the marina if the purchase qualifies as an in-place transfer, as defined. This bill would, until January 1, 2038, prohibit management of a floating home marina located in the County of Marin from increasing the above-described rent more than the percent change in the cost of living, as specified, over the course of any 12-month period. The bill would require management to provide notice of any rental rate increases to each homeowner, as specified. The bill would specify that its provisions apply to rent increases for a tenancy in a floating home marina occurring on or after July 1, 2025. The bill would provide that in the event that management increases the rent by more than the amount specified above between July 1, 2025, and January 1, 2026, then the applicable rent on January 1, 2026, is the rent as of July 1, 2025, plus the maximum permissible

increase, and that management is not liable to the homeowner for any corresponding rent overpayment. (Based on 10/10/2025 text)

Location:	10/10/2025 - Assembly CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/18/2025	**Last Amend:**	06/12/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/08/25 A Floor Analysis (text 06/12/25)		

AB 777 | Rodriguez, Celeste, D | HTML | PDF

Food assistance: disasters: utilities.

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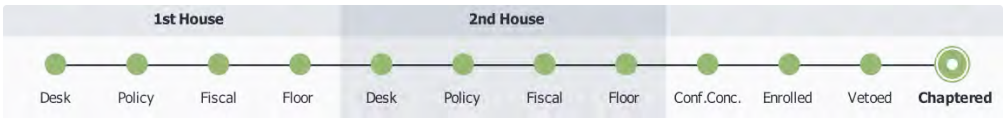

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Position	Subject

Bill information

Status: 10/13/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 709, Statutes of 2025.

Summary: Current federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Current federal law, through the federal Disaster Supplemental Nutrition Assistance Program (D-SNAP), provides for short-term food assistance benefits to families suffering in the wake of a major disaster. Current law requires the State Department of Social Services and the county human services agency, if the President of the United States issues a major disaster declaration for individual assistance, to request to operate D-SNAP for the regions affected by the major disaster. Current uncodified law, in the event of a declaration by the Governor or the President of the United States of a major disaster, continuously appropriates to the department from the General Fund an amount necessary to cover specified costs relating to the administration of disaster food assistance services, but not to exceed $300,000 per disaster declaration. Current law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Under current law, a violation of any order, decision, rule, direction, demand, or requirement of the commission is a crime. This bill would authorize the commission and the governing boards of local publicly owned electric utilities to establish any memoranda of understanding or other agreements necessary to direct electrical corporations and local publicly owned electric utilities to timely provide data to the department to maximize food assistance, as provided. The bill would require electrical corporations and local publicly owned electric utilities to make a reasonable effort to provide aggregated customer outage data, for outages of 4 hours or longer, within 7 calendar days of a request from the department, as specified. (Based on 10/13/2025 text)

Location:	10/13/2025 - Assembly CHAPTERED	**Current Text:**	10/13/2025 - Chaptered
Introduced:	02/18/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/10/25 A Floor Analysis (text 09/05/25)		

AB 789 | Bonta, D | HTML | PDF

Political Reform Act of 1974: security expenses.

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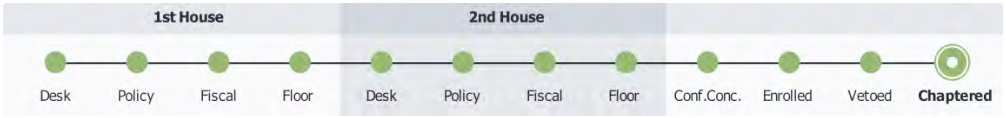

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Position	Subject

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 621, Statutes of 2025.

Summary: The Political Reform Act of 1974 authorizes a candidate or elected officer to use campaign funds to pay or reimburse the state for the reasonable costs of installing and monitoring a home or office electronic security system or for another tangible item related to security, and for the reasonable costs of providing personal security to a candidate, elected officer, or the immediate family or staff of a candidate or elected officer, provided that the threat or potential threat to safety arises from the candidate's or elected officer's activities, duties, or status as a candidate or elected officer or from staff's position as staff of the candidate or elected officer. The act permits a candidate or elected officer to expend a maximum of $10,000 of campaign funds for these purposes during their lifetime. This bill would eliminate that monetary cap until January 1, 2029. Beginning January 1, 2029, the bill would instead permit a candidate or elected officer to expend a maximum of $10,000 of campaign funds for these purposes per calendar year. (Based on 10/11/2025 text)

Location:	10/11/2025 - Assembly CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/18/2025	**Last Amend:**	09/03/2025
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	09/12/25 A Floor Analysis (text 09/03/25)		

AB 883 | Lowenthal, D | HTML | PDF

Elected officials and judges.

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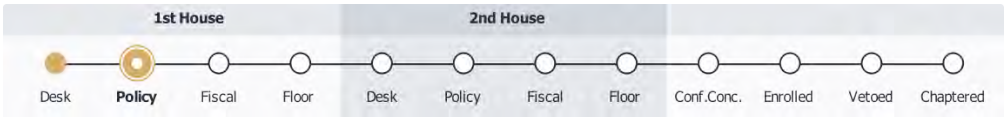

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Position	Subject

Bill information

Status: 01/08/2026 - Re-referred to Com. on P. & C.P.

Calendar: 01/13/26 A-PRIVACY AND CONSUMER PROTECTION 1:30 p.m. - State Capitol, Room 447 BAUER-KAHAN, REBECCA, Chair

Summary: Current law establishes the California Privacy Protection Agency (CPPA) to enforce various laws protecting the privacy of individuals. If a business knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship, existing law requires the business to register with the CPPA as a data broker, except as specified. Current law requires the CPPA to establish an accessible deletion mechanism that allows a consumer to request that every data broker delete any personal information related to that consumer held by the data broker or associated service provider or contractor, as prescribed. This bill would require the Secretary of State to provide to the agency a list of all state or local elected officials that, if available, includes each official's personal information, as specified, would require the Judicial Council to provide the agency with a list of all California judges, and would require the agency to allow elected officials or a judges to remove their information from those lists, as prescribed. The bill would require the lists to be kept confidential, as specified. The bill would also require the agency to upload the lists to the accessible deletion mechanism described above and would require an entity receiving a notification that a deletion is required to do so within 5 days. (Based on 01/07/2026 text)

Location:	01/05/2026 - Assembly Privacy and Consumer Protection	**Current Text:**	01/07/2026 - Amended
Introduced:	02/19/2025	**Last Amend:**	01/07/2026
Is Urgent:	N		
Is Fiscal:	Y		

AB 929 | **Connolly, D** | **HTML** | **PDF**

Sustainable groundwater management: managed wetlands.

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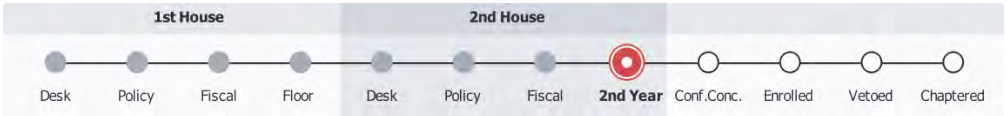

Tracking form

Position	Subject

Bill information

Status: 09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/10/2025)(May be acted upon Jan 2026)

Summary: The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the terms “managed wetland” and “small community water system.” (Based on 06/26/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	06/26/2025 - Amended
Introduced:	02/19/2025	**Last Amend:**	06/26/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/09/25 S Floor Analyses (text 06/26/25)		

AB 1004 | **Wallis, R** | **HTML** | **PDF**

Tribal financial information: public records: exemption.

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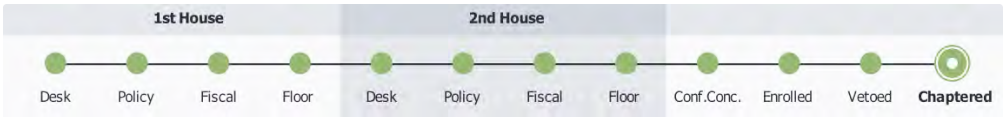

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Position	Subject

Bill information

Status: 09/26/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 132, Statutes of 2025.

Summary: The California Public Records Act requires each state and local agency, as defined, to make its records open to public inspection at all times during office hours, except as specifically exempted from disclosure by law. This bill would make any record that contains financial information provided by an Indian tribe to a state or local agency, as a condition of or requirement for receiving financial assistance to be confidential, not a public record, and not open to public inspection. The bill would require each state or local agency agreement or contract with an Indian tribe related to financial assistance to contain a provision stating that any financial information disclosed pursuant to the agreement or contract shall remain confidential, shall not be a public record, and shall not be open to public inspection. (Based on 09/26/2025 text)

Location:	09/26/2025 - Assembly CHAPTERED	**Current Text:**	09/26/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	08/19/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/04/25 A Floor Analysis (text 08/19/25)		

AB 1067 | **Quirk-Silva, D** | **HTML** | **PDF**

Public employees' retirement: felony convictions.

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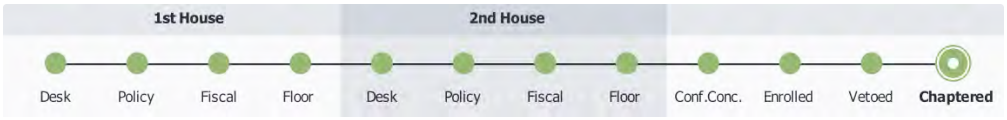

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Position	Subject

Bill information

Status: 10/06/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 388, Statutes of 2025.

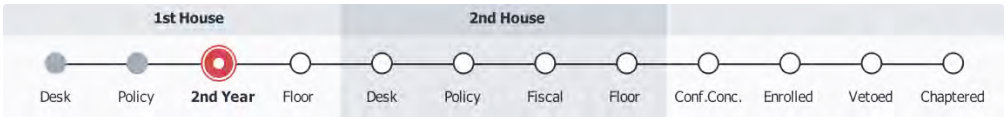
Summary: The California Public Employees' Pension Reform Act of 2013 requires a public employee who is convicted of any state or federal felony for conduct arising out of, or in the performance of, the public employee's official duties in pursuit of the office or appointment, or in connection with obtaining salary, disability retirement, service retirement, or other benefits, to forfeit all accrued rights and benefits in any public retirement system from the earliest date of the commission of the felony to the date of conviction, and prohibits the public employee from accruing further benefits in that public retirement system. Current law defines "public employee" for purposes of these provisions to mean an officer, including one who is elected or appointed, or an employee of a public employer. Current law also requires an elected public officer, who takes public office, or is reelected to public office, on or after January 1, 2006, and who is convicted during or after holding office of any felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes arising directly out of their official duties as an elected public officer, to forfeit all rights and benefits under, and membership in, any public retirement system in which they are a member, effective on the date of final conviction, as provided. This bill would require a public employer that is investigating a public employee for misconduct arising out of or in the performance of, the public employee's official duties in pursuit of the office or appointment, or in connection with obtaining salary, disability retirement, service retirement, or other benefits, to continue the investigation even if the public employee retires while under investigation, if the investigation indicates that the public employee may have committed a crime. The bill would require a public employer, if the investigation indicates that the public employee may have committed a crime, to refer the matter to the appropriate law enforcement agency and would then authorize the public employer to close the investigation. (Based on 10/06/2025 text)

Location:	10/06/2025 - Assembly CHAPTERED	**Current Text:**	10/06/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	07/15/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/04/25 A Floor Analysis (text 07/15/25)		

AB 1221 | Bryan, D | HTML | PDF

Workplace surveillance tools.

Progress bar



Tracking form

Position	Subject

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)

Summary: Would generally regulate the use of workplace surveillance tools and an employer's use of worker data. The bill would, among other things, require an employer, at least 30 days before introducing a workplace surveillance tool, to provide a worker who will be affected a written notice that includes, among other things, a description of the worker data to be collected, the intended purpose of the workplace surveillance tool, and how this form of worker surveillance is necessary to meet that purpose. The bill would define "employer" to include public employers, as specified. The bill would prohibit an employer from transferring, selling, disclosing, or licensing worker data to a vendor, unless the vendor is under contract to analyze or interpret the worker data and the contract includes certain terms. The bill would prohibit an employer from using certain workplace surveillance tools, including a workplace surveillance tool that incorporates facial, gait, or emotion recognition technology, except as specified. The bill would also prohibit an employer from using a workplace surveillance tool to infer specified categories of information about a worker, including, among others, their immigration status, veteran status, ancestral history, religious or political beliefs, disability status, criminal record, or credit history. The bill would require the Labor Commissioner to enforce the bill's provisions, would authorize an employee to bring a civil action for specified remedies for a violation of the bill's provisions, and would authorize a public prosecutor to enforce the provisions. The bill would subject an employer who violates the bill's provisions to a civil penalty of $500 for each violation. The bill would define various terms for purposes of its provisions. (Based on 05/06/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	05/06/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	05/06/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 05/06/25)		

AB 1313 | **Papan, D** | **HTML** | **PDF**

Water quality: permits.

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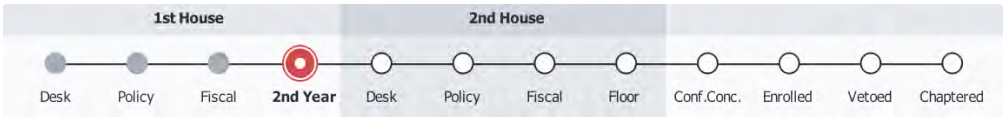

Tracking form

Position	Subject

Bill information

Status:	06/05/2025 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/4/2025)(May be acted upon Jan 2026)
Summary:	Under current law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality and prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act. Current law requires each regional board to formulate and adopt water quality control plans for all areas within the region, as provided. The bill would require the state board, after making the necessary residual designation authority findings, to establish a statewide commercial, industrial, and institutional NPDES order for properties with 5 acres or more of impervious surface, as provided. The bill would require the state board to publish a draft order of the statewide order for public comment on or before December 31, 2028, or 18 months after the reissuance of a specified statewide permit, as specified. The bill would require the state board to contemporaneously establish rules for offsite compliance agreements to issue with the publication of the draft statewide order for public comment that details the necessary components of an agreement between commercial, industrial, and institutional permittees and local municipalities for achieving offsite stormwater capture and use within the adopted final statewide commercial, industrial, and institutional NPDES order. (Based on 05/27/2025 text)

Location:	06/05/2025 - Assembly 2 YEAR	**Current Text:**	05/27/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	05/27/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/28/25 A Floor Analysis (text 03/24/25)		

AB 1319 | **Schultz, D** | **HTML** | **PDF**

Protected species: California Endangered Species Act.

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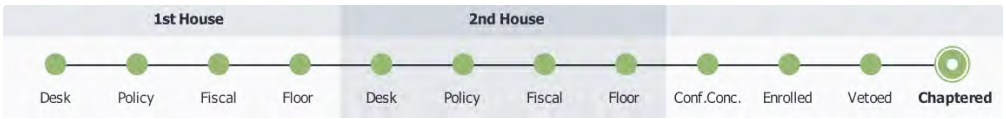

Tracking form

Position	Subject

Bill information

Status:	10/11/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 638, Statutes of 2025.
Summary:	Existing law makes it unlawful to take a bird, mammal, fish, reptile, or amphibian, except as authorized by law. This bill would make it unlawful for a person in California to import, cause to be imported, export, cause to be exported, transport, sell, offer for sale, possess with the intent to sell, receive, acquire, or purchase any fish, wildlife, or plant that was taken, possessed, transported, or sold in violation of any law or statute of any state or any

law, treaty, or statute of the United States with regard to fish, wildlife, or plants in effect on January 19, 2025. The bill would, upon conviction or other entry of judgment, require any seized evidence be forfeited, as specified. The bill would make these provisions inoperative on December 31, 2031, and would repeal them on January 1, 2032. This bill contains other related provisions and other existing laws. (Based on 10/11/2025 text)

Location:	10/11/2025 - Assembly CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/10/25 A Floor Analysis (text 09/05/25)		

AB 1326 | **Ahrens, D** | HTML | PDF

Health masks: right to wear.

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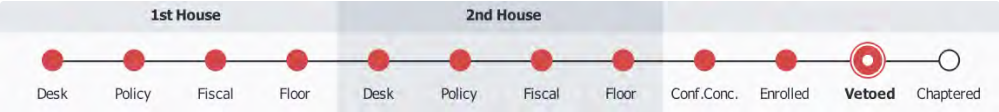

Tracking form

Position	Subject

Bill information

Status: 10/11/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: ***01/12/26 #54 A-GOVERNOR'S VETOES***

Summary: Current law sets forth various provisions on the wearing of a mask for health purposes. These circumstances include, among others, a statewide stockpile of personal protective equipment (PPE) in the event of a pandemic, wildfire smoke event, or other health emergency; employer-supplied PPE to employees who provide direct patient care in a general acute care hospital; employees of commercial cannabis businesses wearing a mask for respiration; and providing peace officers with an appropriate portable manual mask and airway assembly for use when applying cardiopulmonary resuscitation to prevent the spread of communicable disease. Under this bill, an individual would have the right to wear a health mask on their face in a public place for the purpose of protecting their individual health or the public health, with regard to communicable disease, air quality, or other health factors. The bill would define a health mask and a public place for purposes of this provision. (Based on 09/11/2025 text)

Location:	10/11/2025 - Assembly VETOED	**Current Text:**	10/11/2025 - Vetoed
Introduced:	02/21/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	10/23/25 A Floor Analysis (text 09/11/25)		

AB 1331 | Elhawary, D | HTML | PDF

Workplace surveillance.

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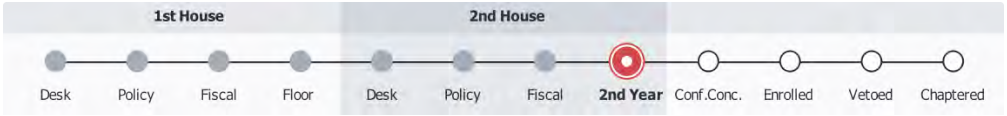

Tracking form

Position	Subject

Bill information

Status: 09/13/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/13/2025)(May be acted upon Jan 2026)

Summary: Current law establishes the Division of Labor Standards Enforcement within the Department of Industrial Relations. Current law authorizes the division, which is headed by the Labor Commissioner, to enforce the Labor Code and all labor laws of the state the enforcement of which is not specifically vested in any other officer, board or commission. This bill would limit the use of workplace surveillance tools, as defined, by employers, including by prohibiting an employer from monitoring or surveilling workers in employee-only, employer-designated areas, as specified. The bill would provide workers with the right to leave behind workplace surveillance tools that are on their person or in their possession when entering certain employee-only areas and public bathrooms and during off-duty hours, as specified. The bill would prohibit a worker from removing or physically tampering with any component of a workplace surveillance tool that is part of or embedded in employer equipment or vehicles. (Based on 09/04/2025 text)

Location:	09/13/2025 - Senate 2 YEAR	**Current Text:**	09/04/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	09/04/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/08/25 S Floor Analyses (text 09/04/25)		

AB 1410 | Garcia, D | HTML | PDF

Utilities: service outages and updates: alerts.

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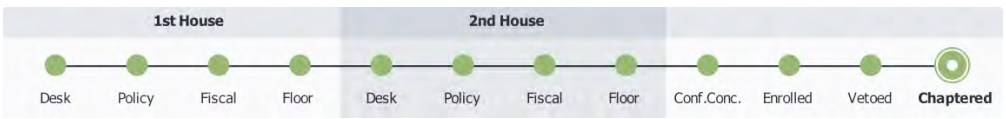

Tracking form

Position	Subject

Bill information

Status: 10/06/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 396, Statutes of 2025.

Summary: Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations, gas corporations, and water corporations, while local publicly owned electric utilities are under the direction of their governing boards. If the commission finds after a hearing that the rules, practices, equipment, appliances, facilities, or service of any public utility, or the methods of manufacture, distribution, transmission, storage, or supply employed by the public utility, are unjust, unreasonable, unsafe, improper, inadequate, or insufficient, the Public Utilities Act requires the commission to determine and, by order or rule, fix the rules, practices, equipment, appliances, facilities, service, or methods to be observed, furnished, constructed, enforced, or employed. This bill would require, except as provided, each electrical corporation, gas corporation, water corporation, or local publicly owned electric utility, on or before March 1, 2026, to automatically enroll its customers in alerts for service outages and updates. The bill would require customers to be provided with the opportunity to opt-out of any alerts they do not wish to receive, except as provided. The bill would require each of those utilities to annually provide information on customers' bills on how to update their preferred contact methods and to allow customers to update their contact information on the utility's internet website or, if feasible, by telephone. This bill contains other related provisions and other existing laws. (Based on 10/06/2025 text)

Location:	10/06/2025 - Assembly CHAPTERED	**Current Text:**	10/06/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/10/25 A Floor Analysis (text 09/05/25)		

AB 1425 | **Arambula, D** | **HTML** | **PDF**

San Joaquin River Parkway: pit dewatering.

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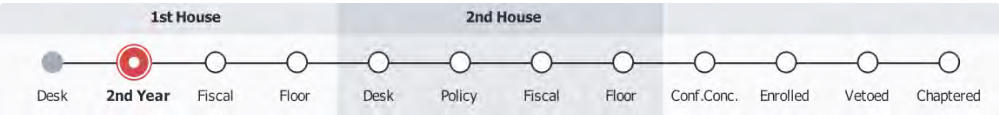

Tracking form

Position	Subject

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 4/1/2025)(May be acted upon Jan 2026)

Summary: The Surface Mining and Reclamation Act of 1975 prohibits a person, with exceptions, from conducting surface mining operations unless, among other things, a permit is obtained from, a specified reclamation plan is submitted to and approved by, and financial assurances for reclamation have been approved by the lead agency for the operation of the surface mining operation. This bill would prohibit pit dewatering, as defined, in areas with subsurface river flow or groundwater levels shallower than 50 feet below ground anywhere within the San Joaquin River Parkway, as defined. (Based on 03/28/2025 text)

Location:	05/01/2025 - Assembly 2 YEAR	**Current Text:**	03/28/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	03/28/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/25/25 A Natural Resources (text 03/28/25)		

AB 1530 | **Committee on Emergency Management** | HTML | PDF

California Disaster Assistance Act.

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Tracking form

Position	Subject

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: Under the California Disaster Assistance Act, current law authorizes the Office of Emergency Services to establish a model process to assist a community in recovering from an emergency proclaimed by the Governor that includes, among other information, measures to encourage the participation of nongovernmental organizations in the community recovery process to supplement recovery activities undertaken by federal or local agencies. This bill would instead require the office to establish that model process, and would require the model process to also include measures to encourage the participation of private nonprofit organizations and how they may be eligible to receive state assistance for distribution of supplies and other disaster or emergency assistance activities resulting in extraordinary cost. (Based on 05/23/2025 text)

Location:	08/29/2025 - Senate 2 YEAR	**Current Text:**	05/23/2025 - Amended
Introduced:	03/26/2025	**Last Amend:**	05/23/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 05/23/25)		

ACA 11 | **Macedo, R** | HTML | PDF

California Water Resiliency Act.

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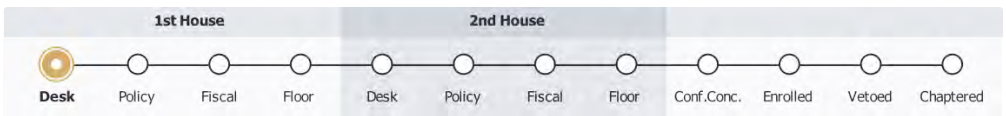

Tracking form

Position	Subject

Bill information

Status: 03/25/2025 - From printer. May be heard in committee April 24.

Summary: This measure, the California Water Resiliency Act, would require the Treasurer to annually transfer an amount equal to 1% of all state revenues from the General Fund to the Water Conveyance and Capacity Infrastructure Fund, which the measure would create. The measure would continuously appropriate moneys in the fund to the California Water Commission for its actual costs of implementing these provisions and for administering grants for the entitlement, repair, design, and construction of water infrastructure projects that will maintain or expand the availability of clean, safe drinking water for homes and businesses, and water for agricultural uses, consistent with area of origin water rights. (Based on 03/24/2025 text)

Location:	03/24/2025 - Assembly PRINT	**Current Text:**	03/24/2025 - Introduced
Introduced:	03/24/2025		
Is Urgent:	N		
Is Fiscal:	Y		

ACA 12 | **Wallis, R** | **HTML** | **PDF**

Road usage charges: vote and voter approval requirements.

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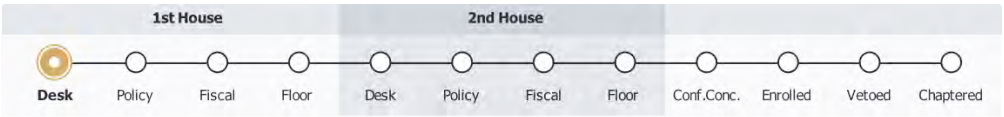

Tracking form

Position	Subject

Bill information

Status: 03/27/2025 - From printer. May be heard in committee April 26.

Summary: The California Constitution requires any change in state statute that increases the tax liability of any taxpayer to be imposed by an act passed by 2/3 of the membership of each house of the Legislature and prohibits specified taxes on real property from being so imposed. For these purposes, the California Constitution defines a “tax” as any state levy, charge, or exaction, except as described in certain exceptions. The California Constitution describes one of those exceptions as a charge imposed for entrance to or use of state property, or the purchase, rental, or lease of state property, except charges governed by a specified provision of the California Constitution. This measure, on or after its effective date, would provide that the exception described above does not include a road usage charge, as described, thereby requiring the imposition of this type of charge to be subject to the 2/3 vote requirement. (Based on 03/26/2025 text)

Location:	03/26/2025 - Assembly PRINT	**Current Text:**	03/26/2025 - Introduced
Introduced:	03/26/2025		
Is Urgent:	N		
Is Fiscal:	Y		

SB 33 | Cortese, D | HTML | PDF

Public contracts: claim resolution.

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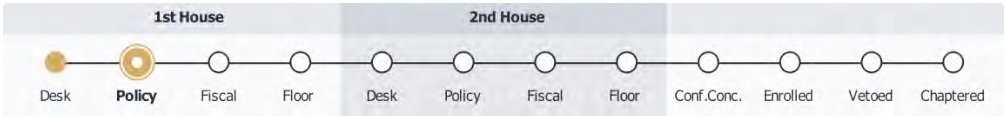

Tracking form

Position	Subject

Bill information

Status: 01/06/2026 - Set for hearing January 13.

Calendar: 01/13/26 S-JUDICIARY 1:30 p.m. - 1021 O Street, Room 2100 UMBERG, THOMAS, Chair

Summary: Current law prescribes various requirements regarding the formation, content, and enforcement of state and local public contracts. Current law establishes, until January 1, 2027, for contracts entered into on or after January 1, 2017, a claim resolution process applicable to any claim by a contractor in connection with a public works project against a public entity, as specified. For purposes of these provisions, current law defines “public entity” to include, among others, a city, including a charter city, and county, including a charter county. Current law imposes various requirements on a public entity in relating to the claim resolution process, including, among other things, conducting a reasonable review of the claim and, within 45 days, providing the claimant a written statement identifying the disputed and undisputed portions of the claim. This bill would repeal the above-described January 1, 2027, repeal date, thereby extending the operation of these provisions indefinitely. By indefinitely extending the duties of local agencies in relation to the above-specified claim resolution process, this bill would impose a state-mandated local program. (Based on 01/05/2026 text)

Location: 01/05/2026 - Senate Judiciary
Introduced: 12/02/2024
Is Urgent: N
Is Fiscal: Y
Current Analysis: 05/02/25 S Appropriations (text 03/10/25)

Current Text: 01/05/2026 - Amended
Last Amend: 01/05/2026

SB 238 | Smallwood-Cuevas, D | HTML | PDF

Workplace surveillance tools.

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Tracking form

Position	Subject

Bill information

Status: 07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was P. & C.P. on 6/26/2025)(May be acted upon Jan 2026)

Summary: Would require an employer to annually provide a notice to the Department of Industrial Relations of all the workplace surveillance tools the employer is using in the workplace. The bill would require the notice to include, among other information, the personal information that will be collected from workers and consumers and whether they will have the option of opting out of the collection of personal information. The bill would require the department to make the notice publicly available on the department's internet website within 30 days of receiving the notice. The bill would define "employer" to include, among other entities, public employers, as specified. (Based on 05/01/2025 text)

Location:	07/17/2025 - Assembly 2 YEAR	**Current Text:**	05/01/2025 - Amended
Introduced:	01/29/2025 (Spot bill)	**Last Amend:**	05/01/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	07/14/25 A Privacy And Consumer Protection (text 05/01/25)		

SB 280 | **Cervantes, D** | HTML | PDF

Elections.

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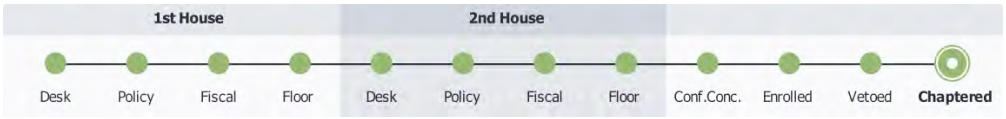

Tracking form

Position	Subject

Bill information

Status: 08/21/2025 - Chaptered by Secretary of State - Chapter 97, Statutes of 2025

Summary: Current law authorizes a candidate for elective office to submit a petition containing a specified number of signatures in lieu of all or part of the fee for filing nomination papers. Current law requires the Secretary of State to make forms for securing signatures available to each candidate commencing 60 days before the first day for circulating nomination papers, except as specified, and requires candidates to file in-lieu-filing-fee petitions at least 30 days before the close of the nomination period. This bill, for the June 2, 2026, statewide direct primary election, would require the Secretary of State to make those forms available beginning December 19, 2025. (Based on 08/21/2025 text)

Location:	08/21/2025 - Senate CHAPTERED	**Current Text:**	08/21/2025 - Chaptered
Introduced:	02/05/2025	**Last Amend:**	08/18/2025
Is Urgent:	Y		
Is Fiscal:	Y		

Current Analysis:	08/21/25 S Floor Analyses (text 08/18/25)

SB 420 | **Padilla, D** | **HTML** | **PDF**

Automated decision systems.

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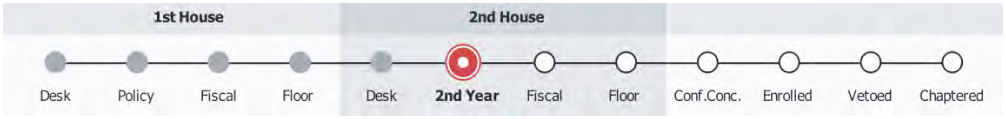

Tracking form

Position	Subject

Bill information

Status:	07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was P. & C.P. on 6/9/2025)(May be acted upon Jan 2026)
Summary:	The California AI Transparency Act requires a covered provider, as defined, of a generative artificial intelligence system to make available an AI detection tool at no cost to the user that meets certain criteria, including that the tool outputs any system provenance data, as defined, that is detected in the content. The California Consumer Privacy Act of 2018 grants a consumer various rights with respect to personal information that is collected or sold by a business, as defined, including the right to direct a business that sells or shares personal information about the consumer to third parties not to sell or share the consumer's personal information, as specified. This bill would generally regulate a developer or a deployer of a high-risk automated decision system, as defined, including by requiring a developer or a deployer to perform an impact assessment on the high-risk automated decision system before making it publicly available or deploying it, as prescribed. The bill would require a state agency to require a developer of a high-risk automated decision system deployed by the state agency to provide to the state agency a copy of the impact assessment and would require the state agency to keep that impact assessment confidential. The bill would also require a developer to provide to the Attorney General or Civil Rights Department, within 30 days of a request from the Attorney General or the Civil Rights Department, a copy of an impact assessment and would require the impact assessment to be kept confidential. (Based on 05/23/2025 text)

Location:	07/17/2025 - Assembly 2 YEAR	**Current Text:**	05/23/2025 - Amended
Introduced:	02/18/2025 (Spot bill)	**Last Amend:**	05/23/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/27/25 S Floor Analyses (text 05/23/25)		

SB 425 | **Rubio, D** | **HTML** | **PDF**

Bonds: public entities as beneficiaries.

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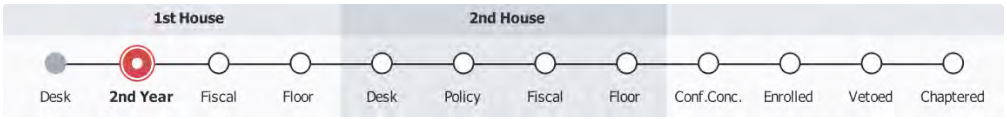

Tracking form

Position	Subject

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 4/2/2025)(May be acted upon Jan 2026)

Summary: The Bond and Undertaking Law prescribes procedures for a bond or undertaking that is executed, filed, posted, furnished, or otherwise given as a security pursuant to any statute, except as specified. Unless a statute providing for a bond indicates that the bond becomes effective at a different time, a bond is effective at the time it is given or, if the statute requires that the bond be approved, at the time it is approved. This bill would specify that if a statute provides for a bond to be given to or in favor of a beneficiary that is a public entity, as defined, in connection with the purchase, construction, expansion, improvement, or rehabilitation of any real or other tangible personal property, that bond is not effective unless the beneficiary agrees to (1) make all payments to the principal, or to the surety if the surety agrees to complete the work upon the principal's default, and (2) perform all necessary obligations owed to the principal under the contract for the work. (Based on 03/26/2025 text)

Location:	05/01/2025 - Senate 2 YEAR	**Current Text:**	03/26/2025 - Amended
Introduced:	02/18/2025	**Last Amend:**	03/26/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/25/25 S Judiciary (text 03/26/25)		

SB 466 | **Caballero, D** | **HTML** | **PDF**

Drinking water: primary standard for hexavalent chromium: exemption.

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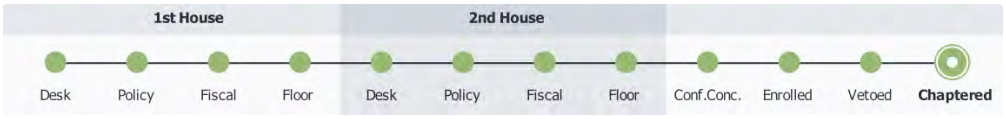

Tracking form

Position	Subject

Bill information

Status: 10/03/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 320, Statutes of 2025.

Summary: The California Safe Drinking Water Act requires the State Water Resources Control Board to adopt primary drinking water standards for contaminants in drinking water based upon specified criteria and requires a primary drinking water standard to be established for hexavalent chromium. Current law authorizes the state board to grant a variance from

primary drinking water standards to a public water system. This bill would prohibit a public water system that meets the total chromium maximum contaminant level (MCL) enforceable standard for drinking water in California from being determined, held, considered, or otherwise deemed in violation of the primary drinking water standard for hexavalent chromium while implementing a state board approved compliance plan or while state board action on the proposed and submitted compliance plan is pending, except as provided. (Based on 10/03/2025 text)

Location:	10/03/2025 - Senate CHAPTERED	**Current Text:**	10/03/2025 - Chaptered
Introduced:	02/19/2025	**Last Amend:**	08/25/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/03/25 S Floor Analyses (text 08/25/25)		

SB 482 | **Weber Pierson, D** | **HTML** | **PDF**

Roster of public officials: local government.

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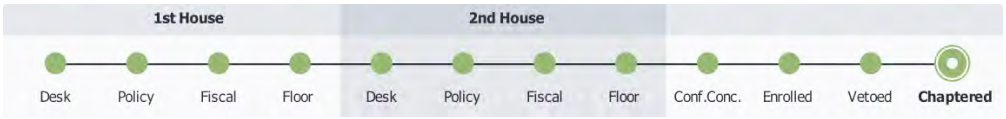

Tracking form

Position	Subject

Bill information

Status: 10/13/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 762, Statutes of 2025.

Summary: Would require, no more than 120 days after each general election, the governing body of each city, county, or city and county, or their delegated local entity, to submit to the Secretary of State an updated list of local elected or appointed officials for publication in the above-specified roster, as prescribed. (Based on 10/13/2025 text)

Location:	10/13/2025 - Senate CHAPTERED	**Current Text:**	10/13/2025 - Chaptered
Introduced:	02/19/2025 (Spot bill)	**Last Amend:**	06/23/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/09/25 S Floor Analyses (text 06/23/25)		

SB 521 | **Gonzalez, D** | **HTML** | **PDF**

Public employment: disqualification.

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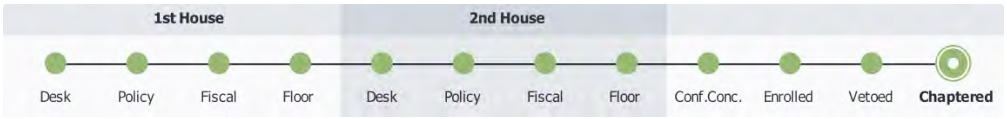

Tracking form

Position	Subject

Bill information

Status: 07/30/2025 - Chaptered by Secretary of State - Chapter 92, Statutes of 2025

Summary: Current law disqualifies a public employee, as defined, from any public employment for 5 years if the employee is convicted of any felony involving accepting or giving, or offering to give, a bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes arising directly out of their official duties. This bill would expand that provision to include any felony involving a conflict of interest. The bill would also disqualify a city manager or city attorney, as defined, including an individual acting under contract with the city for those services, who is convicted of any of the above-described felonies, from any future public employment in an equivalent role. (Based on 07/30/2025 text)

Location:	07/30/2025 - Senate CHAPTERED	**Current Text:**	07/30/2025 - Chaptered
Introduced:	02/19/2025	**Last Amend:**	04/24/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	06/30/25 A Appropriations (text 04/24/25)		

SB 601 | Allen, D | HTML | PDF

Water: waste discharge.

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Tracking form

Position	Subject

Bill information

Status: 08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/20/2025)(May be acted upon Jan 2026)

Summary: The State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality and prescribe waste discharge requirements in accordance with the Porter-Cologne Water Quality Control Act (act) and the National Pollutant Discharge Elimination System (NPDES) permit program. Under the act, the State Water Resources Control Board is authorized to adopt water quality control plans for waters for which quality standards are required by the federal Clean Water Act, as specified, and that in the event of a conflict, those plans supersede regional water quality

control plans for the same waters. This bill would authorize the state board to adopt water quality control plans for nexus waters, which the bill would define as all waters of the state that are not also navigable, except as specified. The bill would require any water quality standard that was submitted to, and approved by, or is awaiting approval by, the United States Environmental Protection Agency or the state board that applied to nexus waters as of May 24, 2023, to remain in effect, as provided. (Based on 07/10/2025 text)

Location:	08/28/2025 - Assembly 2 YEAR	**Current Text:**	07/10/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	07/10/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/18/25 A Appropriations (text 07/10/25)		

SB 625 | **Wahab, D** | **HTML** | **PDF**

Housing developments: disasters: reconstruction of destroyed or damaged structures.

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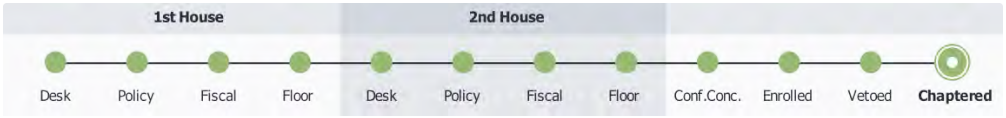

Tracking form

Position	Subject

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 548, Statutes of 2025.

Summary: The Davis-Stirling Common Interest Development Act governs the management and operation of common interest developments. Current law makes any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that either effectively prohibits or unreasonably restricts the construction or use of an accessory dwelling unit or junior accessory dwelling unit on a lot zoned for single-family residential use, as specified, void and unenforceable. If the governing documents require association approval before a member may make a physical change to the member's separate interest or to the common area, current law requires an association to satisfy specified requirements, including to provide a fair, reasonable, and expeditious procedure for making its decision in reviewing and approving or disapproving a proposed physical change, as described above. This bill would make any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument, and any provision of a governing document, void and unenforceable to the extent that it prohibits, or includes conditions that have the effect of prohibiting, a substantially similar reconstruction of a residential structure, as specified, that was destroyed or damaged in a disaster, as defined. (Based on 10/10/2025 text)

Location:	10/10/2025 - Senate CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/20/2025 (Spot bill)	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		

Current Analysis:	09/08/25 S Floor Analyses (text 09/02/25)

SB 730 | **Hurtado, D** | **HTML** | **PDF**

Product safety: consumer products: perfluoroalkyl and polyfluoroalkyl substances.

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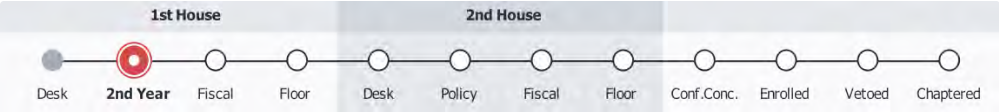

Tracking form

Position	Subject

Bill information

Status:	05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 4/2/2025)(May be acted upon Jan 2026)
Summary:	Would, beginning January 1, 2027, prohibit a person from distributing, selling, or offering for sale artificial turf, carpets or rugs, cleaning products, cookware, dental floss, fabric treatments, or upholstered furniture that contain intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS), as defined. The bill would authorize the department to adopt regulations to designate additional consumer product categories to prohibit the distribution, selling, or offering for sale of consumer products containing intentionally added PFAS within those consumer product categories if the department determines that safer alternatives, as defined, are readily available at comparable costs. The bill would prohibit the department from adopting a regulation that prohibits a consumer product containing intentionally added PFAS from distribution, sale, or offering for sale on or before 18 months after the regulation is adopted. The bill would define “product” for purposes of these provisions to not include, among other things, used products offered for sale, federally approved drugs or medical devices, or products containing fluoropolymers, as specified. (Based on 03/26/2025 text)

Location:	05/01/2025 - Senate 2 YEAR	**Current Text:**	03/26/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	03/26/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/21/25 S Environmental Quality (text 03/26/25)		

SB 827 | **Gonzalez, D** | **HTML** | **PDF**

Local agency officials: training.

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Tracking form

Position	Subject

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 661, Statutes of 2025.

Summary: Current law imposes ethics training on specified local agency officials. Current law requires each training to be 2 hours and requires the officials to receive each training every 2 years, and as described otherwise, with the first training within one year of commencing service. Existing law requires the local agency to maintain records of the trainings, as prescribed. This bill would expand which local agency officials are required to complete the above-described ethics training to include department heads, or other similar administrative officers, as specified, and would instead require officials who commence service on or after January 1, 2026, to receive their initial training within 6 months of commencing service. The bill would require the local agency to publish post clear instructions and contact information for requesting the training records on its internet website, as specified. This bill would additionally require all local agency officials, as defined, to receive at least 2 hours of fiscal and financial training, as described. The bill would require the training to be received at least once every 2 years, as provided. The bill would exempt from these requirements specified local agency officials if they are in compliance with existing education requirements specific to their positions. This bill would authorize a local agency or an association of local agencies to contract with or otherwise collaborate with a provider of a training course to offer one or more training courses, or sets of self-study materials with tests, to its local agency officials to meet the training requirement, as described. The bill would require the training courses and materials to be developed in consultation with experts in local government finance. finance, as specified. (Based on 10/11/2025 text)

Location:	10/11/2025 - Senate CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/08/25 S Floor Analyses (text 09/02/25)		

SB 833 | **McNerney, D** | **HTML** | **PDF**

Critical infrastructure: artificial intelligence systems: human oversight.

Progress bar

Tracking form

Position	Subject

Bill information

Status: 08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/20/2025)(May be acted upon Jan 2026)

Summary: Existing law, the California Emergency Services Act, establishes the California Cybersecurity Integration Center within the Office of Emergency Services to serve as the central organizing hub of state government's cybersecurity activities and to coordinate information sharing with various entities. Existing law also requires the Technology Recovery Plan element of the State Administrative Manual to ensure the inclusion of cybersecurity strategy incident response standards for each state agency to secure its critical infrastructure controls and information, as prescribed. This bill would require, on or before July 1, 2026, an operator, defined as a state agency responsible for operating, managing, overseeing, or controlling access to critical infrastructure, that deploys a covered artificial intelligence (AI) system, as defined, to establish a human oversight mechanism that ensures a human monitors the system's operations in real time and reviews and approves any plan or action proposed by the covered AI system before execution, except as provided. The bill would require the Department of Technology to develop specialized training in AI safety protocols and risk management techniques to oversight personnel. The bill would require oversight personnel for an operator to conduct an annual assessment of its covered AI systems, as specified, and to submit a summary of the findings to the department. The bill would make findings and declarations related to its provisions. This bill contains other related provisions and other existing laws. (Based on 07/17/2025 text)

Location:	08/28/2025 - Assembly 2 YEAR	**Current Text:**	07/17/2025 - Amended
Introduced:	02/21/2025 (Spot bill)	**Last Amend:**	07/17/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/18/25 A Appropriations (text 07/17/25)		

SB 858 | Committee on Local Government | HTML | PDF

Local Government Omnibus Act of 2025.

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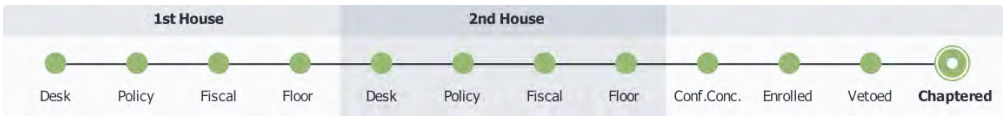

Tracking form

Position	Subject

Bill information

Status: 10/01/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 242, Statutes of 2025.

Summary: Current law authorizes a county board of supervisors, by resolution, to authorize the use of a facsimile signature of the chairperson of the board on all papers, documents, or instruments requiring the signature of the chairperson, as provided, if certain requirements are met relating to the personal signature of the chairperson. Under current law, if those requirements are met, the papers, documents, or instruments bearing the facsimile signature are accorded the same force and effect as though personally signed by the chairperson. This bill would remove the requirement for that authorization to occur by resolution of the board. The bill would authorize the board, in addition to authorizing a facsimile signature, to authorize the use of an electronic or digital signature of the

chairperson on all papers, documents, or instruments requiring the signature of the chairperson. (Based on 10/01/2025 text)

Location:	10/01/2025 - Senate CHAPTERED	**Current Text:**	10/01/2025 - Chaptered
Introduced:	03/12/2025	**Last Amend:**	07/08/2025
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	08/25/25 S Floor Analyses (text 07/08/25)		

SB 872 | **McNerney, D** | **HTML** | **PDF**

Department of Water Resources: supervision of dams and reservoirs.

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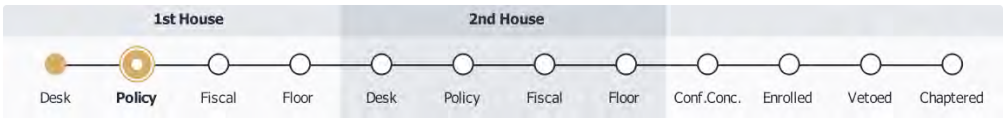

Tracking form

Position	Subject

Bill information

Status:	01/07/2026 - From printer. May be acted upon on or after February 6.
Summary:	Current law prohibits the construction of any new dam or reservoir or the enlargement of any new dam or reservoir until the owner has applied for and obtained from the Department of Water Resources written approval of plans and specifications. Current law authorizes the department, in connection with approving a dam or reservoir, to require certain data, investigations, reports, and any other appropriate information as may be necessary. This bill would make a nonsubstantive change in these provisions. (Based on 01/06/2026 text)

Location:	01/06/2026 - Senate Rules	**Current Text:**	01/06/2026 - Introduced
Introduced:	01/06/2026		
Is Urgent:	N		
Is Fiscal:	N		

ACWD - Board/Gov

AB 293 | **Bennett, D** | **HTML** | **PDF**

Groundwater sustainability agency: transparency.

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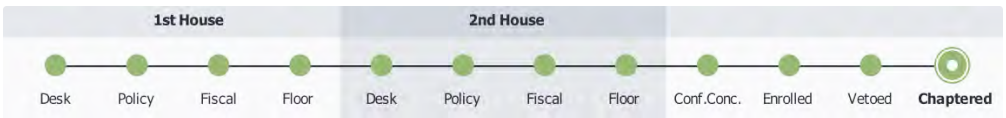

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - OGM, ACWD - Water Resources

Bill information

Status: 10/06/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 359, Statutes of 2025.

Summary: Current law requires a groundwater sustainability plan to be developed and implemented for each medium- or high-priority basin by a groundwater sustainability agency. Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin, as provided. Current law requires members of the board of directors and the executive, as defined, of a groundwater sustainability agency to file statements of economic interests with the Fair Political Practices Commission using the commission's online system for filing statements of economic interests. This bill would require each groundwater sustainability agency to publish the membership of its board of directors on its internet website, or on the local agency's internet website, as provided. The bill would also require each groundwater sustainability agency to publish a link on its internet website or its local agency's internet website to the location on the Fair Political Practices Commission's internet website where the statements of economic interests, filed by the members of the board and executives of the agency, can be viewed. (Based on 10/06/2025 text)

Location: 10/06/2025 - Assembly CHAPTERED

Introduced: 01/22/2025

Is Urgent: N

Is Fiscal: N

Current Analysis: 06/11/25 S Floor Analyses (text 01/22/25)

Current Text: 10/06/2025 - Chaptered

AB 905 | **Pacheco, D** | **HTML** | **PDF**

State general obligation bonds: disclosure requirements.

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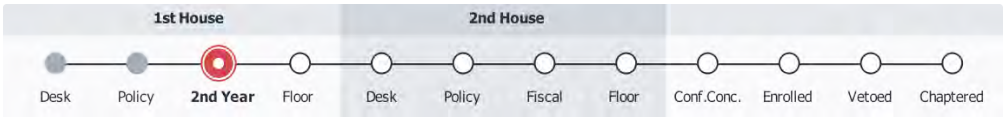

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - Finance, ACWD - OGM

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)

Summary: The State General Obligation Bond Law generally sets forth the procedures for the issuance and sale of bonds governed by its provisions and for the disbursal of the proceeds of the sale of those bonds. Current law requires any state bond measure

approved on or after January 1, 2004, to be subject to an annual reporting process, with the head of the lead state agency administering the bond proceeds reporting certain information about the projects being funded to the Legislature and the Department of Finance. Current law allows this information to be provided on the agency's internet website or the state's open data portal under certain circumstances. This bill would require a bond act for any state general obligation bond measure that is approved by voters on and after January 1, 2026, to include specified information about the objectives of the bond expenditure and related data. The bill would also require the head of the lead state agency administering the bond to post on its internet website a notification that contains, among other information, details about the programs and projects authorized to be funded by the bond. (Based on 03/28/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	03/28/2025 - Amended
Introduced:	02/19/2025	**Last Amend:**	03/28/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 03/28/25)		

SB 430 | Cabaldon, D | HTML | PDF

Local agencies: automated decision systems.

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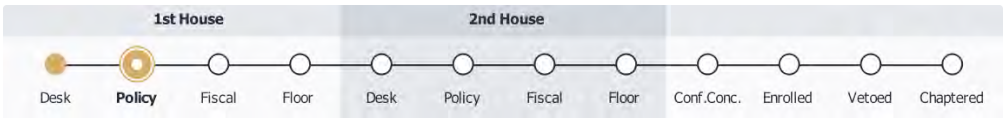

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - HR, ACWD - OGM

Bill information

Status: 01/08/2026 - January 13 set for first hearing canceled at the request of author.

Summary: Current law establishes the Government Operations Agency (GovOps), and establishes within the agency the Department of Technology. Current law requires the Department of Technology to conduct, in coordination with other interagency bodies as it deems appropriate, a comprehensive inventory of all high-risk automated decision systems that have been proposed for use, development, or procurement by, or are being used, developed, or procured by, any state agency. Current law defines, for these purposes, an "automated decision system" as, among other things, a computational process that is used to assist or replace human discretionary decisionmaking and materially impacts natural persons. Current law authorizes local agencies, including cities and counties, to provide welfare, employment, and other public social services. Current law also authorizes the legislative body of any county or city, pursuant to specified procedures, to adopt ordinances that, among other things, regulate the use of buildings, structures, and land as between industry, business, residences, open space, and other purposes. This bill would impose certain restrictions on the use of an automated decision system by a local agency to confer supportive services, permits, or licenses, as specified. Among those restrictions, the bill would include a prohibition on using an output from the system as the sole basis for an adverse eligibility or benefit determination affecting a natural person, except as specified. The bill would require the local agency to verify the accuracy of the system's outputs and to promote nondiscrimination in its use, as specified. The bill would require

the local agency's governing board to provide audits or other quality control review of the outputs, as specified, to assure acceptable accuracy. (Based on 01/05/2026 text)

Location:	01/05/2026 - Senate Judiciary	**Current Text:**	01/05/2026 - Amended
Introduced:	02/18/2025 (Spot bill)	**Last Amend:**	01/05/2026
Is Urgent:	N		
Is Fiscal:	Y		

SB 598 | Durazo, D | HTML | PDF

Public contracts: local water infrastructure projects: Construction Manager/General Contractor project delivery method.

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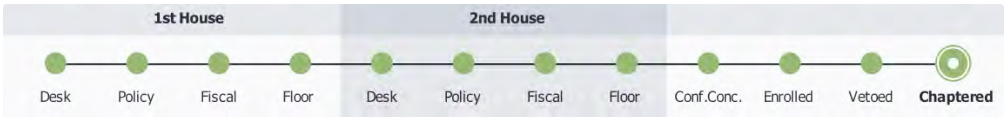

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - Development Services, ACWD - OGM

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 655, Statutes of 2025.

Summary: Current law defines the Construction Manager/General Contractor project delivery method (CM/GC method) as a project delivery method in which a construction manager is procured to provide preconstruction services during the design phase of a project and construction services during the construction phase of the project. Under current law, the method allows the contract for construction services to be entered into at the same time as the contract for preconstruction services or at a later time. Current law authorizes the Metropolitan Water District of Southern California to utilize the CM/GC method for regional recycled water projects or other water infrastructure projects under specified conditions. Pursuant to existing law, certain information required to be submitted as part of the CM/GC method is required to be verified under oath. Current law makes the provisions described above pertaining to the CM/GC method effective only until January 1, 2028, and inoperative as of that date. This bill would, until January 1, 2031, authorize a local agency, as defined, upon approval of its governing body, to similarly use the CM/GC method for a regional recycled water project or other water infrastructure project undertaken by the district to alleviate water supply shortages attributable to drought or climate change. The bill would require that authorization to apply to no more than 15 capital outlay projects for each local agency and would require a local agency to award a contract pursuant to the bill on a best value basis or to the lowest responsible bidder. (Based on 10/11/2025 text)

Location:	10/11/2025 - Senate CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	07/07/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/25/25 S Floor Analyses (text 07/07/25)		

AB 830 | Rogers, D | HTML | PDF

State highways: encroachment permits: relocating or removing encroachments: public utility districts: County of Mendocino.

Progress bar

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Development Services, ACWD - Engineering, ACWD - ETS

Bill information

Status: 10/03/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: *01/12/26 #25 A-GOVERNOR'S VETOES*

Summary: Current law authorizes the Department of Transportation to issue written permits to, among other things, place, change, or renew an encroachment. Current law requires a permit issued to a county, city, public corporation, or political subdivision that is authorized by law to establish or maintain any works or facilities in, under, or over any public highway, to contain a provision that, in the event the future improvement of the highway necessitates the relocation or removal of the encroachment, the permittee will relocate or remove the encroachment at the permittee's sole expense, as provided. This bill would, until January 1, 2031, exempt a public utility district in the County of Mendocino with a ratepayer base of 5,000 households or fewer from the above-described provision and instead would require the department to bear the sole expense of relocating or removing the public utility district's encroachment in the event a future improvement of the highway necessitates the relocation or removal of the encroachment and to notify the public utility district at each stage of a project that necessitates the relocation or removal of the public utility district's encroachment. (Based on 09/10/2025 text)

Location: 10/03/2025 - Assembly VETOED

Introduced: 02/19/2025

Is Urgent: N

Is Fiscal: Y

Current Analysis: 10/23/25 A Floor Analysis (text 09/10/25)

Current Text: 10/03/2025 - Vetoed

Last Amend: 08/29/2025

AB 889 | Hadwick, R | HTML | PDF

Prevailing wage: per diem wages.

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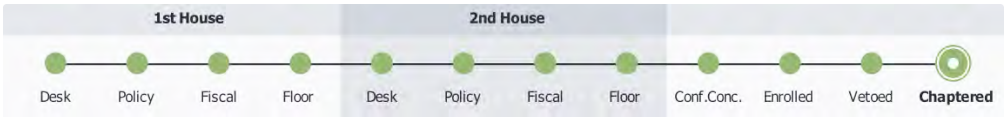

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Position	Subject
	ACWD - Capital Projects, ACWD - Finance, ACWD - HR

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 626, Statutes of 2025.

Summary: Current law requires workers employed on public works to be paid not less than the general prevailing rate of per diem wages for work of a similar character in the locality that the public work is performed, as prescribed, unless an exception applies. Current law requires the Director of the Department of Industrial Relations to determine the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed. Under current law, per diem wages include certain employer payments made pursuant to a collective bargaining agreement or for a program or committee established under the federal Labor Management Cooperation Act of 1978, as specified. Current law provides that these payments are a credit against the obligation to pay the general prevailing rate of per diem wages. Current law requires the credit for employer payments to be computed on an annualized basis where the employer seeks credit for employer payments that are higher for public works projects than for private construction performed by the same employer, except under certain circumstances, including a determination by the director that annualization would not serve the purposes of the provisions relating to public works projects. This bill would remove that exception and revoke annualization exemptions authorized by the director prior to January 1, 2026. The bill would authorize an employer to take full credit for the hourly amounts contributed to defined contribution pension plans that provide for both immediate participation and essentially immediate vesting even if the employer contributes at a lower rate or does not make contributions to private construction. (Based on 10/11/2025 text)

Location:	10/11/2025 - Assembly CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/19/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/10/25 A Floor Analysis (text 09/05/25)		

AB 975 | **Gallagher, R** | **HTML** | **PDF**

Lake and streambed alteration agreements: exemptions: culverts and bridges.

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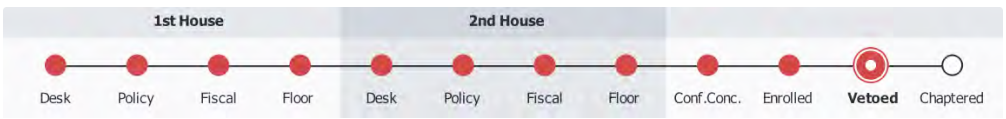

Tracking form

Position	Subject

	ACWD - Capital Projects, ACWD - Engineering

Bill information

Status: 10/01/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: *01/12/26 #17 A-GOVERNOR'S VETOES*

Summary: Current law prohibits a person, a state or local governmental agency, or a public utility from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, unless prescribed requirements are met, including written notification to the Department of Fish and Wildlife regarding the activity. Current law requires the department to determine whether the activity may substantially adversely affect an existing fish and wildlife resource and, if so, to provide a draft lake or streambed alteration agreement to the person, agency, or utility. Current law prescribes various requirements for lake and streambed alteration agreements. Existing law also establishes various exemptions from these provisions. This bill would, until January 1, 2027, exempt from these provisions, subject to certain requirements, projects to repair or reconstruct a bridge 30 feet long or less or a culvert 70 feet long or less within the County of Sutter that has been damaged or destroyed as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, between January 1, 2022, and December 31, 2024, inclusive, except as specified. (Based on 09/16/2025 text)

Location:	10/01/2025 - Assembly VETOED	**Current Text:**	10/01/2025 - Vetoed
Introduced:	02/20/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/23/25 A Floor Analysis (text 09/16/25)		

AB 1198 | **Haney, D** | **HTML** | **PDF**

Public works: prevailing wages.

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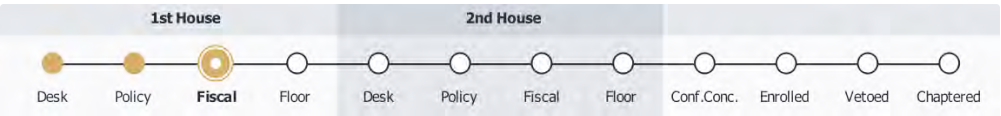

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - ETS, ACWD - Finance

Bill information

Status: 05/23/2025 - In committee: Hearing postponed by committee. (Set for hearing on 01/22/2026)

Calendar: *01/22/26 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair*

Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers

employed on public works projects. Current law requires the body awarding a contract for a public work to obtain from the director the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed, and the general prevailing rate of per diem wages for holiday and overtime work, for each craft, classification, or type of worker needed to execute the contract. Under current law, if the director determines during any quarterly period that there has been a change in any prevailing rate of per diem wages in a locality, the director is required to make that change available to the awarding body and their determination is final. Under current law, that determination does not apply to public works contracts for which the notice to bidders has been published. This bill would instead state, commencing July 1, 2026, that if the director determines, within a semiannual period, that there is a change in any prevailing rate of per diem wages in a locality, that determination applies to any public works contract that is awarded or for which notice to bidders is published after July 1, 2026. The bill would authorize any contractor, awarding body, or specified representative affected by a change in rates on a particular contract to, within 20 days, file with the director a verified petition to review the determination of that rate, as specified. (Based on 02/21/2025 text)

Location:	01/09/2026 - Assembly APPR. SUSPENSE FILE	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/21/25 A Appropriations (text 02/21/25)		

SB 74 | Seyarto, R | HTML | PDF

Office of Land Use and Climate Innovation: Infrastructure Gap-Fund Program.

Progress bar

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Finance

Bill information

Status: 08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 7/2/2025)(May be acted upon Jan 2026)

Summary: Current law establishes the Office of Land Use and Climate Innovation in the Governor's office for the purpose of serving the Governor and the Governor's cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. Current law authorizes a local agency to finance infrastructure projects through various means, including by authorizing a city or county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. This bill would require the office, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to local agencies for the development and construction of infrastructure projects, as defined, facing unforeseen costs after starting construction. The bill would authorize the office to provide funding for up to 20% of a project's additional projected cost, as defined, after the

project has started construction, subject to specified conditions, including, among other things, that the local agency has allocated existing local tax revenue for at least 45% of the initially budgeted total cost of the infrastructure project. When applying to the program, the bill would require the local agency to demonstrate challenges with completing the project on time and on budget and how the infrastructure project helps meet state and local goals, as specified. (Based on 04/07/2025 text)

Location:	08/28/2025 - Assembly 2 YEAR	**Current Text:**	04/07/2025 - Amended
Introduced:	01/15/2025	**Last Amend:**	04/07/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	06/30/25 A Appropriations (text 04/07/25)		

SB 90 | Seyarto, R | HTML | PDF

Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: grants: improvements to public evacuation routes: mobile rigid water storage: electrical generators.

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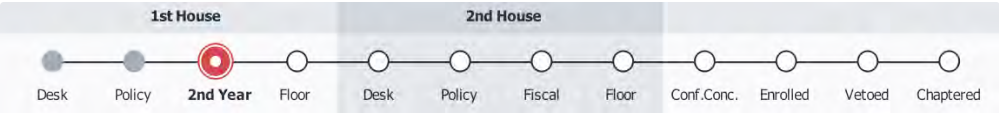

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Emergency Response, ACWD - Finance

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2025)(May be acted upon Jan 2026)

Summary: The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, approved by the voters as Proposition 4 at the November 5, 2024, statewide general election, authorized the issuance of bonds in the amount of $10,000,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs. The act makes $135,000,000 available, upon appropriation by the Legislature, to the Office of Emergency Services for a wildfire mitigation grant program to provide, among other things, loans, direct assistance, and matching funds for projects that prevent wildfires, increase resilience, maintain existing wildfire risk reduction projects, reduce the risk of wildfires to communities, or increase home or community hardening. The act provides that eligible projects include, but are not limited to, grants to local agencies, state agencies, joint powers authorities, tribes, resource conservation districts, fire safe councils, and nonprofit organizations for structure hardening of critical community infrastructure, wildfire smoke mitigation, evacuation centers, including community clean air centers, structure hardening projects that reduce the risk of wildfire for entire neighborhoods and communities, water delivery system improvements for fire suppression purposes for communities in very high or high fire hazard areas, wildfire buffers, and incentives to remove structures that significantly increase hazard risk. This bill would include in the list of eligible projects grants to the

above-mentioned entities for improvements to public evacuation routes in very high and high fire hazard severity zones, mobile rigid dip tanks, as defined, to support firefighting efforts, prepositioned mobile rigid water storage, as defined, and improvements to the response and effectiveness of fire engines and helicopters. (Based on 03/12/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	03/12/2025 - Amended
Introduced:	01/22/2025	**Last Amend:**	03/12/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/02/25 S Appropriations (text 03/12/25)		

SB 231 | **Seyarto, R** | **HTML** | **PDF**

California Environmental Quality Act: the Office of Land Use and Climate Innovation: technical advisory.

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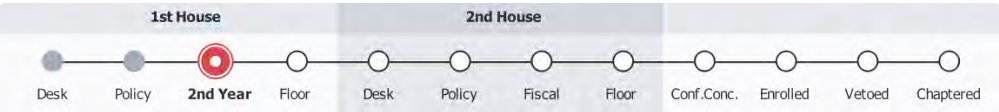

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/7/2025)(May be acted upon Jan 2026)

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Under current law, the recommendation, continuous evaluation, and execution of statewide environmental goals, policies, and plans are included within the scope of the executive functions of the Governor. Current law establishes the Office of Land Use and Climate Innovation in the Governor's office for the purpose of serving the Governor and the Governor's cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. This bill would require, on or before July 1, 2027, the Office of Land Use and Climate Innovation to consult with regional, local, state, and federal agencies to develop a technical advisory on thresholds of significance for greenhouse gas and noise pollution effects on the environment to assist local agencies. The bill would require the technical advisory to provide suggested thresholds of significance for all areas of the state, as specified, and would provide that lead agencies may elect to adopt these suggested thresholds of significance. The bill would also require the Office of Land Use and Climate Innovation to post the technical advisory on its internet website. (Based on 03/20/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	03/20/2025 - Amended
Introduced:	01/28/2025	**Last Amend:**	03/20/2025
Is Urgent:	N		
Is Fiscal:	Y		

Current Analysis:	04/04/25 S Appropriations (text 03/20/25)

SB 676 | **Limón, D** | **HTML** | **PDF**

California Environmental Quality Act: judicial streamlining: state of emergency: wildfire.

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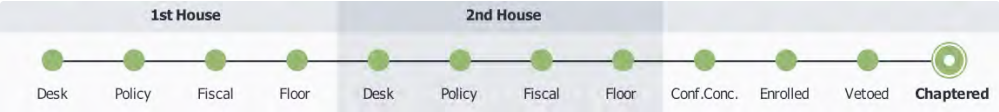

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Engineering, ACWD - Water Resources

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 550, Statutes of 2025.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require,on and after January 1, 2027, for a project, located in a geographic area for which the Governor declared a state of emergency on or after January 1, 2023, that is to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed by wildfire, and the project is not otherwise exempt from CEQA, as specified, the lead agency to prepare the record of proceeding concurrently with the administrative process. The bill would also require an action or proceeding brought to attack, review, set aside, void, or annul the certification of an environmental impact report, or the adoption of a negative declaration or mitigated negative declaration, for the project to be resolved, to the extent feasible, within 270 calendar days of the filing of the certified record of proceedings. The bill would require an applicant to agree to pay the costs of the trial court and court of appeal in hearing and deciding any action or proceeding brought under these provisions, as provided. The bill would require the Judicial Council to adopt rules of court to implement these requirements. The bill would require the project to be consistent with the applicable zoning and land use ordinances. By requiring a lead agency to prepare the record of proceedings concurrently with the administrative process, this bill would impose a state-mandated local program. (Based on 10/10/2025 text)

Location:	10/10/2025 - Senate CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/08/25 S Floor Analyses (text 09/02/25)		

ACWD - Development Services

AB 830 | Rogers, D | HTML | PDF

State highways: encroachment permits: relocating or removing encroachments: public utility districts: County of Mendocino.

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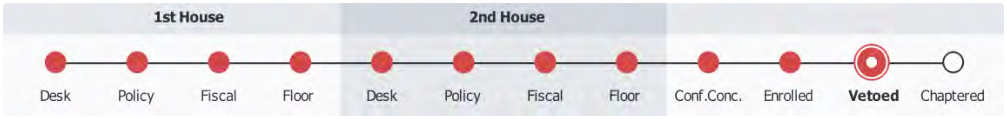

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Development Services, ACWD - Engineering, ACWD - ETS

Bill information

Status: 10/03/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: *01/12/26 #25 A-GOVERNOR'S VETOES*

Summary: Current law authorizes the Department of Transportation to issue written permits to, among other things, place, change, or renew an encroachment. Current law requires a permit issued to a county, city, public corporation, or political subdivision that is authorized by law to establish or maintain any works or facilities in, under, or over any public highway, to contain a provision that, in the event the future improvement of the highway necessitates the relocation or removal of the encroachment, the permittee will relocate or remove the encroachment at the permittee's sole expense, as provided. This bill would, until January 1, 2031, exempt a public utility district in the County of Mendocino with a ratepayer base of 5,000 households or fewer from the above-described provision and instead would require the department to bear the sole expense of relocating or removing the public utility district's encroachment in the event a future improvement of the highway necessitates the relocation or removal of the encroachment and to notify the public utility district at each stage of a project that necessitates the relocation or removal of the public utility district's encroachment. (Based on 09/10/2025 text)

Location: 10/03/2025 - Assembly VETOED

Introduced: 02/19/2025

Is Urgent: N

Is Fiscal: Y

Current Analysis: 10/23/25 A Floor Analysis (text 09/10/25)

Current Text: 10/03/2025 - Vetoed

Last Amend: 08/29/2025

SB 543 | McNerney, D | HTML | PDF

Accessory dwelling units and junior accessory dwelling units.

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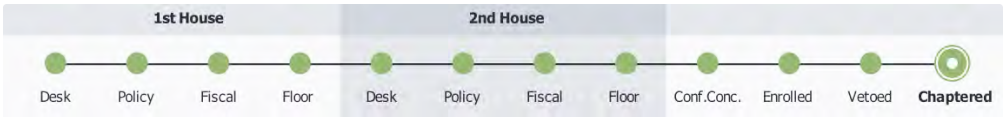

Tracking form

Position	Subject
	ACWD - Development Services, ACWD - Engineering

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 520, Statutes of 2025.

Summary: The Planning and Zoning Law provides for the creation by ordinance, or by ministerial approval if the local agency has not adopted an ordinance, of an accessory dwelling unit (ADU) or a junior accessory dwelling unit (JADU) in accordance with specified standards and conditions. Current law defines the term “junior accessory dwelling unit” for these purposes to mean a unit that is no more than 500 square feet in size and contained entirely within a single-family structure. This bill would revise the definition of a “junior accessory dwelling unit” to require the size of a JADU to be no more than 500 square feet of interior livable space. (Based on 10/10/2025 text)

Location: 10/10/2025 - Senate CHAPTERED
Introduced: 02/20/2025
Is Urgent: N
Is Fiscal: Y
Current Analysis: 08/28/25 S Floor Analyses (text 07/08/25)

Current Text: 10/10/2025 - Chaptered
Last Amend: 07/08/2025

SB 598 | **Durazo, D** | **HTML** | **PDF**

Public contracts: local water infrastructure projects: Construction Manager/General Contractor project delivery method.

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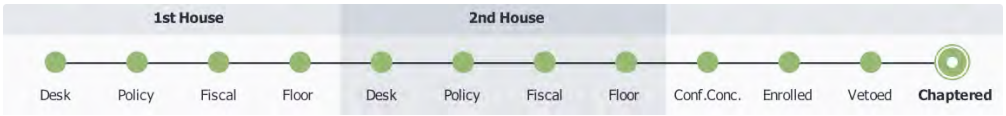

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - Development Services, ACWD - OGM

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 655, Statutes of 2025.

Summary: Current law defines the Construction Manager/General Contractor project delivery method (CM/GC method) as a project delivery method in which a construction manager is procured to provide preconstruction services during the design phase of a project and construction services during the construction phase of the project. Under current law, the method allows the contract for construction services to be entered into at the same time as the contract for preconstruction services or at a later time. Current law authorizes the Metropolitan Water District of Southern California to utilize the CM/GC method for regional recycled water projects or other water infrastructure projects under specified conditions. Pursuant to existing law, certain information required to be submitted as part of the CM/GC method is required to be verified under oath. Current law makes the provisions

described above pertaining to the CM/GC method effective only until January 1, 2028, and inoperative as of that date. This bill would, until January 1, 2031, authorize a local agency, as defined, upon approval of its governing body, to similarly use the CM/GC method for a regional recycled water project or other water infrastructure project undertaken by the district to alleviate water supply shortages attributable to drought or climate change. The bill would require that authorization to apply to no more than 15 capital outlay projects for each local agency and would require a local agency to award a contract pursuant to the bill on a best value basis or to the lowest responsible bidder. (Based on 10/11/2025 text)

Location:	10/11/2025 - Senate CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	07/07/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/25/25 S Floor Analyses (text 07/07/25)		

ACWD - Emergency Response

AB 300 | Lackey, R | HTML | PDF

Fire hazard severity zones: State Fire Marshal.

Progress bar

Tracking form

Position	Subject
Watch	ACWD - Emergency Response, ACWD - Engineering

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: Current law requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones, as specified. Current law also requires the State Fire Marshal to classify lands within state responsibility areas into fire hazard severity zones, and, by regulation, to designate fire hazard severity zones and assign to each zone a rating reflecting the degree of severity of fire hazard that is expected to prevail in the zone. Current law requires the State Fire Marshal to periodically review very high fire hazard severity zones that are not state responsibility areas, and designated and rated zones that are state responsibility areas, as provided. This bill would instead require the State Fire Marshal, at least once every 5 years, to review areas in the state identified as moderate, high, and very high fire hazard severity zones, and to review lands within state responsibility areas classified as fire hazard severity zones. (Based on 05/05/2025 text)

Location:	08/28/2025 - Senate 2 YEAR	**Current Text:**	05/05/2025 - Amended
Introduced:	01/23/2025	**Last Amend:**	05/05/2025
Is Urgent:	N		

Is Fiscal:	Y
Current Analysis:	08/15/25 S Appropriations (text 05/05/25)

AB 372 | **Bennett, D** | **HTML** | **PDF**

Office of Emergency Services: state matching funds: water system infrastructure improvements.

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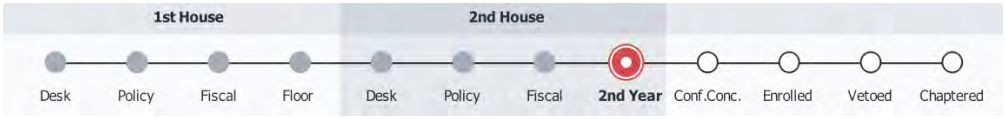

Tracking form

Position	Subject
Watch	ACWD - Emergency Response, ACWD - Engineering, ACWD - OGM, ACWD - Operations

Bill information

Status:	09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/3/2025)(May be acted upon Jan 2026)
Summary:	Current law charges the Office of Emergency Services (OES) with coordinating various emergency activities within the state. The California Emergency Services Act, contingent upon an appropriation by the Legislature, requires the OES to enter into a joint powers agreement pursuant to the Joint Exercise of Powers Act with the Department of Forestry and Fire Protection to develop and administer a comprehensive wildfire mitigation program relating to structure hardening and retrofitting and prescribed fuel modification activities. Current law authorizes the joint powers authority to establish financial assistance limits and matching funding or other recipient contribution requirements for the program, as provided. This bill, contingent upon appropriation by the Legislature, would establish the Rural Water Infrastructure for Wildfire Resilience Program within the OES for the distribution of state matching funds to urban wildland interface communities, as defined, in designated high fire hazard severity zones or very high fire hazard severity zones to improve water system infrastructure, as prescribed. The bill would require the OES to work in coordination with the Department of Water Resources, the State Water Resources Control Board, the Office of the State Fire Marshal, and other state entities as the OES determines to be appropriate, to achieve the purposes of the program. (Based on 08/29/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	08/29/2025 - Amended
Introduced:	02/03/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/02/25 S Floor Analyses (text 08/29/25)		

AB 426 | **Dixon, R** | **HTML** | **PDF**

Impeding emergency response with drone.

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Tracking form

Position	Subject
	ACWD - Emergency Response, ACWD - HR, ACWD - Operations

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: Current law excuses a local public entity or public employee from liability for damage to an unmanned aircraft or unmanned aircraft system, if the damage was caused while the local public entity or public employee of a local public entity was providing, and the unmanned aircraft or unmanned aircraft system was interfering with, the operation, support, or enabling of any emergency service, as specified. Current law imposes liability for physical invasion of privacy on a person if the person knowingly enters onto the land or into the airspace above the land of another person without permission or otherwise commits a trespass in order to capture any image or recording of the other person engaging in a private activity and the invasion occurs in a manner that is offensive to a reasonable person. This bill would prohibit a person from operating or using an unmanned aerial vehicle, remote piloted aircraft, or drone at the scene of an emergency and thereby impeding firefighters, peace officers, medical personnel, military personnel, or other emergency personnel in the performance of their fire suppression, law enforcement, or emergency response duties, unless the person has a federal operational waiver, as specified. The bill would authorize the Attorney General or a county counsel or city attorney to bring civil action to enforce the prohibition and authorize a prevailing plaintiff to recover civil penalties, injunctive relief, or reasonable attorney's fees and costs, as specified. (Based on 04/02/2025 text)

Location:	08/29/2025 - Senate 2 YEAR	**Current Text:**	04/02/2025 - Amended
Introduced:	02/05/2025	**Last Amend:**	04/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 04/02/25)		

AB 1075 | **Bryan, D** | **HTML** | **PDF**

Fire protection: privately contracted fire prevention resources: public water sources.

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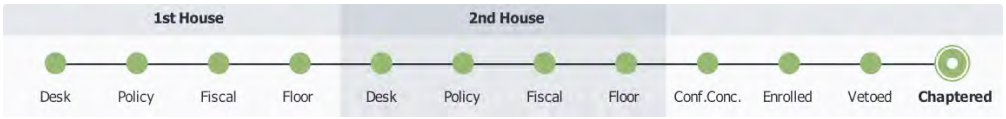

Tracking form

Position	Subject
	ACWD - Emergency Response

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 538, Statutes of 2025.

Summary: Current law requires the Office of Emergency Services to be responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies, including responsibility for activities necessary to prevent, respond to, recover from, and mitigate the effects of emergencies and disasters to people and property. The FIRESCOPE Act of 1989 requires the office to establish and administer the FIRESCOPE program to maintain and enhance the efficiency and effectiveness of managing multiagency firefighting resources in responding to an incident. Current law requires the office, in collaboration with the Department of Forestry and Fire Protection and the board of directors of the FIRESCOPE program, to develop standards and regulations for any privately contracted private fire prevention resources operating during an active fire incident in the state, as provided, and to develop regulations to govern the use of equipment used by privately contracted private fire prevention resources during an active fire incident, as provided. This bill would additionally require the office to develop regulations prohibiting privately contracted private fire prevention resources from hooking up their equipment to public water sources, unless approved by incident command or the authority having jurisdiction over the active fire incident and unless the equipment includes a backflow prevention device. (Based on 10/10/2025 text)

Location:	10/10/2025 - Assembly CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	06/27/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/09/25 A Floor Analysis (text 06/27/25)		

AB 1146 | **Papan, D** | **HTML** | **PDF**

Water infrastructure: dams and reservoirs: water release: false pretenses.

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Tracking form

Position	Subject
	ACWD - Emergency Response, ACWD - ETS

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: Would prohibit the release of stored water from a reservoir owned and operated by the United States in this state if the release is done under false pretenses, which the bill would define to mean a release of water from a reservoir owned and operated by the United States in a manner that is knowingly, designedly, and intentionally under any false or fraudulent representation as to the purpose and intended use of the water. The bill would authorize the State Water Resources Control Board or the Attorney General, as provided, to bring an action for injunctive relief for a violation of the above-described prohibition. By

expanding the scope of a crime, the bill would impose a state-mandated local program. (Based on 06/23/2025 text)

Location:	08/29/2025 - Senate 2 YEAR	**Current Text:**	06/23/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	06/23/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 06/23/25)		

AB 1469 | **Hart, D** | **HTML** | **PDF**

Disaster preparedness: public water systems.

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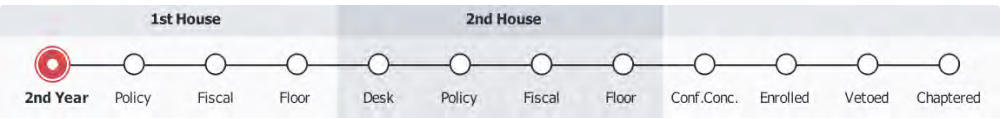

Tracking form

Position	Subject
	ACWD - Emergency Response, ACWD - Operations

Bill information

Status: 05/08/2025 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/21/2025)(May be acted upon Jan 2026)

Summary: The California Emergency Services Act requires all public water systems, as defined, with 10,000 or more service connections to review and revise their disaster preparedness plans in conjunction with related agencies, including, but not limited to, local fire departments and the Office of Emergency Services to ensure that the plans are sufficient to address possible disaster scenarios. Current law requires these public water systems to, following a declared state of emergency, furnish an assessment of their emergency response and recommendations to the Legislature within 6 months after each disaster, and to implement the recommendations in a timely manner. Current law requires the office to establish emergency response and recovery plans in coordination with these public water systems. This bill would make nonsubstantive changes to those provisions. (Based on 02/21/2025 text)

Location:	05/08/2025 - Assembly 2 YEAR	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	N		

SB 90 | **Seyarto, R** | **HTML** | **PDF**

Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: grants: improvements to public evacuation routes: mobile rigid water storage: electrical generators.

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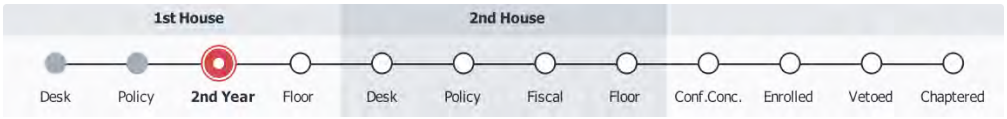

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Emergency Response, ACWD - Finance

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2025)(May be acted upon Jan 2026)

Summary: The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, approved by the voters as Proposition 4 at the November 5, 2024, statewide general election, authorized the issuance of bonds in the amount of $10,000,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs. The act makes $135,000,000 available, upon appropriation by the Legislature, to the Office of Emergency Services for a wildfire mitigation grant program to provide, among other things, loans, direct assistance, and matching funds for projects that prevent wildfires, increase resilience, maintain existing wildfire risk reduction projects, reduce the risk of wildfires to communities, or increase home or community hardening. The act provides that eligible projects include, but are not limited to, grants to local agencies, state agencies, joint powers authorities, tribes, resource conservation districts, fire safe councils, and nonprofit organizations for structure hardening of critical community infrastructure, wildfire smoke mitigation, evacuation centers, including community clean air centers, structure hardening projects that reduce the risk of wildfire for entire neighborhoods and communities, water delivery system improvements for fire suppression purposes for communities in very high or high fire hazard areas, wildfire buffers, and incentives to remove structures that significantly increase hazard risk. This bill would include in the list of eligible projects grants to the above-mentioned entities for improvements to public evacuation routes in very high and high fire hazard severity zones, mobile rigid dip tanks, as defined, to support firefighting efforts, prepositioned mobile rigid water storage, as defined, and improvements to the response and effectiveness of fire engines and helicopters. (Based on 03/12/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	03/12/2025 - Amended
Introduced:	01/22/2025	**Last Amend:**	03/12/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/02/25 S Appropriations (text 03/12/25)		

SB 732 | **Ochoa Bogh, R** | **HTML** | **PDF**

Emergency backup generators: critical facilities: exemptions.

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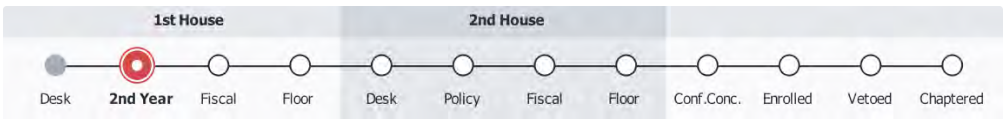

Tracking form

Position	Subject
	ACWD - Emergency Response, ACWD - Operations

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/12/2025)(May be acted upon Jan 2026)

Summary: Current law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Current law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Current law requires the State Air Resources Board to identify toxic air contaminants that are emitted into the ambient air of the state and to establish airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources. This bill would require an air district without a specified rule on emergency backup generators, as defined, as of January 1, 2026, that adopts such a rule to include in the rule provisions that allow the operator of a critical facility, as defined, to use a permitted emergency backup generator in exceedance of the applicable runtime and testing and maintenance limits if specified conditions are met. The bill would require a critical facility allowed to exceed applicable limits under a rule adopted pursuant to that provision to attest to and provide evidence of having taken demonstrable steps toward implementing the use of backup power technologies that meet or exceed emission standards set by the state board. (Based on 02/21/2025 text)

Location: 05/01/2025 - Senate 2 YEAR
Introduced: 02/21/2025
Is Urgent: N
Is Fiscal: Y

Current Text: 02/21/2025 - Introduced

ACWD - Engineering

AB 269 | Bennett, D | HTML | PDF

Dam Safety and Climate Resilience Local Assistance Program.

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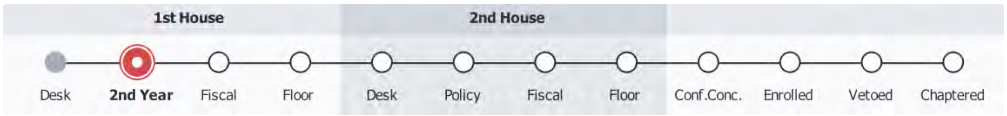

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Finance

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 2/10/2025)(May be acted upon Jan 2026)

Summary: Current law provides for the regulation and supervision of dams and reservoirs by the state, and requires the Department of Water Resources, under the police power of the state, to supervise the construction, enlargement, alteration, repair, maintenance,

operation, and removal of dams and reservoirs for the protection of life and property, as prescribed. Current law requires the department to, upon appropriation by the Legislature, develop and administer the Dam Safety and Climate Resilience Local Assistance Program to provide state funding for repairs, rehabilitation, enhancements, and other dam safety projects at existing state jurisdictional dams and associated facilities that were in service prior to January 1, 2023, subject to prescribed criteria. This bill would include the removal of project facilities as additional projects eligible to receive funding under the program. (Based on 01/17/2025 text)

Location:	05/01/2025 - Assembly 2 YEAR	**Current Text:**	01/17/2025 - Introduced
Introduced:	01/17/2025		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/04/25 A Water, Parks And Wildlife (text 01/17/25)		

AB 295 | **Macedo, R** | **HTML** | **PDF**

California Environmental Quality Act: environmental leadership development projects: water storage, water conveyance, and groundwater recharge projects: streamlined review.

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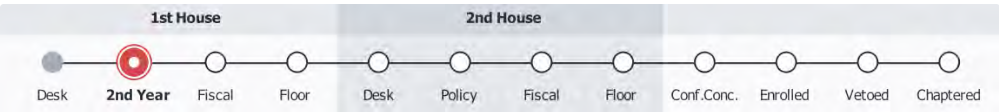

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Water Resources

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/10/2025)(May be acted upon Jan 2026)

Summary: The Jobs and Economic Improvement Through Environmental Leadership Act of 2021 authorizes the Governor, until January 1, 2032, to certify environmental leadership development projects that meet specified requirements for certain streamlining benefits related to the California Environmental Quality Act (CEQA). The act, among other things, requires a lead agency to prepare the record of proceedings for an environmental leadership development project, as provided, and to provide a specified notice within 10 days of the Governor certifying the project. The act is repealed by its own term on January 1, 2034. This bill would extend the application of the act to water storage projects, water conveyance projects, and groundwater recharge projects that provide public benefits and drought preparedness. Because a lead agency would be required to prepare the record of proceedings for water storage projects, water conveyance projects, and groundwater recharge projects pursuant to the act, this bill would impose a state-mandated local program. (Based on 01/23/2025 text)

Location:	05/01/2025 - Assembly 2 YEAR	**Current Text:**	01/23/2025 - Introduced
Introduced:	01/23/2025		
Is Urgent:	N		
Is Fiscal:	Y		

AB 300 | Lackey, R | HTML | PDF

Fire hazard severity zones: State Fire Marshal.

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Tracking form

Position	Subject
Watch	ACWD - Emergency Response, ACWD - Engineering

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: Current law requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones, as specified. Current law also requires the State Fire Marshal to classify lands within state responsibility areas into fire hazard severity zones, and, by regulation, to designate fire hazard severity zones and assign to each zone a rating reflecting the degree of severity of fire hazard that is expected to prevail in the zone. Current law requires the State Fire Marshal to periodically review very high fire hazard severity zones that are not state responsibility areas, and designated and rated zones that are state responsibility areas, as provided. This bill would instead require the State Fire Marshal, at least once every 5 years, to review areas in the state identified as moderate, high, and very high fire hazard severity zones, and to review lands within state responsibility areas classified as fire hazard severity zones. (Based on 05/05/2025 text)

Location:	08/28/2025 - Senate 2 YEAR	**Current Text:**	05/05/2025 - Amended
Introduced:	01/23/2025	**Last Amend:**	05/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 05/05/25)		

AB 372 | Bennett, D | HTML | PDF

Office of Emergency Services: state matching funds: water system infrastructure improvements.

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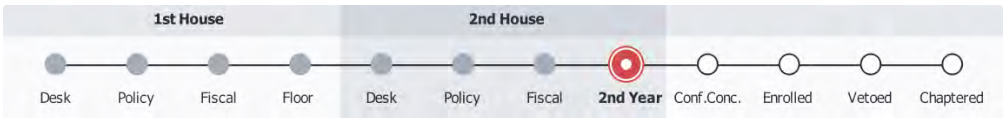

Tracking form

Position	Subject
Watch	ACWD - Emergency Response, ACWD - Engineering, ACWD - OGM, ACWD - Operations

Bill information

Status:	09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/3/2025)(May be acted upon Jan 2026)
Summary:	Current law charges the Office of Emergency Services (OES) with coordinating various emergency activities within the state. The California Emergency Services Act, contingent upon an appropriation by the Legislature, requires the OES to enter into a joint powers agreement pursuant to the Joint Exercise of Powers Act with the Department of Forestry and Fire Protection to develop and administer a comprehensive wildfire mitigation program relating to structure hardening and retrofitting and prescribed fuel modification activities. Current law authorizes the joint powers authority to establish financial assistance limits and matching funding or other recipient contribution requirements for the program, as provided. This bill, contingent upon appropriation by the Legislature, would establish the Rural Water Infrastructure for Wildfire Resilience Program within the OES for the distribution of state matching funds to urban wildland interface communities, as defined, in designated high fire hazard severity zones or very high fire hazard severity zones to improve water system infrastructure, as prescribed. The bill would require the OES to work in coordination with the Department of Water Resources, the State Water Resources Control Board, the Office of the State Fire Marshal, and other state entities as the OES determines to be appropriate, to achieve the purposes of the program. (Based on 08/29/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	08/29/2025 - Amended
Introduced:	02/03/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/02/25 S Floor Analyses (text 08/29/25)		

AB 638 | **Rodriguez, Celeste, D** | **HTML** | **PDF**

Stormwater: uses: irrigation.

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Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Water Resources

Bill information

Status:	08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)
Summary:	The Stormwater Resource Planning Act requires the State Water Resources Control Board, by July 1, 2016, to establish guidance for purposes of the act. This bill would require the board, by December 1, 2026, to develop recommendations for stormwater capture and use for the irrigation of urban public lands, as defined. The bill would require the recommendations to address, but not be limited to, opportunities for the use of captured stormwater for irrigation to offset the use of potable water, as specified, and recommendations for, among other things, pathogens and pathogen indicators and total suspended solids. Prior to approving the recommendations, the bill would require the

board to solicit and receive written public comment on proposed recommendations. (Based on 07/03/2025 text)

Location:	08/28/2025 - Senate 2 YEAR	**Current Text:**	07/03/2025 - Amended
Introduced:	02/13/2025	**Last Amend:**	07/03/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 07/03/25)		

AB 639 | **Soria, D** | **HTML** | **PDF**

Dams: exceptions.

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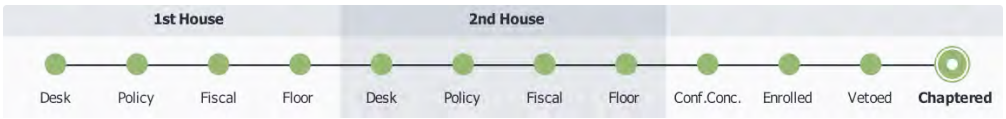

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 617, Statutes of 2025.

Summary: Current law defines a dam to mean any artificial barrier, together with appurtenant works, that does or may impound or divert water, and meets other specified criteria. Current law excludes from the definition a barrier that is or will be not in excess of 6 feet in height, regardless of storage capacity, or that has or will have a storage capacity not in excess of 15 acre-feet, regardless of height. This bill would additionally exclude from the definition of a dam a barrier that does not impound water above the top of a levee where maximum storage behind the barrier has a minimum of 3 feet of freeboard on the levee and is a weir, as defined, but would apply only to specified weirs named in the bill. (Based on 10/11/2025 text)

Location:	10/11/2025 - Assembly CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/13/2025	**Last Amend:**	06/11/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/03/25 A Floor Analysis (text 06/11/25)		

AB 830 | **Rogers, D** | **HTML** | **PDF**

State highways: encroachment permits: relocating or removing encroachments: public utility districts: County of Mendocino.

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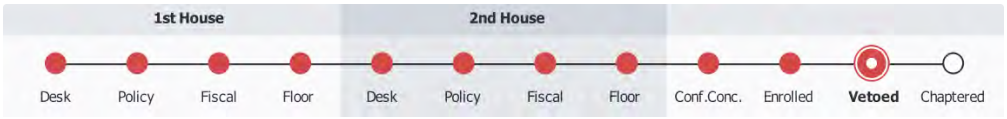

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Development Services, ACWD - Engineering, ACWD - ETS

Bill information

Status: 10/03/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: *01/12/26 #25 A-GOVERNOR'S VETOES*

Summary: Current law authorizes the Department of Transportation to issue written permits to, among other things, place, change, or renew an encroachment. Current law requires a permit issued to a county, city, public corporation, or political subdivision that is authorized by law to establish or maintain any works or facilities in, under, or over any public highway, to contain a provision that, in the event the future improvement of the highway necessitates the relocation or removal of the encroachment, the permittee will relocate or remove the encroachment at the permittee's sole expense, as provided. This bill would, until January 1, 2031, exempt a public utility district in the County of Mendocino with a ratepayer base of 5,000 households or fewer from the above-described provision and instead would require the department to bear the sole expense of relocating or removing the public utility district's encroachment in the event a future improvement of the highway necessitates the relocation or removal of the encroachment and to notify the public utility district at each stage of a project that necessitates the relocation or removal of the public utility district's encroachment. (Based on 09/10/2025 text)

Location:	10/03/2025 - Assembly VETOED	**Current Text:**	10/03/2025 - Vetoed
Introduced:	02/19/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/23/25 A Floor Analysis (text 09/10/25)		

AB 975 | **Gallagher, R** | **HTML** | **PDF**

Lake and streambed alteration agreements: exemptions: culverts and bridges.

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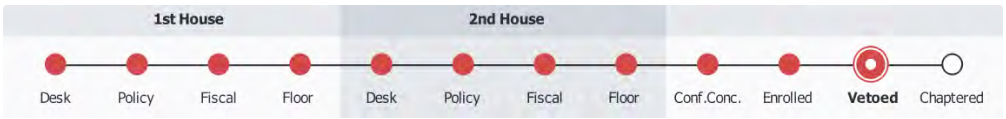

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Engineering

Bill information

Status: 10/01/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: *01/12/26 #17 A-GOVERNOR'S VETOES*

Summary: Current law prohibits a person, a state or local governmental agency, or a public utility from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, unless prescribed requirements are met, including written notification to the Department of Fish and Wildlife regarding the activity. Current law requires the department to determine whether the activity may substantially adversely affect an existing fish and wildlife resource and, if so, to provide a draft lake or streambed alteration agreement to the person, agency, or utility. Current law prescribes various requirements for lake and streambed alteration agreements. Existing law also establishes various exemptions from these provisions. This bill would, until January 1, 2027, exempt from these provisions, subject to certain requirements, projects to repair or reconstruct a bridge 30 feet long or less or a culvert 70 feet long or less within the County of Sutter that has been damaged or destroyed as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, between January 1, 2022, and December 31, 2024, inclusive, except as specified. (Based on 09/16/2025 text)

Location:	10/01/2025 - Assembly VETOED	**Current Text:**	10/01/2025 - Vetoed
Introduced:	02/20/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/23/25 A Floor Analysis (text 09/16/25)		

SB 231 | Seyarto, R | HTML | PDF

California Environmental Quality Act: the Office of Land Use and Climate Innovation: technical advisory.

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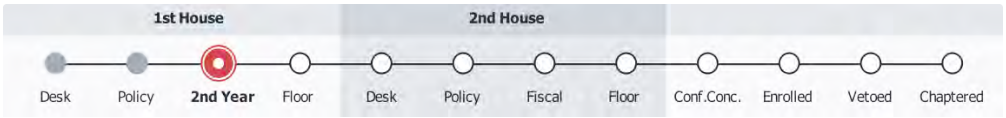

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/7/2025)(May be acted upon Jan 2026)

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Under current law, the recommendation, continuous evaluation, and execution of statewide environmental goals, policies, and plans are included within the scope of the executive functions of the Governor. Current law establishes the Office of Land Use and Climate Innovation in the Governor's office for the purpose of serving the Governor and the Governor's cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. This bill would require, on or before

July 1, 2027, the Office of Land Use and Climate Innovation to consult with regional, local, state, and federal agencies to develop a technical advisory on thresholds of significance for greenhouse gas and noise pollution effects on the environment to assist local agencies. The bill would require the technical advisory to provide suggested thresholds of significance for all areas of the state, as specified, and would provide that lead agencies may elect to adopt these suggested thresholds of significance. The bill would also require the Office of Land Use and Climate Innovation to post the technical advisory on its internet website. (Based on 03/20/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	03/20/2025 - Amended
Introduced:	01/28/2025	**Last Amend:**	03/20/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/04/25 S Appropriations (text 03/20/25)		

SB 394 | Allen, D | HTML | PDF

Water theft: fire hydrants.

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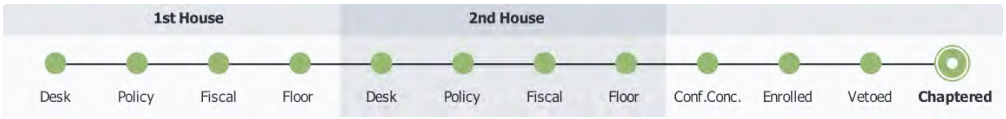

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 540, Statutes of 2025.

Summary: Current law authorizes a utility to bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts certain acts, including, diverting or causing to be diverted, utility services by any means whatsoever. Current law creates a rebuttable presumption that there is violation of these provisions if, on premises controlled by the customer or by the person using or receiving the direct benefit of utility service, certain actions occur, including that there is an instrument, apparatus, or device primarily designed to be used to obtain utility service without paying the full lawful charge for the utility. This bill would add to the list of acts for which a utility may bring a civil cause of action under these circumstances to include tampering with a fire hydrant, fire hydrant meter, or fire detector check, or connecting to, diverting water from, or causing water to be diverted from, a fire hydrant without authorization from the utility that owns the fire hydrant, except as provided. (Based on 10/10/2025 text)

Location:	10/10/2025 - Senate CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/14/2025	**Last Amend:**	07/03/2025
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	07/14/25 S Floor Analyses (text 07/03/25)		

SB 543 | McNerney, D | HTML | PDF

Accessory dwelling units and junior accessory dwelling units.

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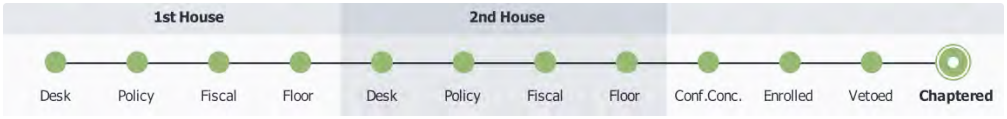

Tracking form

Position	Subject
	ACWD - Development Services, ACWD - Engineering

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 520, Statutes of 2025.

Summary: The Planning and Zoning Law provides for the creation by ordinance, or by ministerial approval if the local agency has not adopted an ordinance, of an accessory dwelling unit (ADU) or a junior accessory dwelling unit (JADU) in accordance with specified standards and conditions. Current law defines the term “junior accessory dwelling unit” for these purposes to mean a unit that is no more than 500 square feet in size and contained entirely within a single-family structure. This bill would revise the definition of a “junior accessory dwelling unit” to require the size of a JADU to be no more than 500 square feet of interior livable space. (Based on 10/10/2025 text)

Location: 10/10/2025 - Senate CHAPTERED
Introduced: 02/20/2025
Is Urgent: N
Is Fiscal: Y
Current Analysis: 08/28/25 S Floor Analyses (text 07/08/25)

Current Text: 10/10/2025 - Chaptered
Last Amend: 07/08/2025

SB 676 | Limón, D | HTML | PDF

California Environmental Quality Act: judicial streamlining: state of emergency: wildfire.

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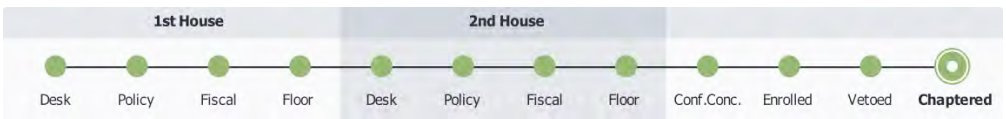

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Engineering, ACWD - Water Resources

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 550, Statutes of 2025.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require,on and after January 1, 2027, for a project, located in a geographic area for which the Governor declared a state of emergency on or after January 1, 2023, that is to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed by wildfire, and the project is not otherwise exempt from CEQA, as specified, the lead agency to prepare the record of proceeding concurrently with the administrative process. The bill would also require an action or proceeding brought to attack, review, set aside, void, or annul the certification of an environmental impact report, or the adoption of a negative declaration or mitigated negative declaration, for the project to be resolved, to the extent feasible, within 270 calendar days of the filing of the certified record of proceedings. The bill would require an applicant to agree to pay the costs of the trial court and court of appeal in hearing and deciding any action or proceeding brought under these provisions, as provided. The bill would require the Judicial Council to adopt rules of court to implement these requirements. The bill would require the project to be consistent with the applicable zoning and land use ordinances. By requiring a lead agency to prepare the record of proceedings concurrently with the administrative process, this bill would impose a state-mandated local program. (Based on 10/10/2025 text)

Location:	10/10/2025 - Senate CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/08/25 S Floor Analyses (text 09/02/25)		

ACWD - ETS

AB 253 | Ward, D | HTML | PDF

California Residential Private Permitting Review Act: residential building permits.

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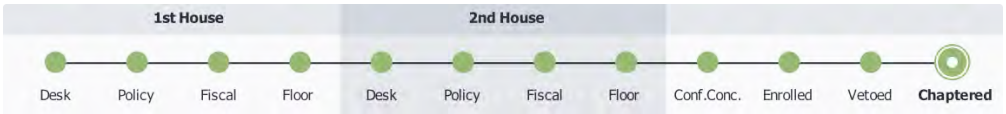

Tracking form

Position	Subject
	ACWD - ETS, ACWD - Finance

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 487, Statutes of 2025.

Summary: The State Housing Law establishes statewide construction and occupancy standards for buildings used for human habitation. Current law authorizes a county's or city's governing

body to prescribe fees for permits, certificates, or other forms or documents required or authorized under the State Housing Law. This bill, the California Residential Private Permitting Review Act, would require a county or city to prepare a residential building permit fee schedule and post the schedule on the county's or city's internet website, if the county or city prescribes residential building permit fees. (Based on 10/10/2025 text)

Location:	10/10/2025 - Assembly CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	01/15/2025	**Last Amend:**	09/04/2025
Is Urgent:	Y		
Is Fiscal:	Y		
Current Analysis:	09/12/25 A Floor Analysis (text 09/04/25)		

AB 370 | **Carrillo, D** | **HTML** | **PDF**

California Public Records Act: cyberattacks.

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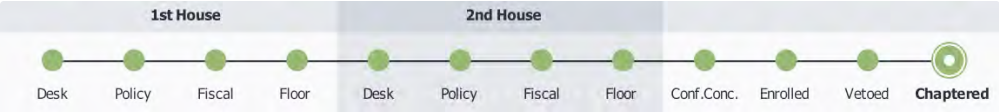

Tracking form

Position	Subject
	ACWD - ETS, ACWD - OGM

Bill information

Status: 07/14/2025 - Chaptered by Secretary of State - Chapter 34, Statutes of 2025

Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection, except as specified. Current law requires each agency, within 10 days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person of the determination and the reasons therefor. Current law authorizes that time limit to be extended by no more than 14 days under unusual circumstances, and defines "unusual circumstances" to include, among other things, the need to search for, collect, and appropriately examine records during a state of emergency when the state of emergency currently affects the agency's ability to timely respond to requests due to staffing shortages or closure of facilities, as provided. This bill would also expand the definition of unusual circumstances to include the inability of the agency, because of a cyberattack, to access its electronic servers or systems in order to search for and obtain a record that the agency believes is responsive to a request and is maintained on the servers or systems in an electronic format. (Based on 07/14/2025 text)

Location:	07/14/2025 - Assembly CHAPTERED	**Current Text:**	07/14/2025 - Chaptered
Introduced:	02/03/2025	**Last Amend:**	03/12/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	07/02/25 S Floor Analyses (text 03/12/25)		

AB 810 | Irwin, D | HTML | PDF

Local government: internet websites and email addresses.

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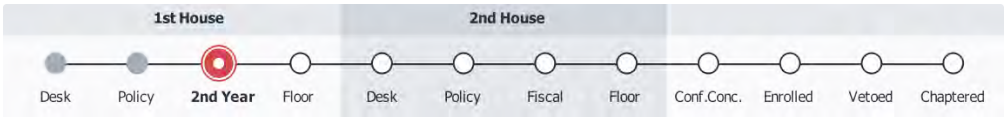

Tracking form

Position	Subject
	ACWD - ETS, ACWD - OGM

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/7/2025)(May be acted upon Jan 2026)

Summary: Current law requires that a local agency that maintains an internet website for use by the public to ensure that the internet website uses a ".gov" top-level domain or a ".ca.gov" second-level domain no later than January 1, 2029. Current law requires that a local agency that maintains public email addresses to ensure that each email address provided to its employees uses a ".gov" domain name or a ".ca.gov" domain name no later than January 1, 2029. Current law defines "local agency" for these purposes as a city, county, or city and county. This bill would recast these provisions by instead requiring a city, county, or city and county to comply with the above-described domain requirements and by deleting the term "local agency" from the above-described provisions. The bill would also require a special district, joint powers authority, or other political subdivision to comply with similar domain requirements no later than January 1, 2031. (Based on 04/10/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	04/10/2025 - Amended
Introduced:	02/19/2025	**Last Amend:**	04/10/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/05/25 A Appropriations (text 04/10/25)		

AB 830 | Rogers, D | HTML | PDF

State highways: encroachment permits: relocating or removing encroachments: public utility districts: County of Mendocino.

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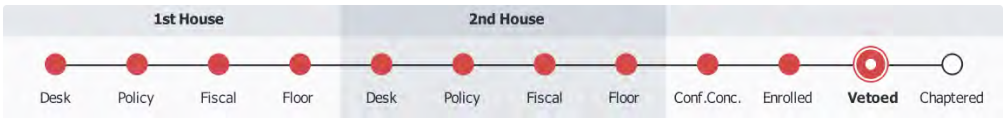

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Development Services, ACWD - Engineering, ACWD - ETS

Bill information

Status:	10/03/2025 - Vetoed by Governor. Consideration of Governor's veto pending.
Calendar:	***01/12/26 #25 A-GOVERNOR'S VETOES***
Summary:	Current law authorizes the Department of Transportation to issue written permits to, among other things, place, change, or renew an encroachment. Current law requires a permit issued to a county, city, public corporation, or political subdivision that is authorized by law to establish or maintain any works or facilities in, under, or over any public highway, to contain a provision that, in the event the future improvement of the highway necessitates the relocation or removal of the encroachment, the permittee will relocate or remove the encroachment at the permittee's sole expense, as provided. This bill would, until January 1, 2031, exempt a public utility district in the County of Mendocino with a ratepayer base of 5,000 households or fewer from the above-described provision and instead would require the department to bear the sole expense of relocating or removing the public utility district's encroachment in the event a future improvement of the highway necessitates the relocation or removal of the encroachment and to notify the public utility district at each stage of a project that necessitates the relocation or removal of the public utility district's encroachment. (Based on 09/10/2025 text)

Location:	10/03/2025 - Assembly VETOED	**Current Text:**	10/03/2025 - Vetoed
Introduced:	02/19/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/23/25 A Floor Analysis (text 09/10/25)		

AB 1018 | Bauer-Kahan, D | HTML | PDF

Automated decision systems.

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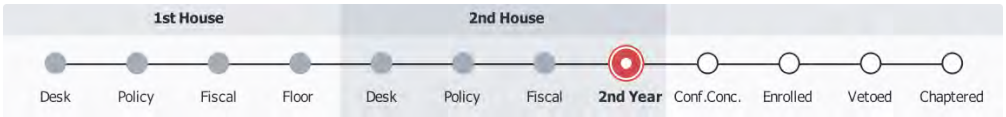

Tracking form

Position	Subject
	ACWD - ETS

Bill information

Status:	09/13/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/13/2025)(May be acted upon Jan 2026)
Summary:	The California Fair Employment and Housing Act establishes the Civil Rights Department within the Business, Consumer Services, and Housing Agency and requires the department to, among other things, bring civil actions to enforce the act. Current law requires, on or before September 1, 2024, the Department of Technology to conduct, in coordination with other interagency bodies as it deems appropriate, a comprehensive inventory of all high-risk automated decision systems that have been proposed for use, development, or procurement by, or are being used, developed, or procured by, any state agency. This bill would generally regulate the development and deployment of an automated decision system (ADS) used to make consequential decisions, as defined. The bill would define "automated decision system" to mean a computational process derived

from machine learning, statistical modeling, data analytics, or artificial intelligence that issues simplified output, including a score, classification, or recommendation, that is designed or used to assist or replace human discretionary decisionmaking and materially impacts natural persons. This bill would require a developer of a covered ADS, as defined, to take certain actions, including conduct impact assessments of the covered ADS and provide deployers to whom the developer transfers the covered ADS with certain information, including a high-level summary of the results of those impact assessments. (Based on 09/05/2025 text)

Location:	09/13/2025 - Senate 2 YEAR	**Current Text:**	09/05/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/09/25 S Floor Analyses (text 09/05/25)		

AB 1102 | **Boerner, D** | **HTML** | **PDF**

Sea level rise and groundwater rise: contaminated sites: report.

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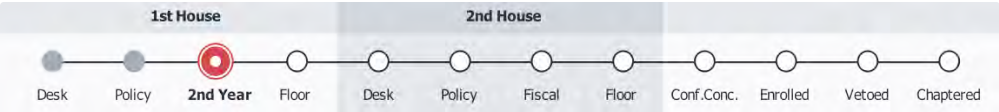

Tracking form

Position	Subject
	ACWD - ETS, ACWD - Water Resources

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)

Summary: The Department of Toxic Substances Control generally regulates the management and handling of hazardous substances, materials, and waste. The bill would require, on or before January 1, 2027, the department and the State Water Resources Control Board to submit a report to the Legislature that includes specified information, including information relating to all contaminated sites that are vulnerable to sea level rise and groundwater rise. (Based on 04/09/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	04/09/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	04/09/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 04/09/25)		

AB 1146 | **Papan, D** | **HTML** | **PDF**

Water infrastructure: dams and reservoirs: water release: false pretenses.

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Tracking form

Position	Subject
	ACWD - Emergency Response, ACWD - ETS

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: Would prohibit the release of stored water from a reservoir owned and operated by the United States in this state if the release is done under false pretenses, which the bill would define to mean a release of water from a reservoir owned and operated by the United States in a manner that is knowingly, designedly, and intentionally under any false or fraudulent representation as to the purpose and intended use of the water. The bill would authorize the State Water Resources Control Board or the Attorney General, as provided, to bring an action for injunctive relief for a violation of the above-described prohibition. By expanding the scope of a crime, the bill would impose a state-mandated local program. (Based on 06/23/2025 text)

Location:	08/29/2025 - Senate 2 YEAR	**Current Text:**	06/23/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	06/23/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 06/23/25)		

AB 1191 | **Tangipa, R** | **HTML** | **PDF**

California Renewables Portfolio Standard Program: hydroelectric generation.

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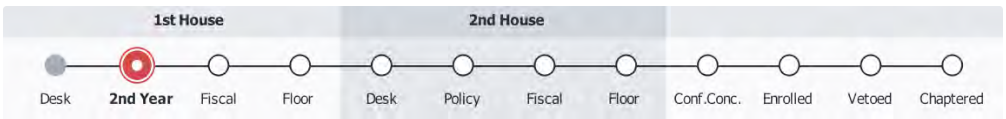

Tracking form

Position	Subject
	ACWD - ETS, ACWD - Operations

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was U. & E. on 3/10/2025)(May be acted upon Jan 2026)

Summary: Current law establishes the California Renewables Portfolio Standard Program, which requires the Public Utilities Commission to implement annual procurement targets for the procurement of eligible renewable energy resources, as defined, for all retail sellers, as defined, and requires local publicly owned electric utilities to adopt and implement renewable energy resources procurement plans to achieve the targets and goals of the program. Under current law, eligible renewable energy resources include small hydroelectric generation facilities of 30 megawatts or less that meet specified criteria. This

bill would revise the definition of an eligible renewable energy resource for the purposes of the California Renewables Portfolio Standard Program to include all hydroelectric generating facilities and would make conforming changes. (Based on 02/21/2025 text)

Location:	05/01/2025 - Assembly 2 YEAR	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/01/25 A Committee On Utilities And Energy (text 02/21/25)		

AB 1198 | **Haney, D** | **HTML** | **PDF**

Public works: prevailing wages.

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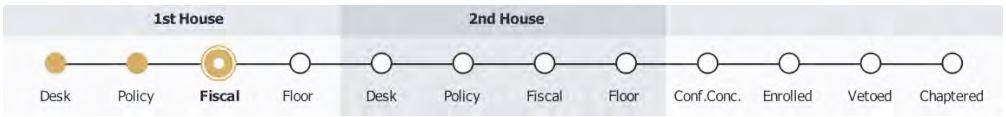

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - ETS, ACWD - Finance

Bill information

Status: 05/23/2025 - In committee: Hearing postponed by committee. (Set for hearing on 01/22/2026)

Calendar: ***01/22/26 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair***

Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law requires the body awarding a contract for a public work to obtain from the director the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed, and the general prevailing rate of per diem wages for holiday and overtime work, for each craft, classification, or type of worker needed to execute the contract. Under current law, if the director determines during any quarterly period that there has been a change in any prevailing rate of per diem wages in a locality, the director is required to make that change available to the awarding body and their determination is final. Under current law, that determination does not apply to public works contracts for which the notice to bidders has been published. This bill would instead state, commencing July 1, 2026, that if the director determines, within a semiannual period, that there is a change in any prevailing rate of per diem wages in a locality, that determination applies to any public works contract that is awarded or for which notice to bidders is published after July 1, 2026. The bill would authorize any contractor, awarding body, or specified representative affected by a change in rates on a particular contract to, within 20 days, file with the director a verified petition to review the determination of that rate, as specified. (Based on 02/21/2025 text)

Location:	01/09/2026 - Assembly APPR. SUSPENSE FILE	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		

Is Urgent:	N
Is Fiscal:	Y
Current Analysis:	04/21/25 A Appropriations (text 02/21/25)

AB 1405 | **Bauer-Kahan, D** | **HTML** | **PDF**

Artificial intelligence: auditors: enrollment.

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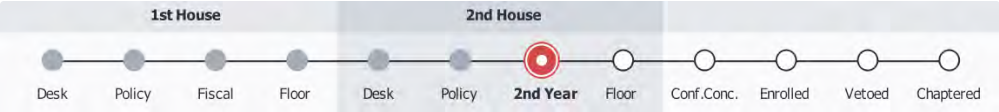

Tracking form

Position	Subject
	ACWD - ETS

Bill information

Status:	08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)
Summary:	Current law establishes the Department of Technology within the Government Operations Agency. Current law requires the department to conduct, in coordination with other interagency bodies as it deems appropriate, a comprehensive inventory of all high-risk automated decision systems that have been proposed for use, development, or procurement by, or are being used, developed, or procured by, any state agency. Current law defines “automated decision system” as a computational process derived from machine learning, statistical modeling, data analytics, or artificial intelligence that issues simplified output, including a score, classification, or recommendation, that is used to assist or replace human discretionary decisionmaking and materially impacts natural persons. Current law defines “artificial intelligence” as an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments. This bill would require the Government Operations Agency, by January 1, 2027, to establish a mechanism on the agency’s internet website allowing AI auditors to enroll with the agency and allowing natural persons to report misconduct by an enrolled AI auditor. The bill would require the agency, commencing January 1, 2027, to publish information provided by an enrolled AI auditor on the agency’s internet website, retain specified reports for as long as the auditor remains enrolled, plus 10 years, and share reports submitted by persons reporting misconduct with other state agencies as necessary for enforcement purposes. (Based on 07/09/2025 text)

Location:	08/29/2025 - Senate 2 YEAR	**Current Text:**	07/09/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	07/09/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 07/09/25)		

ACWD - Finance

AB 23 | DeMaio, R | HTML | PDF

The Cost of Living Reduction Act of 2025.

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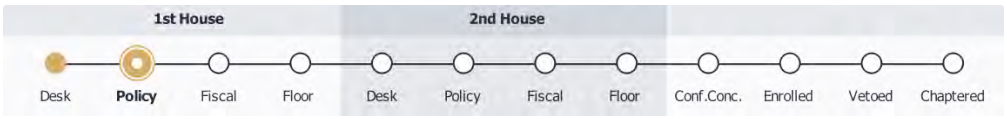

Tracking form

Position	Subject
	ACWD - Finance

Bill information

Status: 03/26/2025 - Re-referred to Com. on U. & E.

Summary: Current law vests the State Energy Resources Conservation and Development Commission (Energy Commission) with various responsibilities for developing and implementing the state's energy policies. This bill, the Cost of Living Reduction Act of 2025, would require the Energy Commission and the Public Utilities Commission to post, and update monthly, dashboards on their internet websites that include the difference in average gasoline prices and the average total price of electricity or natural gas in California compared to national averages, and any California-specific taxes, fees, regulations, and policies that directly or indirectly contribute to higher gasoline and electricity or natural gas prices within the state, as specified. The bill would require the Energy Commission and the PUC, on or before July 1, 2026, to each submit a report to the Legislature on the governmental and nongovernmental drivers of California's higher gasoline prices and higher electricity and natural gas prices, and recommendations for policy changes to reduce the costs associated with those drivers, as specified. If the average price of gasoline in California exceeds 10% of the national average in the preceding quarter, the bill would require all taxes and fees on gasoline, as specified, to be suspended for a period of 6 months, and, if the average price of electricity or natural gas in California exceeds 10% of the national average in the preceding quarter, the bill would require the PUC to suspend the collection of all fees, as specified, charged on electricity and natural gas bills for a period of 6 months. (Based on 03/25/2025 text)

Location:	03/24/2025 - Assembly Utilities and Energy	**Current Text:**	03/25/2025 - Amended
Introduced:	12/02/2024 (Spot bill)	**Last Amend:**	03/25/2025
Is Urgent:	N		
Is Fiscal:	Y		

AB 253 | Ward, D | HTML | PDF

California Residential Private Permitting Review Act: residential building permits.

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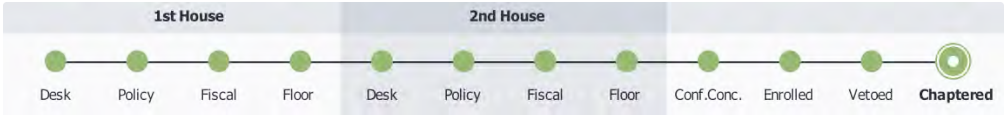

Tracking form

Position	Subject
	ACWD - ETS, ACWD - Finance

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 487, Statutes of 2025.

Summary: The State Housing Law establishes statewide construction and occupancy standards for buildings used for human habitation. Current law authorizes a county's or city's governing body to prescribe fees for permits, certificates, or other forms or documents required or authorized under the State Housing Law. This bill, the California Residential Private Permitting Review Act, would require a county or city to prepare a residential building permit fee schedule and post the schedule on the county's or city's internet website, if the county or city prescribes residential building permit fees. (Based on 10/10/2025 text)

Location: 10/10/2025 - Assembly CHAPTERED
Introduced: 01/15/2025
Is Urgent: Y
Is Fiscal: Y
Current Analysis: 09/12/25 A Floor Analysis (text 09/04/25)

Current Text: 10/10/2025 - Chaptered
Last Amend: 09/04/2025

AB 267 | **Macedo, R** | **HTML** | **PDF**

Greenhouse Gas Reduction Fund: high-speed rail: water infrastructure and wildfire prevention.

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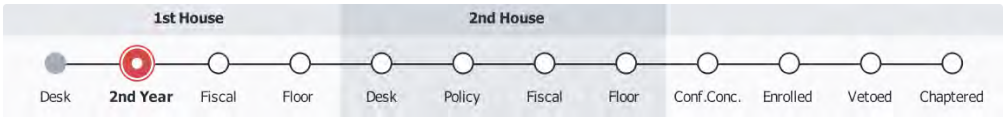

Tracking form

Position	Subject
	ACWD - Finance, ACWD - Water Resources

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/18/2025)(May be acted upon Jan 2026)

Summary: Would suspend the appropriation to the High-Speed Rail Authority for the 2026–27 and 2027–28 fiscal years and would instead require those amounts from moneys collected by the State Air Resources Board to be transferred to the General Fund. The bill would specify that the transferred amounts shall be available, upon appropriation by the Legislature, to augment funding for water infrastructure and wildfire prevention. (Based on 01/17/2025 text)

Location: 05/01/2025 - Assembly 2 YEAR
Introduced: 01/17/2025
Is Urgent: N
Is Fiscal: Y

Current Text: 01/17/2025 - Introduced

AB 269 | **Bennett, D** | **HTML** | **PDF**

Dam Safety and Climate Resilience Local Assistance Program.

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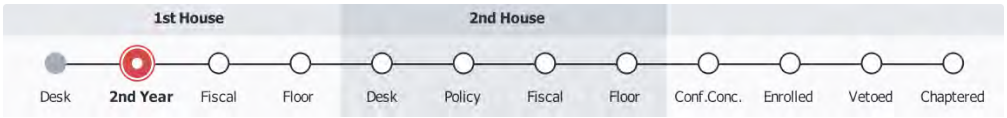

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Finance

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 2/10/2025)(May be acted upon Jan 2026)

Summary: Current law provides for the regulation and supervision of dams and reservoirs by the state, and requires the Department of Water Resources, under the police power of the state, to supervise the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property, as prescribed. Current law requires the department to, upon appropriation by the Legislature, develop and administer the Dam Safety and Climate Resilience Local Assistance Program to provide state funding for repairs, rehabilitation, enhancements, and other dam safety projects at existing state jurisdictional dams and associated facilities that were in service prior to January 1, 2023, subject to prescribed criteria. This bill would include the removal of project facilities as additional projects eligible to receive funding under the program. (Based on 01/17/2025 text)

Location: 05/01/2025 - Assembly 2 YEAR
Introduced: 01/17/2025
Is Urgent: N
Is Fiscal: Y
Current Analysis: 04/04/25 A Water, Parks And Wildlife (text 01/17/25)

Current Text: 01/17/2025 - Introduced

AB 351 | **McKinnor, D** | **HTML** | **PDF**

Campaign contributions: agency officers.

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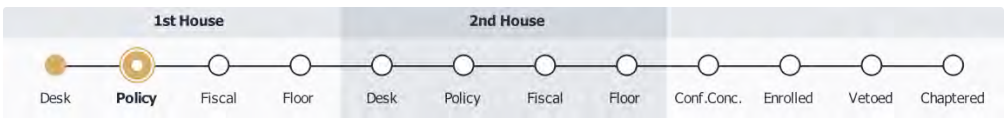

Tracking form

Position	Subject
	ACWD - Finance, ACWD - OGM

Bill information

Status: 04/30/2025 - In committee: Set, second hearing. Failed passage. Reconsideration granted.

Summary: The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than $500 from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, if the officer knows or has reason to know that the participant has a financial interest, as defined. The act also prohibits an officer of an agency from making, participating in making, or in any way attempting to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution of more than $500 within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent, if the officer knows or has reason to know that the participant has a financial interest in the decision, as defined. This bill would increase the contribution thresholds described above from $500 to $1500. (Based on 01/30/2025 text)

Location:	02/18/2025 - Assembly Elections	**Current Text:**	01/30/2025 - Introduced
Introduced:	01/30/2025		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/28/25 A Elections (text 01/30/25)		

AB 428 | **Rubio, Blanca, D** | **HTML** | **PDF**

Joint powers agreements: water corporations.

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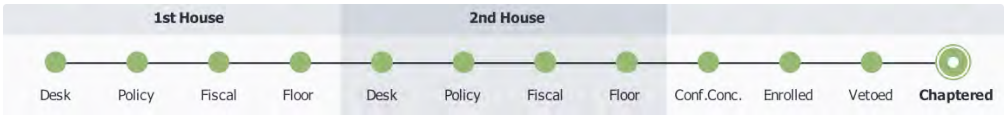

Tracking form

Position	Subject
	ACWD - Finance

Bill information

Status: 10/01/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 151, Statutes of 2025.

Summary: The Joint Exercise of Powers Act authorizes 2 or more public agencies, if authorized by their governing bodies, by agreement to jointly exercise any power common to the contracting parties. Current law authorizes 2 or more local public entities, or a mutual water company, as defined, and a public agency, to provide insurance, as specified, by a joint powers agreement. Current law authorizes a mutual water company and a public agency to enter into a joint powers agreement for the purposes of risk pooling, as specified. This bill would authorize a water corporation, as defined, a mutual water company, and one or more public agencies to provide insurance, as specified, by a joint powers agreement. The bill would also authorize a water corporation, a mutual water company, and one or more public agencies to enter into a joint powers agreement for the purposes of risk pooling, as specified. The bill would prohibit the Public Utilities Commission from allowing a water corporation to join a joint powers agency for insurance coverage if there are no greater benefits to the customers of the water corporation than

are provided by the water corporation's current insurance policy. (Based on 10/01/2025 text)

Location:	10/01/2025 - Assembly CHAPTERED	**Current Text:**	10/01/2025 - Chaptered
Introduced:	02/05/2025	**Last Amend:**	03/28/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/20/25 S Floor Analyses (text 03/28/25)		

AB 614 | **Lee, D** | HTML | PDF

Claims against public entities.

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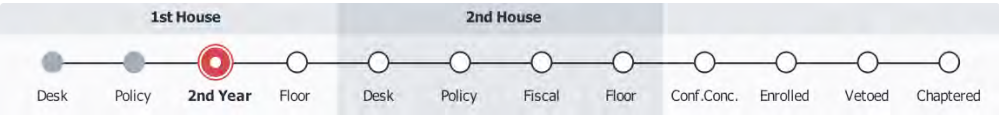

Tracking form

Position	Subject
	ACWD - Finance, ACWD - HR, ACWD - OGM

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/7/2025)(May be acted upon Jan 2026)

Summary: The Government Claims Act establishes the liability and immunity of a public entity for its acts or omissions that cause harm to persons and requires that a claim against a public entity relating to a cause of action for death or for injury to person, personal property, or growing crops be presented not later than 6 months after accrual of the cause of action. Under current law, claims relating to any other cause of action are required to be presented no later than one year after the accrual of the cause of action. This bill would remove the provisions requiring a claim against a public entity relating to a cause of action for death or for injury to person, personal property, or growing crops to be presented not later than 6 months after accrual of the cause of action and would instead require a claim relating to any cause of action to be presented not later than one year after accrual of the cause of action, unless otherwise specified by law. (Based on 03/27/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	03/27/2025 - Amended
Introduced:	02/13/2025	**Last Amend:**	03/27/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/05/25 A Appropriations (text 03/27/25)		

AB 889 | **Hadwick, R** | HTML | PDF

Prevailing wage: per diem wages.

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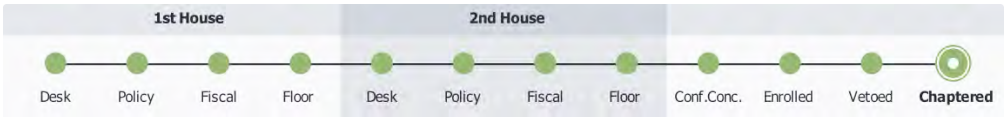

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Finance, ACWD - HR

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 626, Statutes of 2025.

Summary: Current law requires workers employed on public works to be paid not less than the general prevailing rate of per diem wages for work of a similar character in the locality that the public work is performed, as prescribed, unless an exception applies. Current law requires the Director of the Department of Industrial Relations to determine the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed. Under current law, per diem wages include certain employer payments made pursuant to a collective bargaining agreement or for a program or committee established under the federal Labor Management Cooperation Act of 1978, as specified. Current law provides that these payments are a credit against the obligation to pay the general prevailing rate of per diem wages. Current law requires the credit for employer payments to be computed on an annualized basis where the employer seeks credit for employer payments that are higher for public works projects than for private construction performed by the same employer, except under certain circumstances, including a determination by the director that annualization would not serve the purposes of the provisions relating to public works projects. This bill would remove that exception and revoke annualization exemptions authorized by the director prior to January 1, 2026. The bill would authorize an employer to take full credit for the hourly amounts contributed to defined contribution pension plans that provide for both immediate participation and essentially immediate vesting even if the employer contributes at a lower rate or does not make contributions to private construction. (Based on 10/11/2025 text)

Location:	10/11/2025 - Assembly CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/19/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/10/25 A Floor Analysis (text 09/05/25)		

AB 905 | **Pacheco, D** | **HTML** | **PDF**

State general obligation bonds: disclosure requirements.

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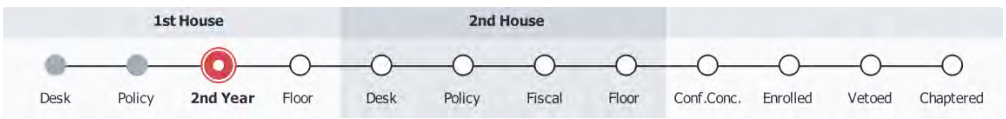

Tracking form

Position	Subject

	ACWD - Board/Gov, ACWD - Finance, ACWD - OGM

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)

Summary: The State General Obligation Bond Law generally sets forth the procedures for the issuance and sale of bonds governed by its provisions and for the disbursal of the proceeds of the sale of those bonds. Current law requires any state bond measure approved on or after January 1, 2004, to be subject to an annual reporting process, with the head of the lead state agency administering the bond proceeds reporting certain information about the projects being funded to the Legislature and the Department of Finance. Current law allows this information to be provided on the agency's internet website or the state's open data portal under certain circumstances. This bill would require a bond act for any state general obligation bond measure that is approved by voters on and after January 1, 2026, to include specified information about the objectives of the bond expenditure and related data. The bill would also require the head of the lead state agency administering the bond to post on its internet website a notification that contains, among other information, details about the programs and projects authorized to be funded by the bond. (Based on 03/28/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	03/28/2025 - Amended
Introduced:	02/19/2025	**Last Amend:**	03/28/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 03/28/25)		

AB 1198 | **Haney, D** | **HTML** | **PDF**

Public works: prevailing wages.

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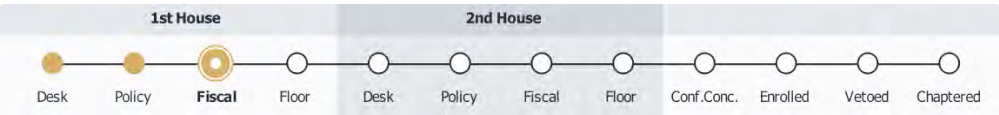

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - ETS, ACWD - Finance

Bill information

Status: 05/23/2025 - In committee: Hearing postponed by committee. (Set for hearing on 01/22/2026)

Calendar: ***01/22/26 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair***

Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law requires the body awarding a contract for a public work to obtain from the director the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed, and

the general prevailing rate of per diem wages for holiday and overtime work, for each craft, classification, or type of worker needed to execute the contract. Under current law, if the director determines during any quarterly period that there has been a change in any prevailing rate of per diem wages in a locality, the director is required to make that change available to the awarding body and their determination is final. Under current law, that determination does not apply to public works contracts for which the notice to bidders has been published. This bill would instead state, commencing July 1, 2026, that if the director determines, within a semiannual period, that there is a change in any prevailing rate of per diem wages in a locality, that determination applies to any public works contract that is awarded or for which notice to bidders is published after July 1, 2026. The bill would authorize any contractor, awarding body, or specified representative affected by a change in rates on a particular contract to, within 20 days, file with the director a verified petition to review the determination of that rate, as specified. (Based on 02/21/2025 text)

Location:	01/09/2026 - Assembly APPR. SUSPENSE FILE	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/21/25 A Appropriations (text 02/21/25)		

AB 1452 | **Ta, R** | **HTML** | **PDF**

State mandates: claims.

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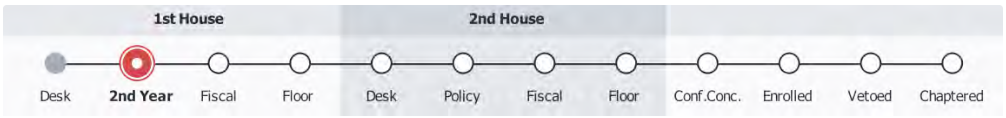

Tracking form

Position	Subject
	ACWD - Finance

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/13/2025)(May be acted upon Jan 2026)

Summary: The California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, requires the state to provide a subvention of funds to reimburse the local government, unless an exception applies. Statutory provisions that establish procedures for making that reimbursement include a requirement that no claim shall be made or paid unless it exceeds $1,000. This bill would change the minimum claim amount to $800. (Based on 02/21/2025 text)

Location:	05/01/2025 - Assembly 2 YEAR	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	Y		

ACA 1 | Valencia, D | HTML | PDF

Public finance.

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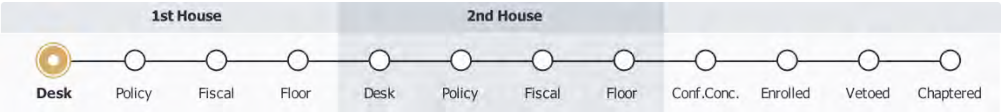

Tracking form

Position	Subject
	ACWD - Finance

Bill information

Status: 01/29/2025 - Introduced measure version corrected.

Summary: The California Constitution prohibits the total annual appropriations subject to limitation of the State and of each local government from exceeding the appropriations limit of the entity of government for the prior year adjusted for the change in the cost of living and the change in population. The California Constitution defines “appropriations subject to limitation” of the State for these purposes. This measure would change the 1.5% required transfer to an undetermined percentage of the estimated amount of General Fund revenues for that fiscal year. The measure would change the 10% limit on the balance in the Budget Stabilization Account to 20% of the amount of the General Fund proceeds of taxes for the fiscal year estimate, as specified. The measure would specify that funds transferred under these provisions to the Budget Stabilization Account do not constitute appropriations subject to the above-described annual appropriations limit. (Based on 12/02/2024 text)

Location: 12/02/2024 - Assembly PRINT
Introduced: 12/02/2024
Is Urgent: N
Is Fiscal: Y

Current Text: 12/02/2024 - Introduced

SB 74 | Seyarto, R | HTML | PDF

Office of Land Use and Climate Innovation: Infrastructure Gap-Fund Program.

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Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Finance

Bill information

Status: 08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 7/2/2025)(May be acted upon Jan 2026)

Summary: Current law establishes the Office of Land Use and Climate Innovation in the Governor’s office for the purpose of serving the Governor and the Governor’s cabinet as staff for long-

range planning and research and constituting the comprehensive state planning agency. Current law authorizes a local agency to finance infrastructure projects through various means, including by authorizing a city or county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. This bill would require the office, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to local agencies for the development and construction of infrastructure projects, as defined, facing unforeseen costs after starting construction. The bill would authorize the office to provide funding for up to 20% of a project's additional projected cost, as defined, after the project has started construction, subject to specified conditions, including, among other things, that the local agency has allocated existing local tax revenue for at least 45% of the initially budgeted total cost of the infrastructure project. When applying to the program, the bill would require the local agency to demonstrate challenges with completing the project on time and on budget and how the infrastructure project helps meet state and local goals, as specified. (Based on 04/07/2025 text)

Location:	08/28/2025 - Assembly 2 YEAR	**Current Text:**	04/07/2025 - Amended
Introduced:	01/15/2025	**Last Amend:**	04/07/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	06/30/25 A Appropriations (text 04/07/25)		

SB 90 | Seyarto, R | HTML | PDF

Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: grants: improvements to public evacuation routes: mobile rigid water storage: electrical generators.

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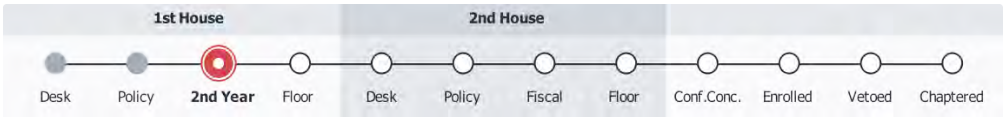

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Emergency Response, ACWD - Finance

Bill information

Status:	05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2025)(May be acted upon Jan 2026)
Summary:	The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, approved by the voters as Proposition 4 at the November 5, 2024, statewide general election, authorized the issuance of bonds in the amount of $10,000,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs. The act makes $135,000,000 available, upon appropriation by the Legislature, to the Office of Emergency Services for a wildfire mitigation grant program to provide, among other things, loans, direct assistance, and matching funds for projects that prevent wildfires, increase resilience, maintain existing

wildfire risk reduction projects, reduce the risk of wildfires to communities, or increase home or community hardening. The act provides that eligible projects include, but are not limited to, grants to local agencies, state agencies, joint powers authorities, tribes, resource conservation districts, fire safe councils, and nonprofit organizations for structure hardening of critical community infrastructure, wildfire smoke mitigation, evacuation centers, including community clean air centers, structure hardening projects that reduce the risk of wildfire for entire neighborhoods and communities, water delivery system improvements for fire suppression purposes for communities in very high or high fire hazard areas, wildfire buffers, and incentives to remove structures that significantly increase hazard risk. This bill would include in the list of eligible projects grants to the above-mentioned entities for improvements to public evacuation routes in very high and high fire hazard severity zones, mobile rigid dip tanks, as defined, to support firefighting efforts, prepositioned mobile rigid water storage, as defined, and improvements to the response and effectiveness of fire engines and helicopters. (Based on 03/12/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	03/12/2025 - Amended
Introduced:	01/22/2025	**Last Amend:**	03/12/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/02/25 S Appropriations (text 03/12/25)		

SB 473 | Padilla, D | HTML | PDF

Water corporations: demand elasticity: rates and surcharges.

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Tracking form

Position	Subject
	ACWD - Finance

Bill information

Status: 08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/20/2025)(May be acted upon Jan 2026)

Summary: The California Constitution and the Public Utilities Act vest the Public Utilities Commission with regulatory authority over electrical corporations and water corporations. The act requires the commission to ensure that errors in estimates of demand elasticity or sales do not result in material overcollections or undercollections of electrical corporations. This bill would additionally require the commission to ensure that those errors do not result in material overcollections or undercollections of water corporations. (Based on 04/10/2025 text)

Location:	08/28/2025 - Assembly 2 YEAR	**Current Text:**	04/10/2025 - Amended
Introduced:	02/19/2025	**Last Amend:**	04/10/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/18/25 A Appropriations (text 04/10/25)		

SB 556 | **Hurtado, D** | **HTML** | **PDF**

Habitat enhancement and restoration: floodplains.

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Tracking form

Position	Subject
	ACWD - Finance, ACWD - Water Resources

Bill information

Status: 08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/20/2025)(May be acted upon Jan 2026)

Summary: Current law, the Wildlife Conservation Board within the Department of Fish and Wildlife administers various habitat conservation and restoration programs. This bill would require, upon appropriation by the Legislature, the sum of $21,500,000 to be allocated to the board for floodplain acquisition, habitat restoration, and associated conservation projects on floodplains in the Counties of Kern, Kings, and Tulare, as provided. (Based on 07/17/2025 text)

Location:	08/28/2025 - Assembly 2 YEAR	**Current Text:**	07/17/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	07/17/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/18/25 A Appropriations (text 07/17/25)		

SB 595 | **Choi, R** | **HTML** | **PDF**

Local government: investments and financial reports.

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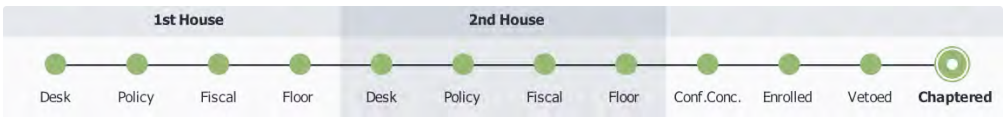

Tracking form

Position	Subject
	ACWD - Finance

Bill information

Status: 10/03/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 323, Statutes of 2025.

Summary: Current law regulates the investment of public funds by local agencies, as defined. Current law authorizes the legislative body of a local agency, as specified, that has money in a sinking fund or in its treasury not required for the immediate needs of the local agency to invest the money as it deems wise or expedient in certain securities and financial

instruments, subject to various requirements. These permissible investments include commercial paper of “prime” quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical rating organization that is issued by entities meeting certain criteria, if the eligible commercial paper has a maximum maturity of 270 days or less. This bill would revise the maximum maturity periods for the investments in prime quality commercial paper to 397 days. (Based on 10/03/2025 text)

Location:	10/03/2025 - Senate CHAPTERED	**Current Text:**	10/03/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	09/03/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/08/25 S Floor Analyses (text 09/03/25)		

ACWD - HR

AB 288 | McKinnor, D | HTML | PDF

Employment: labor organization and unfair practices.

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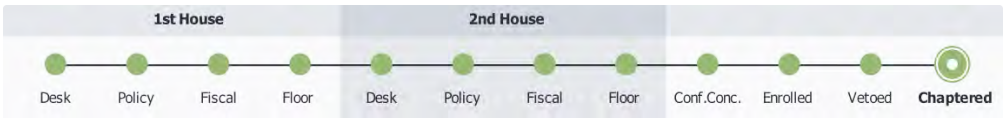

Tracking form

Position	Subject
	ACWD - HR

Bill information

Status: 09/30/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 139, Statutes of 2025.

Summary: Current law declares the public policy of the state regarding labor organization, including, among other things, that it is necessary for a worker to have full freedom of association, self-organization, and designation of representatives of their own choosing, to negotiate the terms and conditions of their employment, and to be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection. Current law establishes the Public Employment Relations Board (PERB) in state government as a means of resolving disputes and enforcing the statutory duties and rights of specified public employers and employees under various acts regulating collective bargaining. Under existing law, PERB has the power and duty to investigate an unfair practice charge and to determine whether the charge is justified and the appropriate remedy for the unfair practice. The federal National Labor Relations Act (NLRA) establishes a comprehensive statutory scheme regulating unfair labor practices on the part of employers and labor organizations in industries affecting interstate commerce, and vests in the National Labor Relations Board (NLRB) the power to conduct elections to determine employee representatives and to prevent unfair labor practices affecting commerce. The California Public Records Act requires that public records, as defined, be available to the public for inspection and made

promptly available to any person. This bill would expand PERB's jurisdiction by authorizing a worker, under specified circumstances, to petition PERB to protect and enforce prescribed rights, including, among other circumstances, if the worker is employed in a position subject to the NLRA but the NLRB expressly or impliedly cedes jurisdiction, as specified. The bill would authorize PERB to, among other things, decide unfair labor practice cases, as specified, pursuant to a specified timeline and order all appropriate relief for a violation, including civil penalties, as prescribed. In order to pursue relief from PERB, the bill would require a covered worker or their representative to file an unfair practice charge or petition that includes specified information, including, where applicable, the original charge or petition filed with the NLRB. The bill would require PERB to hold the supporting documentation and evidence confidential and maintain it as part of its investigatory file and would exempt this documentation and evidence from the California Public Records Act. (Based on 09/30/2025 text)

Location:	09/30/2025 - Assembly CHAPTERED	**Current Text:**	09/30/2025 - Chaptered
Introduced:	01/22/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/10/25 A Floor Analysis (text 09/05/25)		

AB 339 | Ortega, D | HTML | PDF

Local public employee organizations: notice requirements.

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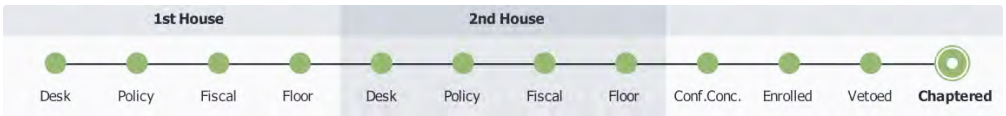

Tracking form

Position	Subject
	ACWD - HR, ACWD - Operations, Enc - Engineering

Bill information

Status: 10/13/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 687, Statutes of 2025.

Summary: The Meyers-Milias-Brown Act contains various provisions that govern collective bargaining of local represented employees and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. Current law requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Current law requires the governing body of a public agency, and boards and commissions designated by law or by the governing body, to give reasonable written notice, except in cases of emergency, as specified, to each recognized employee organization affected of any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation proposed to be adopted by the governing body or the designated boards and commissions. This bill would require the governing body of a public agency, and boards and commissions designated by law or by the governing body of a public agency, to give the recognized employee organization no less than 45 days' written notice before issuing a request for proposals, request for quotes, or renewing or extending an existing

contract to perform services that are within the scope of work of the job classifications represented by the recognized employee organization, subject to certain exceptions. The bill would require the notice to include specified information, including the anticipated duration of the contract. (Based on 10/13/2025 text)

Location:	10/13/2025 - Assembly CHAPTERED	**Current Text:**	10/13/2025 - Chaptered
Introduced:	01/28/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/04/25 A Floor Analysis (text 08/29/25)		

AB 340 | **Ahrens, D** | **HTML** | **PDF**

Employer-employee relations: confidential communications.

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Tracking form

Position	Subject
	ACWD - HR

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: Current law that governs the labor relations of public employees and employers, including, among others, the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions relating to public schools, and provisions relating to higher education, prohibits employers from taking certain actions relating to employee organization, including imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. Those provisions of current law further prohibit denying to employee organizations the rights guaranteed to them by current law. This bill would prohibit a public employer from questioning a public employee, a representative of a recognized employee organization, or an exclusive representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation. (Based on 03/05/2025 text)

Location:	08/29/2025 - Senate 2 YEAR	**Current Text:**	03/05/2025 - Amended
Introduced:	01/28/2025	**Last Amend:**	03/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 03/05/25)		

AB 426 | **Dixon, R** | **HTML** | **PDF**

Impeding emergency response with drone.

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Tracking form

Position	Subject
	ACWD - Emergency Response, ACWD - HR, ACWD - Operations

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: Current law excuses a local public entity or public employee from liability for damage to an unmanned aircraft or unmanned aircraft system, if the damage was caused while the local public entity or public employee of a local public entity was providing, and the unmanned aircraft or unmanned aircraft system was interfering with, the operation, support, or enabling of any emergency service, as specified. Current law imposes liability for physical invasion of privacy on a person if the person knowingly enters onto the land or into the airspace above the land of another person without permission or otherwise commits a trespass in order to capture any image or recording of the other person engaging in a private activity and the invasion occurs in a manner that is offensive to a reasonable person. This bill would prohibit a person from operating or using an unmanned aerial vehicle, remote piloted aircraft, or drone at the scene of an emergency and thereby impeding firefighters, peace officers, medical personnel, military personnel, or other emergency personnel in the performance of their fire suppression, law enforcement, or emergency response duties, unless the person has a federal operational waiver, as specified. The bill would authorize the Attorney General or a county counsel or city attorney to bring civil action to enforce the prohibition and authorize a prevailing plaintiff to recover civil penalties, injunctive relief, or reasonable attorney's fees and costs, as specified. (Based on 04/02/2025 text)

Location:	08/29/2025 - Senate 2 YEAR	**Current Text:**	04/02/2025 - Amended
Introduced:	02/05/2025	**Last Amend:**	04/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 04/02/25)		

AB 596 | **Ortega, D** | **HTML** | **PDF**

Elections: ballot disclosures.

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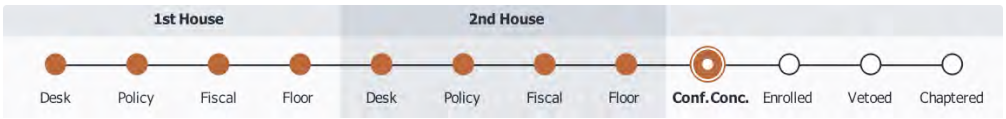

Tracking form

Position	Subject

	ACWD - HR

Bill information

Status: 09/13/2025 - In Assembly. Concurrence in Senate amendments pending. Joint Rules 61(a)(14) and 51(a)(4) suspended. (Ayes 59. Noes 20. Page 3413.) Assembly Rule 63 suspended. (Page 3477.) Assembly refused to concur in Senate amendments. (Ayes 37. Noes 22. Page 3513.) Motion to reconsider made by Assembly Member Ortega.(Set for Hearing on 1/5/2025)

Calendar: ***01/12/26 #81 A-MOTION TO RECONSIDER***

Summary: Under current law, the ballot label for a statewide measure contains a condensed version of the ballot title and summary prepared by the Attorney General, including a fiscal impact summary prepared by the Legislative Analyst, followed by a listing of the names of the measure's supporters and opponents. Current law requires the Secretary of State to create an internet website or to use other available technology to consolidate information about each state ballot measure, including a list of the top 10 contributors supporting or opposing a measure, if compiled by the Fair Political Practices Commission. This bill would require the 3 largest contributors of $100,000 or more to all committees that paid for the circulation of a statewide initiative or statewide referendum measure to also be printed on the ballot immediately following the names of the measure's supporters and opponents. The Secretary of State would be required to make a copy of the top contributors available for public examination prior to printing that information on ballots, and voters would be authorized to seek a writ of mandate requiring the identified contributors to be amended or deleted. The bill would specify words and phrases that may be left out of a top contributor's name in order to shorten the name when printed on the ballot. (Based on 09/09/2025 text)

Location:	09/13/2025 - Assembly CONCURRENCE	**Current Text:**	09/09/2025 - Amended
Introduced:	02/13/2025	**Last Amend:**	09/09/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/13/25 A Floor Analysis (text 09/09/25)		

AB 614 | **Lee, D** | **HTML** | **PDF**

Claims against public entities.

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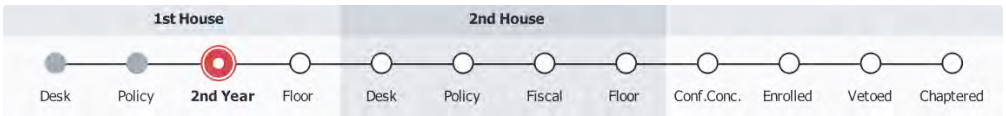

Tracking form

Position	Subject
	ACWD - Finance, ACWD - HR, ACWD - OGM

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/7/2025)(May be acted upon Jan 2026)

Summary: The Government Claims Act establishes the liability and immunity of a public entity for its acts or omissions that cause harm to persons and requires that a claim against a public

entity relating to a cause of action for death or for injury to person, personal property, or growing crops be presented not later than 6 months after accrual of the cause of action. Under current law, claims relating to any other cause of action are required to be presented no later than one year after the accrual of the cause of action. This bill would remove the provisions requiring a claim against a public entity relating to a cause of action for death or for injury to person, personal property, or growing crops to be presented not later than 6 months after accrual of the cause of action and would instead require a claim relating to any cause of action to be presented not later than one year after accrual of the cause of action, unless otherwise specified by law. (Based on 03/27/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	03/27/2025 - Amended
Introduced:	02/13/2025	**Last Amend:**	03/27/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/05/25 A Appropriations (text 03/27/25)		

AB 672 | **Caloza, D** | **HTML** | **PDF**

Public employment: notifications and right of intervention.

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Tracking form

Position	Subject
	ACWD - HR

Bill information

Status: 09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 8/25/2025)(May be acted upon Jan 2026)

Summary: Current law establishes the Public Employment Relations Board (PERB) in state government as a means of resolving disputes and enforcing the statutory duties and rights of specified public employers and employees under various acts regulating collective bargaining. Under current law, PERB has the power and duty to investigate an unfair practice charge and to determine whether the charge is justified and the appropriate remedy for the unfair practice. This bill would require a plaintiff or petitioner filing a civil action seeking injunctive relief against a strike, work stoppage, or other labor action by public employees whose labor relations are regulated by PERB, if PERB is not a party to the action, to serve a copy of the petition or complaint by electronic mail on the general counsel of PERB, in accordance with certain procedures. The bill would also require a plaintiff or petitioner that intends to apply to a superior court for a temporary restraining order to enjoin a strike, work stoppage, or other labor action by public employees whose labor relations are regulated by PERB, if PERB is not a party to the action, to give notice by electronic mail to the general counsel of PERB of the application when the plaintiff or petitioner provides that notice to the defendant or respondent. The bill would specify that the above-described provisions do not authorize a plaintiff or petitioner to seek relief in court without first exhausting administrative remedies before PERB when exhaustion is required by statute, regulation, or case law. (Based on 06/18/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	06/18/2025 - Amended

Introduced:	02/14/2025	**Last Amend:**	06/18/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/20/25 S Floor Analyses (text 06/18/25)		

AB 889 | **Hadwick, R** | **HTML** | **PDF**

Prevailing wage: per diem wages.

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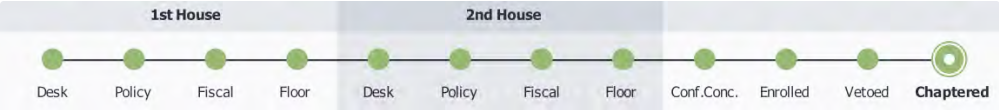

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Finance, ACWD - HR

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 626, Statutes of 2025.

Summary: Current law requires workers employed on public works to be paid not less than the general prevailing rate of per diem wages for work of a similar character in the locality that the public work is performed, as prescribed, unless an exception applies. Current law requires the Director of the Department of Industrial Relations to determine the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed. Under current law, per diem wages include certain employer payments made pursuant to a collective bargaining agreement or for a program or committee established under the federal Labor Management Cooperation Act of 1978, as specified. Current law provides that these payments are a credit against the obligation to pay the general prevailing rate of per diem wages. Current law requires the credit for employer payments to be computed on an annualized basis where the employer seeks credit for employer payments that are higher for public works projects than for private construction performed by the same employer, except under certain circumstances, including a determination by the director that annualization would not serve the purposes of the provisions relating to public works projects. This bill would remove that exception and revoke annualization exemptions authorized by the director prior to January 1, 2026. The bill would authorize an employer to take full credit for the hourly amounts contributed to defined contribution pension plans that provide for both immediate participation and essentially immediate vesting even if the employer contributes at a lower rate or does not make contributions to private construction. (Based on 10/11/2025 text)

Location:	10/11/2025 - Assembly CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/19/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/10/25 A Floor Analysis (text 09/05/25)		

AB 1109 | **Kalra, D** | **HTML** | **PDF**

Evidentiary privileges: union agent-represented worker privilege.

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Tracking form

Position	Subject
	ACWD - HR

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 7/14/2025)(May be acted upon Jan 2026)

Summary: Current law governs the admissibility of evidence in court proceedings and generally provides a privilege as to communications made in the course of certain relations, including the attorney-client, physician-patient, and psychotherapist-patient relationship, as specified. Under current law, the right of any person to claim those evidentiary privileges is waived with respect to a communication protected by the privilege if any holder of the privilege, without coercion, has disclosed a significant part of the communication or has consented to a disclosure. This bill would establish a privilege between a union agent, as defined, and a represented employee or represented former employee to refuse to disclose any confidential communication between the employee or former employee and the union agent made while the union agent was acting in the union agent's representative capacity, except as specified. The bill would permit a represented employee or represented former employee to prevent another person from disclosing a privileged communication, except as specified. (Based on 02/20/2025 text)

Location: 08/29/2025 - Senate 2 YEAR
Introduced: 02/20/2025
Is Urgent: N
Is Fiscal: N
Current Analysis: 07/11/25 S Appropriations (text 02/20/25)

Current Text: 02/20/2025 - Introduced

AB 1383 | **McKinnor, D** | **HTML** | **PDF**

Public employees' retirement benefits.

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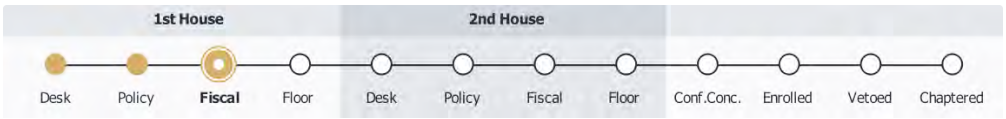

Tracking form

Position	Subject
	ACWD - HR

Bill information

Status: 05/23/2025 - Coauthors revised. In committee: Hearing postponed by committee. (Set for hearing on 01/22/2026)

Calendar: *01/22/26 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair*

Summary: Current law creates the Public Employees' Retirement Fund, which is continuously appropriated for purposes of the Public Employees' Retirement System (PERS), including depositing employer and employee contributions. Under the California Constitution, assets of a public pension or retirement system are trust funds. The California Public Employees' Pension Reform Act of 2013 (PEPRA) establishes a variety of requirements and restrictions on public employers offering defined benefit pension plans. In this regard, PEPRA restricts the amount of compensation that may be applied for purposes of calculating a defined pension benefit for a new member, as defined, by restricting it to specified percentages of the contribution and benefit base under a specified federal law with respect to old age, survivors, and disability insurance benefits. This bill, on and after January 1, 2026, would require a retirement system to adjust pensionable compensation limits to be consistent with a defined benefit limitation established and annually adjusted under federal law with respect to tax exempt qualified trusts. (Based on 04/11/2025 text)

Location:	01/09/2026 - Assembly APPR. SUSPENSE FILE	**Current Text:**	04/11/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	04/11/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 04/11/25)		

SB 7 | **McNerney, D** | **HTML** | **PDF**

Employment: automated decision systems.

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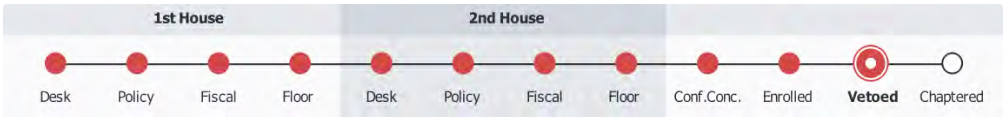

Tracking form

Position	Subject
	ACWD - HR

Bill information

Status: 10/13/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: *01/12/26 #22 S-GOVERNOR'S VETOES*

Summary: Existing law requires the Department of Technology to conduct, in coordination with other interagency bodies as it deems appropriate, a comprehensive inventory of all high-risk automated decision systems (ADS) that have been proposed for use, development, or procurement by, or are being used, developed, or procured by, any state agency. This bill would require an employer to provide a written notice that an ADS, for the purpose of making employment-related decisions, not including hiring, is in use at the workplace to all workers that will foreseeably be directly affected by the ADS, as specified. The bill would require the employer to maintain an updated list of all ADS currently in use. The bill would require an employer to notify, as provided, a job applicant that the employer utilizes an ADS when making hiring decisions, if the employer will use the ADS in making decisions

for that position. The bill would prohibit an employer from using an ADS that does certain functions and would limit the purposes and manner in which an ADS may be used to make decisions. The bill would authorize a worker to request, and require an employer to provide, a copy of the most recent 12 months of the worker's own data primarily used by an ADS to make a discipline, termination, or deactivation decision, as specified. The bill would require an employer that primarily relied on an ADS to make a discipline, termination, or deactivation decision to provide the affected worker with a written notice, as specified. This bill contains other related provisions and other existing laws. (Based on 09/17/2025 text)

Location:	10/13/2025 - Senate VETOED	**Current Text:**	10/13/2025 - Vetoed
Introduced:	12/02/2024 (Spot bill)	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/20/25 S Floor Analyses (text 09/17/25)		

SB 317 | Hurtado, D | HTML | PDF

Wastewater surveillance.

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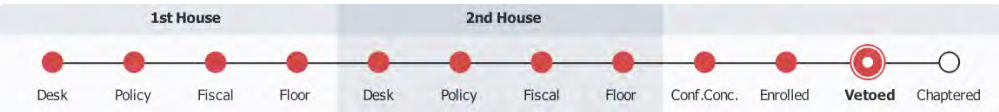

Tracking form

Position	Subject
	ACWD - HR

Bill information

Status:	10/06/2025 - Vetoed by Governor. Consideration of Governor's veto pending.
Calendar:	***01/12/26 #14 S-GOVERNOR'S VETOES***
Summary:	Current law establishes the State Department of Public Health to implement various programs throughout the state relating to public health. The department administers the California Wastewater Surveillance Dashboard that provides an overview of data from testing wastewater for SARS-CoV-2 virus in California. The data in the dashboard is generated by those participating in the department's California Surveillance of Wastewaters (Cal-SuWers) network, including the Cal-SuWers program, WastewaterSCAN, the federal Centers for Disease Control and Prevention National Wastewater Surveillance System, wastewater utilities, and academic, laboratory, and other state and federal partners. This bill would require the department, in consultation with participating wastewater treatment facilities, local health departments, and other subject matter experts, to maintain the Cal-SuWers network to test, as appropriate for public health use, for pathogens, toxins, or other public health indicators in wastewater. The bill would require participation in the Cal-SuWers network from local health departments and wastewater treatment facilities to be voluntary. The bill would authorize the department to coordinate with health care providers, local health departments, and emergency response agencies to ensure wastewater surveillance data is used for early intervention, outbreak response, epidemiological investigations, and public health planning. (Based on 09/13/2025 text)

Location:	10/06/2025 - Senate VETOED	**Current Text:**	10/06/2025 - Vetoed

Introduced:	02/11/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/09/25 S Floor Analyses (text 09/13/25)		

SB 430 | **Cabaldon, D** | HTML | PDF

Local agencies: automated decision systems.

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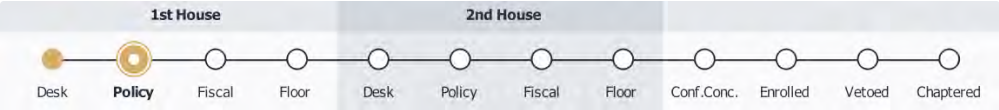

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - HR, ACWD - OGM

Bill information

Status: 01/08/2026 - January 13 set for first hearing canceled at the request of author.

Summary: Current law establishes the Government Operations Agency (GovOps), and establishes within the agency the Department of Technology. Current law requires the Department of Technology to conduct, in coordination with other interagency bodies as it deems appropriate, a comprehensive inventory of all high-risk automated decision systems that have been proposed for use, development, or procurement by, or are being used, developed, or procured by, any state agency. Current law defines, for these purposes, an "automated decision system" as, among other things, a computational process that is used to assist or replace human discretionary decisionmaking and materially impacts natural persons. Current law authorizes local agencies, including cities and counties, to provide welfare, employment, and other public social services. Current law also authorizes the legislative body of any county or city, pursuant to specified procedures, to adopt ordinances that, among other things, regulate the use of buildings, structures, and land as between industry, business, residences, open space, and other purposes. This bill would impose certain restrictions on the use of an automated decision system by a local agency to confer supportive services, permits, or licenses, as specified. Among those restrictions, the bill would include a prohibition on using an output from the system as the sole basis for an adverse eligibility or benefit determination affecting a natural person, except as specified. The bill would require the local agency to verify the accuracy of the system's outputs and to promote nondiscrimination in its use, as specified. The bill would require the local agency's governing board to provide audits or other quality control review of the outputs, as specified, to assure acceptable accuracy. (Based on 01/05/2026 text)

Location:	01/05/2026 - Senate Judiciary	**Current Text:**	01/05/2026 - Amended
Introduced:	02/18/2025 (Spot bill)	**Last Amend:**	01/05/2026
Is Urgent:	N		
Is Fiscal:	Y		

SB 464 | **Smallwood-Cuevas, D** | HTML | PDF

Employer pay data.

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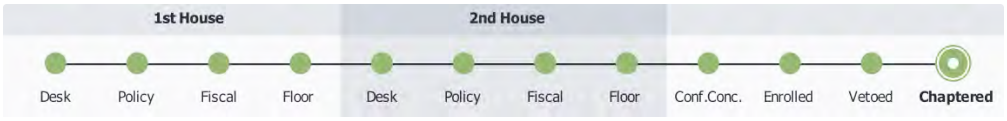

Tracking form

Position	Subject
	ACWD - HR

Bill information

Status: 10/13/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 760, Statutes of 2025.

Summary: Existing law establishes the Civil Rights Department within the Business, Consumer Services, and Housing Agency to enforce civil rights laws with respect to housing and employment and to protect and safeguard the right of all persons to obtain and hold employment without discrimination based on specified characteristics or status. This bill would require an employer to collect and store any demographic information gathered by an employer or labor contractor for the purpose of submitting the pay data report separately from employees' personnel records, and, beginning January 1, 2027, increase the number of job categories, as specified above, to 23. This bill contains other related provisions and other existing laws. (Based on 10/13/2025 text)

Location:	10/13/2025 - Senate CHAPTERED	**Current Text:**	10/13/2025 - Chaptered
Introduced:	02/19/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/09/25 S Floor Analyses (text 09/05/25)		

SB 513 | **Durazo, D** | **HTML** | **PDF**

Personnel records.

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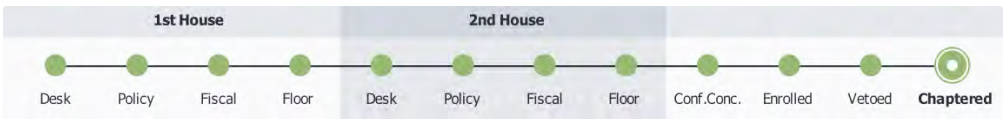

Tracking form

Position	Subject
	ACWD - HR

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 654, Statutes of 2025.

Summary: Current law grants current and former employees, or their representative, the right to inspect and receive a copy of personnel records maintained by the employer relating to the employee's performance or to any grievance concerning the employee. Current law requires the employer to make the contents of those personnel records available for

inspection, as specified, and makes it a crime for an employer to violate these requirements. This bill would provide that personnel records relating to the employee's performance include education and training records and would require an employer who maintains education and training records to ensure those records include specified information. (Based on 10/11/2025 text)

Location:	10/11/2025 - Senate CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/19/2025	**Last Amend:**	05/06/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/22/25 A Floor Analysis (text 05/06/25)		

SB 693 | Cortese, D | HTML | PDF

Employees: meal periods.

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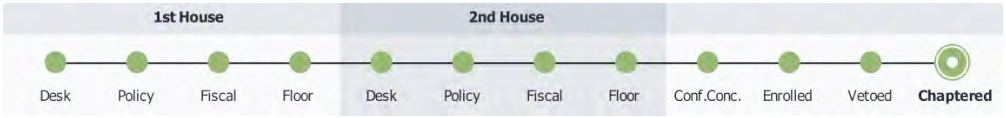

Tracking form

Position	Subject
	ACWD - HR

Bill information

Status: 07/30/2025 - Chaptered by Secretary of State - Chapter 95, Statutes of 2025

Summary: Current law generally prohibits an employer from employing an employee for a work period of more than 5 hours per day without providing the employee with a meal period of not less than 30 minutes. Current law creates exceptions from this prohibition for employees in specified occupations, including employees of an electrical corporation, a gas corporation, or a local publicly owned electric utility covered by a valid collective bargaining agreement meeting certain conditions. Current law charges the Labor Commissioner with enforcement of these provisions. This bill would also create an exception from the above-described prohibition for employees of a water corporation, as defined. (Based on 07/30/2025 text)

Location:	07/30/2025 - Senate CHAPTERED	**Current Text:**	07/30/2025 - Chaptered
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	07/07/25 A Appropriations (text 02/21/25)		

ACWD - OGM

AB 293 | Bennett, D | HTML | PDF

Groundwater sustainability agency: transparency.

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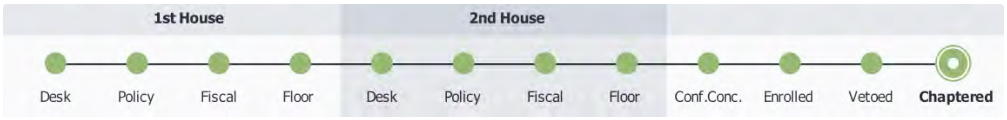

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - OGM, ACWD - Water Resources

Bill information

Status: 10/06/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 359, Statutes of 2025.

Summary: Current law requires a groundwater sustainability plan to be developed and implemented for each medium- or high-priority basin by a groundwater sustainability agency. Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin, as provided. Current law requires members of the board of directors and the executive, as defined, of a groundwater sustainability agency to file statements of economic interests with the Fair Political Practices Commission using the commission's online system for filing statements of economic interests. This bill would require each groundwater sustainability agency to publish the membership of its board of directors on its internet website, or on the local agency's internet website, as provided. The bill would also require each groundwater sustainability agency to publish a link on its internet website or its local agency's internet website to the location on the Fair Political Practices Commission's internet website where the statements of economic interests, filed by the members of the board and executives of the agency, can be viewed. (Based on 10/06/2025 text)

Location:	10/06/2025 - Assembly CHAPTERED	**Current Text:**	10/06/2025 - Chaptered
Introduced:	01/22/2025		
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	06/11/25 S Floor Analyses (text 01/22/25)		

AB 351 | **McKinnor, D** | **HTML** | **PDF**

Campaign contributions: agency officers.

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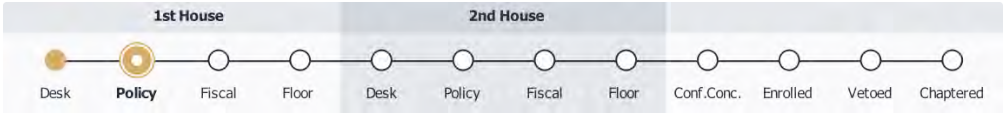

Tracking form

Position	Subject
	ACWD - Finance, ACWD - OGM

Bill information

Status: 04/30/2025 - In committee: Set, second hearing. Failed passage. Reconsideration granted.

Summary: The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than $500 from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, if the officer knows or has reason to know that the participant has a financial interest, as defined. The act also prohibits an officer of an agency from making, participating in making, or in any way attempting to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution of more than $500 within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent, if the officer knows or has reason to know that the participant has a financial interest in the decision, as defined. This bill would increase the contribution thresholds described above from $500 to $1500. (Based on 01/30/2025 text)

Location: 02/18/2025 - Assembly Elections

Introduced: 01/30/2025

Is Urgent: N

Is Fiscal: Y

Current Analysis: 04/28/25 A Elections (text 01/30/25)

Current Text: 01/30/2025 - Introduced

AB 359 | Ramos, D | HTML | PDF

Fair Political Practices Commission.

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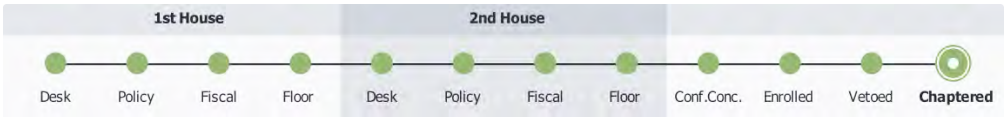

Tracking form

Position	Subject
	ACWD - OGM

Bill information

Status: 10/03/2025 - Chaptered by Secretary of State - Chapter 257, Statutes of 2025

Summary: The Political Reform Act of 1974 permits the Fair Political Practices Commission, upon mutual agreement between the commission and the governing body of a local government agency, to assume primary responsibility for the administration, implementation, and enforcement of a local campaign finance or government ethics law passed by the local government agency. The act authorizes the commission with respect to the local campaign finance or government ethics law to, among other things, provide advice, investigate possible violations, and bring civil actions. If such an agreement is executed, the act further requires the commission to report to the Legislature on or before January 1, 2025 with specified information, including legislative recommendations, regarding the performance of the agreement. Current law repeals these provisions on January 1, 2026. The act authorizes the commission to enter into a similar agreement with the Board of Supervisors of the County of San Bernardino. This bill would additionally authorize the

commission to conduct audits with respect to the local campaign finance or government ethics law. The bill would delete the requirement for the commission to report to the Legislature and remove the January 1, 2026 repeal date, thereby indefinitely extending the operation of the provisions described above. (Based on 10/03/2025 text)

Location:	10/03/2025 - Assembly CHAPTERED	**Current Text:**	10/03/2025 - Chaptered
Introduced:	01/30/2025	**Last Amend:**	07/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/13/25 A Floor Analysis (text 07/02/25)		

AB 370 | **Carrillo, D** | **HTML** | **PDF**

California Public Records Act: cyberattacks.

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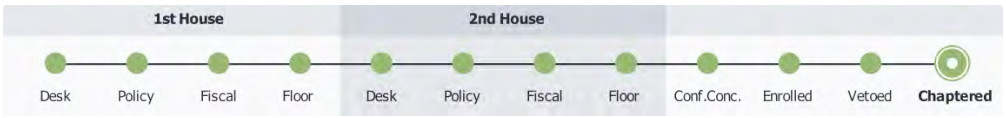

Tracking form

Position	Subject
	ACWD - ETS, ACWD - OGM

Bill information

Status: 07/14/2025 - Chaptered by Secretary of State - Chapter 34, Statutes of 2025

Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection, except as specified. Current law requires each agency, within 10 days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person of the determination and the reasons therefor. Current law authorizes that time limit to be extended by no more than 14 days under unusual circumstances, and defines “unusual circumstances” to include, among other things, the need to search for, collect, and appropriately examine records during a state of emergency when the state of emergency currently affects the agency’s ability to timely respond to requests due to staffing shortages or closure of facilities, as provided. This bill would also expand the definition of unusual circumstances to include the inability of the agency, because of a cyberattack, to access its electronic servers or systems in order to search for and obtain a record that the agency believes is responsive to a request and is maintained on the servers or systems in an electronic format. (Based on 07/14/2025 text)

Location:	07/14/2025 - Assembly CHAPTERED	**Current Text:**	07/14/2025 - Chaptered
Introduced:	02/03/2025	**Last Amend:**	03/12/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	07/02/25 S Floor Analyses (text 03/12/25)		

AB 372 | Bennett, D | HTML | PDF

Office of Emergency Services: state matching funds: water system infrastructure improvements.

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Tracking form

Position	Subject
Watch	ACWD - Emergency Response, ACWD - Engineering, ACWD - OGM, ACWD - Operations

Bill information

Status: 09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/3/2025)(May be acted upon Jan 2026)

Summary: Current law charges the Office of Emergency Services (OES) with coordinating various emergency activities within the state. The California Emergency Services Act, contingent upon an appropriation by the Legislature, requires the OES to enter into a joint powers agreement pursuant to the Joint Exercise of Powers Act with the Department of Forestry and Fire Protection to develop and administer a comprehensive wildfire mitigation program relating to structure hardening and retrofitting and prescribed fuel modification activities. Current law authorizes the joint powers authority to establish financial assistance limits and matching funding or other recipient contribution requirements for the program, as provided. This bill, contingent upon appropriation by the Legislature, would establish the Rural Water Infrastructure for Wildfire Resilience Program within the OES for the distribution of state matching funds to urban wildland interface communities, as defined, in designated high fire hazard severity zones or very high fire hazard severity zones to improve water system infrastructure, as prescribed. The bill would require the OES to work in coordination with the Department of Water Resources, the State Water Resources Control Board, the Office of the State Fire Marshal, and other state entities as the OES determines to be appropriate, to achieve the purposes of the program. (Based on 08/29/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	08/29/2025 - Amended
Introduced:	02/03/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/02/25 S Floor Analyses (text 08/29/25)		

AB 487 | Committee on Insurance | HTML | PDF

Insurance.

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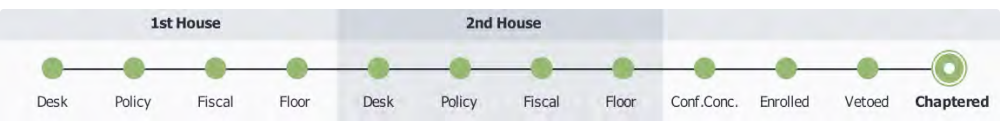

Tracking form

Position	Subject
	ACWD - OGM

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 558, Statutes of 2025.

Summary: Current law generally regulates the business of insurance in the state, including the issuance of securities. Existing law defines an agent to mean every person employed or appointed by an insurer or broker who sells a security in this state for compensation. This bill would update the term “agent” to “stock agent” and would make conforming changes. (Based on 10/10/2025 text)

Location: 10/10/2025 - Assembly CHAPTERED

Introduced: 02/10/2025

Is Urgent: N

Is Fiscal: Y

Current Analysis: 08/27/25 A Floor Analysis (text 07/03/25)

Current Text: 10/10/2025 - Chaptered

Last Amend: 07/03/2025

AB 497 | **Wilson, D** | **HTML** | **PDF**

San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan: update: substitute environmental document: exemption.

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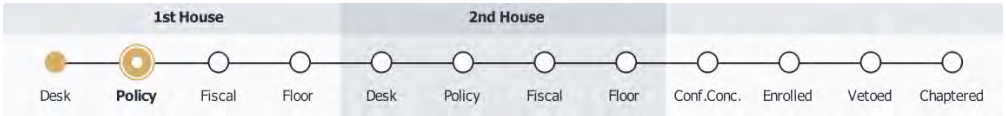

Tracking form

Position	Subject
	ACWD - OGM, ACWD - Water Resources

Bill information

Status: 01/06/2026 - Re-referred to Com. on W. P., & W.

Summary: The Porter-Cologne Water Quality Control Act establishes a statewide program for the control of the quality of all the waters in the state and makes certain legislative findings and declarations. Current law establishes the State Water Resources Control Board to exercise the adjudicatory and regulatory functions of the state in the field of water resources. Pursuant to its authority, the board adopted the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) that, among other things, establishes objectives to protect the beneficial uses of the water and prevent nuisance within the waters specified in the Bay-Delta Plan. The California Environmental Quality Act (CEQA), requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. This bill would require the board to adopt an update to the Bay-Delta Plan that addresses the Sacramento River and its tributaries, Sacramento-San Joaquin Delta (Delta) eastside tributaries, and the Delta no later than August 31, 2026. The bill would exempt the board from the requirements to prepare, provide for review, transmit to state

agencies, and include written or oral responses to comments on a specified draft substitute environmental document, as provided. (Based on 01/05/2026 text)

Location:	01/05/2026 - Assembly Water, Parks and Wildlife	**Current Text:**	01/05/2026 - Amended
Introduced:	02/10/2025	**Last Amend:**	01/05/2026
Is Urgent:	N		
Is Fiscal:	Y		

AB 614 | Lee, D | HTML | PDF

Claims against public entities.

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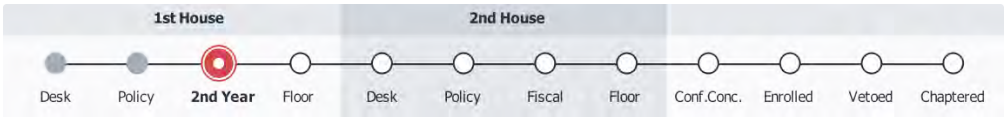

Tracking form

Position	Subject
	ACWD - Finance, ACWD - HR, ACWD - OGM

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/7/2025)(May be acted upon Jan 2026)

Summary: The Government Claims Act establishes the liability and immunity of a public entity for its acts or omissions that cause harm to persons and requires that a claim against a public entity relating to a cause of action for death or for injury to person, personal property, or growing crops be presented not later than 6 months after accrual of the cause of action. Under current law, claims relating to any other cause of action are required to be presented no later than one year after the accrual of the cause of action. This bill would remove the provisions requiring a claim against a public entity relating to a cause of action for death or for injury to person, personal property, or growing crops to be presented not later than 6 months after accrual of the cause of action and would instead require a claim relating to any cause of action to be presented not later than one year after accrual of the cause of action, unless otherwise specified by law. (Based on 03/27/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	03/27/2025 - Amended
Introduced:	02/13/2025	**Last Amend:**	03/27/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/05/25 A Appropriations (text 03/27/25)		

AB 707 | Soria, D | HTML | PDF

San Luis and Delta-Mendota Water Authority: B.F. Sisk Dam Raise and Reservoir Expansion Project.

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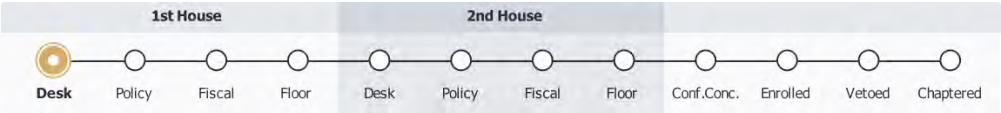

Tracking form

Position	Subject
	ACWD - OGM, ACWD - Water Resources

Bill information

Status: 02/15/2025 - From printer. May be heard in committee March 17.

Summary: Would appropriate $455,500,000 from the General Fund to the San Luis and Delta-Mendota Water Authority for the purpose of funding the State Highway 152 Route improvements required to complete the B.F. Sisk Dam Raise and Reservoir Expansion Project. (Based on 02/14/2025 text)

Location: 02/14/2025 - Assembly PRINT
Introduced: 02/14/2025
Is Urgent: N
Is Fiscal: Y

Current Text: 02/14/2025 - Introduced

AB 734 | **Schultz, D** | **HTML** | **PDF**

Environmental protection: biological resources data: State Energy Resources Conservation and Development Commission: powerplants: power lines: applications.

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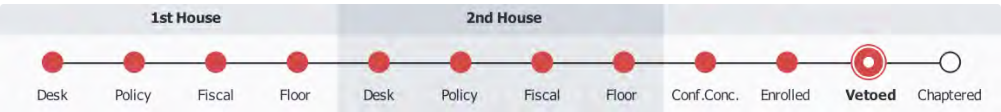

Tracking form

Position	Subject
	ACWD - OGM, ACWD - Water Resources

Bill information

Status: 10/01/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: *01/12/26 #14 A-GOVERNOR'S VETOES*

Summary: Current law vests the State Energy Resources Conservation and Development Commission with the power to certify locations on which an electrical transmission line or thermal powerplant is constructed, or is proposed to be constructed, except as provided. Current law authorizes the commission to exempt from certification a thermal powerplant with a generating capacity of up to 100 megawatts, and modifications to existing generating facilities that do not add capacity in excess of 100 megawatts, if the commission finds that no substantial adverse impact on the environment or energy resources will result from the construction or operation of the proposed facility or from the modifications. This bill would require any biological resources data submitted to the commission in an application for certification or small powerplant exemption pursuant to the above-described provisions to be made publicly available on the commission's docket as part of the certification proceeding unless the Department of Fish and Wildlife makes a written determination that the data to be made public includes specified location data, the disclosure of which would pose a significant risk to individuals of the species. The bill

would require the department, if it makes that determination, to include in the written determination an assessment of the maximum amount of the specified data that can be released without posing a risk to the species. (Based on 09/05/2025 text)

Location:	10/01/2025 - Assembly VETOED	**Current Text:**	10/01/2025 - Vetoed
Introduced:	02/18/2025	**Last Amend:**	04/21/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/23/25 A Floor Analysis (text 09/05/25)		

AB 810 | **Irwin, D** | **HTML** | **PDF**

Local government: internet websites and email addresses.

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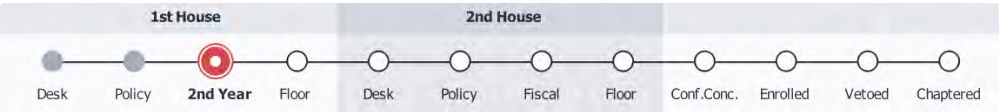

Tracking form

Position	Subject
	ACWD - ETS, ACWD - OGM

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/7/2025)(May be acted upon Jan 2026)

Summary: Current law requires that a local agency that maintains an internet website for use by the public to ensure that the internet website uses a ".gov" top-level domain or a ".ca.gov" second-level domain no later than January 1, 2029. Current law requires that a local agency that maintains public email addresses to ensure that each email address provided to its employees uses a ".gov" domain name or a ".ca.gov" domain name no later than January 1, 2029. Current law defines "local agency" for these purposes as a city, county, or city and county. This bill would recast these provisions by instead requiring a city, county, or city and county to comply with the above-described domain requirements and by deleting the term "local agency" from the above-described provisions. The bill would also require a special district, joint powers authority, or other political subdivision to comply with similar domain requirements no later than January 1, 2031. (Based on 04/10/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	04/10/2025 - Amended
Introduced:	02/19/2025	**Last Amend:**	04/10/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/05/25 A Appropriations (text 04/10/25)		

AB 905 | **Pacheco, D** | **HTML** | **PDF**

State general obligation bonds: disclosure requirements.

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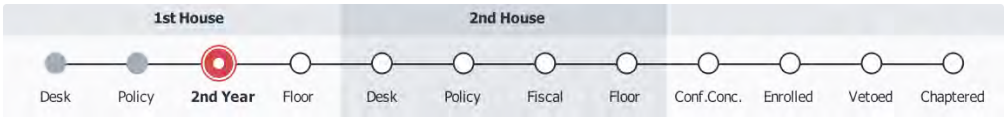

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - Finance, ACWD - OGM

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)

Summary: The State General Obligation Bond Law generally sets forth the procedures for the issuance and sale of bonds governed by its provisions and for the disbursal of the proceeds of the sale of those bonds. Current law requires any state bond measure approved on or after January 1, 2004, to be subject to an annual reporting process, with the head of the lead state agency administering the bond proceeds reporting certain information about the projects being funded to the Legislature and the Department of Finance. Current law allows this information to be provided on the agency's internet website or the state's open data portal under certain circumstances. This bill would require a bond act for any state general obligation bond measure that is approved by voters on and after January 1, 2026, to include specified information about the objectives of the bond expenditure and related data. The bill would also require the head of the lead state agency administering the bond to post on its internet website a notification that contains, among other information, details about the programs and projects authorized to be funded by the bond. (Based on 03/28/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	03/28/2025 - Amended
Introduced:	02/19/2025	**Last Amend:**	03/28/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 03/28/25)		

AB 990 | **Hadwick, R** | **HTML** | **PDF**

Public water systems: emergency notification plan.

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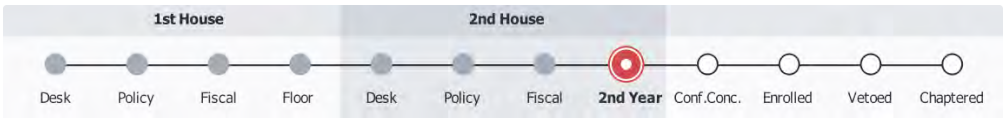

Tracking form

Position	Subject
	ACWD - OGM, ACWD - Operations, ACWD - Water Quality

Bill information

Status:	09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 6/30/2025)(May be acted upon Jan 2026)
Summary:	Current law prohibits a person from operating a public water system without an emergency notification plan that has been submitted to and approved by the State Water Resources Control Board. Current law requires the emergency notification plan to provide for immediate notice to the customers of the public water system of any significant rise in the bacterial count of water or other failure to comply with any primary drinking water standard that represents an imminent danger to the health of the water users. This bill would authorize and encourage a public water system to provide notification to water users in their preferred language when updating the emergency notification plan, if resources are available. (Based on 02/20/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	02/20/2025 - Introduced
Introduced:	02/20/2025		
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	06/27/25 S Floor Analyses (text 02/20/25)		

AB 1096 | **Connolly, D** | **HTML** | **PDF**

Water: schoolsites: lead testing.

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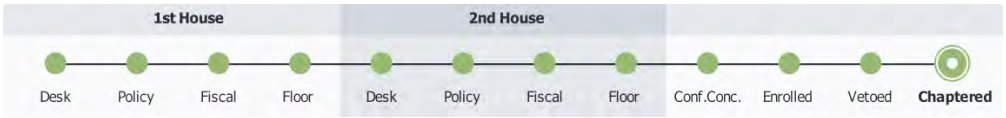

Tracking form

Position	Subject
	ACWD - OGM

Bill information

Status:	10/03/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 290, Statutes of 2025.
Summary:	The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current federal regulations require community water systems to contact all schools and childcare facilities, as defined, to provide information about the health risks from lead in drinking water and of eligibility to be sampled for lead by the water system. Current federal regulations require a community water system to report to the state annually on the notification of eligibility and sampling for lead, and information regarding the number and names of schools and childcare facilities served by the water system, those sampled in the previous year, the facilities that declined sampling, facilities that did not respond to outreach attempts for sampling, and information pertaining to those outreach attempts for sampling. This bill would require a community water system, when making outreach attempts to elementary schools and childcare facilities for the purposes of offering lead sampling in drinking water, to compile specified information and to provide elementary schools and childcare facilities that decline lead testing with an opportunity to provide information about their reasons for declining by allowing them to select from a list that includes specified options, unless the school or childcare facility is exempted from lead testing by federal waiver, as provided. The bill would authorize the state board to add additional reasons for declining lead testing to that list. The bill would require a community

water system to submit all of the above-described information that it compiles or that is provided to it to the state board, as provided. The bill would require the state board, on or before June 30, 2028, to make all of that information publicly available in a searchable format on its internet website, as specified. (Based on 10/03/2025 text)

Location:	10/03/2025 - Assembly CHAPTERED	**Current Text:**	10/03/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	09/04/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/10/25 A Floor Analysis (text 09/04/25)		

SB 430 | Cabaldon, D | HTML | PDF

Local agencies: automated decision systems.

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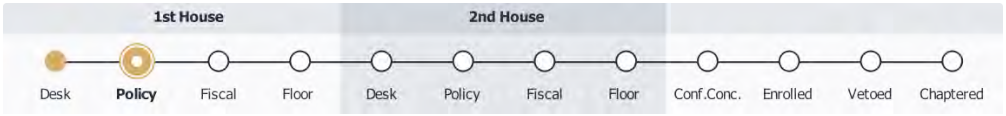

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - HR, ACWD - OGM

Bill information

Status: 01/08/2026 - January 13 set for first hearing canceled at the request of author.

Summary: Current law establishes the Government Operations Agency (GovOps), and establishes within the agency the Department of Technology. Current law requires the Department of Technology to conduct, in coordination with other interagency bodies as it deems appropriate, a comprehensive inventory of all high-risk automated decision systems that have been proposed for use, development, or procurement by, or are being used, developed, or procured by, any state agency. Current law defines, for these purposes, an "automated decision system" as, among other things, a computational process that is used to assist or replace human discretionary decisionmaking and materially impacts natural persons. Current law authorizes local agencies, including cities and counties, to provide welfare, employment, and other public social services. Current law also authorizes the legislative body of any county or city, pursuant to specified procedures, to adopt ordinances that, among other things, regulate the use of buildings, structures, and land as between industry, business, residences, open space, and other purposes. This bill would impose certain restrictions on the use of an automated decision system by a local agency to confer supportive services, permits, or licenses, as specified. Among those restrictions, the bill would include a prohibition on using an output from the system as the sole basis for an adverse eligibility or benefit determination affecting a natural person, except as specified. The bill would require the local agency to verify the accuracy of the system's outputs and to promote nondiscrimination in its use, as specified. The bill would require the local agency's governing board to provide audits or other quality control review of the outputs, as specified, to assure acceptable accuracy. (Based on 01/05/2026 text)

Location:	01/05/2026 - Senate Judiciary	**Current Text:**	01/05/2026 - Amended
Introduced:	02/18/2025 (Spot bill)	**Last Amend:**	01/05/2026
Is Urgent:	N		

Is Fiscal:	Y

SB 598 | Durazo, D | HTML | PDF

Public contracts: local water infrastructure projects: Construction Manager/General Contractor project delivery method.

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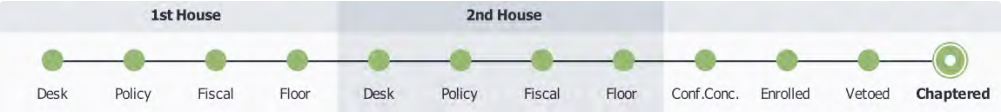

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - Development Services, ACWD - OGM

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 655, Statutes of 2025.

Summary: Current law defines the Construction Manager/General Contractor project delivery method (CM/GC method) as a project delivery method in which a construction manager is procured to provide preconstruction services during the design phase of a project and construction services during the construction phase of the project. Under current law, the method allows the contract for construction services to be entered into at the same time as the contract for preconstruction services or at a later time. Current law authorizes the Metropolitan Water District of Southern California to utilize the CM/GC method for regional recycled water projects or other water infrastructure projects under specified conditions. Pursuant to existing law, certain information required to be submitted as part of the CM/GC method is required to be verified under oath. Current law makes the provisions described above pertaining to the CM/GC method effective only until January 1, 2028, and inoperative as of that date. This bill would, until January 1, 2031, authorize a local agency, as defined, upon approval of its governing body, to similarly use the CM/GC method for a regional recycled water project or other water infrastructure project undertaken by the district to alleviate water supply shortages attributable to drought or climate change. The bill would require that authorization to apply to no more than 15 capital outlay projects for each local agency and would require a local agency to award a contract pursuant to the bill on a best value basis or to the lowest responsible bidder. (Based on 10/11/2025 text)

Location:	10/11/2025 - Senate CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	07/07/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/25/25 S Floor Analyses (text 07/07/25)		

SB 654 | Stern, D | HTML | PDF

California Environmental Protection Agency: contract: registry: greenhouse gas emissions that result from the water-energy nexus.

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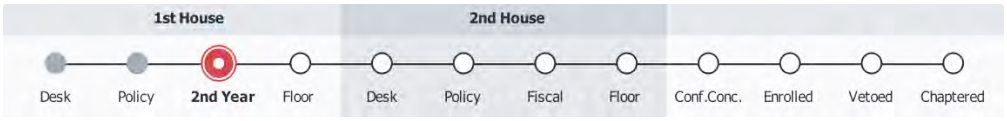

Tracking form

Position	Subject
	ACWD - OGM

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/21/2025)(May be acted upon Jan 2026)

Summary: The California Environmental Protection Agency is required to oversee the development of a registry for greenhouse gas emissions that result from the water-energy nexus using the best available data. Current law provides that participation in the registry is voluntary and open to any entity conducting business in the state. Existing law authorizes the agency to enter into a contract with a qualified nonprofit organization to do specified things, including to recruit broad participation in the registry from all economic sectors and regions of the state. Current law limits the term of the term of the contract to 3 years, except as provided. This bill would instead require the agency to oversee the administration of the above-described registry and would authorize the agency to enter into a new contract, limited to a term of 3 years and with a total budget of $2,000,000, to do specified things, including to recruit broad participation in the registry from all economic sectors and regions of the state to meet the different needs of water users throughout the state by various means, as provided. (Based on 02/20/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	02/20/2025 - Introduced
Introduced:	02/20/2025		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/18/25 S Appropriations (text 02/20/25)		

SB 684 | **Menjivar, D** | **HTML** | **PDF**

Polluters Pay Climate Superfund Act of 2025.

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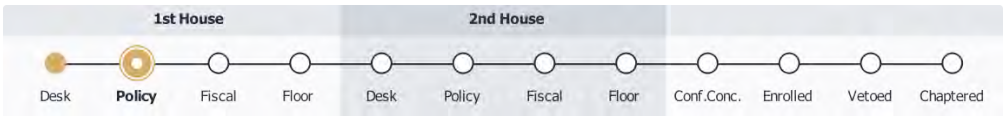

Tracking form

Position	Subject
	ACWD - OGM

Bill information

Status: 04/10/2025 - April 22 set for first hearing canceled at the request of author.

Summary: Would enact the Polluters Pay Climate Superfund Act of 2025 and would establish the Polluters Pay Climate Superfund Program to be administered by the California

Environmental Protection Agency to require fossil fuel polluters to pay their fair share of the damage caused by greenhouse gases released into the atmosphere during the covered period, which the bill would define as the time period between the 1990 and 2024 calendar years, inclusive, resulting from the extraction, production, refining, sale, or combustion of fossil fuels or petroleum products, to relieve a portion of the burden to address cost borne by current and future California taxpayers. The bill would require the agency, within 90 days of the effective date of the act, to determine and publish a list of responsible parties, which the bill would define as an entity with a majority ownership interest in a business engaged in extracting or refining fossil fuels that, during the covered period, did business in the state or otherwise had sufficient contact with the state, and is determined by the agency to be responsible for more than 1,000,000,000 metric tons of covered fossil fuel emissions, as defined, in aggregate globally, during the covered period. (Based on 03/26/2025 text)

Location:	04/03/2025 - Senate Judiciary	**Current Text:**	03/26/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	03/26/2025
Is Urgent:	Y		
Is Fiscal:	Y		
Current Analysis:	04/01/25 S Environmental Quality (text 02/21/25)		

ACWD - Operations

AB 339 | Ortega, D | HTML | PDF

Local public employee organizations: notice requirements.

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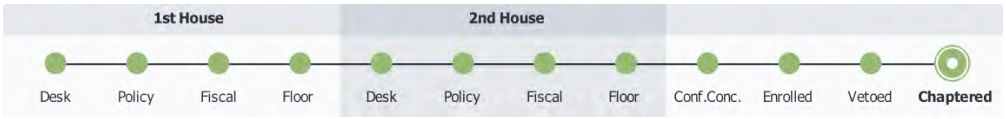

Tracking form

Position	Subject
	ACWD - HR, ACWD - Operations, Enc - Engineering

Bill information

Status: 10/13/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 687, Statutes of 2025.

Summary: The Meyers-Milias-Brown Act contains various provisions that govern collective bargaining of local represented employees and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. Current law requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Current law requires the governing body of a public agency, and boards and commissions designated by law or by the governing body, to give reasonable written notice, except in cases of emergency, as specified, to each recognized employee organization affected of any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation proposed to be adopted by the governing body or the designated boards and commissions. This bill would require the governing body of a public agency, and boards and commissions designated by law or by the governing body of a public agency,

to give the recognized employee organization no less than 45 days' written notice before issuing a request for proposals, request for quotes, or renewing or extending an existing contract to perform services that are within the scope of work of the job classifications represented by the recognized employee organization, subject to certain exceptions. The bill would require the notice to include specified information, including the anticipated duration of the contract. (Based on 10/13/2025 text)

Location:	10/13/2025 - Assembly CHAPTERED	**Current Text:**	10/13/2025 - Chaptered
Introduced:	01/28/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/04/25 A Floor Analysis (text 08/29/25)		

AB 372 | **Bennett, D** | **HTML** | **PDF**

Office of Emergency Services: state matching funds: water system infrastructure improvements.

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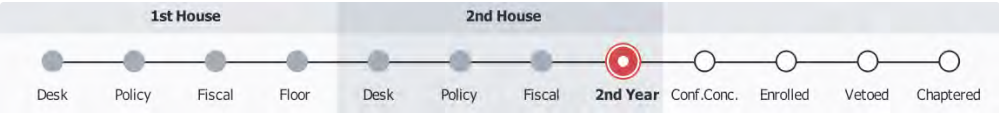

Tracking form

Position	Subject
Watch	ACWD - Emergency Response, ACWD - Engineering, ACWD - OGM, ACWD - Operations

Bill information

Status: 09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/3/2025)(May be acted upon Jan 2026)

Summary: Current law charges the Office of Emergency Services (OES) with coordinating various emergency activities within the state. The California Emergency Services Act, contingent upon an appropriation by the Legislature, requires the OES to enter into a joint powers agreement pursuant to the Joint Exercise of Powers Act with the Department of Forestry and Fire Protection to develop and administer a comprehensive wildfire mitigation program relating to structure hardening and retrofitting and prescribed fuel modification activities. Current law authorizes the joint powers authority to establish financial assistance limits and matching funding or other recipient contribution requirements for the program, as provided. This bill, contingent upon appropriation by the Legislature, would establish the Rural Water Infrastructure for Wildfire Resilience Program within the OES for the distribution of state matching funds to urban wildland interface communities, as defined, in designated high fire hazard severity zones or very high fire hazard severity zones to improve water system infrastructure, as prescribed. The bill would require the OES to work in coordination with the Department of Water Resources, the State Water Resources Control Board, the Office of the State Fire Marshal, and other state entities as the OES determines to be appropriate, to achieve the purposes of the program. (Based on 08/29/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	08/29/2025 - Amended
Introduced:	02/03/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		

Is Fiscal:	Y
Current Analysis:	09/02/25 S Floor Analyses (text 08/29/25)

AB 426 | **Dixon, R** | **HTML** | **PDF**

Impeding emergency response with drone.

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Tracking form

Position	Subject
	ACWD - Emergency Response, ACWD - HR, ACWD - Operations

Bill information

Status:	08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)
Summary:	Current law excuses a local public entity or public employee from liability for damage to an unmanned aircraft or unmanned aircraft system, if the damage was caused while the local public entity or public employee of a local public entity was providing, and the unmanned aircraft or unmanned aircraft system was interfering with, the operation, support, or enabling of any emergency service, as specified. Current law imposes liability for physical invasion of privacy on a person if the person knowingly enters onto the land or into the airspace above the land of another person without permission or otherwise commits a trespass in order to capture any image or recording of the other person engaging in a private activity and the invasion occurs in a manner that is offensive to a reasonable person. This bill would prohibit a person from operating or using an unmanned aerial vehicle, remote piloted aircraft, or drone at the scene of an emergency and thereby impeding firefighters, peace officers, medical personnel, military personnel, or other emergency personnel in the performance of their fire suppression, law enforcement, or emergency response duties, unless the person has a federal operational waiver, as specified. The bill would authorize the Attorney General or a county counsel or city attorney to bring civil action to enforce the prohibition and authorize a prevailing plaintiff to recover civil penalties, injunctive relief, or reasonable attorney's fees and costs, as specified. (Based on 04/02/2025 text)

Location:	08/29/2025 - Senate 2 YEAR	**Current Text:**	04/02/2025 - Amended
Introduced:	02/05/2025	**Last Amend:**	04/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 04/02/25)		

AB 620 | **Jackson, D** | **HTML** | **PDF**

Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program: rental vehicles.

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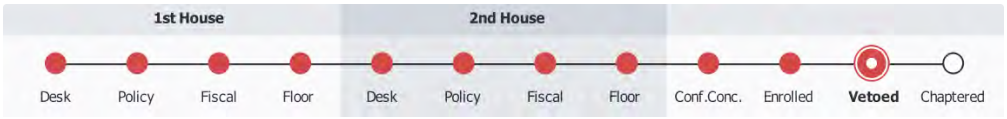

Tracking form

Position	Subject
	ACWD - Operations

Bill information

Status: 10/03/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: ***01/12/26 #22 A-GOVERNOR'S VETOES***

Summary: Current law establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program (program) within the Air Quality Improvement Program to make financing tools and nonfinancial supports available to operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. This bill, for any regulation adopted to develop or implement the program, or other regulations that are regarding the procurement or use of medium- and heavy-duty zero-emission vehicles by a public or private fleet, would require the state board to consider specified things, including, among other things, the environmental and supply chain benefits of renting medium- and heavy-duty zero-emission vehicles compared to procuring them. (Based on 09/08/2025 text)

Location:	10/03/2025 - Assembly VETOED	**Current Text:**	10/03/2025 - Vetoed
Introduced:	02/13/2025		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/23/25 A Floor Analysis (text 09/08/25)		

AB 639 | **Soria, D** | **HTML** | **PDF**

Dams: exceptions.

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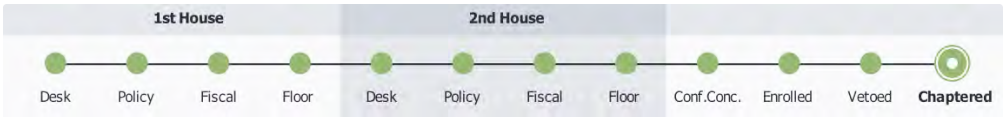

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 617, Statutes of 2025.

Summary: Current law defines a dam to mean any artificial barrier, together with appurtenant works, that does or may impound or divert water, and meets other specified criteria. Current law excludes from the definition a barrier that is or will be not in excess of 6 feet in height,

regardless of storage capacity, or that has or will have a storage capacity not in excess of 15 acre-feet, regardless of height. This bill would additionally exclude from the definition of a dam a barrier that does not impound water above the top of a levee where maximum storage behind the barrier has a minimum of 3 feet of freeboard on the levee and is a weir, as defined, but would apply only to specified weirs named in the bill. (Based on 10/11/2025 text)

Location:	10/11/2025 - Assembly CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/13/2025	**Last Amend:**	06/11/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/03/25 A Floor Analysis (text 06/11/25)		

AB 794 | **Gabriel, D** | **HTML** | **PDF**

California Safe Drinking Water Act: emergency regulations.

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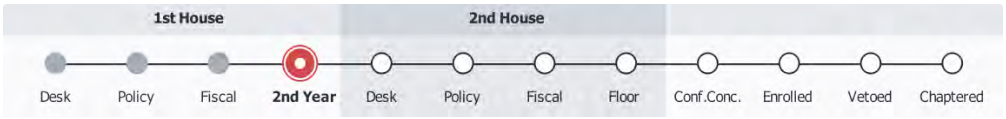

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality

Bill information

Status: 09/12/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 6/12/2025)(May be acted upon Jan 2026)

Summary: The California Safe Drinking Water Act (state act) requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The state board's duties include, but are not limited to, enforcing the federal Safe Drinking Water Act (federal act) and adopting and enforcing regulations. Current law authorizes the state board to adopt as an emergency regulation, a regulation that is not more stringent than, and is not materially different in substance and effect than, the requirements of a regulation promulgated under the federal act, with a specified exception. This bill would provide that the authority of the state board to adopt an emergency regulation pursuant to these provisions includes the authority to adopt requirements of a specified federal regulation that was in effect on January 19, 2025, regardless of whether the requirements were repealed or amended to be less stringent. The bill would prohibit an emergency regulation adopted pursuant to these provisions from implementing less stringent drinking water standards, as provided, and would authorize the regulation to include monitoring requirements that are more stringent than the requirements of the federal regulation. The bill would prohibit maximum contaminant levels and compliance dates for maximum contaminant levels adopted as part of an emergency regulation from being more stringent than the maximum contaminant levels and compliance dates of a regulation promulgated pursuant to the federal act. (Based on 04/10/2025 text)

Location:	09/12/2025 - Assembly 2 YEAR	**Current Text:**	04/10/2025 - Amended
Introduced:	02/18/2025	**Last Amend:**	04/10/2025

Is Urgent:	N
Is Fiscal:	Y
Current Analysis:	05/28/25 A Floor Analysis (text 04/10/25)

AB 823 | **Boerner, D** | HTML | PDF

Solid waste: plastic microbeads: plastic glitter.

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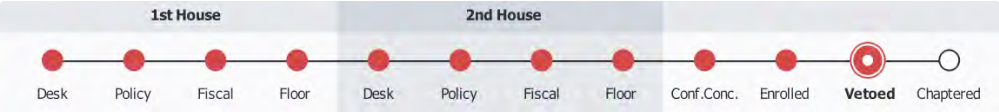

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality

Bill information

Status:	10/11/2025 - Vetoed by Governor. Consideration of Governor's veto pending.
Calendar:	***01/12/26 #50 A-GOVERNOR'S VETOES***
Summary:	The Plastic Microbeads Nuisance Prevention Law prohibits a person, as defined, from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product, including, but not limited to, toothpaste. Existing law exempts a product containing less than one part per million (ppm) by weight of plastic microbeads from the prohibition. The Plastic Microbeads Nuisance Prevention Law imposes a civil penalty not to exceed $2,500 per day for each violation of the prohibition, as provided, and authorizes the Attorney General and local officials to enforce the prohibition. This bill would, on and after January 1, 2029, prohibit a person from selling, offering for sale, distributing, or offering for promotional purposes in this state a personal care product containing plastic glitter, or a personal care product in a non-rinse-off product or a cleaning product containing one ppm or more by weight of plastic microbeads that are used as an abrasive, as specified. The bill would authorize, until January 1, 2030, a person to continue to sell, offer for sale, distribute, or offer for promotional purposes in this state an existing stock of personal care products containing plastic glitter, as specified. By adding these prohibitions to the Plastic Microbeads Nuisance Prevention Law, the bill would impose the civil penalty for violations of these prohibitions. (Based on 09/05/2025 text)

Location:	10/11/2025 - Assembly VETOED	**Current Text:**	10/11/2025 - Vetoed
Introduced:	02/19/2025	**Last Amend:**	05/23/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/23/25 A Floor Analysis (text 09/05/25)		

AB 990 | **Hadwick, R** | HTML | PDF

Public water systems: emergency notification plan.

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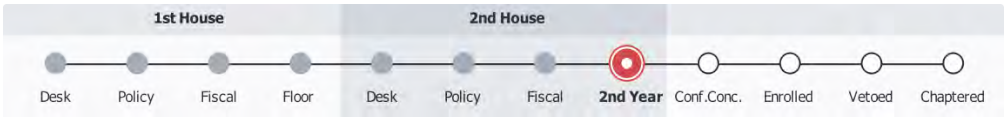

Tracking form

Position	Subject
	ACWD - OGM, ACWD - Operations, ACWD - Water Quality

Bill information

Status: 09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 6/30/2025)(May be acted upon Jan 2026)

Summary: Current law prohibits a person from operating a public water system without an emergency notification plan that has been submitted to and approved by the State Water Resources Control Board. Current law requires the emergency notification plan to provide for immediate notice to the customers of the public water system of any significant rise in the bacterial count of water or other failure to comply with any primary drinking water standard that represents an imminent danger to the health of the water users. This bill would authorize and encourage a public water system to provide notification to water users in their preferred language when updating the emergency notification plan, if resources are available. (Based on 02/20/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	02/20/2025 - Introduced
Introduced:	02/20/2025		
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	06/27/25 S Floor Analyses (text 02/20/25)		

AB 995 | **Caloza, D** | **HTML** | **PDF**

Department of Justice: phone scams.

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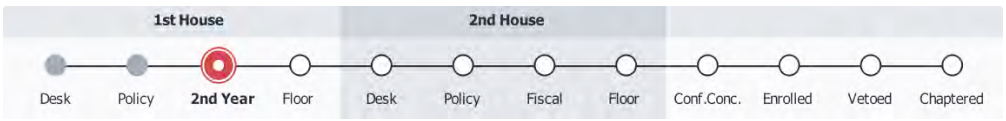

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)

Summary: Would require the Department of Justice to establish and maintain a database of known phone scams on its internet website. The bill would require the department to include a mechanism to report suspected scams and to search for known phone scams, as specified. The bill would also require the department to report annually to the Legislature,

commencing January 1, 2028, specified information relating to phone scams. The bill would repeal its provisions January 1, 2033. (Based on 05/05/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	05/05/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	05/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 05/05/25)		

AB 1191 | **Tangipa, R** | **HTML** | **PDF**

California Renewables Portfolio Standard Program: hydroelectric generation.

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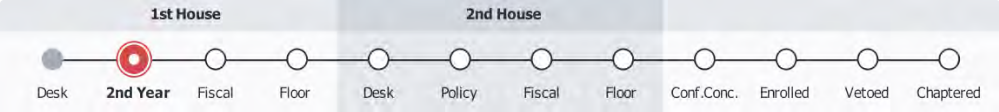

Tracking form

Position	Subject
	ACWD - ETS, ACWD - Operations

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was U. & E. on 3/10/2025)(May be acted upon Jan 2026)

Summary: Current law establishes the California Renewables Portfolio Standard Program, which requires the Public Utilities Commission to implement annual procurement targets for the procurement of eligible renewable energy resources, as defined, for all retail sellers, as defined, and requires local publicly owned electric utilities to adopt and implement renewable energy resources procurement plans to achieve the targets and goals of the program. Under current law, eligible renewable energy resources include small hydroelectric generation facilities of 30 megawatts or less that meet specified criteria. This bill would revise the definition of an eligible renewable energy resource for the purposes of the California Renewables Portfolio Standard Program to include all hydroelectric generating facilities and would make conforming changes. (Based on 02/21/2025 text)

Location:	05/01/2025 - Assembly 2 YEAR	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/01/25 A Committee On Utilities And Energy (text 02/21/25)		

AB 1469 | **Hart, D** | **HTML** | **PDF**

Disaster preparedness: public water systems.

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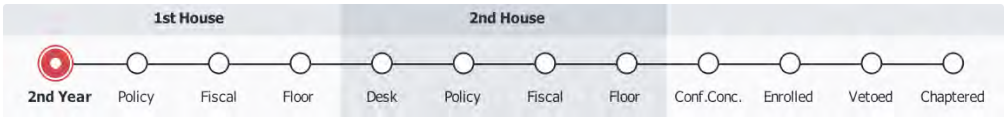

Tracking form

Position	Subject
	ACWD - Emergency Response, ACWD - Operations

Bill information

Status: 05/08/2025 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/21/2025)(May be acted upon Jan 2026)

Summary: The California Emergency Services Act requires all public water systems, as defined, with 10,000 or more service connections to review and revise their disaster preparedness plans in conjunction with related agencies, including, but not limited to, local fire departments and the Office of Emergency Services to ensure that the plans are sufficient to address possible disaster scenarios. Current law requires these public water systems to, following a declared state of emergency, furnish an assessment of their emergency response and recommendations to the Legislature within 6 months after each disaster, and to implement the recommendations in a timely manner. Current law requires the office to establish emergency response and recovery plans in coordination with these public water systems. This bill would make nonsubstantive changes to those provisions. (Based on 02/21/2025 text)

Location:	05/08/2025 - Assembly 2 YEAR	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	N		

SB 31 | **McNerney, D** | **HTML** | **PDF**

Water quality: recycled water.

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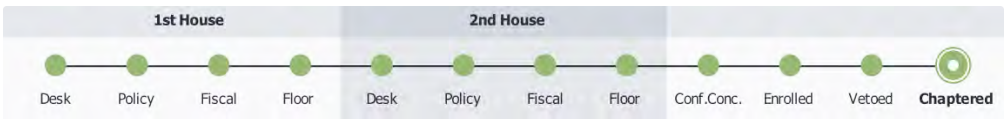

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality, ACWD - Water Resources

Bill information

Status: 10/13/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 736, Statutes of 2025.

Summary: The Water Recycling Law generally provides for the use of recycled water. Current law requires any person who, without regard to intent or negligence, causes or permits an unauthorized discharge of 50,000 gallons or more of recycled water in or on any waters of the state to immediately notify the appropriate regional water board. This bill would, for the purposes of the above provision, redefine “recycled water” and provide that water discharged from a decorative body of water during storm events is not to be considered

an unauthorized discharge if recycled water was used to restore levels due to evaporation. (Based on 10/13/2025 text)

Location:	10/13/2025 - Senate CHAPTERED	**Current Text:**	10/13/2025 - Chaptered
Introduced:	12/02/2024	**Last Amend:**	06/09/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/03/25 S Floor Analyses (text 06/09/25)		

SB 231 | **Seyarto, R** | **HTML** | **PDF**

California Environmental Quality Act: the Office of Land Use and Climate Innovation: technical advisory.

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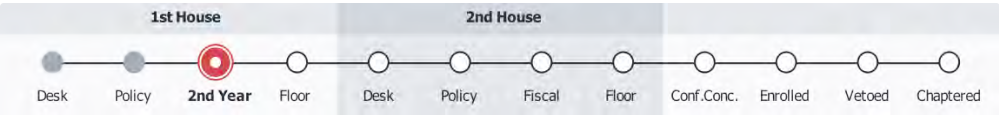

Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/7/2025)(May be acted upon Jan 2026)

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Under current law, the recommendation, continuous evaluation, and execution of statewide environmental goals, policies, and plans are included within the scope of the executive functions of the Governor. Current law establishes the Office of Land Use and Climate Innovation in the Governor's office for the purpose of serving the Governor and the Governor's cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. This bill would require, on or before July 1, 2027, the Office of Land Use and Climate Innovation to consult with regional, local, state, and federal agencies to develop a technical advisory on thresholds of significance for greenhouse gas and noise pollution effects on the environment to assist local agencies. The bill would require the technical advisory to provide suggested thresholds of significance for all areas of the state, as specified, and would provide that lead agencies may elect to adopt these suggested thresholds of significance. The bill would also require the Office of Land Use and Climate Innovation to post the technical advisory on its internet website. (Based on 03/20/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	03/20/2025 - Amended
Introduced:	01/28/2025	**Last Amend:**	03/20/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/04/25 S Appropriations (text 03/20/25)		

SB 394 | Allen, D | HTML | PDF

Water theft: fire hydrants.

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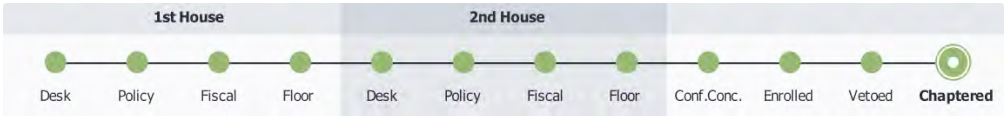

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 540, Statutes of 2025.

Summary: Current law authorizes a utility to bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts certain acts, including, diverting or causing to be diverted, utility services by any means whatsoever. Current law creates a rebuttable presumption that there is violation of these provisions if, on premises controlled by the customer or by the person using or receiving the direct benefit of utility service, certain actions occur, including that there is an instrument, apparatus, or device primarily designed to be used to obtain utility service without paying the full lawful charge for the utility. This bill would add to the list of acts for which a utility may bring a civil cause of action under these circumstances to include tampering with a fire hydrant, fire hydrant meter, or fire detector check, or connecting to, diverting water from, or causing water to be diverted from, a fire hydrant without authorization from the utility that owns the fire hydrant, except as provided. (Based on 10/10/2025 text)

Location:	10/10/2025 - Senate CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/14/2025	**Last Amend:**	07/03/2025
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	07/14/25 S Floor Analyses (text 07/03/25)		

SB 496 | Hurtado, D | HTML | PDF

Advanced Clean Fleets Regulation: appeals advisory committee: exemptions.

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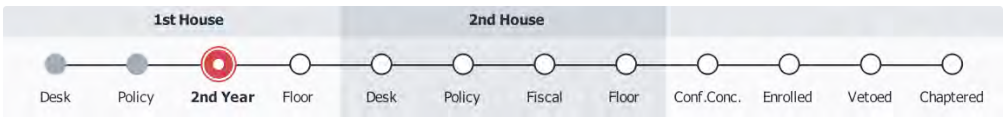

Tracking form

Position	Subject

Watch	ACWD - Operations

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2025)(May be acted upon Jan 2026)

Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would require the state board to establish the Advanced Clean Fleets Regulation Appeals Advisory Committee by an unspecified date for purposes of reviewing appeals of denied requests for exemptions from the requirements of the Advanced Clean Fleets Regulation. The bill would require the committee to include representatives of specified governmental and nongovernmental entities. The bill would require the committee to meet monthly and would require recordings of its meetings to be made publicly available on the state board's internet website. The bill would require the committee to consider, and make a recommendation on, an appeal of an exemption request denial no later than 60 days after the appeal is made. The bill would require specified information relating to the committee's consideration of an appeal to be made publicly available on the state board's internet website. (Based on 04/07/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	04/07/2025 - Amended
Introduced:	02/19/2025	**Last Amend:**	04/07/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/02/25 S Appropriations (text 04/07/25)		

SB 724 | **Richardson, D** | **HTML** | **PDF**

Public housing: lead testing.

Progress bar

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality

Bill information

Status: 08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/20/2025)(May be acted upon Jan 2026)

Summary: Current law prohibits a person from using any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or

any plumbing in a facility providing water for human consumption, except when necessary for the repair of leaded joints of cast iron pipes. Current law requires a community water system to compile an inventory of known lead user service lines in use in its distribution system and identify areas that may have lead user service lines in use in its distribution system, as provided. This bill would require the owner of a public housing unit that is owned or managed by a city, county, city and county, or city, county, or city and county housing authority, to provide information to the residents of the public housing unit regarding any applicable existing program that offers free testing of the water for lead. (Based on 05/05/2025 text)

Location:	08/28/2025 - Assembly 2 YEAR	**Current Text:**	05/05/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	05/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/18/25 A Appropriations (text 05/05/25)		

SB 732 | **Ochoa Bogh, R** | **HTML** | **PDF**

Emergency backup generators: critical facilities: exemptions.

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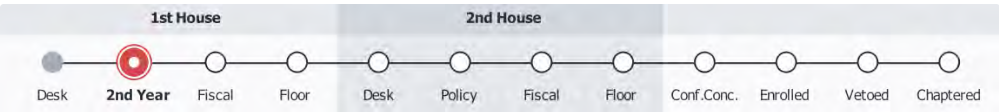

Tracking form

Position	Subject
	ACWD - Emergency Response, ACWD - Operations

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/12/2025)(May be acted upon Jan 2026)

Summary: Current law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Current law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Current law requires the State Air Resources Board to identify toxic air contaminants that are emitted into the ambient air of the state and to establish airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources. This bill would require an air district without a specified rule on emergency backup generators, as defined, as of January 1, 2026, that adopts such a rule to include in the rule provisions that allow the operator of a critical facility, as defined, to use a permitted emergency backup generator in exceedance of the applicable runtime and testing and maintenance limits if specified conditions are met. The bill would require a critical facility allowed to exceed applicable limits under a rule adopted pursuant to that provision to attest to and provide evidence of having taken demonstrable steps toward implementing the use of backup power technologies that meet or exceed emission standards set by the state board. (Based on 02/21/2025 text)

Location:	05/01/2025 - Senate 2 YEAR	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		

Is Fiscal:	Y

ACWD - Water Quality

AB 794 | **Gabriel, D** | HTML | PDF

California Safe Drinking Water Act: emergency regulations.

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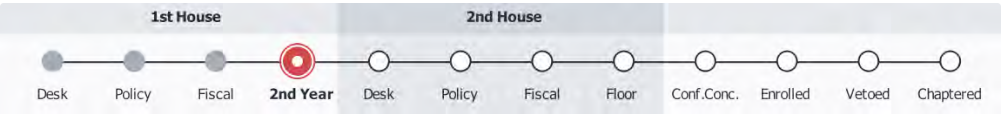

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality

Bill information

Status: 09/12/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 6/12/2025)(May be acted upon Jan 2026)

Summary: The California Safe Drinking Water Act (state act) requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The state board's duties include, but are not limited to, enforcing the federal Safe Drinking Water Act (federal act) and adopting and enforcing regulations. Current law authorizes the state board to adopt as an emergency regulation, a regulation that is not more stringent than, and is not materially different in substance and effect than, the requirements of a regulation promulgated under the federal act, with a specified exception. This bill would provide that the authority of the state board to adopt an emergency regulation pursuant to these provisions includes the authority to adopt requirements of a specified federal regulation that was in effect on January 19, 2025, regardless of whether the requirements were repealed or amended to be less stringent. The bill would prohibit an emergency regulation adopted pursuant to these provisions from implementing less stringent drinking water standards, as provided, and would authorize the regulation to include monitoring requirements that are more stringent than the requirements of the federal regulation. The bill would prohibit maximum contaminant levels and compliance dates for maximum contaminant levels adopted as part of an emergency regulation from being more stringent than the maximum contaminant levels and compliance dates of a regulation promulgated pursuant to the federal act. (Based on 04/10/2025 text)

Location:	09/12/2025 - Assembly 2 YEAR	**Current Text:**	04/10/2025 - Amended
Introduced:	02/18/2025	**Last Amend:**	04/10/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/28/25 A Floor Analysis (text 04/10/25)		

AB 823 | **Boerner, D** | HTML | PDF

Solid waste: plastic microbeads: plastic glitter.

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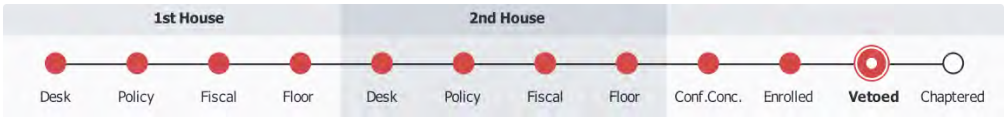

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality

Bill information

Status: 10/11/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: ***01/12/26 #50 A-GOVERNOR'S VETOES***

Summary: The Plastic Microbeads Nuisance Prevention Law prohibits a person, as defined, from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product, including, but not limited to, toothpaste. Existing law exempts a product containing less than one part per million (ppm) by weight of plastic microbeads from the prohibition. The Plastic Microbeads Nuisance Prevention Law imposes a civil penalty not to exceed $2,500 per day for each violation of the prohibition, as provided, and authorizes the Attorney General and local officials to enforce the prohibition. This bill would, on and after January 1, 2029, prohibit a person from selling, offering for sale, distributing, or offering for promotional purposes in this state a personal care product containing plastic glitter, or a personal care product in a non-rinse-off product or a cleaning product containing one ppm or more by weight of plastic microbeads that are used as an abrasive, as specified. The bill would authorize, until January 1, 2030, a person to continue to sell, offer for sale, distribute, or offer for promotional purposes in this state an existing stock of personal care products containing plastic glitter, as specified. By adding these prohibitions to the Plastic Microbeads Nuisance Prevention Law, the bill would impose the civil penalty for violations of these prohibitions. (Based on 09/05/2025 text)

Location:	10/11/2025 - Assembly VETOED	**Current Text:**	10/11/2025 - Vetoed
Introduced:	02/19/2025	**Last Amend:**	05/23/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/23/25 A Floor Analysis (text 09/05/25)		

AB 990 | **Hadwick, R** | **HTML** | **PDF**

Public water systems: emergency notification plan.

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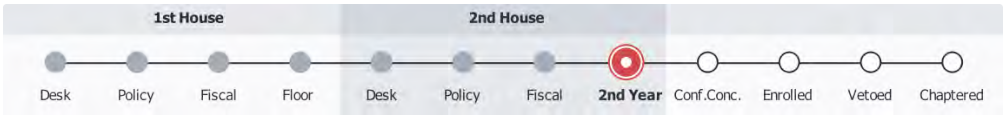

Tracking form

Position	Subject

	ACWD - OGM, ACWD - Operations, ACWD - Water Quality

Bill information

Status:	09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 6/30/2025)(May be acted upon Jan 2026)
Summary:	Current law prohibits a person from operating a public water system without an emergency notification plan that has been submitted to and approved by the State Water Resources Control Board. Current law requires the emergency notification plan to provide for immediate notice to the customers of the public water system of any significant rise in the bacterial count of water or other failure to comply with any primary drinking water standard that represents an imminent danger to the health of the water users. This bill would authorize and encourage a public water system to provide notification to water users in their preferred language when updating the emergency notification plan, if resources are available. (Based on 02/20/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	02/20/2025 - Introduced
Introduced:	02/20/2025		
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	06/27/25 S Floor Analyses (text 02/20/25)		

AB 995 | **Caloza, D** | **HTML** | **PDF**

Department of Justice: phone scams.

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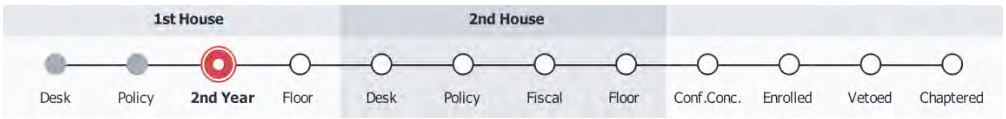

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality

Bill information

Status:	05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)
Summary:	Would require the Department of Justice to establish and maintain a database of known phone scams on its internet website. The bill would require the department to include a mechanism to report suspected scams and to search for known phone scams, as specified. The bill would also require the department to report annually to the Legislature, commencing January 1, 2028, specified information relating to phone scams. The bill would repeal its provisions January 1, 2033. (Based on 05/05/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	05/05/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	05/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 05/05/25)		

SB 31 | McNerney, D | HTML | PDF

Water quality: recycled water.

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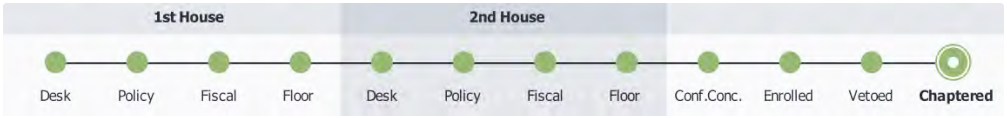

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality, ACWD - Water Resources

Bill information

Status: 10/13/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 736, Statutes of 2025.

Summary: The Water Recycling Law generally provides for the use of recycled water. Current law requires any person who, without regard to intent or negligence, causes or permits an unauthorized discharge of 50,000 gallons or more of recycled water in or on any waters of the state to immediately notify the appropriate regional water board. This bill would, for the purposes of the above provision, redefine “recycled water” and provide that water discharged from a decorative body of water during storm events is not to be considered an unauthorized discharge if recycled water was used to restore levels due to evaporation. (Based on 10/13/2025 text)

Location: 10/13/2025 - Senate CHAPTERED

Introduced: 12/02/2024

Is Urgent: N

Is Fiscal: Y

Current Analysis: 09/03/25 S Floor Analyses (text 06/09/25)

Current Text: 10/13/2025 - Chaptered

Last Amend: 06/09/2025

SB 724 | Richardson, D | HTML | PDF

Public housing: lead testing.

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Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality

Bill information

Status:	08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/20/2025)(May be acted upon Jan 2026)
Summary:	Current law prohibits a person from using any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption, except when necessary for the repair of leaded joints of cast iron pipes. Current law requires a community water system to compile an inventory of known lead user service lines in use in its distribution system and identify areas that may have lead user service lines in use in its distribution system, as provided. This bill would require the owner of a public housing unit that is owned or managed by a city, county, city and county, or city, county, or city and county housing authority, to provide information to the residents of the public housing unit regarding any applicable existing program that offers free testing of the water for lead. (Based on 05/05/2025 text)

Location:	08/28/2025 - Assembly 2 YEAR	**Current Text:**	05/05/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	05/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/18/25 A Appropriations (text 05/05/25)		

ACWD - Water Resources

AB 43 | Schultz, D | HTML | PDF

Wild and scenic rivers.

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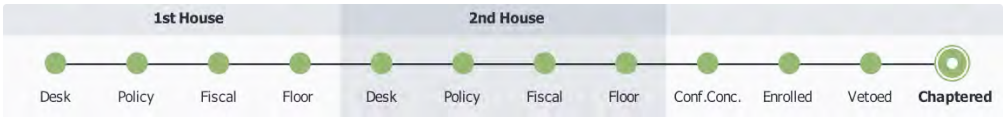


Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

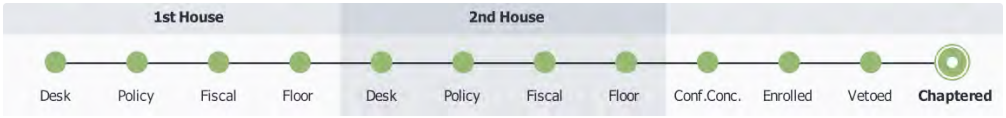
Status:	10/07/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 431, Statutes of 2025.
Summary:	Current law requires the Secretary of the Natural Resources Agency to take specified actions relating to the addition of rivers or segments of rivers to the state's wild and scenic rivers system if, among other things, the federal government enacts a statute that, upon enactment, would require the removal or delisting of any river or segment of a river in the state that was included in the national wild and scenic rivers system and not in the state wild and scenic rivers system. Current law authorizes, only until December 31, 2025, the secretary to take action under these provisions to add a river or segment of a river to the state wild and scenic rivers system. Current law requires those actions to remain in effect until December 31, 2025, except as otherwise provided. This bill would indefinitely extend the date by which the secretary is authorized to take the specified actions relating to the addition of rivers or segments of rivers to the state's wild and scenic rivers system, as described above. (Based on 10/07/2025 text)

Location:	10/07/2025 - Assembly CHAPTERED	**Current Text:**	10/07/2025 - Chaptered
Introduced:	12/02/2024		
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	07/08/25 S Floor Analyses (text 12/02/24)		

AB 263 | **Rogers, D** | **HTML** | **PDF**

Scott River: Shasta River: watersheds.

Progress bar



Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 09/26/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 130, Statutes of 2025.

Summary: Current law provides that an emergency regulation adopted by the State Water Resources Control Board following a Governor's proclamation of a state of emergency based on drought conditions, for which the board makes specified findings, may remain in effect for up to one year, as provided, and may be renewed if the board determines that specified conditions relating to precipitation are still in effect. This bill would provide that specified emergency regulations adopted by the board for the Scott River and Shasta River watersheds shall remain in effect until January 1, 2031, or until permanent rules establishing and implementing long-term instream flow requirements are adopted for those watersheds, whichever occurs first. (Based on 09/26/2025 text)

Location:	09/26/2025 - Assembly CHAPTERED	**Current Text:**	09/26/2025 - Chaptered
Introduced:	01/16/2025	**Last Amend:**	09/03/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/10/25 A Floor Analysis (text 09/03/25)		

AB 267 | **Macedo, R** | **HTML** | **PDF**

Greenhouse Gas Reduction Fund: high-speed rail: water infrastructure and wildfire prevention.

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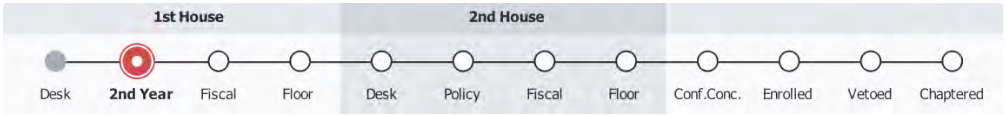

Tracking form

Position	Subject
	ACWD - Finance, ACWD - Water Resources

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/18/2025)(May be acted upon Jan 2026)

Summary: Would suspend the appropriation to the High-Speed Rail Authority for the 2026–27 and 2027–28 fiscal years and would instead require those amounts from moneys collected by the State Air Resources Board to be transferred to the General Fund. The bill would specify that the transferred amounts shall be available, upon appropriation by the Legislature, to augment funding for water infrastructure and wildfire prevention. (Based on 01/17/2025 text)

Location: 05/01/2025 - Assembly 2 YEAR
Introduced: 01/17/2025
Is Urgent: N
Is Fiscal: Y
Current Text: 01/17/2025 - Introduced

AB 293 | **Bennett, D** | **HTML** | **PDF**

Groundwater sustainability agency: transparency.

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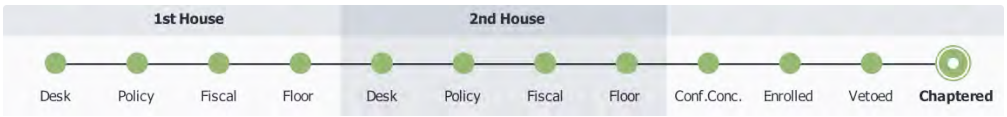

Tracking form

Position	Subject
	ACWD - Board/Gov, ACWD - OGM, ACWD - Water Resources

Bill information

Status: 10/06/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 359, Statutes of 2025.

Summary: Current law requires a groundwater sustainability plan to be developed and implemented for each medium- or high-priority basin by a groundwater sustainability agency. Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin, as provided. Current law requires members of the board of directors and the executive, as defined, of a groundwater sustainability agency to file statements of economic interests with the Fair Political Practices Commission using the commission's online system for filing statements of economic interests. This bill would require each groundwater sustainability agency to publish the membership of its board of directors on its internet website, or on the local agency's internet website, as provided. The bill would also require each groundwater sustainability agency to publish a link on its internet website or its local agency's internet website to the location on the Fair Political Practices Commission's internet website where the statements of economic interests, filed by the members of the board and executives of the agency, can be viewed. (Based on 10/06/2025 text)

Location:	10/06/2025 - Assembly CHAPTERED	**Current Text:**	10/06/2025 - Chaptered
Introduced:	01/22/2025		
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	06/11/25 S Floor Analyses (text 01/22/25)		

AB 295 | **Macedo, R** | HTML | PDF

California Environmental Quality Act: environmental leadership development projects: water storage, water conveyance, and groundwater recharge projects: streamlined review.

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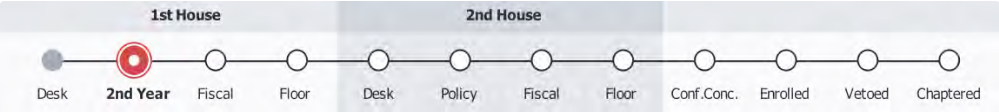

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Water Resources

Bill information

Status: 05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/10/2025)(May be acted upon Jan 2026)

Summary: The Jobs and Economic Improvement Through Environmental Leadership Act of 2021 authorizes the Governor, until January 1, 2032, to certify environmental leadership development projects that meet specified requirements for certain streamlining benefits related to the California Environmental Quality Act (CEQA). The act, among other things, requires a lead agency to prepare the record of proceedings for an environmental leadership development project, as provided, and to provide a specified notice within 10 days of the Governor certifying the project. The act is repealed by its own term on January 1, 2034. This bill would extend the application of the act to water storage projects, water conveyance projects, and groundwater recharge projects that provide public benefits and drought preparedness. Because a lead agency would be required to prepare the record of proceedings for water storage projects, water conveyance projects, and groundwater recharge projects pursuant to the act, this bill would impose a state-mandated local program. (Based on 01/23/2025 text)

Location:	05/01/2025 - Assembly 2 YEAR	**Current Text:**	01/23/2025 - Introduced
Introduced:	01/23/2025		
Is Urgent:	N		
Is Fiscal:	Y		

AB 430 | **Alanis, R** | HTML | PDF

State Water Resources Control Board: emergency regulations.

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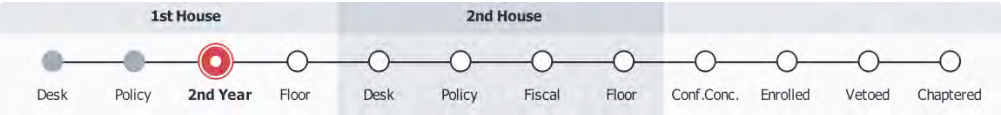

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)

Summary: Current law provides that an emergency regulation adopted by the State Water Resources Control Board following a Governor's proclamation of a state of emergency based on drought conditions, for which the board makes specified findings, may remain in effect for up to one year, as provided, and may be renewed if the board determines that specified conditions relating to precipitation are still in effect. This bill would require the board, within 180 days following a finding by the board that a nonfee emergency regulation is no longer necessary, as provided, to conduct a comprehensive economic study assessing the impacts of the regulation, as specified. (Based on 05/01/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	05/01/2025 - Amended
Introduced:	02/05/2025	**Last Amend:**	05/01/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 05/01/25)		

AB 497 | **Wilson, D** | **HTML** | **PDF**

San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan: update: substitute environmental document: exemption.

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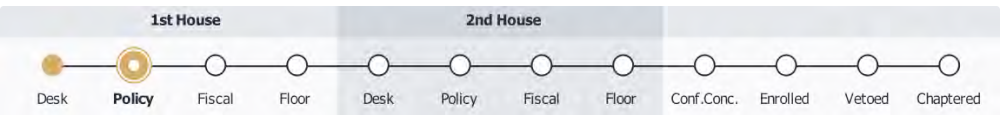

Tracking form

Position	Subject
	ACWD - OGM, ACWD - Water Resources

Bill information

Status: 01/06/2026 - Re-referred to Com. on W. P., & W.

Summary: The Porter-Cologne Water Quality Control Act establishes a statewide program for the control of the quality of all the waters in the state and makes certain legislative findings and declarations. Current law establishes the State Water Resources Control Board to exercise the adjudicatory and regulatory functions of the state in the field of water resources. Pursuant to its authority, the board adopted the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) that, among other things, establishes objectives to protect the beneficial uses of the water and prevent nuisance within the waters specified in the Bay-Delta Plan. The California

Environmental Quality Act (CEQA), requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. This bill would require the board to adopt an update to the Bay-Delta Plan that addresses the Sacramento River and its tributaries, Sacramento-San Joaquin Delta (Delta) eastside tributaries, and the Delta no later than August 31, 2026. The bill would exempt the board from the requirements to prepare, provide for review, transmit to state agencies, and include written or oral responses to comments on a specified draft substitute environmental document, as provided. (Based on 01/05/2026 text)

Location:	01/05/2026 - Assembly Water, Parks and Wildlife	**Current Text:**	01/05/2026 - Amended
Introduced:	02/10/2025	**Last Amend:**	01/05/2026
Is Urgent:	N		
Is Fiscal:	Y		

AB 514 | Petrie-Norris, D | HTML | PDF

Water: emergency water supplies.

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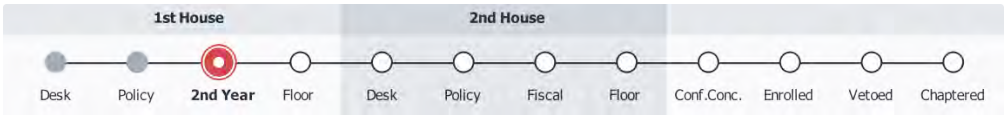

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status:	05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)
Summary:	Would declare that it is the established policy of the state to encourage, but not mandate, the development of emergency water supplies by both local and regional water suppliers, as defined, and to support their use during times of drought or unplanned service or supply disruption, as provided. (Based on 05/01/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	05/01/2025 - Amended
Introduced:	02/10/2025	**Last Amend:**	05/01/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 05/01/25)		

AB 638 | Rodriguez, Celeste, D | HTML | PDF

Stormwater: uses: irrigation.

Progress bar

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Water Resources

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: The Stormwater Resource Planning Act requires the State Water Resources Control Board, by July 1, 2016, to establish guidance for purposes of the act. This bill would require the board, by December 1, 2026, to develop recommendations for stormwater capture and use for the irrigation of urban public lands, as defined. The bill would require the recommendations to address, but not be limited to, opportunities for the use of captured stormwater for irrigation to offset the use of potable water, as specified, and recommendations for, among other things, pathogens and pathogen indicators and total suspended solids. Prior to approving the recommendations, the bill would require the board to solicit and receive written public comment on proposed recommendations. (Based on 07/03/2025 text)

Location:	08/28/2025 - Senate 2 YEAR	**Current Text:**	07/03/2025 - Amended
Introduced:	02/13/2025	**Last Amend:**	07/03/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/15/25 S Appropriations (text 07/03/25)		

AB 639 | **Soria, D** | **HTML** | **PDF**

Dams: exceptions.

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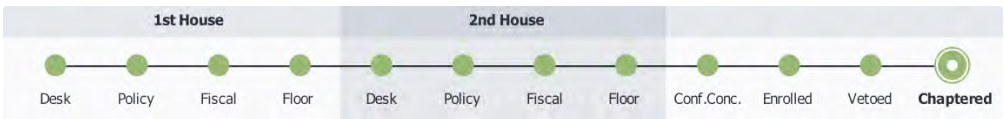

Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 617, Statutes of 2025.

Summary: Current law defines a dam to mean any artificial barrier, together with appurtenant works, that does or may impound or divert water, and meets other specified criteria. Current law excludes from the definition a barrier that is or will be not in excess of 6 feet in height, regardless of storage capacity, or that has or will have a storage capacity not in excess of 15 acre-feet, regardless of height. This bill would additionally exclude from the definition of

a dam a barrier that does not impound water above the top of a levee where maximum storage behind the barrier has a minimum of 3 feet of freeboard on the levee and is a weir, as defined, but would apply only to specified weirs named in the bill. (Based on 10/11/2025 text)

Location:	10/11/2025 - Assembly CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/13/2025	**Last Amend:**	06/11/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/03/25 A Floor Analysis (text 06/11/25)		

AB 707 | Soria, D | HTML | PDF

San Luis and Delta-Mendota Water Authority: B.F. Sisk Dam Raise and Reservoir Expansion Project.

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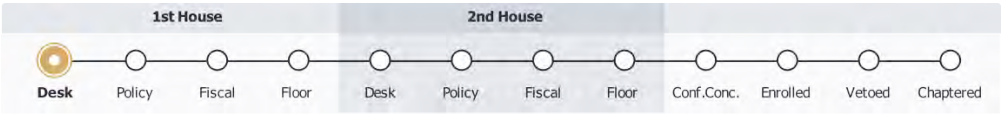

Tracking form

Position	Subject
	ACWD - OGM, ACWD - Water Resources

Bill information

Status:	02/15/2025 - From printer. May be heard in committee March 17.
Summary:	Would appropriate $455,500,000 from the General Fund to the San Luis and Delta-Mendota Water Authority for the purpose of funding the State Highway 152 Route improvements required to complete the B.F. Sisk Dam Raise and Reservoir Expansion Project. (Based on 02/14/2025 text)

Location:	02/14/2025 - Assembly PRINT	**Current Text:**	02/14/2025 - Introduced
Introduced:	02/14/2025		
Is Urgent:	N		
Is Fiscal:	Y		

AB 709 | Gonzalez, Jeff, R | HTML | PDF

Sustainable Groundwater Management Act: groundwater sustainability plans.

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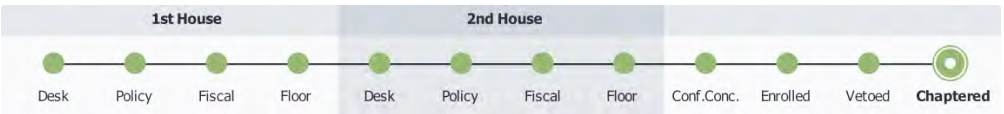

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status:	10/07/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 439, Statutes of 2025.
Summary:	The Sustainable Groundwater Management Act requires a groundwater sustainability agency, upon adoption of a groundwater sustainability plan, to submit the groundwater sustainability plan to the department for review. If groundwater sustainability agencies develop multiple groundwater sustainability plans for a basin, the act requires, when the entire basin is covered by groundwater sustainability plans, the groundwater sustainability agencies to jointly submit to the Department of Water Resources the groundwater sustainability plans, an explanation of how the plans satisfy specified provisions of the act, and a copy of the coordination agreement between the groundwater sustainability agencies. The act requires the department to evaluate a groundwater sustainability plan within 2 years of its submission and issue an assessment of the plan. This bill would provide that nothing in those provisions relating to making submissions to the department shall be construed to prohibit groundwater sustainability agencies that have developed multiple groundwater sustainability plans for a basin from amending the coordination agreement following department issuance of an assessment of the plans. (Based on 10/07/2025 text)
Location:	10/07/2025 - Assembly CHAPTERED
Introduced:	02/14/2025
Is Urgent:	N
Is Fiscal:	N
Current Analysis:	06/11/25 S Floor Analyses (text 02/14/25)
Current Text:	10/07/2025 - Chaptered

AB 717 | **Aguiar-Curry, D** | **HTML** | **PDF**

Water rights: appropriation: small restoration use.

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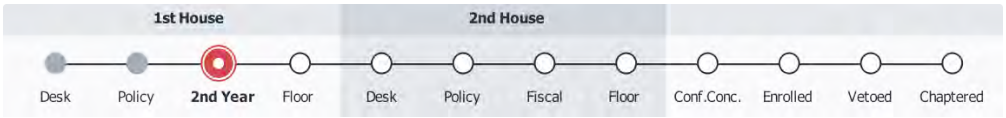

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status:	05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/30/2025)(May be acted upon Jan 2026)
Summary:	The Water Rights Permitting Reform Act of 1988 authorizes any person to obtain a right to appropriate water for a small domestic, small irrigation, or livestock stockpond use, as defined, upon registering the use with the State Water Resources Control Board, as prescribed, payment of a registration fee, and application of the water to reasonable and beneficial use with due diligence. Current law requires a person, in registering their water use to the board, to set forth a certification that the registrant has contacted the Department of Fish and Wildlife and to include a copy of any conditions required by the department. This bill would authorize any person to also obtain a right to appropriate water for a small restoration use, as defined. The bill would also authorize a person to

apply for a restoration management permit from the Department of Fish and Wildlife, as provided, and if the permit is issued, the person would be required to include a copy of any conditions required by the restoration management permit with the required certification. (Based on 03/10/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	03/10/2025 - Amended
Introduced:	02/14/2025	**Last Amend:**	03/10/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/28/25 A Appropriations (text 03/10/25)		

AB 734 | **Schultz, D** | **HTML** | **PDF**

Environmental protection: biological resources data: State Energy Resources Conservation and Development Commission: powerplants: power lines: applications.

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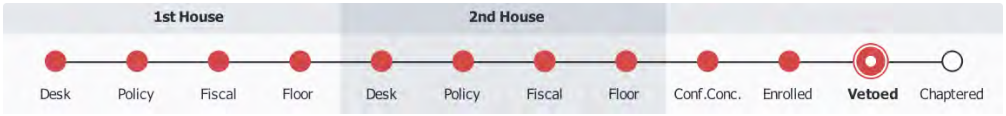

Tracking form

Position	Subject
	ACWD - OGM, ACWD - Water Resources

Bill information

Status: 10/01/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: *01/12/26 #14 A-GOVERNOR'S VETOES*

Summary: Current law vests the State Energy Resources Conservation and Development Commission with the power to certify locations on which an electrical transmission line or thermal powerplant is constructed, or is proposed to be constructed, except as provided. Current law authorizes the commission to exempt from certification a thermal powerplant with a generating capacity of up to 100 megawatts, and modifications to existing generating facilities that do not add capacity in excess of 100 megawatts, if the commission finds that no substantial adverse impact on the environment or energy resources will result from the construction or operation of the proposed facility or from the modifications. This bill would require any biological resources data submitted to the commission in an application for certification or small powerplant exemption pursuant to the above-described provisions to be made publicly available on the commission's docket as part of the certification proceeding unless the Department of Fish and Wildlife makes a written determination that the data to be made public includes specified location data, the disclosure of which would pose a significant risk to individuals of the species. The bill would require the department, if it makes that determination, to include in the written determination an assessment of the maximum amount of the specified data that can be released without posing a risk to the species. (Based on 09/05/2025 text)

Location:	10/01/2025 - Assembly VETOED	**Current Text:**	10/01/2025 - Vetoed
Introduced:	02/18/2025	**Last Amend:**	04/21/2025
Is Urgent:	N		
Is Fiscal:	Y		

Current Analysis:	10/23/25 A Floor Analysis (text 09/05/25)

AB 1044 | **Macedo, R** | **HTML** | **PDF**

Tule East Groundwater Sustainability Agency Act.

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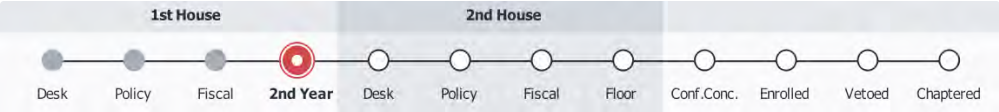

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 06/09/2025 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/9/2025)(May be acted upon Jan 2026)

Summary: Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. The act authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin. The act deems certain agencies created by statute to manage groundwater the exclusive local agencies within their respective statutory boundaries with powers to comply with the act and authorizes these agencies to opt out of being the exclusive groundwater management agency. This bill would create the Tule East Groundwater Sustainability Agency and would establish the agency's initial boundaries. The bill would authorize the boundaries of the agency to be adjusted, as specified. The bill would require the agency to elect to be a groundwater sustainability agency under the Sustainable Groundwater Management Act for that portion of the Tule Subbasin that lies within the boundaries of the agency and would require the agency to develop and implement a groundwater sustainability plan to achieve sustainable groundwater management within the territory of the agency. The bill would generally specify the powers and purposes of the agency. The bill would prescribe the composition of the 5-member board of directors of the agency and would require members and alternates to be chosen, as specified. By imposing duties on the agency and the County of Tulare, the bill would impose a state-mandated local program. The bill would deem the Tule East Groundwater Sustainability Agency the exclusive local agency with powers to comply with the Sustainable Groundwater Management Act. This bill contains other related provisions and other existing laws. (Based on 05/23/2025 text)

Location:	06/05/2025 - Assembly 2 YEAR	**Current Text:**	05/23/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	05/23/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/28/25 A Floor Analysis (text 05/23/25)		

AB 1102 | **Boerner, D** | **HTML** | **PDF**

Sea level rise and groundwater rise: contaminated sites: report.

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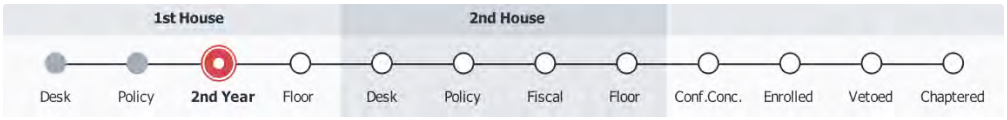

Tracking form

Position	Subject
	ACWD - ETS, ACWD - Water Resources

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/14/2025)(May be acted upon Jan 2026)

Summary: The Department of Toxic Substances Control generally regulates the management and handling of hazardous substances, materials, and waste. The bill would require, on or before January 1, 2027, the department and the State Water Resources Control Board to submit a report to the Legislature that includes specified information, including information relating to all contaminated sites that are vulnerable to sea level rise and groundwater rise. (Based on 04/09/2025 text)

Location:	05/23/2025 - Assembly 2 YEAR	**Current Text:**	04/09/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	04/09/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/12/25 A Appropriations (text 04/09/25)		

AB 1203 | **Ahrens, D** | **HTML** | **PDF**

Water conservation: water wise designation.

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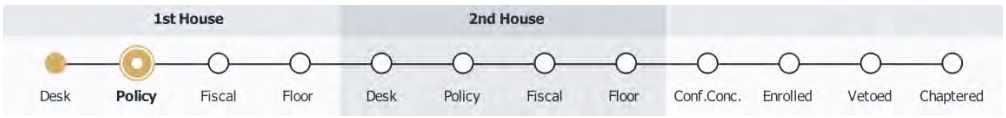

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 01/06/2026 - In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Current law requires the State Water Resources Control Board, in coordination with the Department of Water Resources, to adopt long-term standards for the efficient use of water and performance measures for commercial, industrial, and institutional water use (CII water use), among other water uses, before June 30, 2022. Current law requires the department, in coordination with the board, to conduct necessary studies and investigations and make recommendations, no later than October 1, 2021, for purposes of those standards and performance measures for CII water use. This bill would require the department and the Office of Community Partnerships and Strategic Communications to

include, within the Save Our Water Campaign, a statewide “water wise” designation to be awarded to businesses in the CII sector that meet or exceed the recommendations for CII water use best management practices pursuant to those performance measures. (Based on 02/21/2025 text)

Location:	12/09/2025 - Assembly Water, Parks and Wildlife	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	Y		

AB 1367 | **Gallagher, R** | **HTML** | **PDF**

The California Water Plan: water storage.

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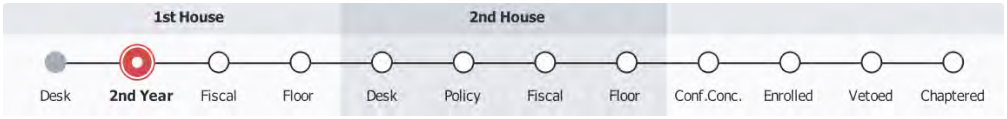

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status:	05/01/2025 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/13/2025)(May be acted upon Jan 2026)
Summary:	Current law requires the Department of Water Resources to update every 5 years the California Water Plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state. This bill would require the department to amend The California Water Plan to state that water storage is the preferred method to be used by the state to meet increased water demands by urban, agricultural, and environmental interests. (Based on 02/21/2025 text)

Location:	05/01/2025 - Assembly 2 YEAR	**Current Text:**	02/21/2025 - Introduced
Introduced:	02/21/2025		
Is Urgent:	N		
Is Fiscal:	Y		

AB 1373 | **Soria, D** | **HTML** | **PDF**

Water quality: state certification.

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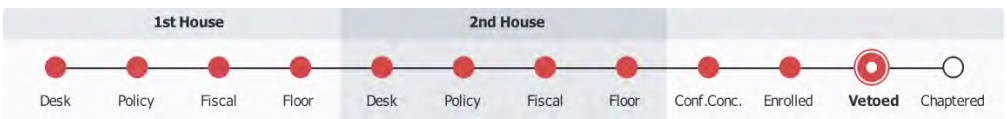

Tracking form

Position	Subject

	ACWD - Water Resources

Bill information

Status: 10/11/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: *01/12/26 #56 A-GOVERNOR'S VETOES*

Summary: Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the Federal Water Pollution Control Act and the Porter-Cologne Water Quality Control Act. Under federal law, any applicant seeking a federal license or permit for an activity that may result in any discharge into the navigable waters of the United States is required to first seek a state water quality certification, as specified. The Porter-Cologne Water Quality Control Act authorizes the state board to certify or provide a statement to a federal agency, as required pursuant to federal law, that there is reasonable assurance that an activity of any person subject to the jurisdiction of the state board will not reduce water quality below applicable standards. The federal act provides that if a state fails or refuses to act on a request for this certification within a reasonable period of time, which shall not exceed one year after receipt of the request, then the state certification requirements are waived with respect to the federal application. This bill would require the state board, if requested by the applicant within 14 days of an initial draft certification being issued, to hold a public hearing at least 21 days before taking action on an application for certification for a license to operate a hydroelectric facility, as provided. The bill would, if a public hearing is requested on the draft certification, prohibit the authority to issue a certification for a license to operate a hydroelectric facility from being delegated. The bill would authorize the state board to include in its fee schedule for hydroelectric facility applicants an amount up to the reasonable costs incurred by the state board in implementing these provisions. (Based on 09/16/2025 text)

Location:	10/11/2025 - Assembly VETOED	**Current Text:**	10/11/2025 - Vetoed
Introduced:	02/21/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/23/25 A Floor Analysis (text 09/16/25)		

AB 1413 | **Papan, D** | **HTML** | **PDF**

Sustainable Groundwater Management Act: groundwater adjudication.

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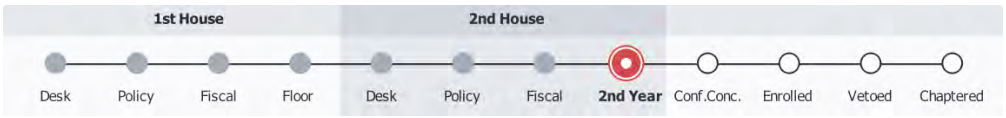

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/9/2025)(May be acted upon Jan 2026)

Summary: Current law requires the Department of Water Resources to periodically review the groundwater sustainability plans developed by groundwater sustainability agencies pursuant to the act to evaluate whether a plan conforms with specified laws and is likely to achieve the sustainability goal for the basin covered by the plan. Current law requires a groundwater sustainability agency to evaluate its groundwater sustainability plan periodically. This bill would require a groundwater sustainability agency to, at least once every 7 years, review, and update if appropriate, its sustainable yield to ensure that the sustainable yield is based on the best available information and best available science, as defined, and will achieve sustainable groundwater management. The bill would also require a groundwater sustainability agency to provide an opportunity for public review and comment before making a determination whether to update its sustainable yield. To the extent that these requirements impose additional duties on groundwater sustainability agencies that are local agencies, the bill would impose a state-mandated local program. (Based on 09/02/2025 text)

Location:	09/11/2025 - Senate 2 YEAR	**Current Text:**	09/02/2025 - Amended
Introduced:	02/21/2025 (Spot bill)	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/03/25 S Floor Analyses (text 09/02/25)		

AB 1466 | **Hart, D** | **HTML** | **PDF**

Groundwater adjudication.

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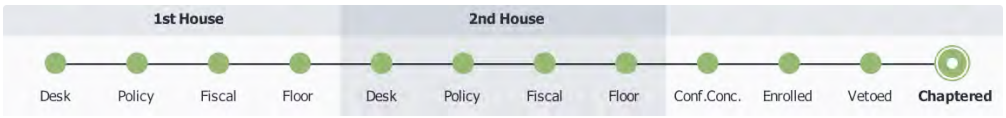

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 10/11/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 643, Statutes of 2025.

Summary: Current law establishes procedures for the comprehensive adjudication of groundwater rights in civil court. Under current law, if the court finds that claims of right to extract or divert only minor quantities of water, as defined, would not have a material effect on the groundwater rights of other parties, the court may exempt those claimants from the proceedings, except as specified. Current law further prescribes that a judgment in a comprehensive adjudication to determine rights to extract groundwater in a basin is not binding on, among others, claimants whose claims have been exempted. This bill would authorize a court, in lieu of the exemption process described above, to treat persons with claims of right to extract or divert only minor quantities of water separately from other parties to the comprehensive adjudication. (Based on 10/11/2025 text)

Location:	10/11/2025 - Assembly CHAPTERED	**Current Text:**	10/11/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	09/04/2025
Is Urgent:	N		

Is Fiscal:	Y
Current Analysis:	09/10/25 A Floor Analysis (text 09/04/25)

SB 31 | **McNerney, D** | HTML | PDF

Water quality: recycled water.

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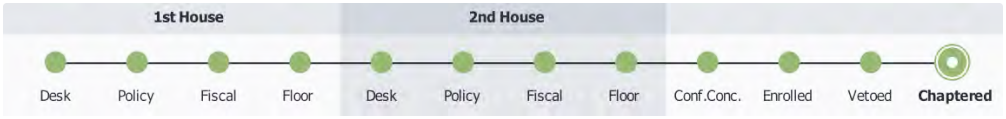

Tracking form

Position	Subject
	ACWD - Operations, ACWD - Water Quality, ACWD - Water Resources

Bill information

Status:	10/13/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 736, Statutes of 2025.
Summary:	The Water Recycling Law generally provides for the use of recycled water. Current law requires any person who, without regard to intent or negligence, causes or permits an unauthorized discharge of 50,000 gallons or more of recycled water in or on any waters of the state to immediately notify the appropriate regional water board. This bill would, for the purposes of the above provision, redefine “recycled water” and provide that water discharged from a decorative body of water during storm events is not to be considered an unauthorized discharge if recycled water was used to restore levels due to evaporation. (Based on 10/13/2025 text)

Location:	10/13/2025 - Senate CHAPTERED	**Current Text:**	10/13/2025 - Chaptered
Introduced:	12/02/2024	**Last Amend:**	06/09/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/03/25 S Floor Analyses (text 06/09/25)		

SB 224 | **Hurtado, D** | HTML | PDF

Department of Water Resources: water supply forecasting.

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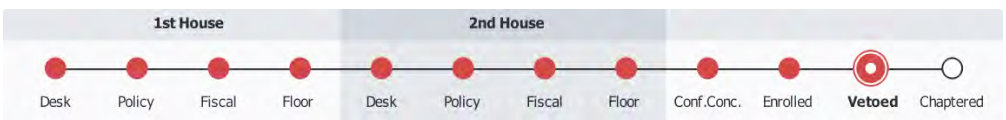

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status:	10/03/2025 - Vetoed by Governor. Consideration of Governor's veto pending.
Calendar:	***01/12/26 #8 S-GOVERNOR'S VETOES***
Summary:	Current law requires the Department of Water Resources to gather and correlate information and data pertinent to an annual forecast of seasonal water crop. Current law also requires the department to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as “The California Water Plan.”This bill would require the department, on or before January 1, 2027, to update its water supply forecasting models and procedures to address the effects of climate change and implement a formal policy and procedures for documenting the department’s operational plans and the department’s rationale for its operating procedures, including the department’s rationale for water releases from reservoirs. The bill would also require the department to establish, and publish on the department’s internet website, the specific criteria that it will employ to determine when its updated water supply forecasting model has demonstrated sufficient predictive capability to be ready for use in each of the watersheds. The bill would require the department, on or before January 1, 2028, and annually thereafter, to prepare and submit to the Legislature a report on its progress toward implementing the new forecasting model and to post the report on the department’s internet website. (Based on 09/13/2025 text)

Location:	10/03/2025 - Senate VETOED	**Current Text:**	10/03/2025 - Vetoed
Introduced:	01/27/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	10/08/25 S Floor Analyses (text 09/13/25)		

SB 231 | **Seyarto, R** | **HTML** | **PDF**

California Environmental Quality Act: the Office of Land Use and Climate Innovation: technical advisory.

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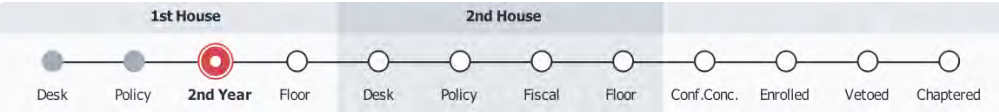


Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status:	05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/7/2025)(May be acted upon Jan 2026)
Summary:	The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Under current law, the recommendation, continuous evaluation, and execution of statewide environmental goals, policies, and plans are included within the

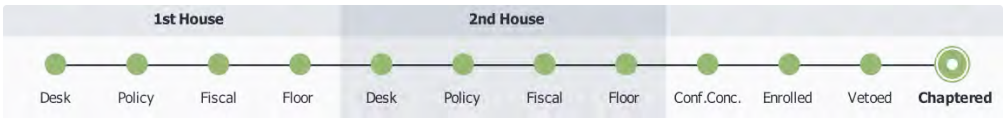
scope of the executive functions of the Governor. Current law establishes the Office of Land Use and Climate Innovation in the Governor's office for the purpose of serving the Governor and the Governor's cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. This bill would require, on or before July 1, 2027, the Office of Land Use and Climate Innovation to consult with regional, local, state, and federal agencies to develop a technical advisory on thresholds of significance for greenhouse gas and noise pollution effects on the environment to assist local agencies. The bill would require the technical advisory to provide suggested thresholds of significance for all areas of the state, as specified, and would provide that lead agencies may elect to adopt these suggested thresholds of significance. The bill would also require the Office of Land Use and Climate Innovation to post the technical advisory on its internet website. (Based on 03/20/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	03/20/2025 - Amended
Introduced:	01/28/2025	**Last Amend:**	03/20/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	04/04/25 S Appropriations (text 03/20/25)		

SB 394 | Allen, D | HTML | PDF

Water theft: fire hydrants.

Progress bar



Tracking form

Position	Subject
	ACWD - Engineering, ACWD - Operations, ACWD - Water Resources

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 540, Statutes of 2025.

Summary: Current law authorizes a utility to bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts certain acts, including, diverting or causing to be diverted, utility services by any means whatsoever. Current law creates a rebuttable presumption that there is violation of these provisions if, on premises controlled by the customer or by the person using or receiving the direct benefit of utility service, certain actions occur, including that there is an instrument, apparatus, or device primarily designed to be used to obtain utility service without paying the full lawful charge for the utility. This bill would add to the list of acts for which a utility may bring a civil cause of action under these circumstances to include tampering with a fire hydrant, fire hydrant meter, or fire detector check, or connecting to, diverting water from, or causing water to be diverted from, a fire hydrant without authorization from the utility that owns the fire hydrant, except as provided. (Based on 10/10/2025 text)

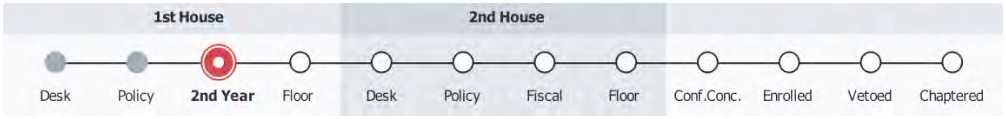
Location:	10/10/2025 - Senate CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/14/2025	**Last Amend:**	07/03/2025

Is Urgent:	N
Is Fiscal:	N
Current Analysis:	07/14/25 S Floor Analyses (text 07/03/25)

SB 463 | **Alvarado-Gil, R** | **HTML** | **PDF**

Drought planning: resiliency measures.

Progress bar



Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status:	05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2025)(May be acted upon Jan 2026)
Summary:	Current law requires small water suppliers, defined for purposes of these provisions to mean a community water system serving 15 to 2,999 service connections, inclusive, and that provides less than 3,000 acre-feet of water annually, and nontransient noncommunity water systems that are schools to implement specified drought resiliency measures, including, among other things, no later than January 1, 2032, metering each service connection and monitoring for water loss due to leakages. This bill would exempt a small water supplier or nontransient noncommunity water system from these metering and monitoring requirements if it (1) is in the process of applying for state funding, has been determined to be ineligible for state funding, or is not able to obtain state funding because there is no funding available in applicable state programs, and (2) has made a finding that increasing its rates to raise revenue locally is not a feasible option. (Based on 04/09/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	04/09/2025 - Amended
Introduced:	02/19/2025	**Last Amend:**	04/09/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	05/02/25 S Appropriations (text 04/09/25)		

SB 556 | **Hurtado, D** | **HTML** | **PDF**

Habitat enhancement and restoration: floodplains.

Progress bar

Tracking form

Position	Subject
	ACWD - Finance, ACWD - Water Resources

Bill information

Status: 08/28/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/20/2025)(May be acted upon Jan 2026)

Summary: Current law, the Wildlife Conservation Board within the Department of Fish and Wildlife administers various habitat conservation and restoration programs. This bill would require, upon appropriation by the Legislature, the sum of $21,500,000 to be allocated to the board for floodplain acquisition, habitat restoration, and associated conservation projects on floodplains in the Counties of Kern, Kings, and Tulare, as provided. (Based on 07/17/2025 text)

Location:	08/28/2025 - Assembly 2 YEAR	**Current Text:**	07/17/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	07/17/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/18/25 A Appropriations (text 07/17/25)		

SB 557 | **Hurtado, D** | **HTML** | **PDF**

Child abuse: family resource centers.

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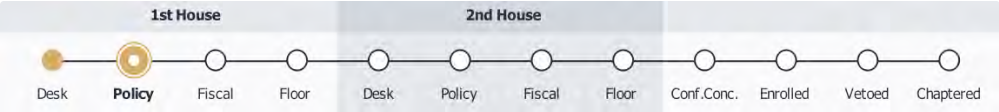

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 01/07/2026 - Set for hearing January 12.

Calendar: ***01/12/26 S-HUMAN SERVICES 3 p.m. or upon adjournment of Session - 1021 O Street, Room 2100 ARREGUÍN, JESSE, Chair***

Summary: Current law requires the Office of Child Abuse Prevention in the State Department of Social Services to use federal funding to undertake specified activities, including, among other things, supporting coordination and sharing of best practices implemented by family resource centers with other agencies, when the best practices reflect strategies and outcomes that were achieved and supported by evidence-informed programs and data. Current law authorizes a county to establish a child abuse multidisciplinary personnel team within that county to allow provider agencies to share confidential information in order for provider agencies to investigate reports of suspected child abuse or neglect, as specified, or for the purpose of child welfare agencies making a detention determination. Current law specifies that the multidisciplinary personnel team may include a representative of a local child abuse prevention council or family-strengthening organization, including, but not limited to, a family resource center. Current law defines “family resource center,” for purposes of these provisions. This bill would instead define “family resource center” to mean a family-friendly entity serving as a hub for

multigenerational, family-centered, and family-strengthening support services that are provided at no cost or low cost to participants, embedded in communities, culturally sensitive, reflective of, and responsive to, community needs and interests, build communities of peer support for families, and include cross-system collaboration to assist in transforming families and communities through reciprocity, development of social connections that reduce isolation and stress, and asset development based on impact-driven and evidence-informed approaches with the goal of preventing child abuse and neglect and strengthening children and families. (Based on 01/05/2026 text)

Location:	01/05/2026 - Senate Human Services	**Current Text:**	01/05/2026 - Amended
Introduced:	02/20/2025	**Last Amend:**	01/05/2026
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	01/08/26 S Human Services (text 01/05/26)		

SB 599 | **Caballero, D** | **HTML** | **PDF**

Atmospheric rivers: research: forecasting methods: experimental tools.

Progress bar

Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 09/11/2025 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/10/2025)(May be acted upon Jan 2026)

Summary: Current law establishes the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program in the Department of Water Resources. Current law requires the department to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would, for novel forecasting methods researched, developed, and implemented by the department, require the department to include the use of experimental tools that produce seasonal and subseasonal atmospheric river forecasts, as defined. (Based on 04/24/2025 text)

Location:	09/11/2025 - Assembly 2 YEAR	**Current Text:**	04/24/2025 - Amended
Introduced:	02/20/2025	**Last Amend:**	04/24/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/02/25 A Floor Analysis (text 04/24/25)		

SB 614 | **Stern, D** | **HTML** | **PDF**

Public resources: transportation of carbon dioxide.

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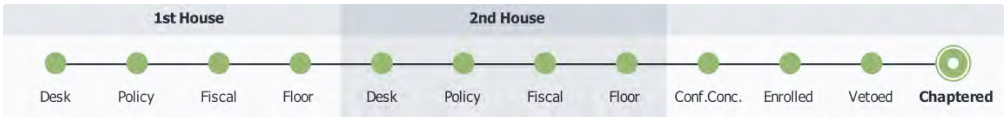


Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 529, Statutes of 2025.

Summary: The Elder California Pipeline Safety Act of 1981 requires the State Fire Marshal to administer provisions regulating the inspection of intrastate pipelines that transport hazardous liquids. A person who willfully and knowingly violates the act or a regulation issued pursuant to the act is, upon conviction, subject to a fine, imprisonment, or both a fine and imprisonment, as provided. This bill would revise the definition of “pipeline,” for purposes of the act, to include intrastate pipelines used for the transportation of carbon dioxide. The bill would require the State Fire Marshal, by July 1, 2026, to adopt regulations governing the safe transportation of carbon dioxide in pipelines that, at a minimum, are as protective as certain draft regulations issued by the federal Pipeline and Hazardous Materials Safety Administration on January 10, 2025. The bill would authorize the State Fire Marshal to amend those regulations, as provided. The bill would prohibit the approval of a pipeline for use in transporting carbon dioxide if the pipeline is originally constructed to transport any other liquid or gas and would prohibit the construction of those pipelines using previously used pipe or components. The bill would prohibit an operator from constructing a pipeline transporting carbon dioxide in a location where one or more sensitive receptors, as defined, are located within the emergency planning zone of the pipeline, which is defined as an area within 2 miles of either side of the pipeline, except as provided. The bill would require an operator of a pipeline transporting carbon dioxide to submit to the State Fire Marshal and the public agency that is the lead agency for the project that includes the pipeline an emergency planning zone inventory and map, as provided, and would require the State Fire Marshal and the lead agency to review, at least once every 3 years, the inventory and map for completeness and accuracy. The bill would require the operator, at least once every 3 years, to provide to local governments providing emergency response services to sensitive receptors within an emergency planning zone the inventory and map determined by the State Fire Marshal and the lead agency to be complete and accurate and any updates to the inventory and map. The bill would require the State Fire Marshal and the lead agency to make publicly available on its internet website all inventories and maps determined to be current, complete, and accurate and would require the State Fire Marshal and the lead agency to redact any personally identifiable information from the publicly available inventories and maps. To the extent this requirement imposes additional duties on a local agency regarding the posting of, and the redaction of information from, the inventories and maps, this bill would impose a state-mandated local program. The bill would require the operator to annually provide the map to sensitive receptors within the emergency planning zone of the pipeline. The bill would authorize the State Fire Marshal, for a pipeline transporting carbon dioxide, to order a pipeline shutdown for violations of state or federal laws, or if continued pipeline operations present an immediate danger to health, welfare, or the environment. The bill would, in the event of a pipeline rupture, require the pipeline to remain nonoperational until an investigation into the pipeline rupture is completed and the origin and cause of the pipeline rupture is determined. Because the bill would expand the application of a crime to

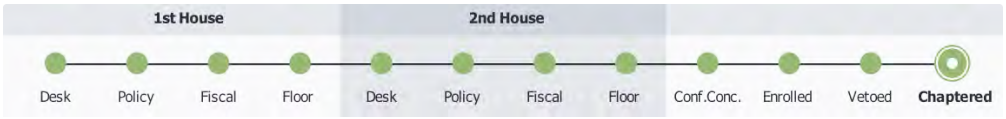
pipelines transporting carbon dioxide and because a violation of the regulations adopted by the State Fire Marshal related to pipelines transporting carbon dioxide would be a crime, the bill would impose a state-mandated local program. The bill would require that to be recognized by the state board for meeting any requirement under the California Global Warming Solutions Act of 2006, carbon dioxide transported by pipeline be transported only by pipelines meeting or exceeding the standards adopted by the State Fire Marshal. This bill contains other related provisions and other existing laws. (Based on 10/10/2025 text)

Location:	10/10/2025 - Senate CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/12/25 S Floor Analyses (text 09/05/25)		

SB 650 | **Cabaldon, D** | **HTML** | **PDF**

The Sacramento-San Joaquin Delta Reform Act of 2009.

Progress bar



Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 10/03/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 324, Statutes of 2025.

Summary: The Sacramento-San Joaquin Delta Reform Act of 2009 provides that it is the intent of the Legislature to provide for the sustainable management of the Sacramento-San Joaquin Delta ecosystem, to provide for a more reliable water supply for the state, to protect and enhance the quality of water supply from the Delta, as defined, and to establish a governance structure that will direct efforts across state agencies to develop a legally enforceable Delta Plan. This bill would make the provisions of the Delta Plan severable. (Based on 10/03/2025 text)

Location:	10/03/2025 - Senate CHAPTERED	**Current Text:**	10/03/2025 - Chaptered
Introduced:	02/20/2025	**Last Amend:**	08/18/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/28/25 S Floor Analyses (text 08/18/25)		

SB 676 | **Limón, D** | **HTML** | **PDF**

California Environmental Quality Act: judicial streamlining: state of emergency: wildfire.

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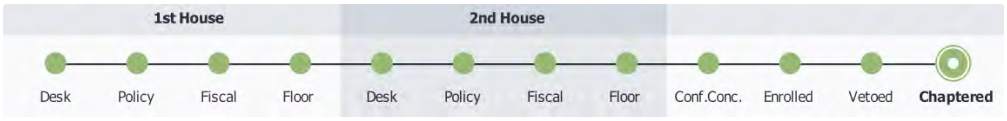


Tracking form

Position	Subject
	ACWD - Capital Projects, ACWD - Engineering, ACWD - Water Resources

Bill information

Status: 10/10/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 550, Statutes of 2025.

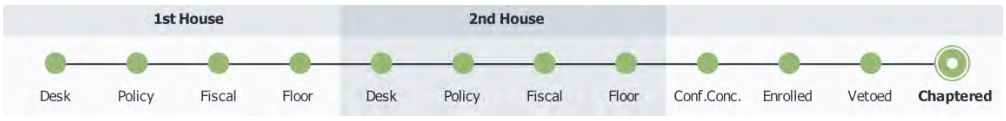
Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require,on and after January 1, 2027, for a project, located in a geographic area for which the Governor declared a state of emergency on or after January 1, 2023, that is to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed by wildfire, and the project is not otherwise exempt from CEQA, as specified, the lead agency to prepare the record of proceeding concurrently with the administrative process. The bill would also require an action or proceeding brought to attack, review, set aside, void, or annul the certification of an environmental impact report, or the adoption of a negative declaration or mitigated negative declaration, for the project to be resolved, to the extent feasible, within 270 calendar days of the filing of the certified record of proceedings. The bill would require an applicant to agree to pay the costs of the trial court and court of appeal in hearing and deciding any action or proceeding brought under these provisions, as provided. The bill would require the Judicial Council to adopt rules of court to implement these requirements. The bill would require the project to be consistent with the applicable zoning and land use ordinances. By requiring a lead agency to prepare the record of proceedings concurrently with the administrative process, this bill would impose a state-mandated local program. (Based on 10/10/2025 text)

Location:	10/10/2025 - Senate CHAPTERED	**Current Text:**	10/10/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/08/25 S Floor Analyses (text 09/02/25)		

SB 697 | **Laird, D** | **HTML** | **PDF**

Determination of water rights: stream system.

Progress bar



Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 10/06/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 422, Statutes of 2025.

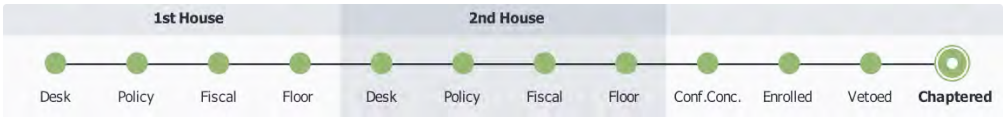
Summary: Current law authorizes the State Water Resources Control Board to hold proceedings to determine all rights to water of a stream system whether based upon appropriation, riparian right, or other basis of right. Current law provides various requirements for the board when determining adjudication of water rights, including, among other things, performing a detailed field investigation of a stream system, as defined, issuing an order of determination, providing notice and a hearing process, and filing a final order. This bill would revise the above-described provisions regarding the board's statutory adjudication of water rights during an investigation of a stream system to, among other things, require representatives of the board to investigate in detail the use of water with the authority, but no requirement, to conduct a field investigation, authorize the board, if the board determines that the information provided by the person, as specified, is inadequate, to issue information orders that require claimants to submit reports of water use from the stream system through a form provided by the board, and require claimants to respond to that order within 75 days of the date of issuance by the board. (Based on 10/06/2025 text)

Location:	10/06/2025 - Senate CHAPTERED	**Current Text:**	10/06/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	07/03/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	08/29/25 S Floor Analyses (text 07/03/25)		

SB 838 | **Durazo, D** | **HTML** | **PDF**

Housing Accountability Act: housing development projects.

Progress bar



Tracking form

Position	Subject
	ACWD - Water Resources

Bill information

Status: 10/13/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 789, Statutes of 2025.

Summary: Existing law, the Housing Accountability Act, among other things, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households unless the local agency makes written findings as to one of certain sets of conditions, as specified. Existing law defines, for its purposes, a housing development project as a use consisting

of, among other things, mixed-use developments consisting of residential and nonresidential uses meeting one of several conditions, including that at least 2/3 of the new or converted square footage is designated for residential use. This bill would revise the definition of “housing development project” to, in the case of mixed-use developments with at least 2/3 of the new or converted square footage designated for residential use, require that no portion of the project be designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except as specified. This bill contains other related provisions. (Based on 10/13/2025 text)

Location:	10/13/2025 - Senate CHAPTERED	**Current Text:**	10/13/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	N		
Current Analysis:	09/11/25 S Floor Analyses (text 09/05/25)		

Enc - Engineering

AB 339 | Ortega, D | HTML | PDF

Local public employee organizations: notice requirements.

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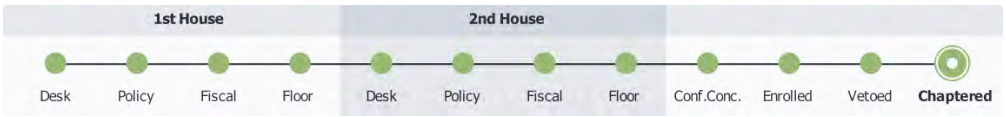


Tracking form

Position	Subject
	ACWD - HR, ACWD - Operations, Enc - Engineering

Bill information

Status: 10/13/2025 - Approved by the Governor. Chaptered by Secretary of State - Chapter 687, Statutes of 2025.

Summary: The Meyers-Milias-Brown Act contains various provisions that govern collective bargaining of local represented employees and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. Current law requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Current law requires the governing body of a public agency, and boards and commissions designated by law or by the governing body, to give reasonable written notice, except in cases of emergency, as specified, to each recognized employee organization affected of any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation proposed to be adopted by the governing body or the designated boards and commissions. This bill would require the governing body of a public agency, and boards and commissions designated by law or by the governing body of a public agency, to give the recognized employee organization no less than 45 days’ written notice before issuing a request for proposals, request for quotes, or renewing or extending an existing contract to perform services that are within the scope of work of the job classifications represented by the recognized employee organization, subject to certain exceptions. The

bill would require the notice to include specified information, including the anticipated duration of the contract. (Based on 10/13/2025 text)

Location:	10/13/2025 - Assembly CHAPTERED	**Current Text:**	10/13/2025 - Chaptered
Introduced:	01/28/2025	**Last Amend:**	08/29/2025
Is Urgent:	N		
Is Fiscal:	Y		
Current Analysis:	09/04/25 A Floor Analysis (text 08/29/25)		

Total Measures: 129
Total Tracking Forms: 129

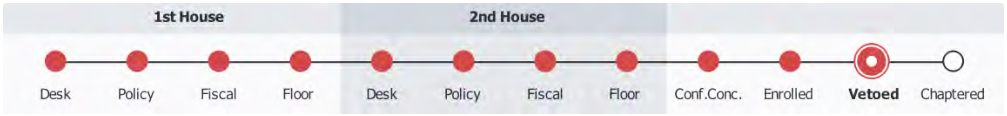
Alameda Positions

Sorted by: Measure
Friday, 01/09/2026

AB 93 | **Papan, D** | **HTML** | **PDF**

Water resources: data centers.

Progress bar



Tracking form

Position	Priority	Subject
Watch		ACWD - ETS, ACWD - Operations

Notes

Bill information

Status: 10/11/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: ***01/12/26 #46 A-GOVERNOR'S VETOES***

Summary: Would require a person who owns or operates a data center, prior to applying to a city or a county for an initial business license, equivalent instrument, or permit, to provide its water supplier, under penalty of perjury, an estimate of the expected water use. When applying to a city or county for an initial business license, the bill would require a person who owns or operates a data center to self-certify, under penalty of perjury, on the application that the person has provided its water supplier an estimate of the expected water use. When applying to a city or county for a renewal of a business license, equivalent instrument, or permit, the bill would require a person who owns or operates a data center to self-certify, under penalty of perjury, on the application, that they have provided the data center's water supplier with a report of the annual water use. By expanding the crime of perjury, the bill would impose a state-mandated local program. The bill would authorize the Department of Water Resources, as part of any efficiency standard adopted under a specified provision of law, to identify different tiers of data centers, based on factors affecting water consumption, and appropriate standards for each data tier. (Based on 09/15/2025 text)

Location: 10/11/2025 - Assembly VETOED

Introduced: 01/07/2025

Is Urgent: N

Is Fiscal: Y

Current Text: 10/11/2025 - Vetoed

Last Amend: 09/05/2025

AB 259 | **Rubio, Blanca, D** | **HTML** | **PDF**

Open meetings: local agencies: teleconferences.

Progress bar

Tracking form

Position	Priority	Subject
Watch		ACWD - Board/Gov

Notes

Bill information

Status: 07/17/2025 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was JUD. on 5/14/2025)(May be acted upon Jan 2026)

Summary: The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Current law requires a member to satisfy specified requirements to participate in a meeting remotely pursuant to these alternative teleconferencing provisions, including that specified circumstances apply. Current law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less. This bill would extend the alternative teleconferencing procedures until January 1, 2030. (Based on 04/21/2025 text)

Location:	07/17/2025 - Senate 2 YEAR	**Current Text:**	04/21/2025 - Amended
Introduced:	01/16/2025	**Last Amend:**	04/21/2025
Is Urgent:	N		
Is Fiscal:	N		

AB 532 | **Ransom, D** | **HTML** | **PDF**

Water rate assistance program.

Progress bar

Tracking form

Position	Priority	Subject
Watch		ACWD - Finance

Notes

Bill information

Status: 08/29/2025 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2025)(May be acted upon Jan 2026)

Summary: Current federal law, the Consolidated Appropriations Act, 2021 requires the federal Department of Health and Human Services to carry out a Low-Income Household Drinking

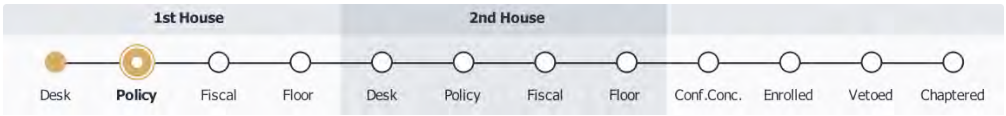
Water and Wastewater Emergency Assistance Program, which is also known as the Low Income Household Water Assistance Program, for making grants to states and Indian tribes to assist low-income households that pay a high proportion of household income for drinking water and wastewater services, as provided. Current law requires the Department of Community Services and Development to administer the Low Income Household Water Assistance Program in this state, and to receive and expend moneys appropriated and allocated to the state for purposes of that program, pursuant to the above-described federal law. The Low Income Household Water Assistance Program was only operative until March 31, 2024. This bill would repeal the above-described requirements related to the Low Income Household Water Assistance Program. (Based on 07/17/2025 text)

Location:	08/29/2025 - Senate 2 YEAR	**Current Text:**	07/17/2025 - Amended
Introduced:	02/11/2025	**Last Amend:**	07/17/2025
Is Urgent:	N		
Is Fiscal:	Y		

AB 874 | Ávila Farías, D | HTML | PDF

Mitigation Fee Act: development impact fees: qualified residential ownership and qualified rental projects.

Progress bar



Tracking form

Position	Priority	Subject
Watch		ACWD - Development Services, ACWD - Engineering, ACWD - Finance

Notes

Bill information

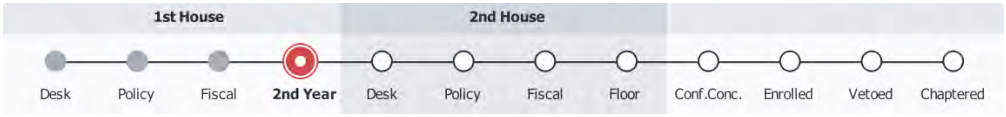
Status:	01/08/2026 - Assembly Rule 56 suspended. (Pending re-refer to Com. on L. GOV.)
Calendar:	01/14/26 A-HOUSING AND COMMUNITY DEVELOPMENT 9:30 a.m. - State Capitol, Room 437 HANEY, MATT, Chair
Summary:	The Mitigation Fee Act imposes certain requirements on a local agency that imposes a fee as a condition of approval of a development project that is imposed to provide for an improvement to be constructed to serve the development project, or a fee for public improvements, as specified. The act also regulates fees for development projects and fees for specific purposes, including water and sewer connection fees, among others. The act, among other things, requires local agencies to comply with various conditions when imposing fees, extractions, or charges as a condition of approval of a proposed development or development project. The act prohibits a local agency that imposes fees or charges on a residential development for the construction of public improvements or facilities from requiring the payment of those fees or charges until the date of the final inspection or the date the certificate of occupancy is issued, whichever occurs first, except for utility service fees, as provided. This bill would require a local agency to provide a qualified residential rental project, as defined, with the option of either or both (1) development impact fees set at a rate of $0 or (2) a development impact fee deferral agreement loan, subject to certain requirements. (Based on 01/05/2026 text)

Location:	01/08/2026 - Assembly Housing and Community Development	**Current Text:**	01/05/2026 - Amended
Introduced:	02/19/2025	**Last Amend:**	01/05/2026
Is Urgent:	N		
Is Fiscal:	N		

SB 239 | Arreguín, D | HTML | PDF

Open meetings: teleconferencing: subsidiary body.

Progress bar



Tracking form

Position	Priority	Subject
Watch		ACWD - Board/Gov, ACWD - OGM

Notes

Bill information

Status: 06/05/2025 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/3/2025)(May be acted upon Jan 2026)

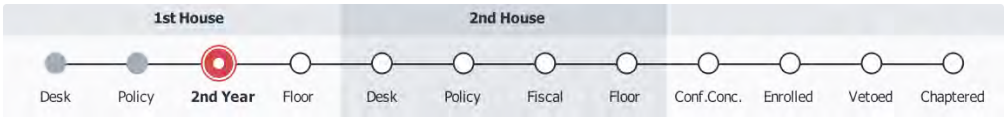
Summary: The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified. Current law, until January 1, 2026, authorizes specified neighborhood city councils to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if, among other requirements, the city council has adopted an authorizing resolution and 2/3 of the neighborhood city council votes to use alternate teleconference provisions, as specified This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. The bill would require the subsidiary body to post the agenda at each physical meeting location designated by the subsidiary body, as specified. The bill would require the members of the subsidiary body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. (Based on 04/07/2025 text)

Location:	06/05/2025 - Senate 2 YEAR	**Current Text:**	04/07/2025 - Amended
Introduced:	01/30/2025	**Last Amend:**	04/07/2025
Is Urgent:	N		
Is Fiscal:	N		

SB 350 | Durazo, D | HTML | PDF

Water Rate Assistance Program.

Progress bar



Tracking form

Position	Priority	Subject
Watch		ACWD - Finance

Notes

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/12/2025)(May be acted upon Jan 2026)

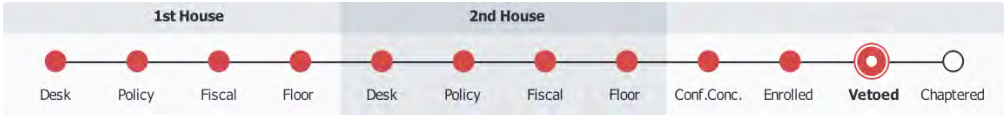
Summary: Would establish the Water Rate Assistance Program. As part of the program, the bill would establish the Water Rate Assistance Fund in the State Treasury, available upon appropriation by the Legislature, to provide water affordability assistance, for both residential water and wastewater services, to low-income residential ratepayers, as specified. The bill would require the state board to take various actions in administering the fund, including, among other things, tracking and managing revenue in the fund separately from all other revenue. The bill would require the State Water Resources Control Board, in consultation with relevant agencies and after a public hearing, to adopt guidelines for implementation of the program and to adopt an annual report to be posted on the state board's internet website identifying how the fund has performed, as specified. The bill would require the guidelines to include minimum requirements for eligible systems, including the ability to confirm eligibility for enrollment through a request for self-certification of eligibility under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program. The bill would require the state board to take various actions in administering the program, including, but not limited to, providing guidance, oversight, and funding for low-income rate assistance for residential ratepayers of eligible systems. The bill would authorize the Attorney General, at the request of the state board, to bring an action in state court to restrain the use of any method, act, or practice in violation of these provisions, except as provided. The bill would make the implementation of all of these provisions contingent upon an appropriation by the Legislature. (Based on 05/07/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	05/07/2025 - Amended
Introduced:	02/12/2025	**Last Amend:**	05/07/2025
Is Urgent:	N		
Is Fiscal:	Y		

SB 454 | McNerney, D | HTML | PDF

State Water Resources Control Board: PFAS Mitigation Program.

Progress bar



Tracking form

Position	Priority	Subject
Watch		ACWD - Finance

Notes

Bill information

Status: 10/01/2025 - Vetoed by Governor. Consideration of Governor's veto pending.

Calendar: ***01/12/26 #5 S-GOVERNOR'S VETOES***

Summary: Current law designates the State Water Resources Control Board as the agency responsible for administering specific programs related to drinking water, including, among others, the California Safe Drinking Water Act and the Emerging Contaminants for Small or Disadvantaged Communities Funding Program. This bill, which would become operative upon an appropriation by the Legislature, would enact a perfluoroalkyl and polyfluoroalkyl substances (PFAS) mitigation program. As part of that program, the bill would create the PFAS Mitigation Fund in the State Treasury and would authorize certain moneys in the fund to be expended by the state board, upon appropriation by the Legislature, for specified purposes. The bill would authorize the state board to seek out nonstate, federal, and private funds designated for PFAS remediation and treatment and deposit the funds into the PFAS Mitigation Fund. The bill would continuously appropriate these funds to the state board for specified purposes. The bill would authorize the state board to establish accounts within the PFAS Mitigation Fund. The bill would authorize the state board to expend moneys from the fund in the form of a grant, loan, or contract, or to provide assistance services to water suppliers and sewer system providers, as those terms are defined, for multiple purposes, including, among other things, to cover or reduce the costs for water suppliers associated with treating drinking water to meet the applicable state and federal maximum PFAS contaminant levels. (Based on 09/12/2025 text)

Location:	10/01/2025 - Senate VETOED	**Current Text:**	10/01/2025 - Vetoed
Introduced:	02/19/2025	**Last Amend:**	09/02/2025
Is Urgent:	N		
Is Fiscal:	Y		

SB 707 | **Durazo, D** | **HTML** | **PDF**

Open meetings: meeting and teleconference requirements.

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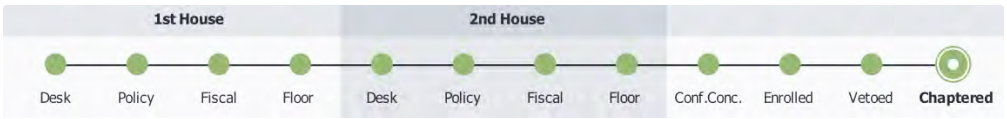


Tracking form

Position	Priority	Subject
Watch		ACWD - Board/Gov

Notes

Bill information

Status: 10/03/2025 - Approved by the Governor. Chaptered by Secretary of State. Chapter 327, Statutes of 2025.

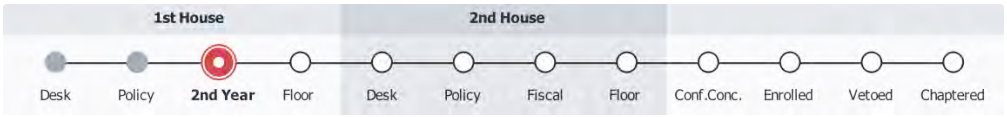
Summary: Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. This bill would, beginning July 1, 2026, and until January 1, 2030, require an eligible legislative body, as defined, to comply with additional meeting requirements, including that, except as specified, all open and public meetings include an opportunity for members of the public to attend via a 2-way telephonic service or a 2-way audiovisual platform, as defined, and that the eligible legislative body take specified actions to encourage residents to participate in public meetings, as specified. The bill would require an eligible legislative body, on or before July 1, 2026, to approve at a noticed public meeting in open session a policy regarding disruption of telephonic or internet services occurring during meetings subject to these provisions, as specified, and would require the eligible legislative body to comply with certain requirements relating to disruption, including for certain disruptions, recessing the open session for at least one hour and making a good faith attempt to restore the service, as specified. This bill contains other related provisions and other existing laws. (Based on 10/03/2025 text)

Location:	10/03/2025 - Senate CHAPTERED	**Current Text:**	10/03/2025 - Chaptered
Introduced:	02/21/2025	**Last Amend:**	09/05/2025
Is Urgent:	N		
Is Fiscal:	Y		

SB 746 | Alvarado-Gil, R | HTML | PDF

Water: Urban Water Community Drought Relief program: Small Community Drought Relief program: high fire hazard and very high fire hazard severity zones.

Progress bar



Tracking form

Position	Priority	Subject
Watch		ACWD - Finance

Notes

Bill information

Status: 05/23/2025 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2025)(May be acted upon Jan 2026)

Summary: Would establish in the Department of Water Resources the Urban Water Community Drought Relief program and the Small Community Drought Relief program to provide grants for similar interim or immediate drought relief. These programs, upon a specified appropriation, would authorize funding for benefits in addition to drought relief, including, among other projects, projects that reduce the risk of wildfire for entire neighborhoods and communities through water delivery system improvements for fire suppression purposes in high fire hazard severity zone communities or very high fire hazard severity zone communities, as designated by the State Fire Marshal or by a local agency. (Based on 04/21/2025 text)

Location:	05/23/2025 - Senate 2 YEAR	**Current Text:**	04/21/2025 - Amended
Introduced:	02/21/2025	**Last Amend:**	04/21/2025

Is Urgent:	N
Is Fiscal:	Y

Total Measures: 9
Total Tracking Forms: 9

LEGAL, INTERGOVERNMENTAL & COMMUNITY AFFAIRS COMMITTEE

ALAMEDA COUNTY WATER DISTRICT

WEDNESDAY, JANUARY 14, 2026

ROUTINE DISTRICT COMMUNICATION

Bill Message

November 3 - Present - On February 13, 2025, the Board of Directors approved a 2-year water rate increase of 4% beginning March 1, 2025, and 4% beginning March 1, 2026, including bimonthly service charges and the per-unit water consumption charge. Visit acwd.org/rates for more information.

Water efficiently by upgrading to a weather-based irrigation timer. It adjusts to the weather so you don't have to. Learn more at WaterSavingsCenter.acwd.org.

Simplify your life with eBilling! Access your bills anytime, reduce paper waste, receive automatic payment reminders, and more. For convenient and eco-friendly billing, sign up or log in at portal.acwd.org.

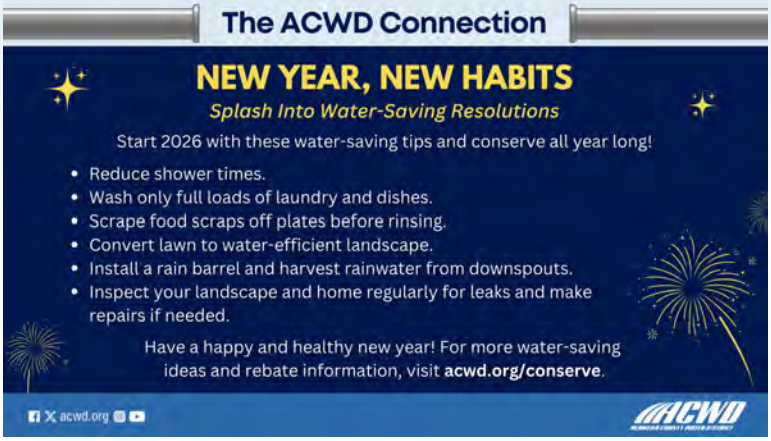
Lobby hours are Monday - Friday, 9 a.m.-4 p.m.

WEBSITE ARTICLES & UPDATES

Website Banner - MY Smart Water Connect

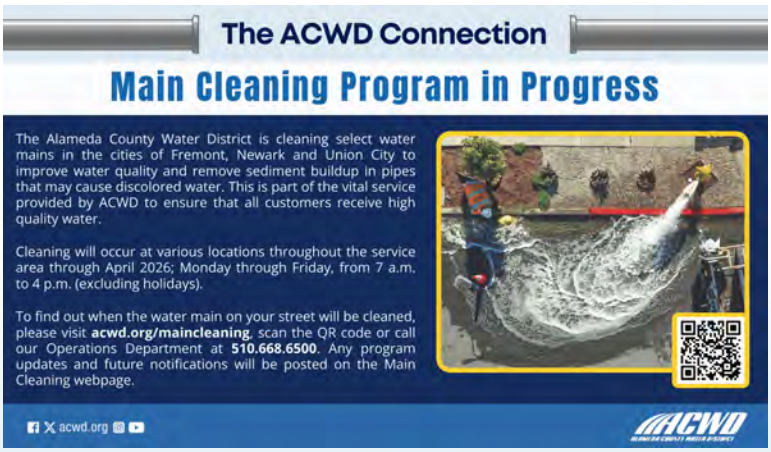
MEDIA COVERAGE

December 23 - Tap into Water-Efficient Gifts this Holiday Season



December 30 - Splash Into Water-Saving Resolutions

January 6 - Rain On, Sprinklers Off



January 13 - Main Cleaning

MEDIA COVERAGE - CONTINUED

CBS News - December 26

Latest ~ Local News ~ Live ~ Shows ~ ••• CBS NEWS

Bay Area | News ~ Weather ~ Sports ~ Video •••

Environment

Chinook salmon returning to Alameda Creek in Niles Canyon

By Ryan Yamamoto

December 26, 2025 / 5:59 PM PST / CBS San Francisco

Add CBS News on Google

Almost every day, you will find amateur photographers Dan Sarka and David Young traversing the trails around Alameda Creek, looking to capture and document the return of Chinook salmon in the Niles Canyon area.

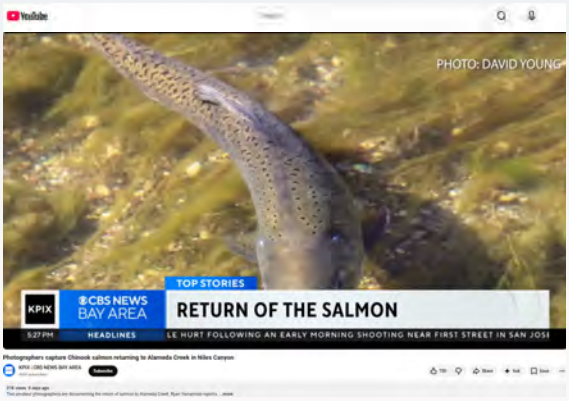
"I catch more fish with cameras than I do with a hook," joked Young. "I used to liken it to a kid in a candy factory, but it's better, it's better."

Sarka would agree, and will patiently spend two to three hours staring at the creek, hoping for any sign of salmon.

"We are looking for ripples in the water," Sarka said. "And when you see it, it is total excitement to see those fish struggling to make it up into the watershed and beyond. It is a fabulous experience."

Together, the pair have taken dozens of photos of salmon, including the most recent migration through the creek, which began this fall.

KPIX CBS News Bay Area - December 26



Tri-City Voice - January 6

TRI-CITY VOICE

LOCAL NEWS ~ COMMUNITY ~ A&E SPORTS CALENDAR OBITUARIES ~ E-EDITION ~

Local News

Lights, camera, hydration

STUDENTS CAN WIN SCHOLARSHIPS IN ANNUAL VIDEO CONTEST

BY SHARENE GONZALES, ALAMEDA COUNTY WATER DISTRICT

Local students in grades six to 12 are invited to turn their creativity into academic support in the Alameda County Water District (ACWD)'s 7th annual WaterClips Student Video Contest. The district will award more than $1,500 in scholarships to Tri-City area students for creating 30-second videos that show how ACWD water influences, inspires or supports physical health and wellness.

Winners will be honored at a special awards ceremony and reception at the Fremont Downtown Events Center, and receive a free movie ticket and see their videos featured on the big screen at local movie theaters before select films. Entries are being accepted now through March 13.

This year's theme challenges students – working individually or in teams – to share their unique perspectives on water's role in supporting physical health and wellness. Creative entries may highlight everything from workouts to wind-downs, demonstrating how water plays an important role in students' wellbeing.

"Beyond showcasing creativity, this contest is a key part of our water education program, helping students understand the importance of water in sustaining health, wellness and our community," said ACWD board president Judy Huang.

Teachers can win, too. ACWD will award classroom scholarships to teachers in both groups sponsoring the most student submissions or the winning videos.

A panel of judges of local professionals from various industries, including government, media, nonprofit organizations and environmental agencies, will evaluate student entries in grades six to eight and grades nine to 12. ACWD will award winning students from both groups with six scholarships worth $500, $250 and $100.

OTHER COMMUNICATION & OUTREACH

Office of the General Manager

- December 22 - Sharene Gonzales and Jackie McCloud met with Dr. Yi He, Professor and Chair of the Department of Marketing in the School of Business at California State University East Bay to discuss a possible collaboration with Master of Science Marketing students to raise the community's awareness of important water-related issues.

Engineering and Technology Services

- January 9 - Development Services sent 96 letters to Developers, Engineers and Consultants regarding 2026 New Proposed Rate Changes.

Finance and Administration

- January 2 - Ethan Burch published the 2025 Popular Annual Financial Report to the District's website.

Operations and Maintenance

- December 23 - 28 notices were sent to customers to inform them that their water service line is categorized as an unknown material.

Water Resources

- December 31 - WUE staff met with a local Girl Scout to review and discuss her final seminar presentation for a project focused on finding and fixing leaks.

SCHOOL EDUCATION PROGRAM

- For the 2025/2026 school year, ZunZun performed at 26 assemblies at 12 schools reaching 6,819 students.
- 18,047 school supplies have been distributed to date for the 2025/26 school year.
- January 7 - Renee Gonzales met with Nate Ivy, Community Initiatives & Partnerships staff, Fremont Unified School District, to plan for the Garden Network Meeting on March 27 at ACWD Headquarters.

ACWD's WaterClips Student Video Contest flyers

UPCOMING EVENTS

- March 18 - Spring into STEAM Event
  - 5 p.m. - 8 p.m.
  - Downtown Event Center
  - 3500 Capitol Ave., Fremont
- March 27 - FUSD Garden Network Event
  - 4 p.m. - 6 p.m.
  - ACWD Headquarters
  - 43885 S Grimmer Blvd., Fremont

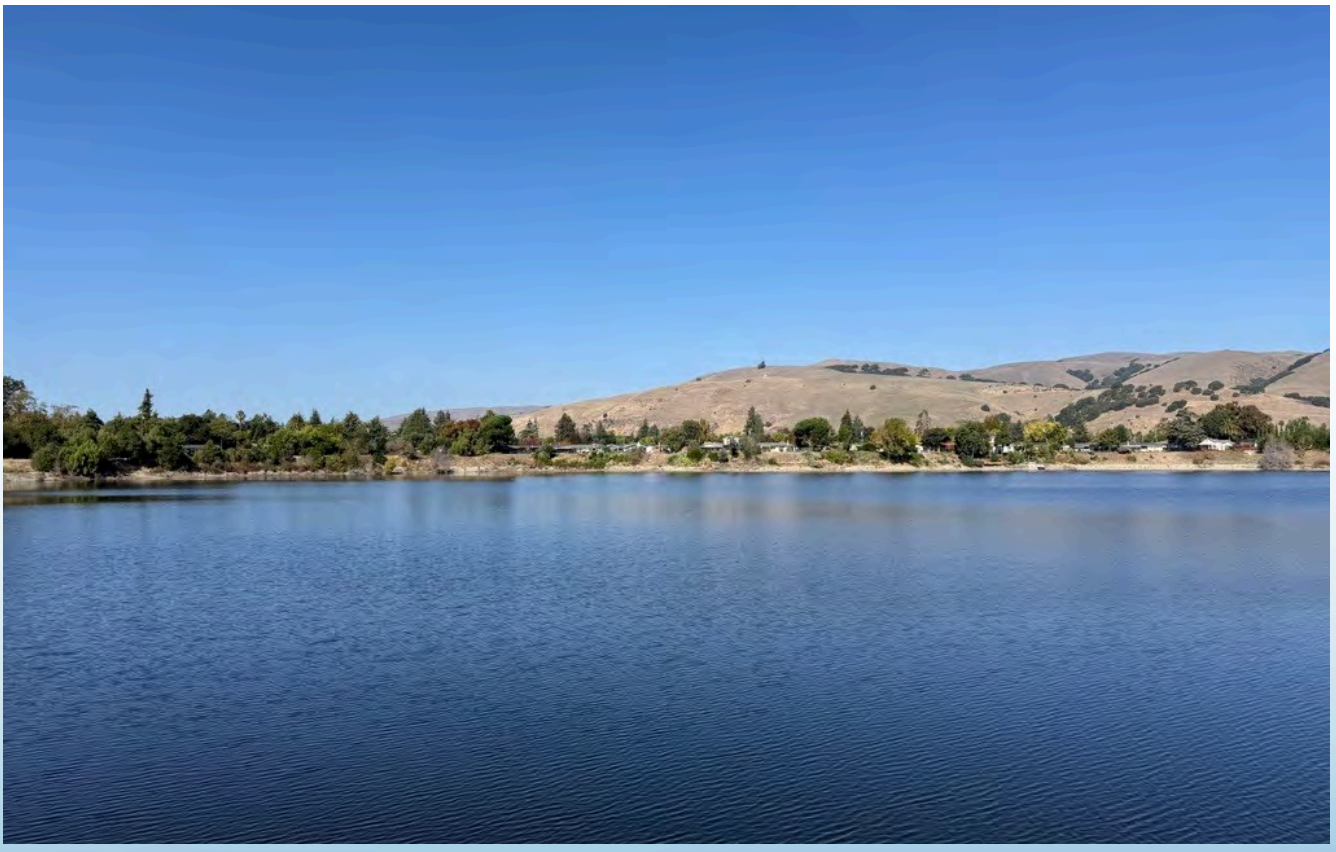


Photo of Shinn Pond

Tap into Water-Efficient Gifts this Holiday Season

Give the gift of water conservation with these top water-saving gift ideas:

- Rain barrels *
- Shower timers
- Moisture meters
- Low-flow aerators
- High-efficiency toilets
- Water-efficient plants
- Leak detection tablets
- Low-flow showerheads
- Water-themed children's books
- High-efficiency clothes washers
- Weather-based irrigation controllers*

Rebates are available for rain barrels and weather based irrigation controllers. For rebate and water conservation information visit, **acwd.org/conserve**.

The ACWD Connection

NEW YEAR, NEW HABITS

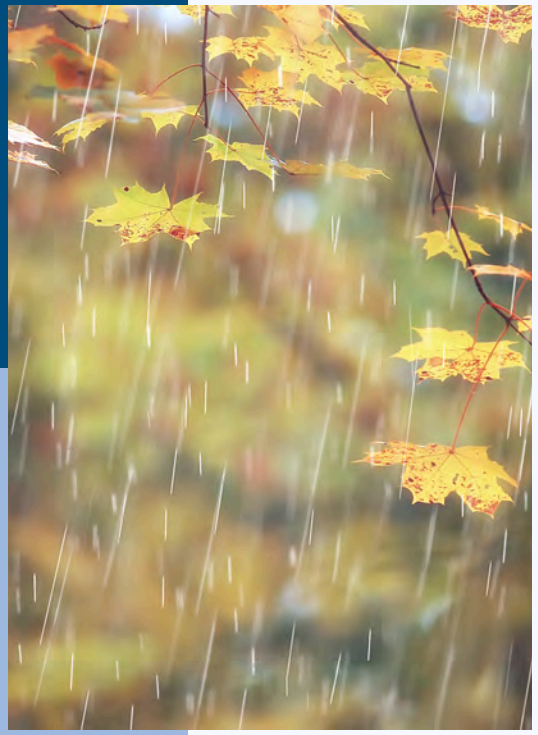
Splash Into Water-Saving Resolutions

Start 2026 with these water-saving tips and conserve all year long!

- Reduce shower times.
- Wash only full loads of laundry and dishes.
- Scrape food scraps off plates before rinsing.
- Convert lawn to water-efficient landscape.
- Install a rain barrel and harvest rainwater from downspouts.
- Inspect your landscape and home regularly for leaks and make repairs if needed.

Have a happy and healthy new year! For more water-saving ideas and rebate information, visit **acwd.org/conserve**.

The ACWD Connection



RAIN ON, SPRINKLERS OFF

- Turn off your sprinklers.
- Adjust your irrigation timers to account for fewer hours of sunlight.
- Avoid watering lawns and outdoor plants for at least 48 hours after significant rainfall.

The ACWD Connection

Main Cleaning Program in Progress

The Alameda County Water District is cleaning select water mains in the cities of Fremont, Newark and Union City to improve water quality and remove sediment buildup in pipes that may cause discolored water. This is part of the vital service provided by ACWD to ensure that all customers receive high quality water.

Cleaning will occur at various locations throughout the service area through April 2026; Monday through Friday, from 7 a.m. to 4 p.m. (excluding holidays).

To find out when the water main on your street will be cleaned, please visit **acwd.org/maincleaning**, scan the QR code or call our Operations Department at **510.668.6500**. Any program updates and future notifications will be posted on the Main Cleaning webpage.

Environment

Chinook salmon returning to Alameda Creek in Niles Canyon

By Ryan Yamamoto

December 26, 2025 / 5:59 PM PST / CBS San Francisco

Almost every day, you will find amateur photographers Dan Sarka and David Young traversing the trails around Alameda Creek, looking to capture and document the return of Chinook salmon in the Niles Canyon area.

"I catch more fish with cameras than I do with a hook," joked Young. "I used to liken it to a kid in a candy factory, but it's better, it's better."

Sarka would agree, and will patiently spend two to three hours staring at the creek, hoping for any sign of salmon.

"We are looking for ripples in the water," Sarka said. "And when you see it, it is total excitement to see those fish struggling to make it up into the watershed and beyond. It is a fabulous experience."

Together, the pair have taken dozens of photos of salmon, including the most recent migration through the creek, which began this fall.

Young even recorded a video of a salmon leaping over a weir.

"I got the final leap," said Young. "I have several leaps before that that weren't successful, but the very last one, he leapt all the way across and made it by, you know, a good 2 to 3 feet."

The return of Chinook salmon has been a historical and pivotal moment for the region after a community of environmentalists, scientists and researchers spent the past several decades trying to restore the area's natural habitat.

In 2022, the Alameda County Water District completed a massive infrastructure project downstream that included a series of fish ladders to help with the migration of Pacific lamprey, endangered steelhead trout and, of course, salmon.

"They've been showing up in big numbers, and the unique thing about them is they are highly visible," said ACWD water planning manager Thomas Niesar. "They're just an enigmatic fish, and they are energizing for people."

No one is more energized than Jeff Miller with the Alameda Creek Alliance, whose group has worked with other environmental organizations to clear dams along the creek, including the final unnatural fish barrier that was removed by CalTrout and PG&E this year, creating nearly 20 miles of potential spawning habitat.

"This is the biggest run of Chinook we've seen," Miller said. "And this is the first time we know since the 1950s that showed Chinook salmon could swim on their own, all the way up as far as they've gotten to the Sunol Valley."

The return of the salmon is already having an impact on the ecological health of the region.

"We have already seen a family of river otters move in, there is a local bald eagle pair that comes in and gets the salmon carcasses," Watch CBS News
said Miller. "Turkey vultures, raccoons, and we may have bears here in the next couple decades in the Bay Area."

It will only mean more natural wildlife for Sarka and Young to document, and whose work capturing the migrating salmon has been more than just a hobby, but also an invaluable piece of research for scientists.

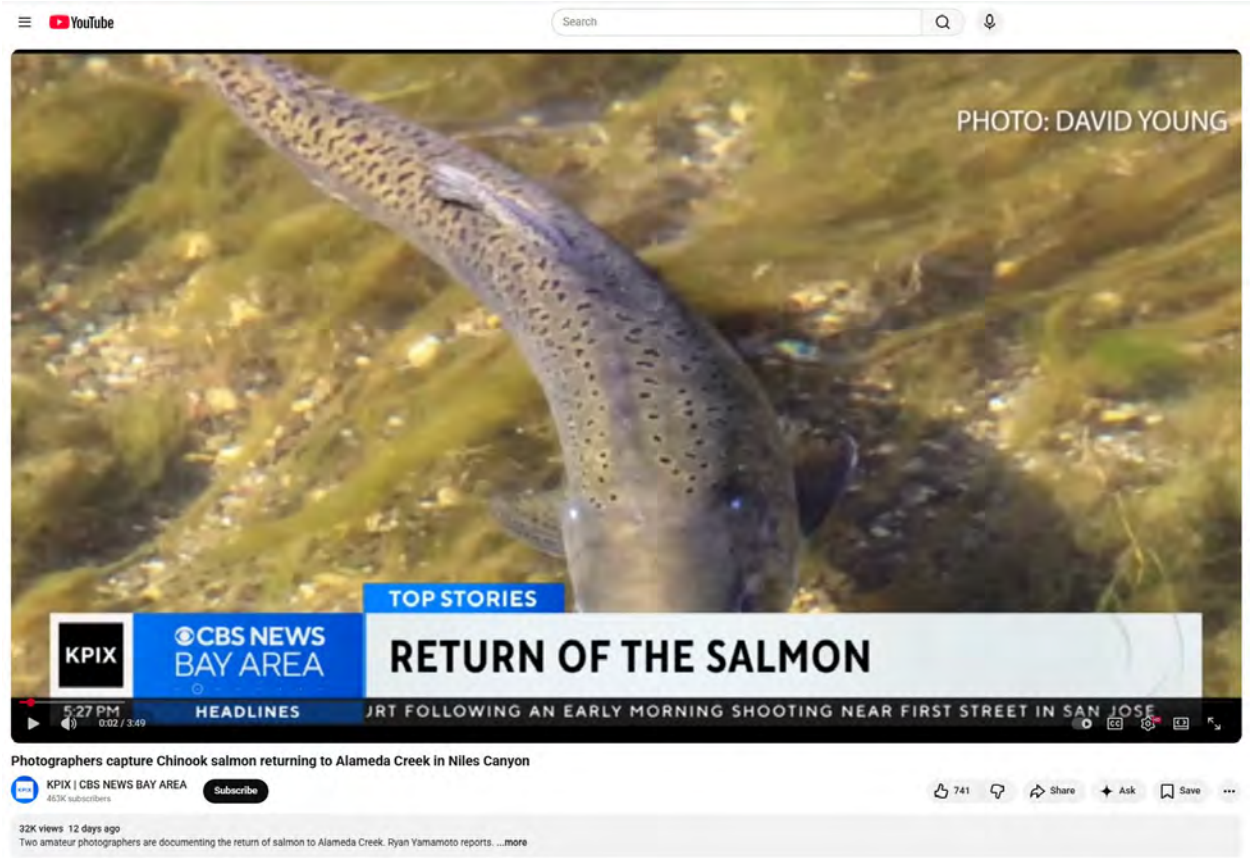
"We actually refer to them as citizen scientists," said Niesar. "Those early photographs that Dan captured were critical for biologists to determine when we would expect to see the fish. If we didn't have that data, we would have been shooting in the dark."

ACWD is encouraging other photographers to upload their photos and videos of wildlife to study and share with researchers.

More from CBS News

KPIX CBS News – Photographers capture Chinook salmon returning to Alameda Creek in Niles Canyon

https://www.youtube.com/watch?v=rerwB_OkkMI



TRI-CITY VOICE

Local News

Lights, camera, hydration

By: **SHARENE GONZALES, ALAMEDA COUNTY WATER DISTRICT** January 6, 2026

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"Beyond showcasing creativity, this contest is a key part of our water education program, helping students understand the importance of water in sustaining health, wellness and our community," said ACWD board president Judy Huang.

Teachers can win, too. ACWD will award classroom scholarships to teachers in both groups sponsoring the most student submissions or the winning videos.

A panel of judges of local professionals from various industries, including government, media, nonprofit organizations and environmental agencies, will evaluate student entries in grades six to eight and grades nine to 12. ACWD will award winning students from both groups with six scholarships worth $500, $250 and $100.

"Seeing students return each year with fresh and imaginative entries highlights the contest's value," said Huang. "We're thankful for the continued support of our partner schools and their commitment to water education."

*For more information, visit acwd.org/waterclips or email wa********@**wd.com.*

ALAMEDA COUNTY WATER DISTRICT
43885 SOUTH GRIMMER BOULEVARD • FREMONT, CALIFORNIA 94538
(510) 668-4200 • FAX (510) 770-1793 • www.acwd.org

January 9, 2026

MEMORANDUM

TO: CITIES, SUBDIVIDERS, DEVELOPERS, ENGINEERS, AND BUILDERS REQUESTING WATER SERVICE FROM THE ALAMEDA COUNTY WATER DISTRICT

FROM: ALAMEDA COUNTY WATER DISTRICT

SUBJECT: PROPOSED REVISIONS TO NEW WATER SERVICE-RELATED CHARGES AND FEES

On February 12, 2026, the Alameda County Water District (ACWD) Board of Directors will hold a public hearing to consider adoption of the following charges related to new or upgraded water service.

EFFECTIVE MAY 1, 2026:

Facilities Connection Charges – Residential: Decrease of approximately 0.33% ***

Facilities Connection Charges – Non-Residential: Decrease of approximately 0.33% ***

***Inflationary adjustment based on July-to-July decrease in Engineering News-Record Construction Cost Index (ENR-CCI) for San Francisco Bay Area

- SF ENR-CCI July 2024: 15334.74
- SF ENR-CCI July 2025: 15284.53

Meter Installation Charges:

3/4-inch Meter – $424
(increase of 1.9%)

1-inch Meter – $439
(increase of 2.3%)

1-1/2-inch Meter – $874
(increase of 1.6%)

Hydrant Flow Test Charge: $257 per field test conducted (no change)

Public Water System Extension Engineering Fees: Actual Cost

Please see the attached Schedule of Development Fees and Charges for a summary of ACWD's proposed development-related fees and charges which, if adopted by the ACWD Board of Directors on February 12, 2026, would become effective May 1, 2026.

EFFECTIVE MARCH 1, 2026:

Metered Jumper Assembly Charges:

Deposit:	$5,748 (no change)
Monthly Rental:	$278 per month (no change)

All revisions to development-related fees and charges for the Rate and Fee Schedule for 2026 are described in the attached Proposed Schedule of Development Fees and Charges and will be set forth in the proposed resolution amending the Rate and Fee Schedule that will be included in the Board agenda packet, which will be available on the ACWD website at www.acwd.org prior to the February 12, 2026, public hearing or upon request at the Development Services offices at the ACWD Engineering Department.

The public hearing of the ACWD Board of Directors will be held:

Thursday, February 12, 2026, at 6:00 PM
Board Room, ACWD Headquarters
43885 South Grimmer Boulevard
Fremont, CA 94538

MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THIS MEETING VIA ZOOM. THE AGENDA, INCLUDING A LINK TO THE WEBINAR, WILL BE POSTED TO THE DISTRICT WEBSITE (www.acwd.org) APPROXIMATELY ONE WEEK PRIOR TO THE BOARD MEETING.

Any questions regarding the above revisions to charges should be directed to Sean O'Reilly, Development Services Manager, at (510) 668-4472 or sean.oreilly@acwd.com.

PROPOSED

SCHEDULE OF DEVELOPMENT FEES AND CHARGES

Effective May 1, 2026, except as otherwise noted

INSTALLATION CHARGES AND COST ESTIMATES

FLAT RATE [1]		COST ESTIMATES FOR BUDGETING PURPOSES [2]								
		Water Meters and Service Lines					Fire Services			
Meter Size	Rate	Meter Size	Meter Set Only	Residential Fire Service Retrofit	New Service Line and Meter	Design and Estimate Only [3]	Fire Service Size	Detector Check Set Only	Service Line and Set	Design and Estimate Only [3]
3/4"	$ 424	3/4"	$ 1,200	$2,800	$ 15,000	$ 2,000	2"	$ 5,000	$ 30,000	$ 3,000
1"	$ 439	1"	$ 1,500	$2,800	$ 17,500	$ 2,000	4"	$ 12,000	$ 45,000	$ 3,000
1-1/2"	$ 874	1-1/2"	$ 2,000	$3,000	$ 20,000	$ 2,000	6"	$ 15,000	$ 70,000	$ 4,000
		2"	$ 2,500	$3,500	$ 25,000	$ 2,500	8"	$ 17,500	$ 80,000	$ 4,000
							10"	$ 20,000	$ 90,000	$ 4,000

1 *Flat rates are applicable only to residential meters installed in existing meter boxes in accordance with a Public Water System Extension Agreement.*

2 *These estimates are provided to assist with initial budgeting purposes only. Since installation costs vary significantly depending on multiple factors, ACWD's Engineering Department will prepare an individual design and detailed cost estimate for all non-flat rate installations based on the applicant's improvement drawings, information provided on the application, and other site-specific factors. All estimates are approximate. The installation cost of meters sized 3" and larger increases sharply. Final costs will reflect ACWD's actual cost for the work. All applicants are encouraged to review their projects with ACWD Engineering staff at no cost prior to submitting an application.*

3 *The "Design and Estimate" costs shown reflect a typical cost for ACWD to complete the individual design and detailed estimate for a service line and water service device (i.e., meter) for the type of water service installation shown and include an estimated allowance for the city encroachment permit fee. These estimates are included here to inform applicants of the estimated cost of ACWD work in support of their projects that the applicant will be responsible for even if the project is later cancelled by the applicant or not constructed for whatever reason. Actual costs may vary significantly.*

CAPACITY CHARGES [4]

FACILITIES CONNECTION CHARGE (FCC)

RESIDENTIAL METERS				
Unit Type	Incremental Cost Component per dwelling unit	+	Equity Buy-In Component per dwelling unit	= **TOTAL CAPACITY CHARGES** per dwelling unit
Single Family Dwelling Units	$ 7,463		$ 3,630	**$ 11,093**
Multiple Dwelling Units (2 or more units per building)	$ 6,269		$ 3,049	**$ 9,318**
Residential Dormitory Units	$ 4,477		$ 2,178	**$ 6,655**

NON-RESIDENTIAL, MUNICIPAL, AND IRRIGATION METERS					
Meter Size [5, 6]	Maximum Allowable Flow, GPM	Incremental Cost Component	+	Equity Buy-In Component	= **TOTAL CAPACITY CHARGES**
3/4"	30	$ 11,196		$ 5,446	**$ 16,642**
1"	50	$ 18,660		$ 9,077	**$ 27,737**
1-1/2"	100	$ 37,321		$ 18,153	**$ 55,474**
2"	160	$ 59,715		$ 29,045	**$ 88,760**
3"	350	$ 130,626		$ 63,538	**$ 194,164**
4"	600	$ 223,931		$ 108,922	**$ 332,853**
6"	1,350	$ 503,846		$ 245,076	**$ 748,922**
8"	1,600	$ 597,150		$ 290,461	**$ 887,611**

4 *Capacity Charges shown are for standard meter types for potable water service. Capacity charges for non-standard meter types and services are calculated on a case-by-case basis. Capacity Charges do not apply to dedicated fire services or fire hydrants.*

5 *Existing 5/8-inch water meters that are removed from service and meet eligibility requirements shall receive a $11,093 credit ($7,463 Incremental Cost Component + $3,630 Equity Buy-In Component) toward the FCC(s) of new meters.*

6 *Existing 10-inch water meters that are removed from service and meet eligibility requirements shall receive a $1,331,160 credit ($895,560 Incremental Cost Component + $435,600 Equity Buy-In Component) toward the FCC(s) of new meters.*

PROPOSED

SCHEDULE OF DEVELOPMENT FEES AND CHARGES

(Continued)

Effective May 1, 2026, except as otherwise noted

PUBLIC WATER SYSTEM EXTENSION ENGINEERING FEE [7, 8]

Public Water System Extension Engineering Fee	Actual Cost

7 *Public Water System Extension applicants shall deposit with ACWD an amount equal to the estimated total cost of ACWD services related to the development project, including but not limited to improvement plan review, public water system extension agreement preparation and administration, easement preparation, water system construction inspection, water quality sampling and analysis, and preparation of related documents. Supplemental deposits may be required as needed to maintain sufficient funding as a condition of the ACWD providing continuing services to the project. Final billings to the applicant will be based upon actual total ACWD cost.*

8 *The initial deposit of the Public Water System Extension Engineering Fee is the largest of the following values:*

- *$28 per proposed linear foot of pipe, or*
- *$875 per residential unit, or*
- *$24,000 (minimum value)*

HYDRANT FLOW TEST CHARGE [9]

Hydrant Flow Test Charge	$ 257 per field test conducted

9 *Fire hydrant flow testing involves ACWD staff measuring flow rates and static and residual pressure in the field from flowing and non-flowing fire hydrants in support of applicant projects which require information about the capacity of the existing water distribution system. Existing data are provided at no cost if applicable.*

METERED JUMPER ASSEMBLY [10]

Metered Jumper Assembly Charges	Deposit = $5,748	Monthly Rental = $278

10 *Metered Jumper Assembly charges are effective March 1, 2026.*

ANNEXATION FEE [11, 12]

Annexation Fee	Actual Cost

11 *Applicants for permanent water service whose premises are in territories outside of ACWD boundaries shall apply for annexation into the ACWD service area in accordance with procedures set by ACWD and the Local Agency Formation Commission of Alameda County (LAFCO).*

12 *Annexation Fees shall be paid by all applicants requesting annexation of territory into ACWD's water service area. Applicants shall deposit with an amount equal to the estimated total cost of ACWD services related to the annexation including any necessary third party and/or legal costs. Supplemental deposits may be required as needed to maintain sufficient funding as a condition of ACWD providing continued services related to the annexation project. Final billings to the applicant will be based upon actual total ACWD cost. Annexation Fees shall be paid by all applicants requesting annexation of territory.*

In addition to the above charges, potentially significant charges, fees, and costs may apply, including but not limited to: Special Service Area Connection Charges, relocation or modification of existing ACWD facilities, abandonment of existing facilities, and the installation of fire hydrants, tie-ins and other work by ACWD. All applicants are encouraged to review their projects with ACWD Engineering staff at no cost prior to submitting an application.

SCHEDULE OF DEVELOPMENT FEES AND CHARGES

Effective May 1, 2025, except as otherwise noted

INSTALLATION CHARGES AND COST ESTIMATES

FLAT RATE [1]		COST ESTIMATES FOR BUDGETING PURPOSES [2]								
		Water Meters and Service Lines					Fire Services			
Meter Size	Rate	Meter Size	Meter Set Only	Residential Fire Service Retrofit	New Service Line and Meter	Design and Estimate Only [3]	Fire Service Size	Detector Check Set Only	Service Line and Set	Design and Estimate Only [3]
3/4"	$ 416	3/4"	$ 1,100	$2,500	$ 14,000	$ 1,300	2"	$ 4,000	$ 25,000	$ 2,000
1"	$ 429	1"	$ 1,300	$2,500	$ 16,000	$ 1,500	4"	$ 11,500	$ 45,000	$ 2,500
1-1/2"	$ 860	1-1/2"	$ 2,000	$2,800	$ 18,000	$ 1,700	6"	$ 11,500	$ 60,000	$ 2,500
		2"	$ 2,200	$3,000	$ 20,000	$ 1,900	8"	$ 13,500	$ 65,000	$ 3,000
							10"	$ 14,500	$ 70,000	$ 3,000

1 *Flat rates are applicable only to residential meters installed in existing meter boxes in accordance with a Public Water System Extension Agreement.*

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Unit Type	Incremental Cost Component per dwelling unit	+	Equity Buy-In Component per dwelling unit	= **TOTAL CAPACITY CHARGES** per dwelling unit
Single Family Dwelling Units	$ 7,488		$ 3,642	**$ 11,130**
Multiple Dwelling Units (2 or more units per building)	$ 6,290		$ 3,060	**$ 9,350**
Residential Dormitory Units	$ 4,492		$ 2,186	**$ 6,678**

NON-RESIDENTIAL, MUNICIPAL, AND IRRIGATION METERS					
Meter Size [5, 6]	Maximum Allowable Flow, GPM	Incremental Cost Component	+	Equity Buy-In Component	= **TOTAL CAPACITY CHARGES**
3/4"	30	$ 11,233		$ 5,464	**$ 16,697**
1"	50	$ 18,722		$ 9,107	**$ 27,829**
1-1/2"	100	$ 37,444		$ 18,213	**$ 55,657**
2"	160	$ 59,911		$ 29,141	**$ 89,052**
3"	350	$ 131,055		$ 63,747	**$ 194,802**
4"	600	$ 224,666		$ 109,280	**$ 333,946**
6"	1,350	$ 505,499		$ 245,881	**$ 751,380**
8"	1,600	$ 599,110		$ 291,414	**$ 890,524**

4 *Capacity Charges shown are for standard meter types for potable water service. Capacity charges for non-standard meter types and services are calculated on a case-by-case basis. Capacity Charges do not apply to dedicated fire services or fire hydrants.*

5 *Existing 5/8-inch water meters that are removed from service and meet eligibility requirements shall receive a $11,130 credit ($7,488 Incremental Cost Component + $3,642 Equity Buy-In Component) toward the FCC(s) of new meters.*

6 *Existing 10-inch water meters that are removed from service and meet eligibility requirements shall receive a $1,335,786 credit ($898,665 Incremental Cost Component + $437,121 Equity Buy-In Component) toward the FCC(s) of new meters.*

SCHEDULE OF DEVELOPMENT FEES AND CHARGES

(Continued)

Effective May 1, 2025, except as otherwise noted

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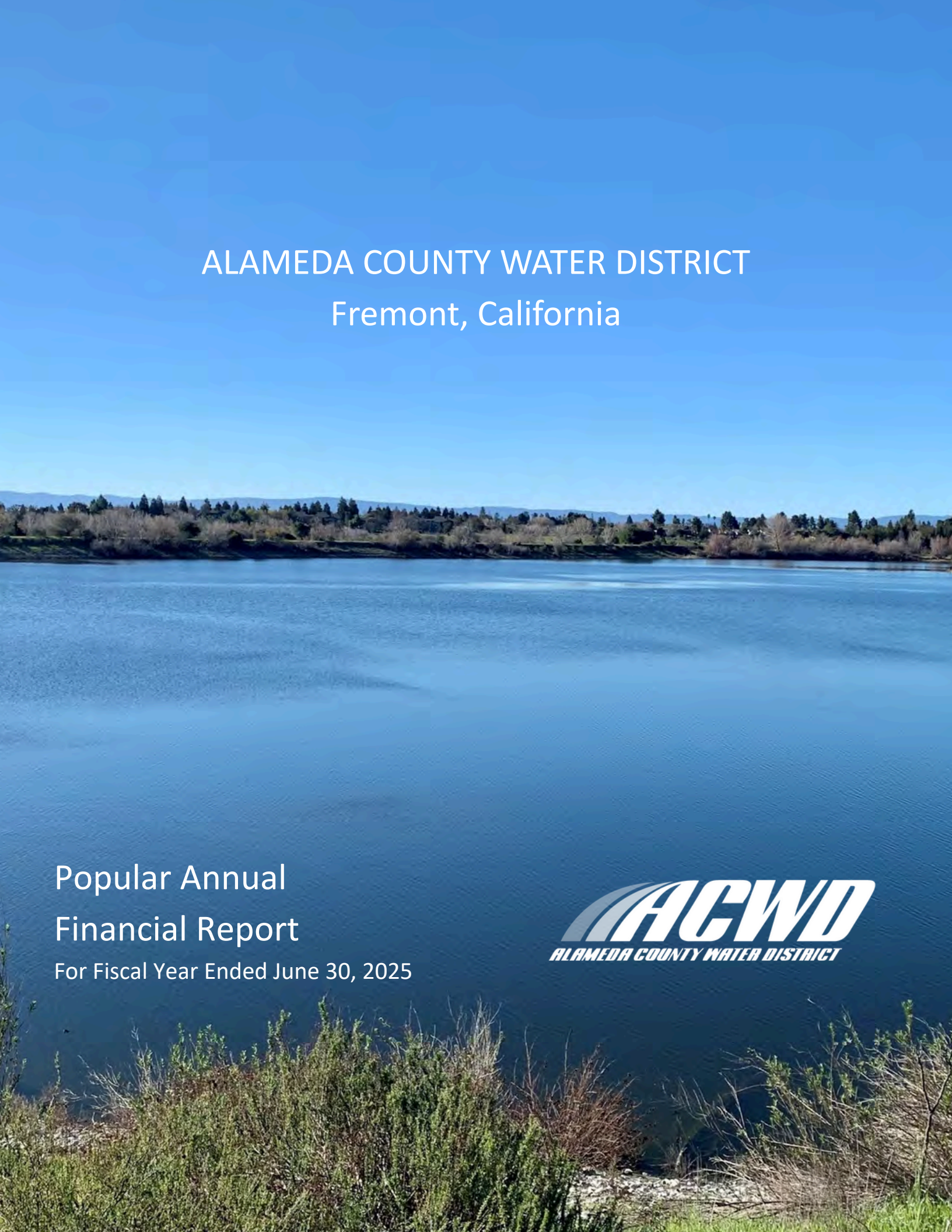


ALAMEDA COUNTY WATER DISTRICT

Fremont, California

Popular Annual Financial Report

For Fiscal Year Ended June 30, 2025

ACWD
ALAMEDA COUNTY WATER DISTRICT

Alameda County Water District

Board of Directors

Judy C. Huang
President

Aziz Akbari
Vice President

James G. Gunther
Member

Paul Sethy
Member

John H. Weed
Member

Principal Management Personnel

Ed Stevenson
General Manager

Jonathan Wunderlich
Director of Finance & Administration

Laura J. Hidas
Director of Water Resources

Dan Stevenson
Director of Operations & Maintenance

Girum Awoke
Director of Engineering & Technology Services

Table of Contents

FACILITIES IN FOCUS

A look into your water infrastructure

Pictures (top to bottom): 1) PFAS Groundwater Treatment System, 2) Alameda Creek Fish Passage Improvements Program, 3) Central Newark - Thornton Avenue Main Renewal Project

Letter from the General Manager

To Our Ratepayers and Community

On behalf of the Alameda County Water District (ACWD) Board of Directors and staff, I am pleased to present our Popular Annual Financial Report (PAFR) for the Fiscal Year Ended June 30, 2025. This report aims to provide information about the District's finances and other details that uphold our mission to deliver a reliable supply of high-quality water at a reasonable price to our customers.

The PAFR draws from the District's Annual Comprehensive Financial Report (ACFR) for Fiscal Years Ended June 30, 2025 and 2024. The ACFR is prepared in accordance with generally accepted accounting principles and has been audited by Baker Tilly, LLP, resulting in an unmodified audit opinion.

The organizational structure, ACWD-at-a-Glance, and financial data represent the District during the timeframe reflected in this report.

I hope this report helps you better understand the District's finances and our commitment to our customers. The popular annual financial report, the audited annual financial reports, and the adopted budgets are available on the District's website at acwd.org/finance.

For any questions or comments, please feel free to reach out to our Finance and Administration team.

Respectfully submitted,

Ed Stevenson, General Manager

Our Dedication

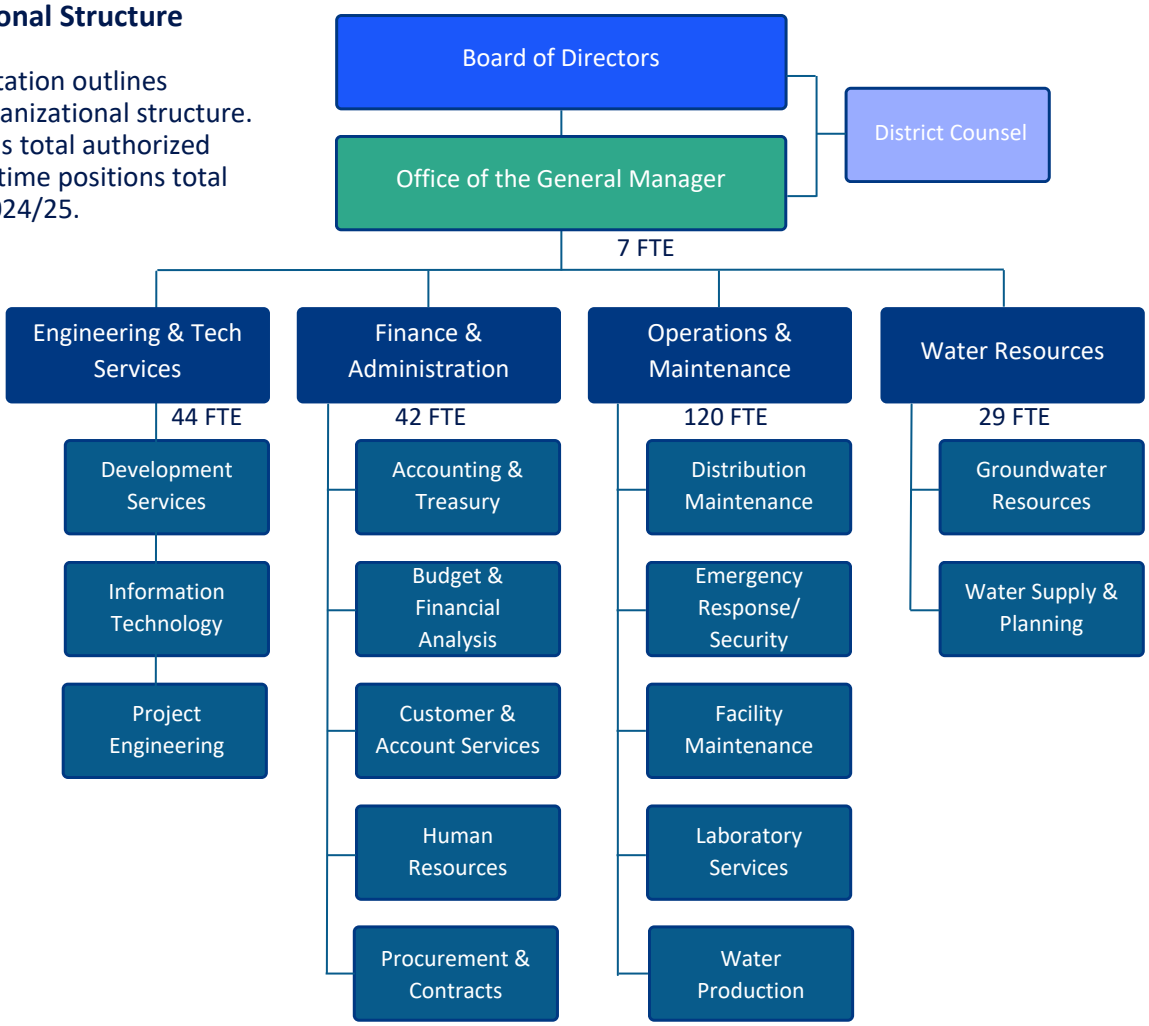
The Alameda County Water District supplies water to the residents and businesses of southern Alameda County. As our area has grown and changed from being an important agricultural center to supporting a growing suburban population, our water system has grown and changed with it.

Today, we supply drinking water to approximately 348,000 people in the cities of Fremont, Newark, and Union City. The District covers approximately 105 square miles and, as of June 2025, provides water service through approximately 87,937 metered accounts.

About ACWD

Organizational Structure

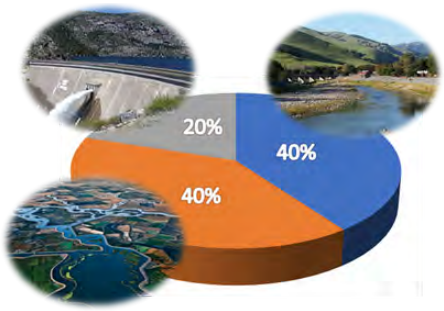
This presentation outlines ACWD's organizational structure. The District's total authorized regular full-time positions total 242 in FY 2024/25.



ACWD-at-a-Glance

SOURCES OF SUPPLY

State Water Project - 40%
San Francisco PUC (Hetch Hetchy) - 20%
Alameda Creek Watershed runoff - 40%



MILES OF PIPE

930

WATER PRODUCTION

40.5 Acre Feet (FY 2024/25)

RESERVOIRS & TANKS

13

WATER TREATMENT AND PRODUCTION FACILITIES

3

District's Strategic Goals

The Board of Directors established these strategic goals to identify priority programs and projects that set the strategic direction for the future of ACWD.

1. Maintain and improve the cost effectiveness and value of District services

2. Sustain a reliable, high quality water supply for District customers

3. Improve the District's financial stability and transparency

4. Improve workforce recruitment, maintain retention, and enhance employee engagement

5. Promote clear and open communications, outreach, and engagement with customers and communities

Highlights of Key Events and Accomplishments

The following overview highlights key events and accomplishments in FY 2024/25. Additional detail is provided in the annual comprehensive financial report.

Finance
In 2024, the Board held five financial workshops covering the budget, rates, and long-term planning. Following these sessions, a 4% annual rate increase for service and commodity charges was approved for 2025 and 2026, keeping District rates in the bottom third of 30 surveyed Bay Area water utilities. The updates to fees, charges, and overhead rates were implemented to reflect actual costs, and the annual financial benchmark analysis showed strong performance compared to other similar Bay Area agencies. In April 2025, the District successfully issued $46.1 million in tax-exempt bonds, resulting in $35 million in bond proceeds that were used to reimburse key capital project expenditures including main renewals, advanced metering, reservoir roof replacement, and PFAS treatment. The remaining debt proceeds were used to refund most of the District's 2015 water system revenue bonds. The refinancing saved $0.86 million and the District maintained AAA rating from S&P, with Moody's upgrading to Aaa. The upgrade recognizes the District's stable and diverse service area with above average income levels, robust debt service coverage and liquidity levels supported by prudent fiscal management, and a diverse water supply portfolio including local and wholesale sources with ample storage, demonstrated water supply and financial resilience during the most recent drought, and low debt burden.

Help on Tap - Customer Assistance Program
The District implemented an innovative customer assistance program effective March 1, 2017 for low-income customers called Help On Tap that initially provided a $15 credit on the bi-monthly service charge. The bi-monthly service charge credit has been updated several times since inception and was last increased to cover 100% of the 3/4" or 5/8" meter bi-monthly service charge, currently $66.30, effective March 1, 2025. As of June 30, 2025, there were 1,763 customers enrolled in the program.

Water Supply

Given the prior two years of above-average precipitation, the District continued water supply surplus operations in FY 2024/25, which included sending some State Water Project (SWP) water supplies to the Semitropic Water Bank, which the District utilizes to store surplus SWP supplies during wet years and returns the water in dry years to meet customer demands and maintain sufficient levels in the local groundwater basin. The District's water supply conditions remained healthy throughout FY 2024/25, due to favorable hydrologic conditions providing near-normal rainfall both locally and at the state level. As a result, FY 2024/25 ended with groundwater storage remaining within normal operating ranges, no restrictions on San Francisco Public Utilities Commission (SFPUC) water supplies, and enough new water supply from the SWP allocation to meet local demands and to reserve additional supplies for future dry years.

Drinking Water Quality

The District's State-certified laboratory continues to collect samples and conduct analyses for monitoring the quality of water as required by state and federal regulations. The District continues to meet or surpass all federal and state health-based drinking water quality and treatment regulations, including those for lead. In FY 2024/25, the District conducted sampling in compliance with EPAs Fifth Unregulated Contaminant Monitoring Rule (UCMR 5), sampling a portion of customer's homes as required by the California Lead and Copper Rule (LCR), and submitted an inventory of service line materials to Division of Drinking Water (DDW) as required by the federal Lead and Copper Rule Revisions (LCRR). The District actively monitors and maintains distribution system water quality by optimizing operations to reduce water age and proactively managing disinfectant levels at all storage facilities.

Service Reliability

Much of the District's water infrastructure is aging and susceptible to damage as a result of ground shaking and ground failure due to regional earthquakes. Accordingly in 2013, the District embarked on a Main Renewal and Seismic Improvement Program (MRSIP), which 1) improves the overall seismic reliability of the District's distribution system by strategically making improvements in areas of potential seismic-induced earth movement; 2) improves fire flows and service reliability in the older portions of the service area; 3) reduces long term water system maintenance costs; and 4) improves the seismic reliability of the District's distribution storage and production facilities. As part of the MRSIP, the District has invested over $70 million in water main renewals, replacements and seismic upgrades in addition to other projects including distribution storage tank replacements and upgrades and seismic improvements. In FY 2024/25, the District implemented the new SCADA system at the Water Treatment Plant No. 2 facility that will result in operational effectiveness, enhanced system security, and improved service reliability, completed construction of the PFAS treatment system and commenced treatment for PFAS, and completed the Alameda Reservoir Roof Replacement Project enhancing storage and seismic reliability of a 16 million gallon reservoir.

Groundwater Resources

During FY 2024/25, the District accomplished the following groundwater management and protection initiatives: Adopted a replenishment assessment rate for groundwater pumping for uses other than municipal and agricultural. Issued a Survey Report on Groundwater Conditions and the 2024 Groundwater Monitoring Report in support of the replenishment assessment rate. Issued the District's annual report pursuant to requirements of the Sustainable Groundwater Management Act (SGMA). Conducted 520 inspections of drilling operations to ensure compliance with the District's Ordinance. Issued three water well destruction permits as part of the District's abandoned well search and destruction program.

Niles Cone Groundwater Basin

Productivity and Efficiency

In early 2025, the District began developing a new Information Technology Master Plan (ITMP). The ITMP will serve as the blueprint to guide the District's technology investments, infrastructure upgrades, and digital initiatives over the next 5-6 years. The District continues to advance its technology systems, including enhancements to its asset management and permitting platform. Cybersecurity remains a top priority. In 2025, the District completed its annual penetration test, a critical component of the District's ongoing cybersecurity strategy. The District continues to improve procurement efficiency and lower costs by utilizing cooperative agreements for items such as chemicals, uniform rentals, vehicles, and office supplies. The District continues to promote Advanced Metering Infrastructure (AMI) and its "My Smart Water Connect" customer portal as a powerful resource for customers with tools such as: water use tracking and monitoring, customer account access, electronic bill presentment and payment, water conservation program information, Help on Tap program application, and automatic continuous flow and high usage notifications.

Public Awareness of Water Issues and Water Use Efficiency

The District's public information and education programs aim to provide customers and the community with important information related to water supply, emergency preparedness, water quality, infrastructure projects, and the importance of water use efficiency, along with other issues related to the District as a service provider. The District's School Education Program provides local schools with educational resources that stress the various facets of water science and water management, with the objective of producing citizens capable of making informed decisions regarding state and local water resources. Water use efficiency extends water supplies, benefits the environment, continues to be the most cost- effective source of supply, and allows the District to "bank" water for dry years. Water use efficiency activities this past year focused on encouraging long-term water use efficiency and best practices for all climate and water supply conditions. The District continued to follow and engage with the State on the implementation of a statewide framework that establishes water use objectives to improve water use efficiency and "Make Water Conservation a California Way of Life."

Environmental Stewardship

The District recognizes that water agencies must balance the needs of people and the environment to be sustainable and resilient. To ensure the reliability of the District's water supply from Alameda Creek and restore Central California Coast Steelhead trout, a federally listed species, the District and a number of Bay Area agencies, including the Alameda County Flood Control District, have worked for more than two decades to make the creek a more fish-friendly waterway through the District's Fish Passage Improvements Program. The Fish Passage Improvements Program, which completed its third consecutive year of passage operations in FY 2024/25, consists of design, construction, and permit compliance for implementation of improvements at the District's groundwater management facilities within the Alameda Creek Flood Control Channel. The goal of the Program is to restore the migratory fish passage corridor past facilities owned and operated by the District as well as Alameda County.

Financial Performance

Based on Annual Comprehensive Financial Report

REVENUES

A significant portion of the District's revenue is generated from water sales. The District also receives funds from property taxes, developer-related charges, grants, reimbursements, interest income, and other revenues. These revenues cover a wide range of costs, including water purchases, water treatment, capital expenditures, labor and benefits, and debt service.

The table and charts below illustrate the types of revenues for Fiscal Years Ended June 30, 2025 and 2024.

$ In Millions

	2025	2024
Operating Revenues		
Water Sales	$130.4	$123.4
Other Operating Revenues	3.7	8.1
Total Operating Revenues	**134.1**	**131.5**
Non-Operating Revenues		
Property Taxes	16.5	15.0
Investment Income (Loss)	9.3	7.9
Other Non-Operating Revenues	22.7	0.8
Gain on disposal of capital assets	0.3	
Total Non-Operating Revenues	**48.5**	**23.7**
TOTAL REVENUES	**$182.9**	**$155.2**

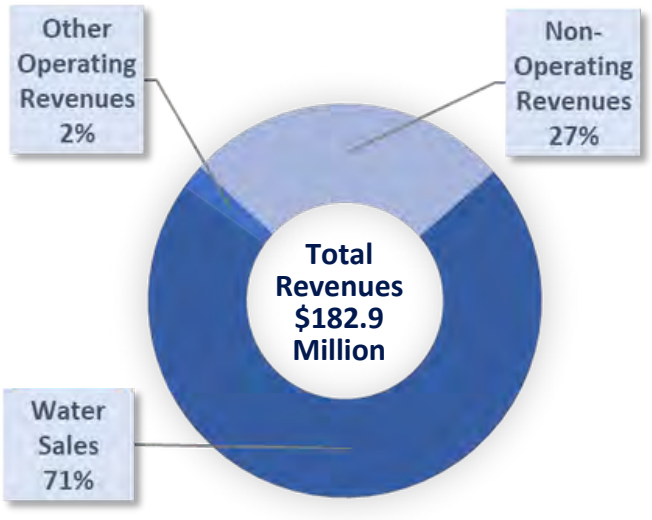
Water Sales come from the commodity and service charges billed to customers. A typical residential water bill includes a commodity rate of $5.17 per 100 cubic feet of water (around 748 gallons) plus a fixed service charge of $66.30 every two months.

Other Operating Revenues include developer-related charges, fees and rental.

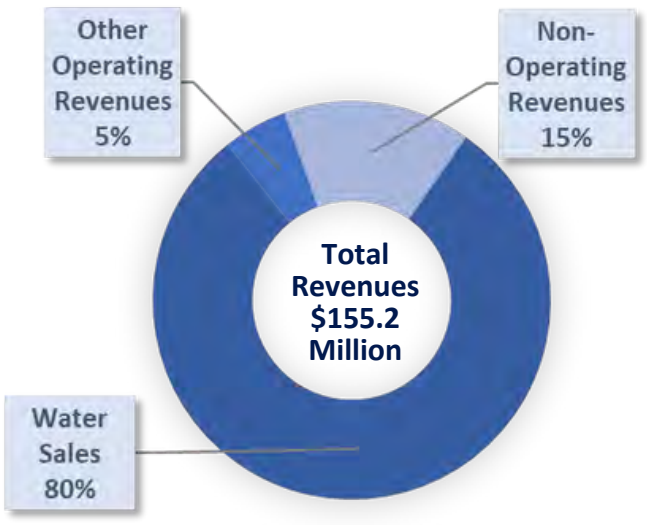
Other Non-Operating Revenues include the corresponding increase in settlement receivable related to ongoing litigation pursued by the District.

Non-operating revenues can be volatile from one year to the next.

FY 2024/25



FY 2023/24



Financial Performance

Based on Annual Comprehensive Financial Report

EXPENSES

The District is committed to provide our customers with a high quality, reliable supply of water at a reasonable cost. Costs cover water purchases, pumping, treatment, transmission and distribution, depreciation, and various administrative and general services. The table and graphic below illustrate the types of expenses for Fiscal Years Ended 2025 and 2024.

Operating Expenses

The various expense types for every dollar the District spends for operations and maintenance include several key categories – sources of supply (water purchases, pumping, other), water treatment, transmission and distribution, administration of customer accounts, administration and general, and depreciation and amortization. These expenses are allocated to ensure the efficient use of resources.

$ In Millions

	2025	2024
Operating Expenses:		
Sources of supply:		
Water purchases	$43.6	$41.3
Pumping	2.5	2.2
Other	13.0	13.2
Total Sources of Supply	59.1	56.6
Water Treatment	16.5	15.7
Transmission & Distribution	16.1	18.0
Administration of Customer Accounts	6.0	5.1
Administration & General	27.9	25.1
Depreciation & Amortization	20.6	17.2
Total Operating Expenses	**146.2**	**137.8**
Non-Operating Expenses:		
Gain (Loss) on disposal of capital assets	-	14.0
Cost of issuance expense	0.4	0.0
Interest expense	2.7	2.5
Non-Operating Expenses	**3.1**	**16.5**
TOTAL EXPENSES	**$149.3**	**$154.3**

Sources of Supply include costs for procuring water from the State Water Project and San Francisco Public Utilities Commission, along with expenses for pumping, power, and operating the supply system.

Water Treatment costs are associated with treating water to drinking quality standards.

Transmission & Distribution costs are for transporting water to treatment plants and storage reservoirs, and then distributing it to customers.

Administration of Customer Accounts expenses include billing services, printing, mailing, and payment processing.

Administration & General (A&G) expenses are for the overall management of the operations including district-wide employee benefits, insurance, financial management, human resources, information technology, emergency services, public information, and automotive maintenance. A&G costs can vary significantly from year-to-year based on recognition of pension plan earnings or losses.

Depreciation & Amortization expenses are related to the use of capital assets over time.

Non-Operating Expenses

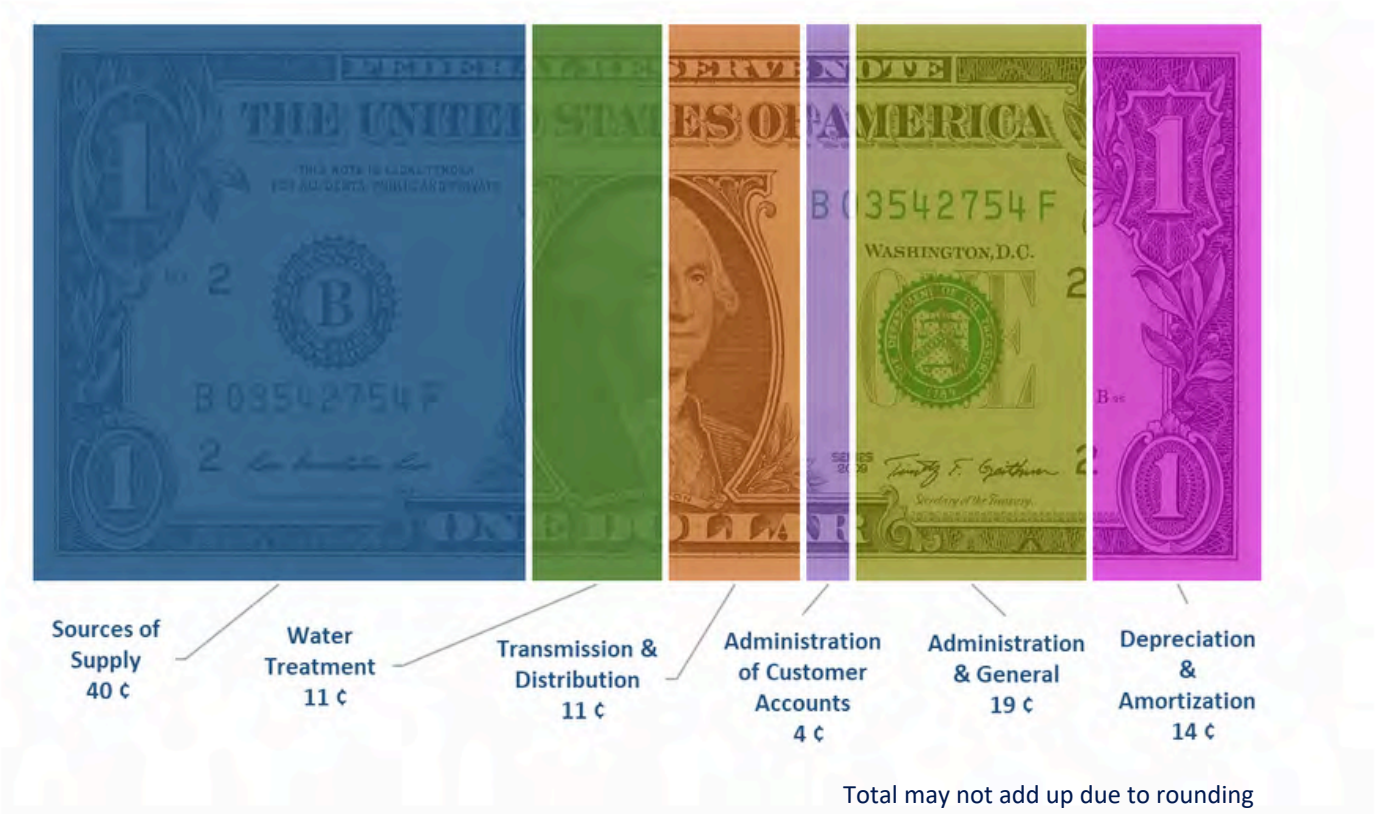
Non-Operating Expenses include gains and losses resulting from the disposal of capital assets, the cost of debt issuance expense, and interest expense.

Non-operating expenses can be volatile from one year to the next.

Financial Performance

Based on Annual Comprehensive Financial Report

Operating Expenses: Every $1 Pays For



Total may not add up due to rounding

Long Term Debt

As of June 30, 2025, the District had $98.7 million in outstanding debt compared to $68.5 million on June 30, 2024 and $72.0 million on June 30, 2023. The increase is a result of the issuance of the 2025 Water System Revenue Bonds, which refunded a portion of the 2015 Water System Revenue Bonds and also provided $35 million in new money to finance other capital projects.

$ In Thousands

Description	True Interest Cost (TIC)*	Fiscal Year Maturity	Original Amount	Ending Balance June 30, 2025
2015 Water System Revenue Bonds	3.48%	2045	$ 27,810	$ 5,905
2022 Water System Revenue Bonds	2.66%	2042	43,575	36,350
2025 Water System Revenue Bonds	3.96%	2055	46,100	46,100
Total Long-term Debt			**$ 117,485**	**$ 88,355**

*All-in aggregate true interest cost (TIC) is the weighted average interest cost paid by the District in consideration of all aspects of the bond issuance.

Credit Ratings

The District continues to maintain a AAA rating by Standard & Poor's and received a credit rating upgrade to Aaa by Moody's Investor Services - both representing the highest possible ratings.

These ratings reflect the District's stable and diverse service area with above average income levels, strong debt service coverage and liquidity, a diverse water supply portfolio, and a low overall debt burden.

The strong credit ratings help ensure the District can minimize borrowing costs and preserve access to future financing.

Statement of Net Position & Statement of Revenues, Expenses and Changes in Net Position (Condensed)

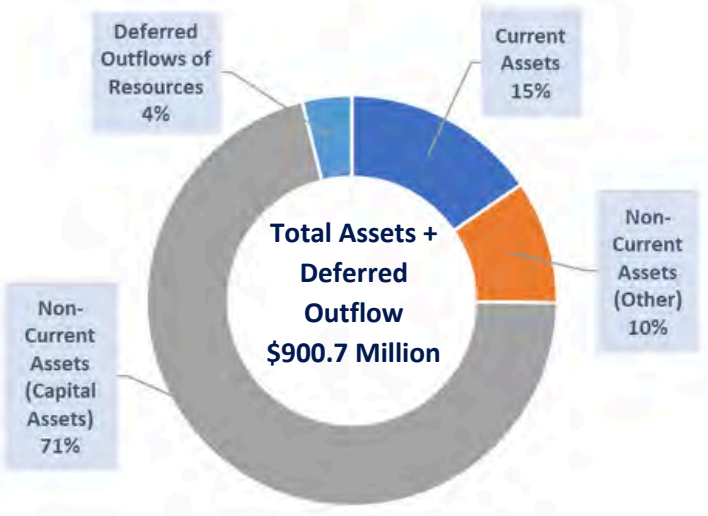
Statement of Net Position - Condensed
For Fiscal Years Ended June 30, 2025 and 2024
($ In Millions)

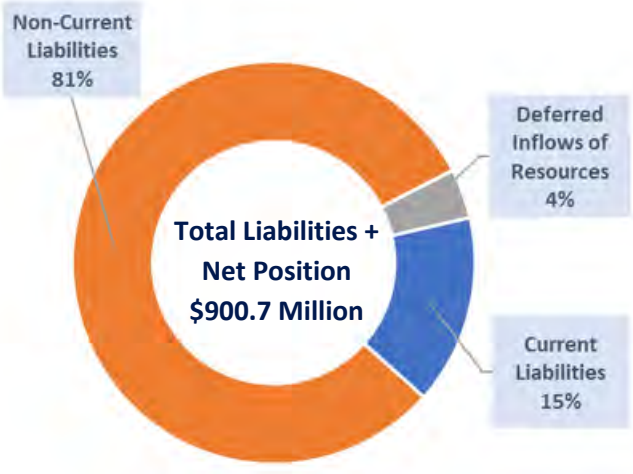
	2025	2024
ASSETS		
Current	$139.0	$124.0
Non-Current (Other)	87.6	78.6
Non-Current (Capital Assets)	639.1	606.8
DEFERRED OUTFLOWS OF RESOURCES	35.0	44.8
TOTAL	**900.7**	**854.2**
LIABILITIES		
Current	33.3	42.5
Non-Current	176.5	161.0
DEFERRED INFLOWS OF RESOURCES	8.7	6.5
TOTAL	**218.6**	**210.0**
NET POSITION	**$682.1**	**$644.2**

Statement of Revenues, Expenses, and Changes in Net Position - Condensed
For Fiscal Years Ended June 30, 2025 and 2024
($ In Millions)

	2025	2024
Operating Revenues	$134.1	$131.5
Operating Expenses	146.2	137.8
Operating Income (Loss)	(12.1)	(6.3)
Non-Operating Revenues (Expenses)	45.7	7.1
Net Income before Capital Contributions	33.6	0.8
Capital Contributions	4.3	13.9
Change in Net Position	37.9	14.7
Net Position, Beginning of Year	**644.2**	**633.5**
Prior Period Adjustments		(4.0)
Net Position, End of Year	**$682.1**	**$644.2**

End of year net position is the beginning of year net position plus change in net position for the year. The information presented in the charts below applies to Fiscal Year Ended June 30, 2025.





Terms & Definitions

Current Assets
Cash and cash equivalents, customer utility receivables, inventory, prepaid expenses, and other liquid assets that can be readily converted to cash.

Investment (Non-Current)
investments that are set aside for future use and not expected to be converted into cash or sold within one year.

Capital Assets (Non-Current)
Includes land, buildings, equipment, vehicles, inventory, treatment plants, pipeline, and water distribution systems.

Deferred Outflow of Resources
Represents a consumption of net assets that applies to a future period and will not be recognized as an outflow of resources (expense) until that future time.

Current Liabilities
Present obligations and payments due including, payments to vendors, payroll, and employee benefits.

Non-Current Liabilities
Long-term financial obligations including payments for loans, bonds, and employee retirement benefits.

Deferred Inflow of Resources
Represents an acquisition of net assets that applies to a future period and therefore will not be recognized as an inflow of resources (revenue) until that future time.

Net Position
Represents the District's fiscal position after liabilities and deferred inflows are taken out from assets, and deferred outflow.

Operating Revenues
Money earned from the core activities of the District, primarily from the sale of water and related services, as well as developer fees.

Operating Expenses
Costs incurred in the day-to-day operations of the District, including expenses for employee salaries, maintenance, and utilities.

Non-Operating Revenue
Income not related to the primary operations of the District, such as property taxes, investment income, and gains from the sale of assets.

Non-Operating Expenses
Costs not related to the primary operations of the District, such as interest expenses, losses from the sale of assets, and cost of issuance.

Capital Contributions
Funds received by the District from external sources, such as grants or customer capital contributions, specifically for the purpose of funding infrastructure projects and capital improvements.

Stay Connected to the District

Alameda County Water District
43885 S. Grimmer Blvd.
Fremont, CA 94538
510.668.4200

Business Hours:
8 a.m. to 5 p.m.
Lobby Hours:
9 a.m. to 4 p.m.
Monday - Friday (except holidays)

ALAMEDA COUNTY WATER DISTRICT
43885 SOUTH GRIMMER BOULEVARD • FREMONT, CALIFORNIA 94538
(510) 668-4200 • www.acwd.org

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER SERVICE LINES

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

As required by U.S. EPA, the Alameda County Water District has identified that your water service connection is considered a lead status unknown service line.

In 2024, the Alameda County Water District (ACWD) conducted an inventory of all water service lines, which is the pipe that connects your home or business to the water main. The purpose of the inventory is to identify the material of these service lines and fittings, including the customer-owned side of the water service line.

The pipe that connects your home or business to the water main was identified as an unknown material. Lead service lines or certain galvanized pipe can potentially place you at risk for exposure to lead. Therefore, your service line material will need to be identified.

ACWD routinely monitors for lead in the distribution system and the most recent water sample results received on October 10, 2024, showed that the 90th percentile of all lead levels measured in the distribution system was 0.0026 mg/L or 2.6 µg/L. The action level for lead in drinking water is 0.015 milligrams per liter (mg/L) or 15 micrograms per liter (µg/L). The most recent water sample results do not exceed the action level of 0.015 mg/L for lead.

Is my water affected?

- This is not an emergency.
- Your water is safe to drink and meets federal and state safe drinking water standards. To learn more about ACWD's comprehensive water quality monitoring to ensure the safety of your drinking water, visit acwd.org/2024CCR.
- You do not need to use an alternative water supply (e.g., bottled water).

What about my service line?

- Because your service line is categorized as a lead status unknown composition,

you can help your public water system identify your service line material.

  - EPA has developed an online step-by-step guide to help people identify lead pipes in their homes called Protect Your Tap: A Quick Check for Lead. (*https://www.epa.gov/ground-water-and-drinking-water/protect-your-tap-quick-check-lead*)

  - Other organizations have also provided tools to identify service line material, such as the LSLR Collaborative (*https://www.lslr-collaborative.org/identifying-service-line-material.html*)

- Inform us immediately if you plan to alter or replace your service line because we may be required to replace the system portion. ACWD currently does not offer financial assistance to replace the customer owned portion of the service line; however, if required, ACWD will replace the water service from the water main to the water meter.

- Please contact us immediately if you feel that we have incorrectly categorized the service line material.

Contact ACWD at (510) 668-6598 or LCRProgram@acwd.com to inform us if your service line has been incorrectly categorized to share any information you may find about your service line, or to inform us of your plans to alter or replace your service line.

What happens next?

ACWD technicians will be visiting select properties in the next few months to visually inspect the material of the customer-owned water service from the water meter to your home. ACWD technicians will be in ACWD identifiable clothing and equipment and have photo ID badges. During this process, customers will continue to maintain water service; however, the technician may need to dig around the water meter to expose the pipeline material or inspect the outdoor house valve on your property in order to make a proper evaluation. Please note that the technician will not need to enter the home.

Alternately, you will be able to self-identify the water service and pipes to your home using EPA's interactive guide located at *https://www.epa.gov/ground-water-and-drinking-water/protect-your-tap-quick-check-lead*. If you choose to self-identify the water service to your home, please contact ACWD at (510) 668-6598 or LCRProgram@acwd.com to submit your information and cancel the technician visit to your property.

We anticipate identifying all unknown service lines in 2026.

Lead Related Health Information

- *Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can cause new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to*

lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

- If you have concerns about your water quality, the State Water Board's Environmental Laboratory Accreditation Program has a *map of accredited laboratories* that can test your water at the consumer's expense, which can be found at: *https://www.waterboards.ca.gov/drinking_water/certlic/labs/*

- If you still have health concerns from potential lead exposure in your drinking water, there are point-of-use (POU) devices that can be used on your drinking water taps to provide an additional barrier of protection. A list of these residential treatment devices can be found at: *https://www.waterboards.ca.gov/drinking_water/certlic/device/watertreatmentdevices.html*

- If you have other health issues concerning the consumption of this water, you may wish to consult your health care provider.

Additional Resources

To verify the material of an unknown service line, for information on financial programs to assist with service line replacements or for any other information, contact ACWD at (510) 668-6598 or LCRProgram@acwd.com and/or visit *https://acwd.org/LeadServiceLineInventory* .

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Alameda County Water District

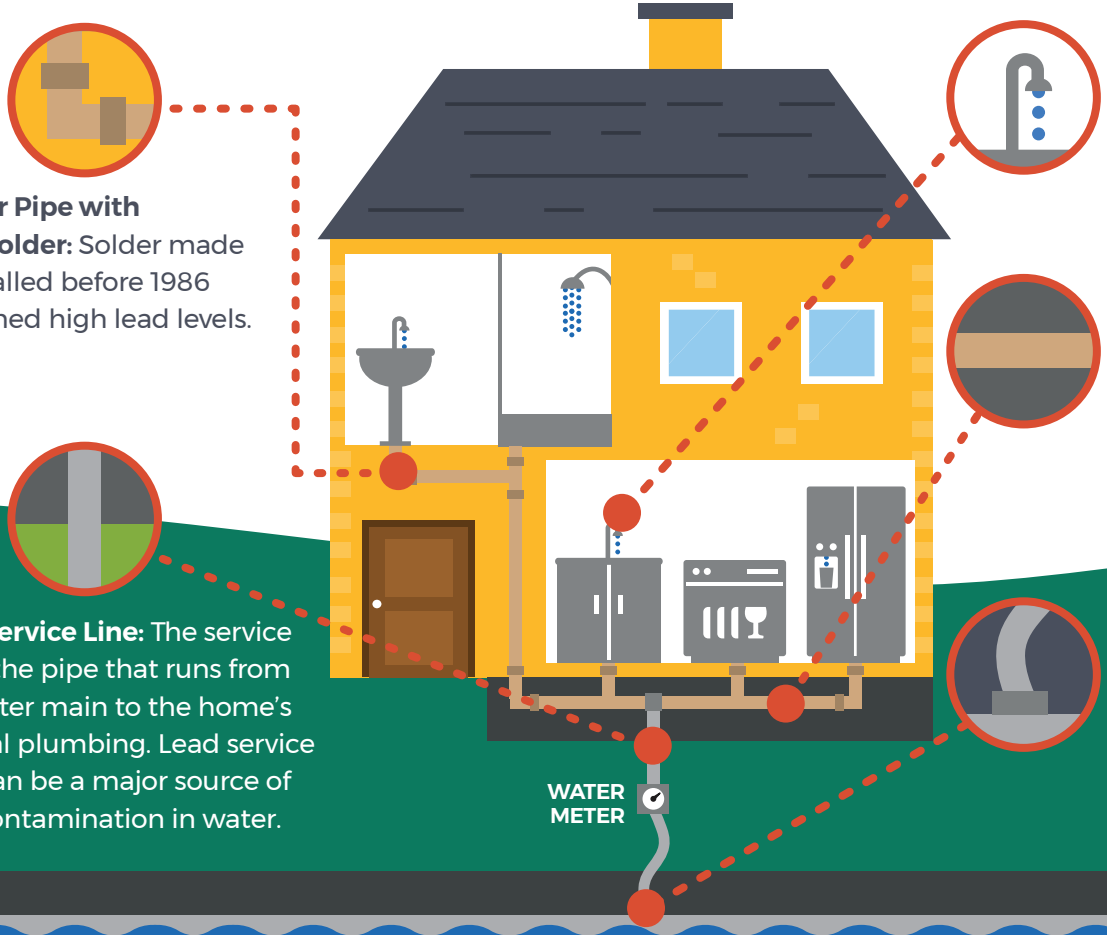
State Water System Number: CA0110001

Date distributed: December 23, 2025

EPA

CONCERNED ABOUT LEAD IN YOUR DRINKING WATER?

Sources of **LEAD** in Drinking Water



Copper Pipe with Lead Solder: Solder made or installed before 1986 contained high lead levels.

Faucets: Fixtures inside your home may contain lead.

Galvanized Pipe: Lead particles can attach to the surface of galvanized pipes. Over time, the particles can enter your drinking water, causing elevated lead levels.

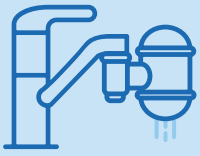
Lead Service Line: The service line is the pipe that runs from the water main to the home's internal plumbing. Lead service lines can be a major source of lead contamination in water.

Lead Goose Necks: Goose necks and pigtails are shorter pipes that connect the lead service line to the main.

Reduce Your Exposure To Lead

Use only cold water for drinking, cooking and making baby formula. *Boiling water does not remove lead from water.*

Regularly clean your faucet's screen (also known as an aerator).

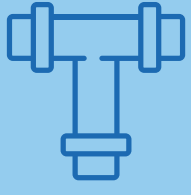


Consider using a water filter certified to remove lead and know when it's time to replace the filter.

Before drinking, flush your pipes by running your tap, taking a shower, doing laundry or a load of dishes.

To find out for certain if you have lead in drinking water, **have your water tested.**

Replace Your Lead Service Line



Water systems are required to replace lead service lines if a water system cannot meet EPA's Lead Action Level through optimized corrosion control treatment.

Replacement of the lead service line is often the responsibility of both the utility and homeowner.

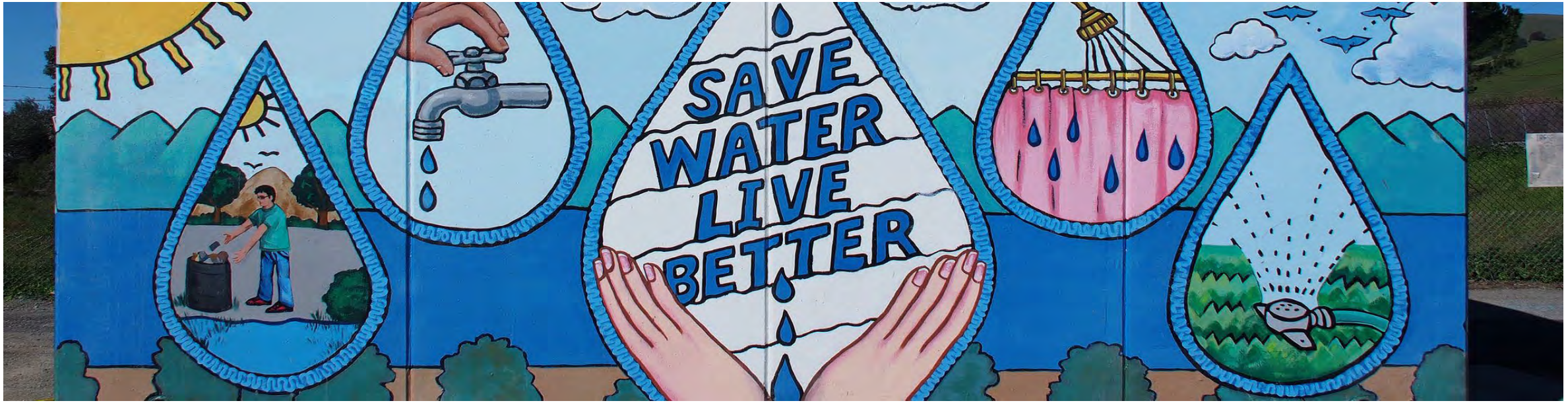
Homeowners can contact their water system to learn about how to remove the lead service line.

Identify Other Lead Sources In Your Home

Lead in homes can also come from sources other than water. If you live in a home built before 1978, you may want to have your paint tested for lead. **Consider contacting your doctor to have your children tested if you are concerned about lead exposure.**

For more information, visit: **epa.gov/safewater**

Water Bottle Refill Station Pilot Project



Simon Maranguis

Office of the General Manager Intern

Purpose

- To provide a water bottle refill station to a school in ACWD's service area
- To encourage students and community members to drink their tap water
- To raise awareness that water from the tap is clean, safe and healthy to drink
- To promote sustainability by reducing the need for single-use plastic water bottles

Background

- Reviewed materials from Eastern Municipal Water District's (EMWD) Water Bottle Filling Station Program
- Contacted schools in our service area to gauge interest
  - Thornton Middle School
  - Informational meeting with Principal & Senior Project Manager
  - Site visit on September 17 to inspect potential locations for refill station on campus

Example Model of Refill Station

Site Map

- Site Map of Thornton Middle School
- Blue: Existing refill stations
- Pink: Proposed locations for ACWD refill station
  - North location
    - Near classrooms
  - South location
    - Near offices, quad, and parking lots

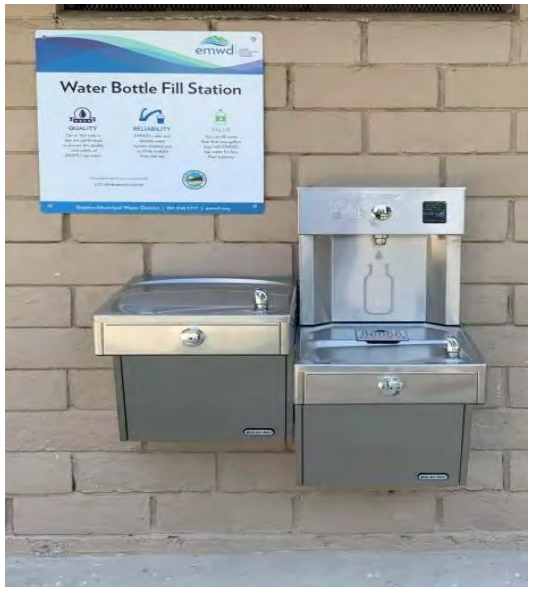
Proposed Locations




- North:
  - No existing fountain
  - Within gated section of campus
- South:
  - Pre-existing water fountain, nonoperational
  - Outside gated sections of campus

Messaging

- Goal: raise awareness of the benefits of drinking tap water and encourage students to choose tap water while using reusable water bottles
- Worked with Sharene Gonzales to research examples from other agencies
  - ACWD key words: “quality”, “reliable”, etc.
  - Engaging and educational for students
  - Encourages support from schools



Sample Signage

Recommendations

- Work with legal counsel to draft memorandum of understanding
  - Use EMWD's agreement for reference
  - Create a general agreement that can be reused and tailored for different partners
- Use the South proposed location
  - Accessible to students and public
  - Near common areas and regularly frequented locations
  - No existing refill station in area
- Simple messaging and signage
  - Informative and engaging
  - Remember to keep students at the forefront

Questions?

ALAMEDA COUNTY WATER DISTRICT
M E M O R A N D U M

DATE: January 9, 2026

TO: Legal, Intergovernmental, and Community Affairs (LICA) Committee

FROM: Special Assistant to the General Manager, Jackie McCloud

SUBJECT: LICA January Briefing

The Special Assistant to the General Manager January Briefing includes activities from December 19, 2025-January 14, 2026. Highlights for the past month include capstone project coordination with California State University East Bay (CSUEB) professors from the College of Business, hosting the Water Ambassador Pilot Program Module #3 at ACWD Headquarters with Fremont Unified School District (FUSD) Instructional Coach Mr. Nate Ivy on January 12, 2026, continued development of the Alameda County Water District Strategic Plan 2025-2030 Implementation Action Plan, and presenting the Alameda County Water District Strategic Plan 2025-2030 update for Board consideration for approval at the regular January 8, 2026 Board meeting.

CSUEB Coordination

On December 22, 2025, Public Affairs Supervisor, Ms. Sharene Gonzales and I met with Dr. Yi He, Professor and Chair of the Department of Marketing in the School of Business at CSUEB. Dr. He proposed a potential Master of Science in Marketing and Analytics capstone project. The capstone project would be in collaboration with the ACWD Public Affairs team. The project will be a public outreach campaign. While the details are to be developed, it will be based on existing customer feedback and in alignment with the District's goals to increase the community's awareness about important water-related topics.

On December 30, 2025, Dr. Balaraman Rajan, a Professor in the School of Business at CSUEB met with Mr. Russell Perry, Water Resources Systems Analyst, and I to propose an undergraduate capstone project. While the project details are still in development, the project would be focused on ACWD residential customer water use efficiency.

FUSD Water Ambassador Program

FUSD Instructional Coach Mr. Nate Ivy and ACWD Laboratory Supervisor, Ms. Jennifer Reyes Amor, and I are preparing for the Water Ambassador Module #3 at District Headquarters on January 12, 2026. Module #3 is "Sampling and Laboratory Analysis: How do we keep your drinking water safe?" Students have been given sample containers to take a sample from a water fountain at their school and will conduct general laboratory analyses on that sample. During Module #3 students will get an overview of the laboratory and the critical role the laboratory has in ensuring public health for our community. Students will participate in an interactive, hands-on

laboratory demonstration. I will report on the outcome of Module #3 at the January 14, 2026 LICA Committee meeting.

Strategic Plan Update

On January 8, 2026, staff presented the Alameda County Water District Strategic Plan 2025-2030 for the Board's consideration and approval. Staff also provided the draft and in-process Implementation Action Plan (IAP) as information (no Board approval requested or required). At this meeting, the Board and public provided additional comments and ultimately took action to approve the Strategic Plan 2025-2030. Staff continues to work with divisions and individuals across the District to advance the IAP with completion scheduled by the end of the first quarter of 2026.

cc: Ed Stevenson
Marian Hsu
JR Salinas

FINANCE & ADMINISTRATION COMMITTEE MEETING
SUMMARY MINUTES
Tuesday, January 20, 2026
3:00 p.m.

ATTENDANCE

Directors: John Weed (Chair), Paul Sethy

Staff: Ed Stevenson, Jonathan Wunderlich, Jackie McCloud, Calvin Cho, Sydney Oam, Don Carlisle, Selina Zapien, Erica Ota, Nidhi Chawda

This meeting was conducted in person at the District's Headquarters and virtually by Zoom Webinar and Teleconference, and members of the public were invited to participate. Materials presented to the Committee were posted in advance of the meeting at www.acwd.org.

DISCUSSION TOPICS

1. Public Comments: There were no public comments.

2. New Employee Introductions: Jon Wunderlich, Director of Finance and Administration, introduced two new employees in the Finance and Administration Department. Erica Ota is a Customer Account Representative, and Nidhi Chawda is a Senior Business Analyst. Ms. Ota has over nine years of customer service experience across various industries. Ms. Chawda has over 12 years of experience in business analysis, supporting organizations across many industries in the private sector.

3. Human Resources and Risk Management Program Update: Selina Zapien, Human Resources Analyst, and Don Carlisle, Workplace Health and Safety Officer, reviewed the quarterly updates on recruitment, labor negotiation, risk management and safety, and claims. For the quarter ending December 2025, the District completed a total of seven recruitments, received 631 applications, and hired five employees. There were 20 vacancies throughout the District with a vacancy rate of 8.2%. A new four-year agreement was reached, and contract terms were adopted between Operating Engineers Local No. 3 (OE3) and the District. The District has resumed quarterly Joint Labor Management Committee (JLMC) meetings with OE3 and the first meeting was held on January 14, 2026. The Operator's Association, which represents all represented employees not covered by OE3, continues to meet collaboratively with the District. The District continued to focus on enhancing the culture of safety and strengthening loss control efforts by providing safety training to employees across the District. Mr. Carlisle reviewed the claims for the last quarter of calendar year 2025.

   Ms. Zapien and Mr. Carlisle responded to questions from the Committee.

4. Debt Policy Annual Review: Sydney Oam, Financial Analysis Supervisor, reviewed the Debt Management and Disclosure Policy (Debt Policy) as part of the annual review of the District's financial policies. The debt policy was last reviewed and updated by the Board in February 2025, prior to the issuance of the 2025 Revenue Bonds. Staff reviewed the debt policy with the District's bond counsel and financial advisor and proposed no changes to the policy at this

time. Staff received feedback from the Committee. A copy of the current debt policy is included in the meeting minutes.

5. Income Statement: Calvin Cho, Accounting and Treasury Manager, reviewed the income statement for Fiscal Year (FY) 2025/26 through December 2025, compared to FY 2024/25 through December 2024. Water sales increased by $261,000 due primarily to the 4% rate increase that was effective March 1, 2025; however, overall consumption is down from the prior year. Facilities Connection Charges were $4,673,000 higher due to a large payment from a development in the service area. Water purchase costs increased by $42,000. Investment income reported on the income statement includes year-end fair market value adjustments. Overall, the District's net position increased by $10,370,000 for the fiscal year through December 2025.

   Mr. Cho responded to questions from the Committee.

6. Budget Report: Mr. Oam reviewed the budget report and reserve funds for FY 2025/26 through December 2025 (50% of the budget). The budget report showed that overall revenue was 57.6% of the budget and expenditure was 46.1%. Water revenue was higher than budget at 54.8%, which is expected due to higher consumption during the warmer summer months. Facilities Connection Charges revenue was significantly higher than budget due to the timing of development activity, as most of the revenues were anticipated in the prior fiscal year. Administrative and general expenses tracked higher than budget because the District makes annual pension and retiree health care contributions at the beginning of the fiscal year in July. The District's reserves remain in compliance with the reserve policy.

   Mr. Oam responded to questions from the Committee.

RECOMMENDATIONS

Topics discussed by the Committee were informational only, and no recommendations were being made.

RESOLUTION NO. 25-006

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT APPROVING UPDATED DEBT MANAGEMENT AND DISCLOSURE POLICY

WHEREAS, the Alameda County Water District has outstanding debt and may issue additional debt in the future; and

WHEREAS, the Alameda County Water District is committed to prudent financial management, systematic capital planning, and long-term financial planning; and

WHEREAS, on August 10, 2017, the Board adopted its Debt Management and Disclosure Policy, which sets forth guidelines for the financing of capital projects and establishes general parameters for the issuance and administration of bonds and other forms of indebtedness; and

WHEREAS, on October 11, 2018, the Board updated the Debt Management and Disclosure Policy to confirm that arbitrage calculations will be done every five years or no less frequently than the maximum period allowed by law and to clarify the District's continuing disclosure dissemination protocol; and

WHEREAS, on July 11, 2019, the Board updated the Debt Management and Disclosure Policy to confirm that the District will evaluate whether or not to capitalize interest during the construction period of a project on a case-by-case basis; confirm that it is the intent of the District to maintain the debt service coverage ratio at 2.00 or higher; and as required for transactions closed after February 2019, in compliance with the amended Rule 15c2-12, the District will disclose any incurrence of a material financial obligation or any events under the terms of a financial obligation that may reflect financial difficulties; and

WHEREAS, on July 9, 2020, the Board updated the Debt Management and Disclosure Policy to confirm that the Debt Management and Disclosure Policy is intended to comply with the requirements of Senate Bill 1029 (SB 1029), codified as part of Government Code Section 8855(i), effective on January 1, 2017, and shall govern all debt undertaken by the District; and

WHEREAS, on September 9, 2021, the Board updated the Debt Management and Disclosure Policy to confirm that the use of particular financing methods will also be analyzed as to any impacts to existing bondholder/lender terms and conditions and covenants and impacts to future financial flexibility; and that private placements will generally be avoided, except if implemented through state or federal loan programs offering advantageous interest rates; and

WHEREAS, the Board desires to update the Debt Management and Disclosure Policy to confirm that factors favoring Pay-As-You-Go financing include ongoing renewal or replacement projects or assets, and Pay-As-You-Use (Debt) financing includes major and periodic projects or assets; and private placements will be carefully analyzed as to the terms and conditions of the borrowing versus the competitive or negotiated bond options; and that ratings are an important factor in determining the District's borrowing costs. The number of ratings required for a specific transaction will depend on a number of factors including: i) par size of the contemplated issuance, ii) market conditions, and iii) maturity, among others. Recognizing the costs associated with obtaining ratings, the District will work with its financial advisor and underwriter(s), if any, to determine the appropriate number of ratings for each transaction.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ALAMEDA COUNTY WATER DISTRICT that the Updated Debt Management and Disclosure Policy as documented in Exhibit A, attached hereto and incorporated herein as though fully set forth, is hereby approved as the Debt Management and Disclosure Policy of the ALAMEDA COUNTY WATER DISTRICT.

PASSED AND ADOPTED this 13th day of February 2025, by the following vote:

AYES: Directors Akbari, Gunther, Sethy, Weed, and Huang

NOES: None

ABSENT: None

Judy C. Huang, President
Board of Directors
Alameda County Water District

ATTEST:

Marian Hsu, District Secretary
Alameda County Water District
(Seal)

APPROVED AS TO FORM:

Patrick T. Miyaki, General Counsel
Alameda County Water District

EXHIBIT A

ALAMEDA COUNTY WATER DISTRICT
Debt Management and Disclosure Policy
February 13, 2025

POLICY

The Debt Management and Disclosure Policy (the "Debt Policy") sets forth guidelines for the financing of capital projects and establishes general parameters for the issuance and administration of bonds and other forms of indebtedness. This Debt Policy is intended to comply with the requirements of Senate Bill 1029 (SB 1029), codified as part of Government Code Section 8855(i), effective on January 1, 2017, and shall govern all debt undertaken by the District.

The Alameda County Water District (the "District") is committed to prudent financial management, systematic capital planning, and long-term financial planning. It is the purpose of the Debt Policy to further the District's mission to provide a reliable supply of high quality water at a reasonable price to customers through the pursuit of the following objectives:

- guide the prudent use of resources
- maintain access to cost-effective borrowing
- minimize debt service and issuance costs
- retain the highest possible credit rating
- maintain full and complete financial disclosure and reporting
- achieve full and timely repayment of debt
- ensure future financial flexibility

All indebtedness shall be integrated with the District's biennial Operating Budget, 25-Year Capital Improvement Program, and Financial Planning Model. New indebtedness will be evaluated for impact to pledged revenue, debt service coverage, and annual debt service.

CRITERIA FOR DEBT FINANCING/POLICY GOALS

As a guiding policy, debt financing shall only be used to fund the design, construction, or acquisition of capital assets; it will not be used for operating and maintenance or other recurring costs. The District will use the following criteria to evaluate pay-as-you-go versus pay-as-you-use (debt) financing for portions of its capital improvement program from time to time:

Factors Favoring Pay-As-You-Go Financing

- Projects or assets with short useful lives
- Ongoing renewal and replacement projects or assets
- Project can be adequately funded with current resources without impairing the District's future financial position
- Additional debt would adversely affect the District's cash flow position, operating

flexibility, or ability to maintain compliance with existing debt covenants
- Capital market conditions are unstable or present difficulties in financing

Factors Favoring Pay-As-You-Use (Debt) Financing

- Projects or assets with long useful lives
- Major and periodic projects or assets
- Proposed pledged revenues for debt service are sufficient and reliable so that long-term financing can be obtained at favorable interest rates
- Additional debt would not adversely impact covenants of outstanding debt
- Determination that it would be prudent to provide intergenerational equity
- Project is mandated by state or federal requirements and other funding options are insufficient or unavailable
- Project is immediately required to meet District needs and other funding options are insufficient or unavailable

METHODS OF FINANCING

The District will evaluate all possible project financing alternatives including, but not limited to, bonds (issued either directly by the District or through a joint powers authority), bank loans, lines of credit, commercial paper, state revolving funds, Water Infrastructure Finance and Innovation Act (WIFIA) loans, interfund borrowing, and grants. Financing methods will be evaluated within the framework of the District's outstanding debt, capital improvement plan and long-term financial planning model. Additionally, the District recognizes that the terms and covenants associated with various financing methods may differ. As such, the use of particular financing methods will also be analyzed as to any impacts to existing bondholder/lender terms and covenants and impacts to future financial flexibility. Financing will be evaluated in combination of all outstanding debt to ensure debt coverage and District creditworthiness is not adversely impacted.

DEBT ISSUANCE

While the District strives to adhere to the Debt Policy, changes in capital markets, unforeseen circumstances, or extraordinary conditions may require exceptions. Exceptions to the Debt Policy will be reviewed with the Board of Directors (the "Board") for consideration prior to debt issuance.

Method of Sale – Bonds will primarily be sold through competitive sale, but may alternatively be sold through a negotiated sale due to volatile market conditions, complex security features, or policy goals. Private Placements will be carefully analyzed as to the terms and conditions of the borrowing versus the competitive or negotiated bond options.

Type – The District will typically issue special revenue bonds secured by a pledge of the District's water revenue.

Term – Debt terms will not exceed the useful life of the asset. Debt will be structured to have a fair allocation of costs to current and future users.

Lien Level – Senior, Junior, and Subordinated Junior Liens will be evaluated based on cost or capacity of the revenue source securing the debt.

Coupon – The District will generally seek to issue fixed rate debt and avoid variable rate debt to minimize interest rate risk.

Maturity – Debt issuances will typically be a combination of serial and term bonds. Only under certain market conditions will capital appreciation (zero coupon) bonds be used.

Structure – Level debt service, level principal, or "wrap around" option bond structures will be evaluated based on projected cash flow, current annual debt service, and estimated project revenues.

Tax Exempt – The District will evaluate tax status of any bond sales with bond counsel and comply with all applicable laws and regulations to ensure the tax-exempt status of its bonds. Taxable debt will generally be avoided to reduce interest expense unless there is a legally required or advantageous reason for utilizing taxable bonds vis-à-vis tax-exempt bonds.

Capitalized Interest – The District will evaluate whether or not to capitalize interest during the construction period of a project on a case-by-case basis. Generally, capitalized interest will only be considered for a revenue-producing project and such that debt service expense does not begin until the project is expected to be operational and producing revenues.

Debt Service Coverage – The District's existing bond covenants require a debt service coverage ratio (net revenues to debt service) of at least 1.25. It is the intent of the District to maintain the debt service coverage ratio at 2.00 or higher.

Redemption Provisions – For all debt issuances, the District will evaluate the cost benefit of redemption provisions against potential interest savings through refunding. Periodic reviews of all outstanding debt will be undertaken to determine redemption opportunities. Redemption will only be considered if allowable by debt covenants and there are sufficient resources to prepay/retire debt without adverse impact to the District's financial position.

Credit Enhancement – Credit enhancements will be evaluated on a case-by-case basis for each debt issuance.

Debt Service Reserve – The size of Debt Service Reserve Funds is generally the lesser:

- 10% of par
- 125% of average annual debt service
- 100% of maximum annual debt service

In consultation with the District's underwriter and financial advisor, debt service reserve funds will not be utilized unless it is determined beneficial to the District's bond issuance or borrowing needs.

Derivatives – Derivative products carry certain risks that are not associated with standard debt instruments. Derivatives will generally not be utilized by the District.

Ratings – Ratings are an important factor in determining the District's borrowing costs. The

number of ratings required for a specific transaction will depend on a number of factors including: i) par size of the contemplated issuance, ii) market conditions and iii) maturity, among others. Recognizing the costs associated with obtaining ratings, the District will work with its financial advisor and underwriter(s), if any, to determine the appropriate number of ratings for each transaction.

DEBT ADMINISTRATION/INTERNAL CONTROL PROCEDURES

The District shall maintain compliance with all bond covenants and agreement of each debt issuance on an ongoing basis.

Investment of Proceeds – Bond proceeds and reserve funds shall be invested in accordance with each issue's indenture or trust agreement. All investments will be made in compliance with the District's Investment Policy and State and federal laws.

Arbitrage Compliance – The District will diligently monitor its compliance with InternalRevenue Service regulations and the federal Tax Code to ensure adherence to arbitrage and rebate requirements. The District will implement quinquennial arbitrage reviews or reviews no less frequently than the maximum period allowed by law.

Filing Requirements – The District shall file all required notices and reports with the California Debt and Investment Advisory Commission (CDIAC) in compliance with applicable laws.

Refunding – Periodic reviews of all outstanding debt will be undertaken to determine refunding opportunities. Refunding will be considered (within federal tax law constraints) if and when there is a significant economic benefit of the refunding or the refunding is essential in order to modernize covenants essential to operations and management.

Continuing Disclosure – The District shall comply with the requirements of the Continuing Disclosure Certificate(s) entered into at the time of each debt issuance. The District shall be responsible for overseeing the continuing disclosure process and providing ongoing disclosure information to the Municipal Securities Rulemaking Board's (MSRB) Electronic Municipal Market Access (EMMA) system. The District shall require that its dissemination agent provide confirmation that all required documents have been properly distributed to the appropriate parties within the legal deadlines.

In addition to annual reports, Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) ("Rule") obligates the District to disclose in a timely manner not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the securities being offered:

- Principal and interest payment delinquencies
- Non-payment related defaults, if material
- Unscheduled draws on debt service reserves reflecting financial difficulties
- Unscheduled draws on credit enhancements reflecting financial difficulties
- Substitution of credit or liquidity providers, or their failure to perform
- Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final

determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security

- Modifications to rights of securities holders, if material
- Bond calls, if material, or tender offers
- Defeasances
- Release, substitution, or sale of property securing repayment of the securities, if material
- Rating changes
- Bankruptcy, insolvency, receivership, or similar event of an obligated person
- The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material
- Appointment of a successor or additional trustee or the change of name of a trustee, if material
- (For any transactions closed after February 2019) Incurrence of a Financial Obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the obligated person, any of which affect security holders, if material.
- (For any transactions closed after February 2019) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the obligated person, any of which reflect financial difficulties.

For purposes of the Rule, "Financial Obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term Financial Obligation shall not include municipal securities (defined in the Rule) as to which a final official statement (defined in the Rule) has been provided to the MSRB consistent with the Rule.

Use of Proceeds – The District shall prepare monthly bond expenditure and drawdown reports for management review and approval to ensure that debt proceeds are directed to their intended use and spent within a timely manner. The monthly Revenue & Expenditures report tracks year-to-date capital project expenses and the Bond Project Expenses report tracks the inception-to-date bond project expenses. On a quarterly basis, bond drawdowns are requested based on the Bond Expenses report.

The District shall prepare an annual Revenue & Expenditures report to the Board of Directors for review of remaining bond proceeds and annual spending of each capital project. The report shall be prepared by the District for review by the Board of Directors within 90 days after the close of each fiscal year.

Trustee – In compliance with the Installment Purchase Contract for each debt issuance, the District will annually file with the designated Trustee, all required certificates and will furnish a copy of the certificates to any bondholder and any investment banker, securities dealer and other interested parties requesting copies of the certificates.

Retention – A copy of all relevant documents and records will be maintained by the District for the term of the bonds (including refunding bonds, if any) plus ten years. Relevant documents and records will include sufficient documentation to support the requirements relating to the tax-exempt status, including:

- Bond transcripts, official statement, and other offering documents.
- Documents relating to capital expenditures financed by bond proceeds.
- Records identifying the assets or portions of assets that are financed with bond proceeds.
- All records of investments, investment agreements, arbitrage reports, return filings with the IRS and underlying documents, trustee statements, rating correspondence, and continuing disclosure.

SB 1029 COMPLIANCE

SB 1029, signed by Governor Brown on September 12, 2016, and enacted as Chapter 307, Statutes of 2016, requires issuers to adopt debt policies addressing each of the five items below, all of which are addressed within this debt policy.

A. The purposes for which the debt proceeds may be used.
B. The types of debt that may be issued.
C. The relationship of the debt to, and integration with, the issuer's capital improvement program or budget, if applicable.
D. Policy goals related to the issuer's planning goals and objectives.
E. The internal control procedures that the issuer has implemented, or will implement, to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

POLICY REVIEW

The provisions of this policy will be reviewed by the Board of Directors on an annual basis and prior to any new debt issuance.

WATER RESOURCES & CONSERVATION
COMMITTEE MEETING SUMMARY MINUTES
Wednesday, January 28, 2026
3:30 p.m.

ATTENDANCE

Directors: Aziz Akbari (Chair), John Weed
Staff: Ed Stevenson, Laura Hidas, Gisselle Marcia, Thomas Niesar, Stephanie Nevins, Jon Wunderlich
Public: None

This meeting was conducted in person at the District's Headquarters and virtually by Zoom Webinar and Teleconference, and members of the public were invited to participate. Materials presented to the Committee were posted in advance of the meeting at www.acwd.org and copies of materials as presented are attached to these minutes.

DISCUSSION TOPICS

1. Public Comments: There were no comments from the public.

2. Water Efficiency Master Plan (WEMP) Implementation Status Update for Fiscal Year 24-25: Gisselle Marcia, Water Use Efficiency Specialist, presented an update on implementation of the District's Water Efficiency Master Plan (WEMP), highlighting water savings and major projects and initiatives from Fiscal Year (FY) 2024-25. To date, the District's Water Use Efficiency (WUE) program has achieved an estimated 16,502 acre-feet (AF) of lifetime savings, derived using study-based mechanical savings estimated in the WEMP and an average life of the measures implemented. The WEMP's target cost in dollars per AF saved is $695/AF, while staff's estimated cost is well below the target at $139/AF. Staff noted that savings and costs do not include outreach budgeted by the District's Public Affairs team. Staff also noted that costs do not include the District's Advanced Metering Infrastructure (AMI) project hardware and software expenses, they represent WUE staff time related to AMI water use efficiency measures. WUE program highlights for FY 24-25 included: launching the Water Savings Center, presenting at the WaterSmart Innovations Conference, extensive engagement with local community groups, and tracking and ensuring compliance with the State Urban Water Use Objectives (UWUO). Current WUE activities for FY 2025-26 include updating the WEMP to meet the UWUO through 2050, hiring interns to help with UWUO compliance related projects, updating the District's Water Waste Ordinance, and implementing improvements to the Water Savings Center and AMI customer portal. Staff answered questions from the Committee related to the WUE internship positions and the Water Efficient Technology Incentive program for Commercial, Industrial, and Institutional customers. There was also a request to frame water savings using a gallons per day metric in future presentations.

3. Extension of the Yuba Accord Long-Term Water Transfer Program and Potential for District Participation: Laura Hidas, Director of Water Resources, and Thomas Niesar, Water Supply & Planning Manager, provided an update on the Yuba Accord Long-Term Water Transfer Program (Program). Ms. Hidas explained that the Yuba Accord, originally implemented in

2008, provides in-stream water for fish in the lower Yuba River while also allowing for the released water to be transferred to others who can use it downstream. Through a number of different agreements, water is made available for instream flows through surface water reservoir releases and voluntary groundwater substitutions by Yuba Water Agency's member units, which can then be purchased for downstream use as part of the Program. The California Department of Water Resources (DWR) has a water purchase agreement with Yuba Water Agency to purchase water, when available, and deliver it to downstream participating contractors.

Ms. Hidas shared that the original Program agreements expired at the end of 2025, but the Program has been very successful and is being extended through 2050. DWR is amending its water purchase agreement with Yuba Water Agency for the Program to continue to provide this water to participating contractors. State Water Project contractors can sign an amendment to the existing Dry Year Water Purchase Program Agreement with DWR to participate. The District did not participate in the original Program, but staff has confirmed with DWR that the District is able to join the Program at this time by signing the new amendment for the Program. The water costs are built into the amendment and would be incurred only when the District elects to purchase water from the program.

Thomas Niesar, Water Supply & Planning Manager, explained that joining the Yuba Accord has been identified in the Water Resources Master Plan process as a low-risk option for immediate implementation, which will give the District access to routinely available dry-year supply to improve reliability, without a major up-front investment. The program has been in place for more than two decades, with a strong track record and relatively low controversy. Mr. Niesar explained that because the environmental obligations and transfer pathways are already built into the operating framework of the State Water Project, this water can usually move with better reliability than ad-hoc drought transfers.

Staff responded to questions from the Committee and plans to bring this item to the February Board meeting for the full Board to consider.

RECOMMENDATIONS

Topics discussed by the Committee were informational only, and no recommendations were being made.

Alameda County Water District

Water Efficiency Master Plan (WEMP) Implementation Status Update for Fiscal Year 24-25

Gisselle Marcia

Water Use Efficiency Specialist

Total Savings and Costs to Date

	Fiscal Year (FY) 2020-21	FY 2021-22	FY 2022-23	FY2023-24	FY 2024-25
Annual Savings Achieved in Acre-Feet (AF)*:	64	73	290**	429**	683
Annual Cost*:	$275,000	$520,000	$690,000	$548,000	$528,000
New Measures Implemented:	2	2	3	2	NA
Customer Accounts Impacted**:	4,694	5,245	8,070	11,215	10,752

Total Lifetime Savings: **16,502 AF**

Overall Cost per AF Saved: **$139**

Target Cost per AF Saved: **$695**

Note: *Savings/Costs do not include Public Affairs outreach budgeted items. They only include Water Use Efficiency (WUE) directed outreach activity savings estimates and expenditures. Costs do not include Advanced Metering Infrastructure (AMI) portal cost, only WUE staff time. **Average is reported for FY 22-23 and FY 23-24 annual savings. Previously, a high and low savings ranged based on estimated AMI savings was reported. ***Accounts impacted do not include AMI portal access (this is ALL customers) but does include an estimated number of customers receiving leak and high usage notifications through AMI.

Fiscal Year 2024-2025 Highlights

- Launched Water Savings Center - Worked with developer to make improvements/fix issues
- Filled new Water Use Efficiency Specialist 1 position Fall 2024; Added an internship position
- Increased Commercial, Industrial, and Institutional (CII) customer engagement:
  - Water Efficient Technology Incentive (Tesla, Alameda County Fire)
  - Surveys (AC Transit, Forest & Flour)
  - More water-efficient landscape rebate program participation
- Community engagement
  - Advised Girl Scouts projects
  - Events: Earth Day, Imagine a Day Without Water, Landscape Workshops, Tours, Prologis Lunch and Learn, and more
- WaterSmart Innovations Conference Presentation: AMI Discovered a Leak – Now What?
- State Urban Water Use Objectives (UWUO) finalized - First Official Report submitted January 1, 2025
- District water demand forecast revised to meet UWUO; Staff began WEMP analysis to identify ways to meet UWUO
- Projects to ensure compliance with UWUO reporting requirements:
  - Classification of CII accounts
  - Mixed use meter identification and mapping in Waterfluence

Current Fiscal Year Activities

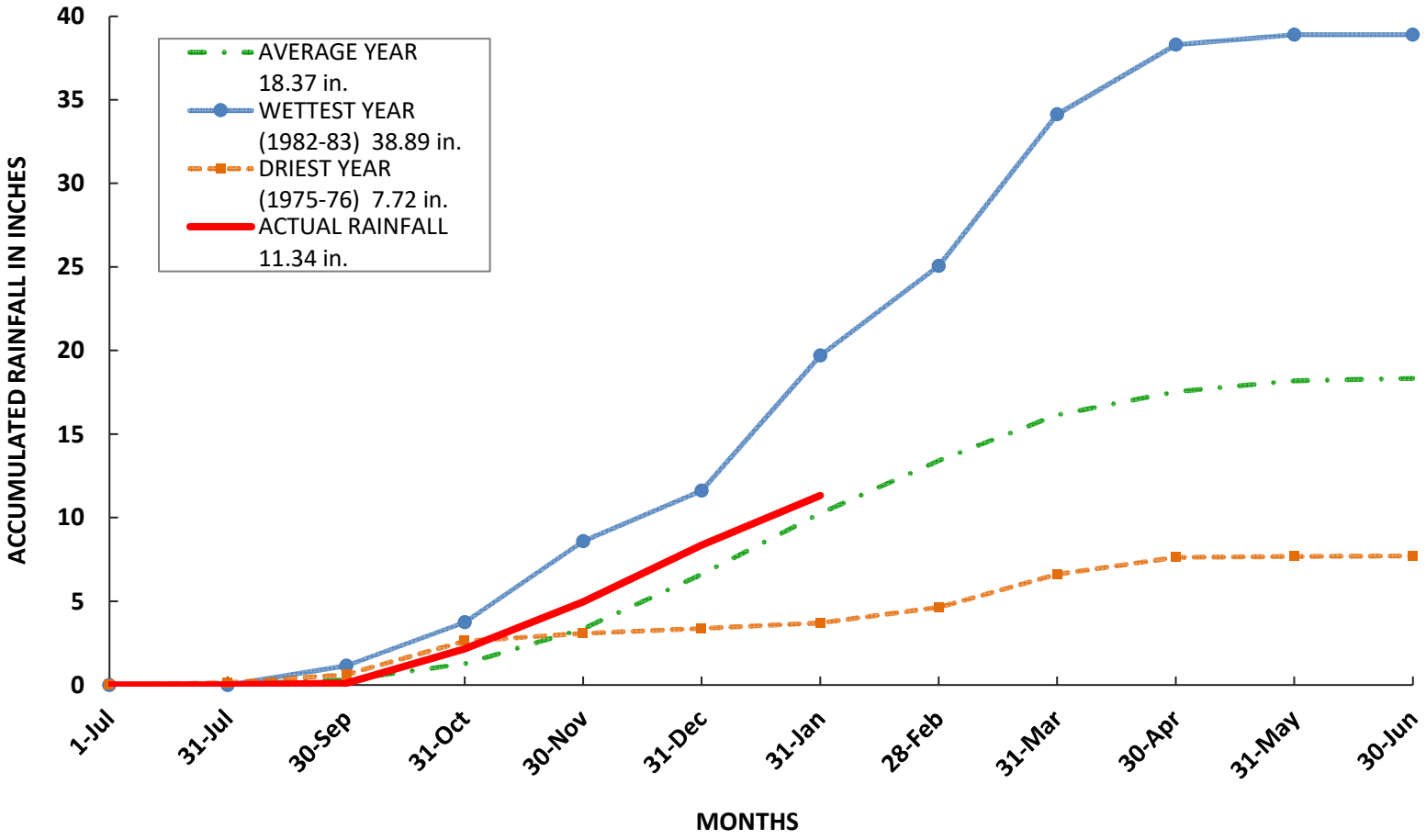
- Hired interns to support UWUO compliance-related projects
- Water Savings Center enhancements to streamline program implementation and reporting
- Continuing to meet UWUO
  - Latest annual report submitted by January 1, 2026
- Updating WEMP to meet UWUO through 2050
- Updating Water Waste Ordinance to include Assembly Bill 1572 prohibitions (ban on irrigating non-functional turf at CII properties)
- Continuing improvements to AMI portal (Survey data collection, customer segmentation, leak/high use thresholds, Chatbot)
- Developing Drip Irrigation Rebate
- Urban Water Management Plan (UWMP) update

Questions?

ALAMEDA COUNTY WATER DISTRICT

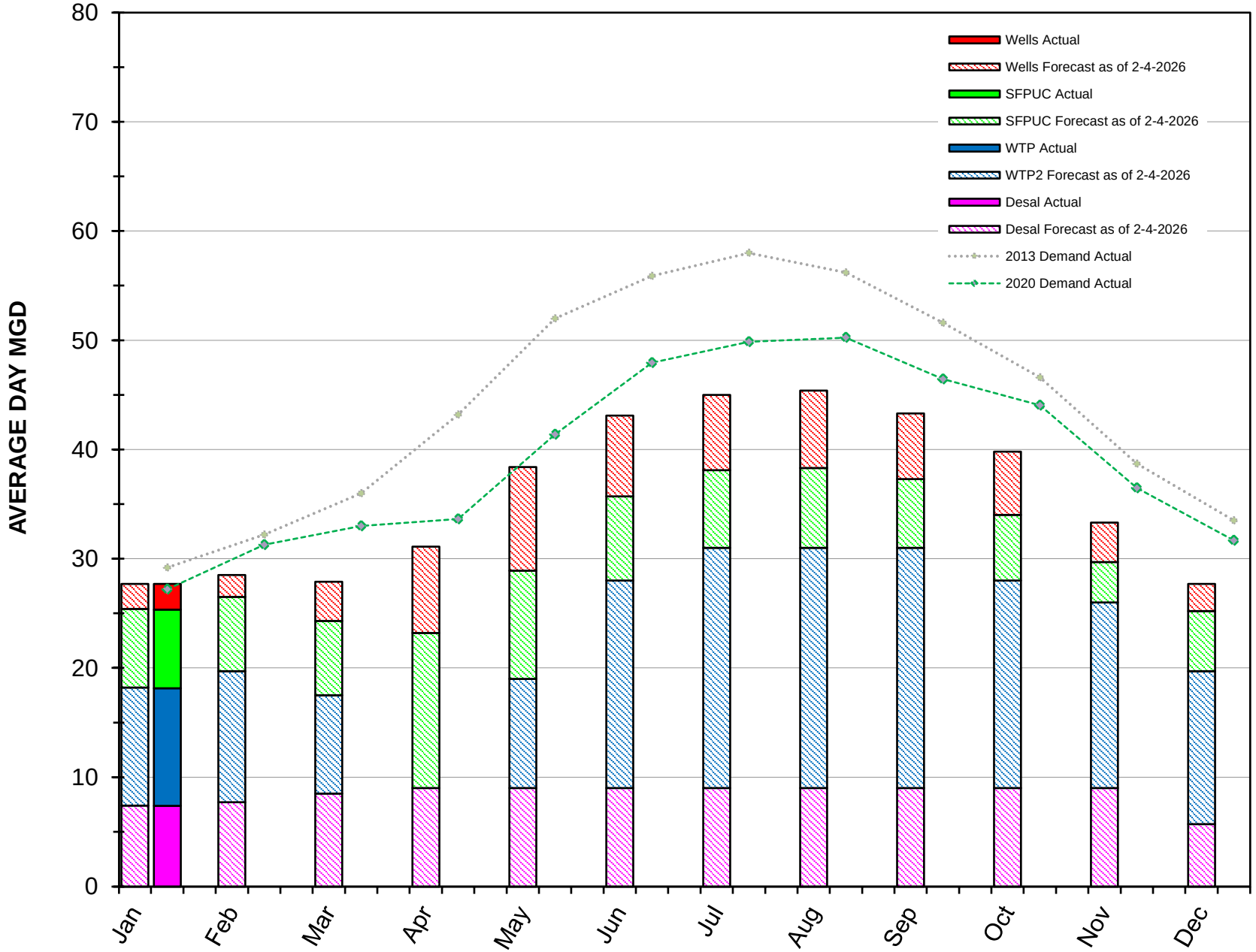
RAINFALL REPORT

FISCAL YEAR 2025-2026



2/4/2026

ALAMEDA COUNTY WATER DISTRICT
2026 AVERAGE DAY WATER PRODUCTION



2/4/2026

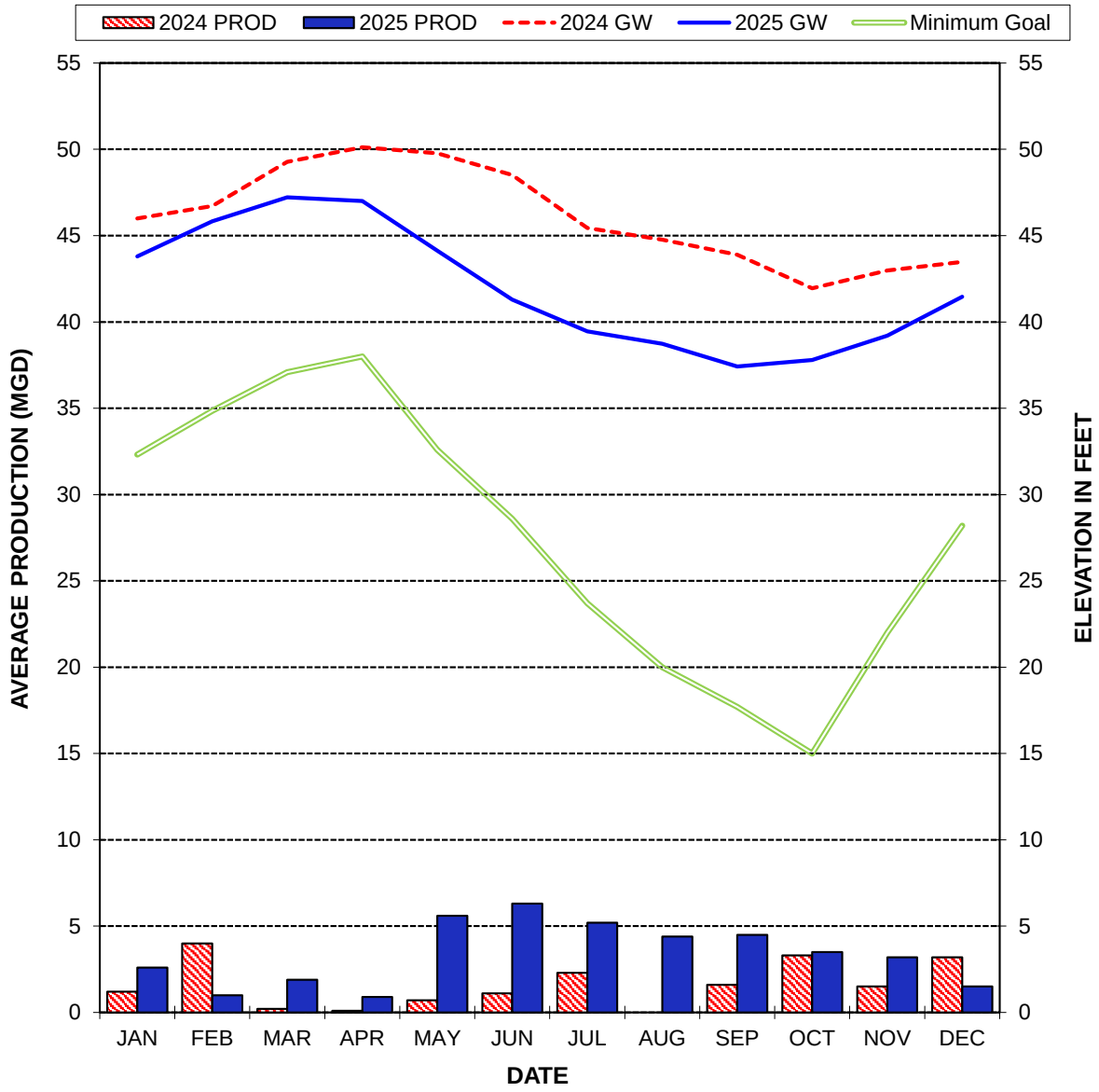
ALAMEDA COUNTY WATER DISTRICT
Well Level Summary
12/30/2025

Well Number	Aquifer	Date	Water Elevation (a) 1962	2024	2025	Change Since Last Year
4S/1W-27D08	Above Fault (b)	12/30/2025	36.00	43.48	41.46	-2.02
4S/1W-29A06	Forebay (c)	12/30/2025	-44.12	14.35	12.94	-1.41
4S/2W-25M01	Newark	12/30/2025	-31.65	9.61	8.80	-0.81
4S/1W-19L02	Centerville-Fremont	12/30/2025	-58.00	2.92	0.32	-2.60
4S/1W-31B03	Deep	12/30/2025	-60.70	1.26	-1.16	-2.42

Notes:

(a) Plus values are above sea level.
Minus values are below sea level.
(b) Data from 4S/1W-21R02 prior to 1990.
(c) Data from 4S/1W-28D02 prior to 1992.

AHF GROUNDWATER LEVEL REPORT -
4S/1W-27D08



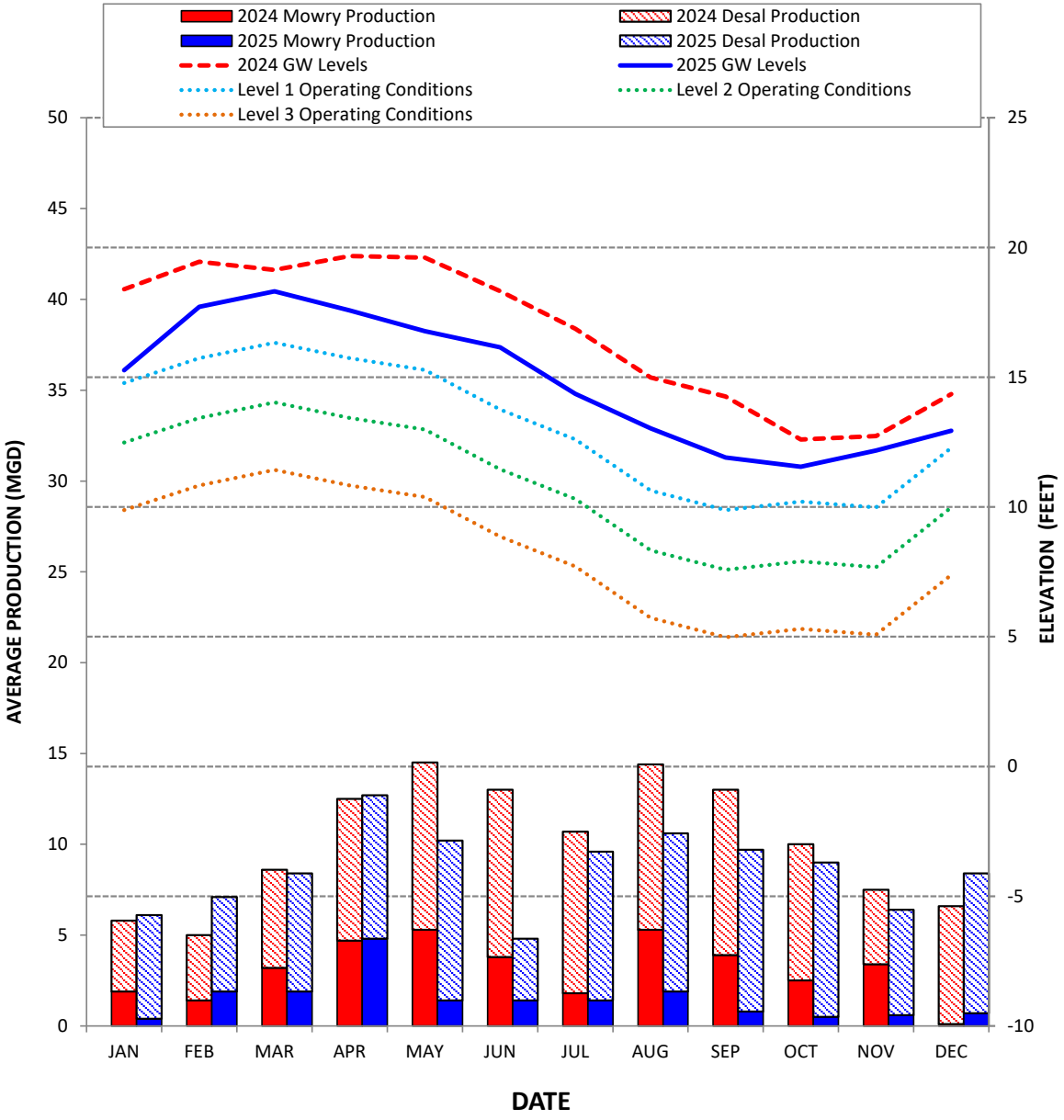
WATER LEVEL ELEV. (FT)	
1962	36.00
2024	43.48
2025	41.46
CHANGE SINCE LAST YEAR	-2.02

GW PRODUCTION (MGD)
AHF

	2024	2025
JAN	1.2	2.6
FEB	2.1	1.0
MAR	0.2	1.9
APR	0.1	0.9
MAY	0.7	5.6
JUN	1.1	6.3
JUL	2.3	5.2
AUG	0.0	4.4
SEP	1.6	4.5
OCT	3.3	3.5
NOV	1.5	3.2
DEC	3.2	1.5

Minimum Goal: Operation below this line requires sustained import of water for recharge.

BHF GROUNDWATER LEVEL REPORT -
4S/1W-29A06

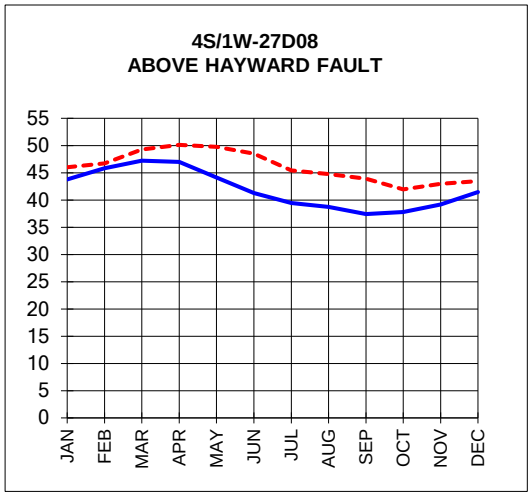


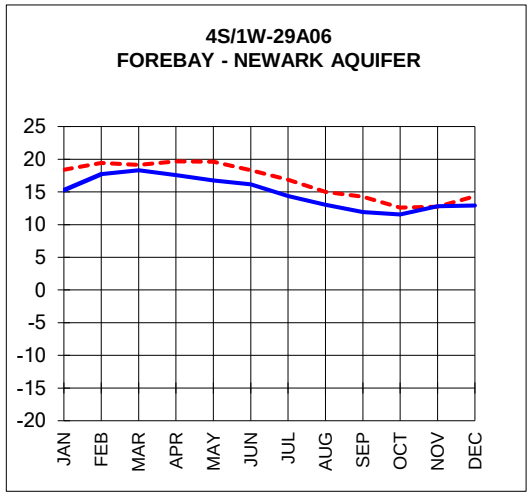
WATER LEVEL ELEV. (FT)	
1962	-44.12
2024	14.35
2025	12.94
CHANGE SINCE LAST YEAR	-1.41

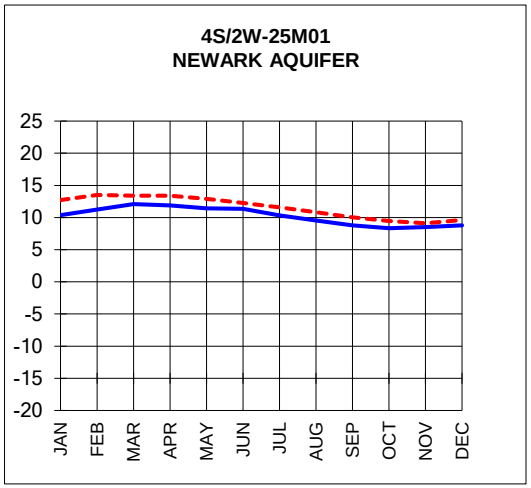
GW PRODUCTION (MGD)
BHF

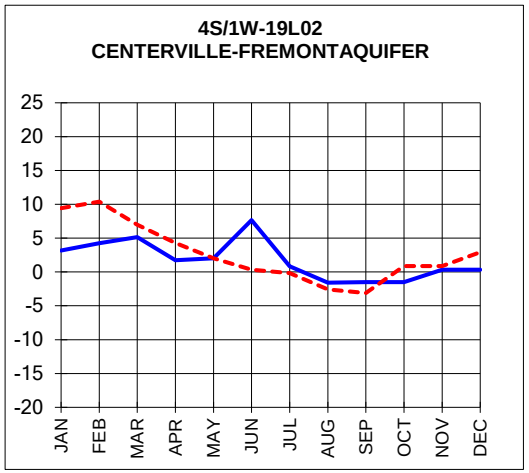
	2024 Mowry	2024 Desal	2025 Mowry	2025 Desal
JAN	1.9	3.9	0.4	5.7
FEB	1.4	3.6	1.9	5.2
MAR	3.2	5.4	1.9	6.5
APR	4.7	7.8	4.8	7.9
MAY	5.3	9.2	1.4	8.8
JUN	3.8	9.2	1.4	3.4
JUL	1.8	8.9	1.4	8.2
AUG	5.3	9.1	1.9	8.7
SEP	3.9	9.1	0.8	8.9
OCT	2.5	7.5	0.5	8.5
NOV	3.4	4.1	0.6	5.8
DEC	0.1	6.5	0.7	7.7

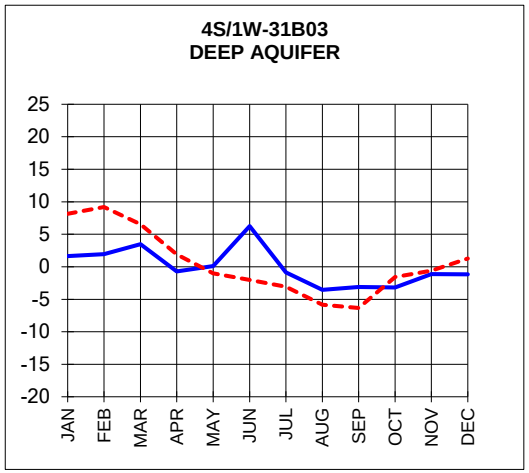
Level 1 Operating Conditions represent lower extent of normal conditions.
Level 2 Operating Conditions represent below normal year conditions.
Level 3 Operating Conditions represent dry year operating conditions.

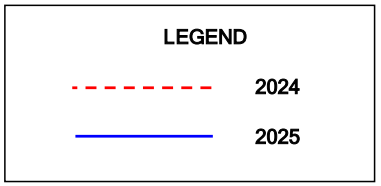












ALAMEDA COUNTY WATER DISTRICT

GROUNDWATER BASIN MONTHLY ELEVATIONS

NEWARK (UPPER) AQUIFER	0' TO 140'
CENTERVILLE-FREMONT AQUIFERS	180' TO 390'
DEEP AQUIFERS	400' and DEEPER

ACWD CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS REVIEW
2Q FY 2025/26
December 31, 2025

Rubber Dam Nos. 1 & 3 Fish Ladders and Shinn Pond Fish Screens *(Water Supply Reliability)*

Rubber Dam No. 1 (RD1)/Alameda County Drop Structure Fishway (DS Fishway) and Rubber Dam No. 3 (RD3) Fish Ladders and the Shinn Pond Diversions and Fish Screens are the District's three major Fish Passage facilities.

Design & Agreements

In August 2007, the Board authorized an agreement with the Alameda County Flood Control and Water Conservation District (County) to jointly complete the preliminary design for a single fish passage facility that would provide for fish passage past both the County-owned drop structure and RD1 facilities. Between 2014 and 2017, design was completed for the RD3 Fish Ladder and rubber dam structure. In November 2017, Amendment No. 3 to the agreement between the County and the District was authorized by both agencies' governing boards to address completing the design of the RD1/DS Fishway Fish Ladder. The District and the County executed Amendment No. 4 in October 2018 to the existing agreement addressing long-term ownership, operations, and maintenance roles and responsibilities thus enabling the project to be advertised for construction. The procedure for documenting and determining the cost share amount for future maintenance work will be the subject of a future Agreement. Bid-ready documents were developed in September 2018.

Figure 1: Rubber Dam No. 3 Construction

Environmental Review

The Initial Study/Mitigated Negative Declaration and Environmental Assessment in accordance with the California Environmental Quality Act (CEQA) and Finding of No Significant Impact in accordance with the National Environmental Policy Act (NEPA) (IS/MND – EA/FONSI) for the RD1 and RD3 Fish Ladders and the Shinn Pond Fish Screens was adopted by the boards of the District and the County on December 6, 2016. The California Environmental Quality Act (CEQA) Notice of Determination was posted in December 2016.

Permitting

In November 2017, the Section 404 Permit was received from the USACE, together with the Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB). Also, USACE Section 408 permission was received from in October 2017. In October 2019, an amended streambed alteration agreement was received from CDFW, and a new 404 permit was received from USACE that allow for construction on the Shinn Pond Fish Screens to continue through the 2019-2020 winter months. Work was required to modify the Shinn fish screen curbs and other ancillary items after completion of majority of construction, and a new streambed alteration agreement was therefore obtained from CDFW in September 2022.

Construction – RD3 Fishway

Figure 2: Rubber Dam No. 3 Fishway Completed

In November 2017, the RD3 Fishway Construction and Fabric Replacement (RD3 Fishway) Project was advertised for construction in February 2018, and 10 bids were received; the Board awarded construction to Syblon Reid, of Folsom, CA. Also, in February 2018, the Board authorized an amendment to the professional services agreement (PSA) with LSA Associates for biological monitoring of the RD3 Fishway project. In March 2018, the Board authorized a PSA with AnchorCM for construction management services for the RD3 Fishway project. A groundbreaking for the RD3 Fishway construction, attended by stakeholders, members of the public, and elected officials, was held in April 2018. The project was substantially complete in April 2019 and the Board accepted the Rubber Dam No. 3 Fishway and Fabric Replacement project in May 2019. In addition the Board accepted completion of the Rubber Dam procurement contract in January 2020. Flow test data was collected in May 2020 to validate the hydraulic calculations made during the design phase. In early 2021, the site PLC program was modified using this data to accurately measure fishway flow and automate gate operation.

Construction – RD1 Fishway and Related Projects

Figure 3: Rubber Dam No. 1 Dam and Fishway Construction

The construction contract for the RD1 Fishway, RD1 Control Building Modifications, and Shinn Pond Diversions and Fish Screens was awarded to Flatiron West, Inc. of Benicia, CA in January 2019. Also the Board authorized an agreement for construction management services with AnchorC, and in February 2019 the Board authorized an agreement amendment for construction phase services for GHD, Inc. and authorized an agreement with LSA, Inc. for environmental services to support this and other projects. Work on the RD1 and Shinn projects commenced in April 2019. Major construction activities for the RD 1 rubber dam, fish ladder and fish screen rails at the Shinn Pond were substantially completed in spring 2022. Minor "punch-list" items, change order work for corrective work were completed in spring 2024. The Board accepted completion of the construction contract with Flatiron at the July 2024 Board meeting.

Grants and Grant Administration

The District has been awarded $4,575,000 via three grants for construction of the RD3 Fishway. An additional grant of $5,358,075 was awarded for construction of the RD1 Fishway. In September

Figure 4: Shinn Pond Fish Screens

2018, an additional grant of $5,000,000 was awarded for construction of the RD1 Fishway and Shinn Pond Diversions and Fish Screens. In June 2020, an additional grant of $3,346,992 was awarded for construction of the RD1 Fishway and Shinn Pond Diversions and Fish Screens. Staff worked with the grant agencies to ensure the construction contracts and construction related activities meet the requirements for all of the grants. Additionally, staff is tracking and reporting to grantors as required. In 2022 the District executed a grant agreement with the Association of Bay Area Governments in the amount of $3,346,992 in support of the RD1 Fishway. All necessary reports have been submitted to the granting agencies and all grant funding has been received by ACWD.

Board Updates

Regular updates and briefings were provided on the status of the fish passage projects to the Engineering and Information Technology Committee (E&IT Committee) and the full Board from 2016 thru project completion and acceptance in July 2024. In addition, site visits were held with the EIT, and Water Resources and Conservation Committees at separate times.

Figure 5: E&IT Committee Tour, September 2019

The District held a ribbon cutting ceremony for the project in late April 2022. The event was attended by several elected officials, representatives from the regulatory agencies, and residents. The District also received the prestigious ACWA Clair Hill Award in May 2022. In June 2023, the project was awarded the Project Achievement Award from the Northern California Chapter of the Construction Management Association of America (CMAA). In February 2024, the Rubber Dam No. 1/Drop Structure Fishway, Rubber Dam No. 1 Control Buildings Modifications, and Shinn Pond Fish Screens Project received the “2024 Public Works Project Award – Environment" for projects between $25M and $75M, by the Northern California Chapter of the American Public Works Association (APWA).

The Board accepted the FWI construction project at its July 2024 regular meeting. In September 2024, the Board approved a change order to HTE, the dam manufacturer, for additional work needed to complete the project.

FY 2025/26 Budget: $113,000

Vallecitos Channel Evaluation and Restoration Project *(Water Supply Reliability)*

Figure 6: Vallecitos Channel Condition

The unlined Vallecitos Channel was constructed in 1965 and is located in unincorporated Alameda County, east of Sunol. The District uses the channel to convey water from the California Department of Water Resources (DWR) South Bay Aqueduct (SBA) to Alameda Creek where it is diverted for groundwater recharge. Approximately 900 linear feet of the Vallecitos Channel bank and the adjacent access road were eroded due to high velocity discharges and rapid flow recession associated with SBA flow releases, internal erosion or piping through subsurface voids, and tules growing in the channel bottom resulting in flow diversion and scour along the channel bank. The channel has a design capacity of 120 cfs, although its capacity was significantly reduced due to the above-mentioned constraints. The cumulative impacts of storm events, South Bay Aqueduct operations, and vegetation growth in the channel have resulted in erosion of the channel banks, damage to the adjacent access road, sediment deposition, and reduction of the channel's capacity to less than 30 cfs. To ensure the most cost-effective use of the District's water sources, the channel needed to be restored to reliably transport a minimum of 40 cfs in the near term.

In June 2015, the Board awarded a contract to the Horizon Water and Environment (Horizon) consultant team to evaluate the channel to determine near term repair and maintenance needs to return the channel to its minimum required flow capacity, assist with the CEQA process and environmental permitting for those activities, and for development and evaluation of long-term alternatives to the channel. The Horizon consultant team performed topographic survey and field assessments of the channel in winter 2015-2016. From January through March 2016, the team identified 10 sites where repair to restore the bank and stabilize the road was warranted. The team also completed tasks including hydraulic modeling of the existing channel, conducting biological assessments of the channel to determine presence of special status species of plants and animals, a cultural resources survey of the channel, and preparation of a draft preliminary delineation of wetlands report and a draft biological assessment report. From April through June 2016, the consultant team provided a hydraulic modeling memorandum, a draft cultural resources report, and a concept-level design memo that recommended various repair methods for different types of channel damage. Also, in June 2016, District staff met with DWR Delta Field Division staff to introduce the Vallecitos Channel Project and begin a dialogue regarding the need for channel restoration and the potential for cost sharing. From July through September 2016, the consultant team prepared a draft repair cost memorandum and a channel alternatives memorandum that delineated costs associated with repairing the damaged areas of the channel or constructing alternates to the channel, such as a pipeline along the channel alignment, or a pipeline from a new turnout along a new alignment. Staff provided an update and review of the alternatives to the E&IT Committee in October 2016.

In November 2017, the consultant team produced a memorandum that addressed both the short-term repair and long-term channel alternatives in an integrated manner. Sta site visit was conducted at various times in 2018 to characterize channel conditions, to finalize channel repair

recommendations, and to develop environmental and construction documents. In March 2019, Horizon provided a 30% design for channel repairs. After the winter of 2016-2017, the design was refined to include six types of repairs applied in multiple areas along the length of the channel. In early 2019, District General Counsel evaluated various property-related issues associated with various repair scenarios that could inform selection of a repair alternative. The District engaged with Overland, Pacific and Cutler (OPC), a right-of-way consultant, to assist with evaluating options related to the District's easements and real property rights along Vallecitos Channel as alternate means of receiving SBA water. OPC promptly contacted the owners of the properties, through which the Vallecitos Channel passes, to discover owners' interests should the District consider other options for water conveyance and abandon the use of the open flow channel. As part of the evaluation of long-term options including the pipeline option, OPC reported that the majority of property owners would consider accepting a quitclaim only if the District restored the channel to its original condition first, which would greatly increase the cost of the off-site pipeline alternative that entails abandoning the channel. Further, the District had an immediate need to increase the currently limited capacity of the channel to convey adequate groundwater recharge required during a dry year.

The Board authorized a first amendment to the Horizon agreement in May 2020 to provide 1) environmental permitting assistance; 2) biological surveys, including for special status species; 3) development of contracting documents; and 4) environmental compliance training and monitoring during the work that includes placement of an earthen berm and vegetation removal activities. The first interim measure, installation of a low earthen berm, was completed on June 3, 2020. The berm reduced the chance of flooding at 15 cfs channel flow. A second interim measure, vegetation management with no permanent environmental impact on the channel, was designed and bid in September 2020. The General Manager awarded the contract work to Westside Landscaping & Concrete (Westside), in the amount of $59,305.50, on September 24, 2020. A CDFW 1600 Streambed Alteration Agreement was applied for and received to support the vegetation management work. Additionally, a right of entry agreement was executed with an adjacent local landowner to support the vegetation management work. Westside commenced the vegetation management work in October 2020. The work was successfully completed, and the General Manager accepted completion of the project on November 9, 2020.

The Board authorized a second amendment to the Horizon agreement in June 2020 to complete the design and assist the District with permitting and construction of the channel repair project to restore the channel to full capacity, in addition to the Fall 2020 temporary measures. The Board adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program at the May 2021 Board Meeting. The construction contract was awarded to Teichert Construction in July 2021 in the amount of $1,462,277. Right of Entry agreements with three private property owners along Vallecitos Channel were also executed in June 2020. The 401 Certification was received from the Regional Water Quality Control Board and Nationwide Permits 13 and 33 were authorized by the United States Army Corps of Engineers in June 2021. The CDFW Streambed Alteration Agreement and Incidental Take Permit were received in July 2021. Staff issued the Notice to Proceed to Teichert Construction in August 2021 and work to restore the channel was completed in November 2021 and the channel was returned to service. Completion of the Project was accepted by the Board at the January 2022 Board Meeting.

Offsite mitigation to offset the land disturbance necessary to restore the channel was required as a condition of the permit issuance. An agreement with Ohlone West Conservation Bank was executed in July 2021, in the amount of $138,950, to purchase mitigation credits for impacts to California tiger salamander, Alameda whipsnake, and California red-legged frog. To optimize the groundwater recharge capacity during drought years, the design and construction of the Vallecitos channel restoration project was accelerated from scheduled FY 2022/23 to FY 2021/22. Additionally, as requested by the Board during the June 2020 Board Meeting, a project to replace the channel with an offsite pipeline was programmed into the draft CIP for construction in a later year. While importing water in winter/spring 2022, the District discovered water overflowing the channel in the vicinity of one of the on-site mitigation areas. In addition, the environmental permits for the 2021 project require 10 years of monitoring and reporting, as well as actions to remedy issues discovered. Staff is drafting a maintenance contract to advertise for bidding and an amendment to the PSA with Horizon for continued monitoring and reporting. The PSA amendment for environmental permit compliance was awarded by the Board at the March 2023 Board Meeting.

Severe winter storms in late December 2022/early January 2023 damaged sections of the channel, access road and property. A separate special emergency Project commenced to remedy the damages. In February 2023, the Board adopted a CEQA Statutory Exemption for the project. In March 2023, the Board approved a Professional Services Agreement (PSA) amendment to Horizon to assist with environmental and design support for this emergency work. After coordination with permitting agencies permits from the RWQCB and USACE were received in Q3 of FY 2023/24. A permit was not issued by CDFW but the project was allowed to proceed under "operation of law". Construction by DunRite Construction Excavating, Inc. began in late September 2024 and in-channel work was completed by the October 31st deadline required by CDFW operation of law. The channel is now back in service. Environmental permits for the 2021 construction project require 10 years of annual compliance monitoring and reporting, with reports due January of each reporting year. The Year 2 monitoring report and fee have been submitted.

Annual inspections have resulted in recommendations for some adaptive management actions. These activities are to be completed in conjunction with construction of repairs to storm damages incurred in the winter for 2023. Following this construction effort, regular routine maintenance is anticipated to maintain access and future annual adaptive management actions. No adaptive management actions are planned for 2025 based on the monitoring findings.

In Q1-Q2 of FY2025/26, staff drafted specifications for a maintenance service contract to perform ongoing maintenance at Vallecitos Channel and coordinated with the Facilities Maintenance Division, who will administer the contract. This contract will allow the District to address maintenance items required to be completed during the permit-required monitoring and reporting period in addition to routine general facility maintenance needs. Staff are targeting Spring 2026 to advertise the service contract. Permit-required monitoring and reporting continues; field monitoring activities for the annual report were completed in Q1 of FY25/26.

Job 21003 Vallecitos Channel Betterments:
FY Budget: $38,000
FY 2026/27 Budget: $38,000

Distribution PLC Upgrade Program – Phase 3 ***(Infrastructure Improvements)***

Facilities that support the District's water supply, storage, and distribution systems, including water production wells, water storage facilities, booster and pressure-regulating stations, groundwater recharge facilities, and interconnections to other water utilities, are controlled and automated via the use of Programmable Logic Controllers (PLCs). The Distribution Programmable Logic Controller Upgrade program will replace more than 50 PLCs that support the District's water supply, storage, and distribution systems. The design and construction work to replace and program the PLC hardware will be programmatically implemented over multiple fiscal years in several phases.

Under the program, facilities requiring PLC replacement are being grouped together such that multiple PLCs at several facility sites are included in each individual project or phase. The design, construction, and programming work are selectively contracted out or performed in-house, depending on the unique circumstances at each of the facility sites. Contracts for PLC panel fabrication, construction, and programming are coordinated by staff.

The first distribution system PLC replacement project (Phase I), which included the replacement of the PLC equipment for the Vineyard Heights Booster Station, Canyon Heights Booster Station, Fremont Takeoff, and Central and Cherry Takeoff, was successfully completed in FY 2017/18.

The second phase was completed in FY 2018/19. The project scope included upgrade of the PLC equipment and programming for seven facilities, including the Whitfield Booster Stations (Zone 1A, Zone 1B, and Zone 2), Durham Takeoff, Warren Takeoff, Decoto Reservoir, and Vineyard Heights Tank. One change order, in the total amount of $16,865.27, was authorized by the General Manager for additional PLC panel equipment, field wiring, and conduit installations. The total construction cost, including Contract Change Order No. 1, was $360,614.27. The Board accepted completion of the construction project on August 8, 2019.

Figure 7: Typical Distribution PLC

The third phase of the program includes the replacement of the PLC equipment at eight facilities including the Mayhew Reservoir, Rancho Higuera Booster Station, Scott Creek Booster Station, Washington Booster Station, Avalon Tank, FR-1 Regulator Station, FR-2/PR-2 Regulator Station, and PR-3 Regulator Station. Field investigation to document as-built conditions of the existing PLC systems was completed in Q2 FY 2020/21, and preliminary design for the PLC Upgrades of the eight sites commenced. An RFP to provide PLC programming was released on June 7, 2021, however, no proposals were received by the proposal due date, June 29, 2021, due to availability and interest, at this time, of the local PLC Programming firms. The programming scope of work has now been included in the construction contract. The design effort for the eight sites is complete, and the construction contract was bid on January 2023. The construction contract was awarded to Blocka Construction at the March 2023 Board Meeting. Phase 3 construction was expected to take 380 calendar days, however the project is experiencing

delays due to a) equipment lead times and b) the acquisition of the control system integration subcontractor impacting performance of the PLC panel fabrication and programming work. Equipment delivery impacts were successfully mitigated by expediting ordering and resequencing certain project tasks. Blocka Construction has terminated their PLC panel fabrication subcontractor due to non-performance and substituted for a new subcontractor, Wunderlich-Malec Engineering, who have commenced work on the Project.

Staff have enlisted the services of TJC and Associates (TJC), the project consultant, to assist with factory testing and field commissioning efforts in order to support the recovery schedule. An amendment to TJC for these additional services was authorized by the Board at the November 2024 Board Meeting. A Project update was most recently provided to the E&IT Committee at the November 6, 2024, committee meeting.

The facility work commenced in November 2024 and will continue through Spring 2026. Seven of the eight facilities have been upgraded, with the last facility, FR-1, scheduled for completion as soon as Caltrans permits allow and is currently anticipated for Spring 2026.

FY 2024/25 Budget: $299,846
FY 2025/26 Budget: $388,140
FY 2026/27 Budget: $608,040

Alvarado-Niles Pipeline Seismic Improvement Project ***(Seismic Reliability)***

The District completed a distribution system seismic vulnerability assessment (SVA) in November 2008 to assess the District's ability to supply water during and following a seismic event. Because critical, large-diameter "backbone" pipelines crossing liquefaction zones are potentially susceptible to failure during or following a major seismic event, the SVA recommended that such pipelines be seismically hardened to withstand the potential effects of liquefaction-induced ground deformation.

The Alvarado-Niles Road transmission main is one of the primary means by which the District conveys water supply to Union City and the northern regions of the District's service area. Composed of 24-, 16-, and 12-inch diameter steel and asbestos cement pipeline segments, the Alvarado-Niles Road transmission main is a critical component of the District's water distribution system and its post-earthquake response strategy. A liquefaction susceptibility map developed as part of the SVA shows that various segments of the existing Alvarado-Niles Road transmission main traverse or are within close proximity to liquefaction-susceptible zones and may be at risk of failure during or following a major seismic event.

The objective of the Alvarado-Niles Pipeline Seismic Improvement Project is to improve the District's water distribution system seismic reliability by upgrading the Alvarado-Niles Pipeline to withstand liquefaction-induced ground deformations and other identified potential seismic hazards and to ensure that the District can provide critical post-earthquake response to Union City and the northern portions of its service area during and following a major seismic event. As "an essential pipeline required for post-earthquake response and recovery and intended to remain

functional and operational during and a following a design earthquake," the upgraded Alvarado-Niles Pipeline (sometimes referred to as the "Spine Main") will be designed as a Functional Class IV pipeline, as defined by the American Lifelines Alliance, Seismic Guidelines for Water Pipes 2005 (ALA). The upgrade will extend over approximately 3.5 miles, beginning from the intersection of Alvarado-Niles Road and Decoto Road to the western extents of Union City at the intersection of Union City Boulevard and Smith Street.

The District has retained the services of consultants and contractors to perform survey work, environmental compliance, geotechnical explorations and testing, specialized seismic pipeline design services, and underground utility location and measurement. On January 12, 2017, the Board authorized a Professional Services Agreement (PSA) amendment with SANDIS for project-related surveying services, and on February 9, 2017, authorized a PSA with GEI Consultants to assess the liquefiable zones and other geohazards along the proposed alignment and develop geotechnical design parameters. On February 9, 2017, the Board also authorized a PSA amendment with LSA Associates for environmental services associated with the project; the Final Initial Study/Mitigated Negative Declaration was adopted by the Board on September 13, 2018. On April 11, 2017, the Board awarded a contract to Clean Harbors Environmental Services for underground utility locating and authorized a PSA with G&E Engineering Systems, Inc. for specialized seismic pipeline design services.

The project is being designed and constructed in two phases. The first phase includes the installation of new pipeline along Smith Street and Alvarado-Niles Road, between Union City Boulevard and Central Avenue, excluding the portion within the Caltrans right-of-way at the Interstate 880 interchange. The second phase includes the segment along Alvarado-Niles Road, between Central Avenue and Decoto Road, and the portion within the Caltrans right-of-way.

On September 13, 2018, the Board authorized a PSA with BKF Engineers to provide design support services for Phase II of the project. On December 13, 2018, the Board authorized a PSA with 4LEAF, Inc. for construction inspection services for Phase I. Lastly, an amendment to BKF's agreement was executed in June 2019 to provide design peer review and to design cathodic protection for Phase I. With Phase I design complete, BKF initiated Phase II design services in January 2020. BKF continued Phase II design through the end of Fiscal Year (FY) 2019/20. In support of Phase II design, on May 14, 2020, the Board authorized a fifth amendment for GEI Consultants to perform additional geotechnical analysis in support of the design. In July 2020, the 65% Phase II design was completed and circulated for stakeholder review.

The project schedule has been impacted by several factors including staff turnover, the complex seismic considerations required at creek crossings and major utility crossings, and additional agency coordination with Caltrans and the City of Union City. Design revisions were required to avoid sensitive environments and to address permit conditions.

Figure 8: Alvarado-Niles Pipeline Phase I Construction

A project overview was provided to the E&IT Committee on January 19, 2017. Subsequent project updates were also provided to the E&IT Committee on January 10, 2018; August 8, 2018; November 14, 2018; May 14, 2019; January 15, 2020; November 18, 2020; and June 16, 2021. At the October 23, 2018, Union City Council meeting, District staff provided an informational presentation which included a recommendation for modified working hours associated with the project. 100% design was completed in November 2019, and the project was advertised for construction in December 2019. Three bids were received, and at the February 11, 2020, Board Meeting, the Board awarded the project to Garney Pacific for $11,316,775, which excludes contingent items of work that may be added by change order. In May 2020, the contractor began potholing for utilities along the project alignment. Staff turnover created a need for additional assistance managing the project construction. The Board authorized an amendment to 4LEAF, Inc., to provide construction management services, at the June 11, 2020, Board Meeting. On June 25, 2020, the District hosted a virtual public informational outreach webinar event that explained the project. On June 29, 2020, the contractor initiated the main pipeline construction. On October 8, 2020, the Board authorized Contract Change Order No. 3 for scope changes that mainly addressed conditions discovered in the field. In June 2021, the Board authorized Contract Change Order Nos. 5 and 6 to address changes and authorizations associated with a request from the City of Union City to have the District's contractor to perform additional paving in the work area on the behalf of the City, and to address unforeseen conditions related to restoration paving. In April 2021, the Board authorized professional service agreement amendments for 4LEAF, Inc. for ongoing construction support and for LSA Associates for Phase 2 permitting support. The Phase I project achieved substantial completion at the end of July 2021. Following negotiations with the contractor regarding final compensation for certain components of the restoration work and delays in project completion, the Phase 1 project was accepted by the Board at the May 12, 2023, Board Meeting.

In May 2022, LSA Associates completed a field study of the Dry Creek aerial crossing. Drafting of the Phase II 90% drawings was completed in June 2022. In September 2022, the project geotechnical engineer, GEI Consultants, completed four additional geotechnical explorations at the UPRR and Dry Creek crossings. These explorations included installation of a new piezometer at the proposed UPRR crossing location to monitor groundwater levels required to advance the design of the trenchless railroad crossing. Additionally, BKF Engineers completed their review of the Phase II 90% Design drawings in the second quarter of FY 2022/23. In January 2023, BKF Engineers completed the design of the proposed railroad crossing and submitted a new crossing application to UPRR for review and approval. The railroad crossing design received conditional approval from UPRR in March 2023 and an agreement with UPRR was executed in September 2023. An encroachment permit from Caltrans was received in August 2023.

In the third quarter of FY 23/24, design was completed and federal grant requirements for a possible future grant were evaluated for incorporation into the contract documents. In the first quarter of FY 2024/25, the District received notification of Hazard Mitigation Grant Program (HMGP) approval. In the second quarter of FY 2024/25, grant obligation documents were executed, and grant requirements were incorporated into the construction contract documents.

In the third quarter of FY 2024/25, the project was advertised for construction and an RFP for construction management and inspection services was circulated. The E&IT Committee was briefed on the project on April 2, 2025. On April 8, 2025, the Board awarded a construction contract to Ranger Pipelines, Inc. in the amount of $20,625,220, authorized a Professional Services Agreement (PSA) with Kennedy Jenks Consultants, Inc. for construction management and inspection services, and authorized PSA amendments with BKF Engineers for engineering services, GEI Consultants, Inc. for geotechnical services, and LSA Associates, Inc. for environmental and cultural resources services.

Staff issued the Notice to Proceed to the contractor in June 2025, and the contractor started pre-construction activities, including potholing. District staff also delivered an informational presentation to the Union City Council at their meeting on September 23, 2025. The contractor began installing new pipes and valves in the second quarter of FY 2025/26.

FY 2025/26 Budget: $9,543,887

Kaiser Pond Diversion Pipe Improvement Project *(Water Supply Reliability)*

An embankment proximate to the Hayward Fault segregates the Kaiser Pond into two groundwater recharge ponds, one of which recharges the Above Hayward Fault (AHF) aquifer, the other which recharges the Below Hayward Fault (BHF) aquifer. A 30-inch corrugated metal pipe, constructed in 1971, connected the two ponds. A portion of the pipeline on the BHF embankment face of the levee has corroded and failed, resulting in erosion of the bank and lack of an adequate interconnection between the two ponds. The Kaiser Pond Diversion Pipe Improvement Project will restore the hydraulic connectivity of the ponds via a replacement diversion structure in the levee.

Staff briefed the E&IT Committee in October 2016. On November 10, 2016, the Board authorized a Professional Services Agreement (PSA) amendment with Kleinfelder, and a PSA with LSA Associates, for this project. In December 2016, Kleinfelder delivered a draft alternatives memorandum that provided an engineering evaluation of rehabilitation alternatives. Based upon a comprehensive analysis of alternatives, staff selected a buried concrete box culvert as the tentatively preferred alternative and presented the analysis and tentative alternative at an interagency meeting attended by US Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board (RWQCB), after which the agencies asked for additional information. Staff forwarded additional information via a memorandum, hosted a conference call with the agency representatives to review the additional information, and obtained agency concurrence with the proposed approach. The tentative alternative was presented to the E&IT Committee in May 2017 and to the full Board in June 2017. Based upon input provided by the Board, staff and consultants moved forward with the design of

the preferred alternative. Staff provided a design update to the E&IT Committee on November 16, 2017.

In early 2018, LSA Associates developed permit applications for the CDFW 1600 Lake and Streambed Alteration Agreement, the USACE 404 permit, and the RWQCB 401 permit. The mitigation plan was developed and forwarded to the regulatory agencies for review. A draft CEQA Initial Study/Mitigated Negative Declaration (IS/MND) document was developed, reviewed, circulated in June and July 2018, and adopted by the Board on September 13, 2018. A project update was provided to the E&IT Committee on September 12, 2018. Permit applications were submitted to the regulatory agencies in November 2018, and the CDFW 1600 permit was received in March 2019. The Army Corps 404 was received in August 2019. Due to the timing of the 404 permit and the remaining need for the 401 permit, project construction was deferred. Feedback from the RWQCB during the fourth quarter of FY 2018/19 was incorporated into the design documents and permit applications, and applications for the RWQCB 401 permit and the CDFW 1600 permit were resubmitted. Staff continues to work with Union Pacific Railroad (UPRR) for construction traffic access through UPRR railroad property.

In Spring 2020, because the 401 permit and permission to access the project site through UPRR property was not received in a timely manner, it was decided as part of CIP reprioritization to defer project construction to 2024. In Summer 2020, the District submitted a drought resiliency grant proposal to the Bureau of Reclamation which was not accepted. As future grant opportunities arise, they will be evaluated for fit with this project. During the FY 2022/23 mid-cycle CIP update, the project was again reprioritized with a goal toward construction in 2023. As the Army Corps 404 permit had expired, staff reapplied for and received a new 404 permit. The District reapplied for and received the RWQCB 401 certification that had been put on hold.

The District received two draft road crossing agreements in October 2023 from UPRR; execution of the agreements will allow for construction traffic to cross railroad tracks and travel to the work area. Staff evaluated the agreements and requested agreement consolidation and edits by UPRR in the third quarter of FY 23/24. In the third and fourth quarters of FY 2024/25 and first and second quarters of FY 2025/26, the District continued to evaluate the temporary road crossing agreement from UPRR and the terms and conditions in the agreement.

FY 2025/26 Budget: $0

Main Renewal - Central Newark Thornton Avenue Project (*Infrastructure Improvements*)

The Central Newark Thornton Avenue Project is part of the Main Renewal Program and will replace up to 5,200 feet of 6-inch to 12-inch diameter asbestos cement pipeline on Thornton Avenue between Cedar Boulevard and Cherry Street. The project was originally scoped to include main replacement on Cedar Boulevard, Timber Street, Central Avenue, Cherry Street, Birch Street, Newark Boulevard, and Civic Terrace Avenue; however, these segments were deferred in order to coordinate the work with City of Newark's City Hall and tract street improvements. These pipelines are now part of the Main Renewal – Newark Central Avenue Project which will commence after completion of this project.

The Board previously authorized PSA amendments in March 2018 and September 2018 to BKF Engineers for topographic surveys needed to complete the design of the original project. In August 2018, the Board also authorized a PSA amendment with LSA Associates for the preparation of CEQA documentation for the original project. However, with the redefined scope and project area, the project qualified for CEQA Categorical Exemption. The Board adopted a resolution finding the project categorically exempt on October 10, 2019.

A potholing contract to provide precise location information of existing utilities along the project alignment and support the development of the project designs and other Main Renewal Program projects was awarded at the January 2020 Board Meeting. The potholing work for the Central Newark Thornton Project was scheduled to commence in May 2020; however, it was delayed two months due to restrictions implemented in Alameda County Order 20-10. The potholing work was subsequently completed in late Q1 FY 2020/21. The potholing contract was accepted for completion at the November 2020 Board Meeting.

The 30% design documents, which include a Basis of Design Memorandum and preliminary alignment drawings, were completed and distributed for review by the project team in December 2019. The 65% design documents were completed in May 2020 and reviewed by the District project Team. The 65% documents were submitted to the City of Newark and the Alameda County Fire Marshall for review, and comments were received in first and second quarter of FY 2020/21, respectively. The 90% water main design was completed in Q4 FY 2022/23 and reviewed with both internal stakeholders and the City of Newark. The final design was completed by the in-house design team in Q1 FY 2023/24 and advertised for bid in November to December 2023. The DDW waiver application and City of Newark encroachment permit to support the final water line design was submitted in November 2023, prior to bidding. On February 8, 2024, the Board of Directors awarded the construction contract to A&B Construction. As part of the construction contract award, the Board authorized the General Manager to execute change orders up to 7% of the contract value in a total amount not to exceed $757,640.73 to address unforeseen items that may arise during construction.

The Notice to Proceed was issued on March 14, 2024, and the Contractor is anticipating breaking ground in July. Staff advertised a request for proposals in support of the project for full time inspection services in January 2024. The Board of Directors authorized execution of a Professional Services agreement with Alpha CM, Inc. on March 14, 2024, to provide inspection services and support for the in—house construction management team.

A project overview was provided to the E&IT Committee on January 3, 2024, and at the February 8, 2024, Board meeting, a project overview presentation was provided to the Board of Directors to compliment staff's recommendation to award the construction contract. A project update was provided to the E&IT Committee on September 3, 2025, and at the September 11,2025 Board meeting, the Board authorized a second amendment to the Professional Services Agreement with Alpha CM, Inc. to continue providing inspection services and to provide schedule review services. The Board authorized Contract Change Order No. 5 on October 9, 2025. Pipeline construction was complete as of the end of the second quarter of FY2025/26, and completion of construction is

anticipated in the third quarter of FY2025/26. Staff anticipates requesting Board authorization for Contract Change Order No. 6 in early 2026.

Project: Central-Newark Thornton Main Renewal Project						
Contractor: A&B Construction Inc.						
Awarded Value: $10,823,439						
CCO Authorization at Award: $757,640.73 (7%)						
Date	Change Order	Change Order Amount	Change Order approved by	Change Order Cumulative Amount	Remaining GM Change Order Authority	Change Order Cumulative Amount as % of contract
10/10/2024	1	$1,270,533.00	Board	$1,270,533.00	$757,640.73	12%
3/18/2025	2	$191,803.92	GM	$1,462,336.92	$565,836.81	13.77%
6/18/2025	3	$340,548.49	GM	$1,802,885.41	$225,288.32	16.66%
8/20/2025	4	$173,616.07	GM	$1,976,501.48	$51,672.25	18.26%
10/9/2025	5	$382,290.07	Board	$2,358,791.55	$0	21.79%

FY 2025/26 Budget: $5,669,206

Small Diameter Main Renewal Program (*Infrastructure Improvements*)

The Small Diameter Main Renewal Program is part of the Water Main Renewal Program. The program consists of the design and construction of the renewal of small diameter (typically 8-inch diameter and less) mains. This program targets older asbestos cement pipes that have experienced leaks and avoids design complications or conflicts such as arterial streets, railroads, creek crossings, faults, and liquefaction zones. These small-diameter renewals are intended to supplement the large diameter main renewals that tend to be more complex to design and construct; it will also help meet the District's overall goals for main renewal by reducing the District's inventory of aging asbestos cement pipelines.

The program will be implemented in phases, with construction projects being let for specific areas of the water distribution system. On July 6, 2018, an RFP was issued for engineering services for the design of the initial project areas which include approximately 34 water mains in nine different geographic areas of the water distribution system. At the September 13, 2018, Board Meeting, the Board authorized the General Manager to execute an agreement with AECOM to complete the design work. A program kickoff meeting was held at the end of September 2018. Staff and the consultant met with stakeholders (the Cities of Fremont, Newark, and Union City) regarding requirements for the project.

Aspects of the program were reviewed with the E&IT Committee as part of an update on the Main Renewal Program on August 8, 2018, and a subsequent update was provided to the Committee on May 14, 2019. Two areas within the City of Newark were included in the Main Renewal – Souza Avenue and Concord Street Project. A construction contract was awarded to Teichert Construction in the amount of $3,213,124 at the May 14, 2020, Board Meeting. In Q3 FY 2021/22, the

Contractor completed installation, and passed testing, for all water main pipeline, tie-ins to the existing distribution system and water service cut-overs. Final surface restoration, which was seasonally sensitive paving areas, was completed in Q4 FY 2021/22. The Main Renewal – Souza Avenue and Concord Street Project was finally completed and accepted by the Board in Q1 FY 2022/23.

Consultant design of the remaining Small Diameter Main Renewal Program sites in Fremont was placed on hold as the City of Fremont reviewed City ordinances related to removing retired asbestos cement pipes from the ground. Design of the Union City sites and one site in Newark were placed on hold since May 2020 while scope and design changes were contemplated. Professional Services Agreement Amendment No. 2 was prepared to address the need to add design drawings to construction bid sets and complete design of the sites in Union City and one site in Newark. During this time, the District and the City of Newark prepared a Cooperative Agreement to coordinate design and construction of water main infrastructure within the limits of the City of Newark Lindsay Tract Improvements Project. Four sites originally included in AECOM's Small Diameter Pipeline Project were removed from AECOM's scope of work and added to the Lindsay Tract Project. Professional Services Agreement Amendment No. 2 was executed in February 2021 and design of the sites in Union City and Newark resumed. AECOM prepared and delivered the 90% design for Union City and Newark. ACWD staff prepared modifications to the 90% design of the Newark and Union City sites (Now referred to as the Dairy Avenue and H Street Project) to incorporate a temporary bypass system into the design. This project was approved and found to be exempt from CEQA by the Board at the December 8, 2022 Board meeting. The Fremont project sites are being addressed via the Main Renewal Fremont – Crestwood Street Project.

In the spring 2024, 100% design was completed for the Dairy Ave and H Street main renewal project. The project was advertised for bid in June 2024, and five bids were received. A project briefing was provided to the E&IT committee meeting on August 7, 2024. The Board awarded the construction contract to JMB Construction Inc. in the amount of $4,969,000 at the August 8, 2024 Board meeting. The Notice to Proceed was issued on September 12, 2024, utility exploration began in December 2024, and construction started in March 2025. The project is nearing completion at the end of the second quarter of FY 2025/26.

FY 2025/26 Budget: $3,599,039

Capital Improvement Program Engineering Report (*Other*)

The Capital Improvement Program (CIP) Engineering Report (Report) identifies capital projects based on the recommendations in the current Integrated Resources Planning (IRP) Study, supply and demand forecasts, and the District's planning criteria for water production, pump stations, storage facilities, transmission mains, and groundwater recharge facilities. The Report is typically updated on an approximately ten-year basis.

The Report provides medium-term planning for the CIP and is an important tool used to establish project priorities, capacities and functionality, and scope, which become the basis of projects

programmed into the CIP. It is reliant on engineering analyses that utilize the District's hydraulic model, a computer software program that mathematically models the operation of the District's water production, distribution, and storage systems. The hydraulic model last used for the Report, sometimes referred to as the "skeletonized model" because it models only larger distribution pipes, is being supplanted by a newer "all-pipes" model that will more accurately represent District operations and infrastructure. Prior to use in support of the Report, the "all-pipes" model required calibration. On July 7, 2018, an RFP was issued for consultant assistance in calibrating the model, and on September 13, 2018, the Board authorized the General Manager to execute a PSA with West Yost Associates for engineering services associated with model calibration. A description of the hydraulic model calibration process was provided to the E&IT Committee on September 12, 2018.

In May 2019, the consultant delivered the updated model, followed by the steady-state calibrated model in June 2019. Also in June 2019, the consultant performed field measurements in support of the "extended-period calibration" model. Shortly thereafter, the hydraulic modeling analysis work required to support the CIP Engineering Report commenced. A series of interdepartmental workshops were conducted to review the regulatory criteria, and the District's Level of Service (LOS) criteria for planning and operation of the District's production, storage, and distribution facilities. The final hydraulic modeling development report and the Modeler's notebook were delivered, and the modeling training was completed in March 2021. As part of the effort to develop the Engineering Report and advance the Main Renewal Program, Project Engineering updated the main replacement prioritization model and evaluation and initiated a series of workshops in the first and second quarters of FY 2021/22 with stakeholders from across the District to identify future pipeline replacement projects and prepare packages for piloting alternative project delivery approaches such as design-build project delivery and master contracting.

A series of kickoff meetings was completed in FY 2022/23 first quarter. Multiple separate meetings were conducted with various stakeholders to discuss production capacities, deficiencies, and hydraulic modeling. The project team continued meeting to review and update various chapters in the existing Engineering Report. The modeling effort was completed in spring 2024 and a draft Engineering Report update was made available subsequently. Additional production scenarios were defined for meeting future demand with added redundancy while WTP2 is taken offline. West Yost modeled all 4 scenarios and provided the results in March 2024. Moreover, the two scenarios, Quarry Lakes Pipeline and Louie Ranch, related to development projects, were completed and the findings and recommendations were reviewed internally. On March 14, 2024, the project team met with Executive Staff to discuss Engineering Report development and share preliminary findings and recommendations. Recommended CIP projects were identified from Engineering Report. These projects were added to proposed CIP updates during biennial budget review.

The final findings and recommendations were shared with the Board at a special Board meeting in May 2024. Additional meetings were conducted with Executive Staff in April and May to modify demand projections and update presentation materials for the Board presentation. On May 1, 2024, Staff provided an update to E&IT committee and shared an outline of what would be presented to the Board. During special Board meeting on May 30, 2024, Staff presented a comprehensive

review of various analyses including hydraulic modeling and desktop studies of all the facilities. The presentation also included CIP packages with cost estimates for different scenarios. Staff has updated the draft report, which incorporates comments received from the Board, Executive Staff, and stakeholders.

In Q1 and Q2 of FY 2024/25, West Yost delivered the final hydraulic modeling analysis Technical Memorandum, which incorporated various feedback and comments from the District. All of the findings and recommendations from the analysis were captured in the final draft Engineering Report which was distributed and reviewed with all stakeholders.

Staff conducted a workshop to review the draft interim engineering report with stakeholders from associated departments, executive staff, and the General Manager in January 2025. In Q4 of FY 2024/25, staff addressed review comments from the workshop. The report is now complete and published; and Q1 of FY2025/26 will be the last quarterly report for this project.

FY 2025/26 Budget: $50,000

SCADA Replacements and Upgrades (*Infrastructure Improvements*)

The District maintains and operates five “major” Supervisory Control and Data Acquisition (SCADA) environments – Distribution, Water Treatment Plant No. 1 (WTP1), Water Treatment Plant No. 2 (WTP2), Blending Facility, and Newark Desalination Facility – and five “kiosk-style” SCADA environments – Mission Fish Screen, Bunting Fish Screen, Rubber Dam No. 3 Fish Ladder, Rubber Dam No. 1 Fish Ladder, and Kaiser Fish Screen. All existing SCADA environments utilize Automation OnSpec SCADA software (OnSpec). OnSpec, which has been utilized by the District for over twenty years, is nearing the end of its technological life. SCADA technologies have significantly evolved over the last 20 years, and though the current OnSpec SCADA system is still functional, other SCADA technologies are expected to provide the District additional functionality, security enhancements, and efficiencies.

The SCADA Replacements and Upgrades Project consists of a two-phase project approach. Phase 1 includes an engineering study to develop and identify the project scope, criteria for the selection of a new SCADA system, deployment schedules, preliminary design work, and the execution of any pre-requisite work necessary to adopt the new SCADA technology. Phase 2 includes the procurement of the SCADA hardware and software and the development, testing, installation, and commissioning of the multiple replacement SCADA systems. Deployment of the first SCADA system occurred in the fourth quarter of FY 2021/22.

In summer 2020, the Board authorized TJC and Associates to provide services which included 1) documentation of the current SCADA architecture and existing SCADA system; 2) needs assessment, SCADA Human Machine Interface (HMI) standards development, HMI software evaluation and selection, and developing a cybersecurity plan, data integration plan, alarm management plan, enterprise historian implementation plan, and SCADA server reconfiguration plan; 3) development of a SCADA system operation and management plan and staffing analysis; and 4) project management and administrative services. Future tasks such as pilot SCADA system

design, pilot SCADA system Request for Proposals, pilot system implementation support, evaluation of pilot SCADA system deployment, and full deployment implementation support for remaining facilities were to be added by amendment.

TJC began capturing as-built conditions of the existing SCADA system including field visits to all major facilities in August 2020. Human Machine Interface (HMI) standard workshops were completed along with a draft HMI standards technical document in November 2020. The HMI software selection recommendation was completed in February 2021 and HMI standards were developed and finalized in summer 2021. Additionally, a SCADA Cybersecurity plan and governance plan was developed. The SCADA Governance Plan details the delegation of roles and responsibilities of the various SCADA system owner, maintainer, and user divisions within the District to ensure efficient and effective operation of this critical real-time system that enables our water supply, treatment, and distribution operations. The SCADA Cybersecurity Plan details the areas of continued investment within the SCADA system and management frameworks for ongoing mitigation updates. Additionally, the SCADA staffing analysis plan was developed.

The RFP to replace SCADA system at the Blending facility was advertised in October 2021 and the Board awarded the Blending Facility SCADA Replacement Pilot Project to Vertech at the March 10, 2022, Board Meeting. The Blending Facility SCADA implementation was completed in summer 2023. In parallel with the Blending Facility SCADA Replacement Pilot Project, District Staff continued work on the SCADA Cybersecurity Plan recommendations. The District's project team, including stakeholders from IT and Operations, worked together to review and support the Operations team implementation of SCADA Cybersecurity recommendations. Networking equipment and software licensing work was also completed.

In spring 2022, a kickoff meeting was held with Vertech team, SCADA Consultants, and the District to initiate full scale Blending Facility SCADA Replacement project. In Summer 2022, required software licenses were procured and necessary hardware equipment was procured for Blender SCADA system. SCADA server to host new Ignition software platform was installed at Blending facility in October 2022. The acceptance testing of the new Ignition system began in January 2023, where both Onspec and Ignition software platforms were run in parallel to operate Blending Facility. In Spring 2024, the Blender SCADA system transitioned to ongoing maintenance responsibilities. The Board approved an amendment to Vertech to perform updates and enhancements following the pilot evaluation at the Blending Facility.

In FY 2024/25 the SCADA Replacement Project was launched to implement the WTP2 SCADA Replacement. This replacement included improvements to the Operating Technology (OT) network, server environment and SCADA software platforms in conformance with the Project goals and requisite District plans and standards. At the April 2023 regular Board meeting, the Board awarded an amendment to TJC to design the WTP2 SCADA replacement and develop bidding documents. The project Design team completed design documents for WTP2 SCADA Replacement project in September 2023. At the October 2023 regular Board meeting, Vertech's amendment was approved to commence SCADA implementation for WTP2 facility. In fall 2023, the project entered the setting up development environment and start implementation phase for WTP2 HMI software applications. Also, the Board approved contracts to procure necessary

hardware equipment and software applications. In February 2024, all necessary hardware equipment. Workshops 1 and 2 were completed to incorporate comments for initial WTP2 SCADA implementation and development. Additionally, the Project design team worked closely with District to plan, design, and gather information to fully migrate existing virtual machines (VMs) from existing server and networking equipment to new Stratus servers. Also, the new hardware equipment was fully commissioned and tested for both primary and local backup systems at WTP2. In April 2024, the exiting SCADA server at TP2 was decommissioned and replaced with the new fault-tolerant (FT) servers. Additional networking equipment were installed, configured, and tested to fully migrate existing SCADA applications and other relevant software packages. Once the cutover was completed, a jumpstart training was provided to the stakeholders to continue maintaining the new systems.

In summer 2024, staff completed workshops 5 and 6 to develop new dashboard and combined screens with Operations. Vertech also submitted all necessary submittals to incorporate Operators' feedback. Also, the submittal review process for WTP2 screens was completed along with Operation simulation testing for the newly developed HMI screens. Vertech conducted the seventh and final workshop and started preparing for testing and commissioning documents. The entire 20+ years of historical data were migrated and fully validated by Vertech. In spring 2025, Vertech updated the new HMI screens with punch list items identified during the Operator Simulation Testing and the Project Team then completed bench testing of the SCADA package, including HMI screens, reporting data integrations and PLC data integrations.

During WTP2 annual outage in April 2025, the onsite commissioning and functional testing was performed at the plant in production environment. During the test, the existing Onspec system was running in parallel to Ignition SCADA platform for comparison and data validation. In May 2025, staff commenced the 90-day testing phase where the new Ignition SCADA applications became fully operational for Operator's use in live production system. Additionally, the project team performed a daily comprehensive database comparison to detect any discrepancies and missing records during this time. The 90-day period has ended, and the new system is in production. The WTP2 SCADA Replacement Project is now complete.

In November 2024, Staff provided an update to E&IT committee for Desal SCADA project, the next phase of the planned SCADA Replacements. Subsequently, amendment no. 4 to TJC's agreement was authorized by the Board in November 2024 to add additional SCADA design scope of work for Desal facility. Additionally, a design kickoff meeting was held with the District's stakeholders and design team to define SCADA design scope of work for the Desal facility.

In parallel to WTP2 testing, staff completed Desal SCADA software design and compiled a set of design documentation to support Desal SCADA development. Staff requested an amendment proposal from Vertech to perform Desal SCADA deployment and Desal PLC programming for Phase-3 of the SCADA replacement program. Evaluation of the amendment proposal is ongoing.

FY 2025/26 Budget: $1,411,000

Clean Energy Plan Review and Clean Energy Plan Implementation (*Other*)

Figure 9: Solar PV Concept - Whitfield Reservoir

The District's Clean Energy Program will implement solar photovoltaic systems at several District facilities and properties. The program will be implemented over several fiscal years under Power Purchase Agreements (PPAs) with a solar developer in order to maximize value to the District while enhancing the environmental sustainability of the District's operations. If fully implemented, the Clean Energy Program could save the District several million dollars in energy costs over the next 20 years and could reduce carbon emissions by over 1,000 tons annually.

The District completed the Clean Energy Plan Review effort in 2019. After careful evaluation of the clean energy market alternatives, with consulting support from energy consultant Michael D. Brown Consulting Engineers, staff determined that solar photovoltaic (solar PV) was the preferred and best option for the District. Ten District-owned sites were selected for solar PV installation and the District received a recommendation from Michael D. Brown Consulting Engineers to include all of the sites under a single PPA RFP procurement.

The District selected Sage Energy Consulting (formerly Sage Renewables, and now an NV5 company) (Sage) in 2019 to assist staff with the Clean Energy Plan Implementation, to help develop the PPA RFP documents and the site plan bridging documents, and to support the District with construction at the various contracted sites. A structural evaluation of existing District facilities and buildings for supplemental solar PV dead-loads was completed. The results showed that the District's HQ building roof is not structurally suited for a solar panel installation. Sage also mapped the generating and benefitting sites for the proposed PG&E bill tariff, known as Renewable Energy Self-Generation Bill Credit Transfer program (RES-BCT), with models for both net kilo-watt hours and bill credit dollars. PG&E Interconnection study applications were submitted, and PG&E has been actively processing these requests and identifying any required updates to District facilities that are necessary to implement solar generation.

The District amended an existing contract with LSA for ongoing CEQA and other environmental professional support services. Staff reviewed a draft exemption memo for the Clean Energy Plan Implementation of rooftop and carport canopy-mounted solar sites. CEQA documents for the Whitfield Reservoir and Pits T1/T2 were prepared. Staff and District legal counsel conducted a thorough review of these documents and LSA incorporated these comments into the documents. District staff in cooperation with LSA conducted a formal AB52 consultation with the local Ohlone Indian tribe representative. The consultation was completed in May 2020.

In October 20221, the Board authorize a Power Purchase Agreements (PPAs) to NextEra Energy Resources, LLC (NEER), for the installation of solar panels at District sites and a PSA Amendment

with Sage for services during implementation of the program. In October 2022, the PPAs were executed.

The IS/MND CEQA document for the Whitfield Reservoir site was adopted by the Board in December 2020. Categorical Exemptions for all other Phase 1 and 2 sites were approved by the Board in Q3 of FY 2021/2022. In Fall 2021, representatives of DG West 1, LLC, the solar vendor and an indirect wholly owned subsidiary of NextEra Energy Resources, LLC (NEER), visited the Phase 1 sites in advance of initiating the design. The notice to proceed was issued in December 2021. The District received 30% design documents in January 2022. In March 2022, NEER informed the District that an investigation by the US Department of Commerce into imported solar panels could affect the underlying cost assumptions that formed the basis for the cost and schedule terms of the power purchase agreements (PPAs) that the District had executed last year. In June 2022, the Federal Government imposed a 24-month moratorium on solar panel tariffs, reducing but not eliminating the gap between NEER's and the District's desired outcomes. An update was provided to the E&IT Committee on June 1, 2022. NEER provided updated pricing based on market conditions several times between May and October 2022. Proposed pricing peaked at 41% above the contracted rate during the summer; following the passage of the Inflation Reduction Act, NEER's final proposed pricing is 22% higher than the contracted rate. Amendments to the Power Purchase Agreements with the revised pricing for the Phase 1 sites were presented to the E&IT Committee on October 5, 2022, and to the Board on October 13, 2022, where the Board authorized execution of the amendments. The Phase 1 amendments were executed and NEER performed surveys of the existing electrical equipment. NEER experienced delays in retaining a solar Engineering, Procurement, and Construction (EPC) partner to perform final design and construction. NEER selected BayWa r.e. as their EPC partner and requested NTP on May 4, 2023. An update was provided to the E&IT Committee in May 2023.

NEER experienced further delays, as well as turnover on the project team, and submitted 60% drawings to the District starting on August 8, 2023, one month later than per their revised schedule. Due to the delays and internal contracting issues between NEER and BayWa r.e., in September, NEER contracted with Andrew Humphrey Engineering as a replacement designer to complete 60% design with the goal of obtaining building permits from the Cities of Fremont and Newark, while simultaneously advertising for a new EPC partner. The EPC partner will have the option of completing design or having Andrew Humphrey Engineering provide final contract documents. NEER provided a recovery schedule on September 29, 2023. A second set of 60% drawings was provided to the District in November 2023, in accordance with NEER's recovery schedule. Easement agreements associated with the program were executed in October 2023.

In December 2023, NEER indicated that it had secured program financing and received bids for a new EPC partner. The financing and bids had a higher cost than was reflected in the October 2022 price adjustment. Additionally, achieving the PPA-required commercial operation date of December 31, 2023, was no longer possible. NEER's recovery schedule assumed commercial operation by the end of 2024. Due to the higher costs and delays, NEER requested to push out the commercial operating date and increase the budget for the Phase 1 sites. The District negotiated a fifth PSA amendment with Sage for services provided during the 2022 tariff-related Phase 1 PPA

renegotiations with NEER, structural review services to be performed during Phase 1 final design, and a financial analysis of NEER's proposed Phase 2 PPA pricing revisions.

In December 2023, NEER requested to proceed for another 60% design and complete racking design for Whitfield and Mayhew Reservoirs. NEER also submitted a request for an extension of the Commercial Operation Date by 15 months for Whitfield Reservoir and one year for the other Phase 1 sites, and a price increase due to increased material and development costs. The District negotiated contract terms including the requested schedule extensions and price increases, together with a reduction in the District's early termination payment limit, the removal of NEER's ability to terminate the PPA for failure to obtain a positive final investment decision to undertake construction of the project, and the addition of liquidated damages for late delivery. In February 2024, an update was given to the E&IT Committee and the Board authorized the General Manager to execute PPA amendments based on the negotiated terms.

In April 2024, NEER engaged Evergreen Innovation Group (EIG) as their EPC partner. EIG visited the sites and began to participate in regular design meetings. NEER developed "permit sets" for building department approval, and in June 2024, submitted sets for multiple project sites to the City of Fremont building department and to the District concurrently. NEER also submitted construction schedules for review. On July 11, 2024, Board approved the 6th Amendment to the District's Professional Services Agreement (PSA) with Sage Consulting (aka "NV5"). The amendment expanded Sage's implementation phase budget due to the lengthened schedule and updated Sage's asset management task budget.

In September 2024, NEER began submitting 90% drawings to the District for review and concurrently to the Cities of Fremont and Newark for building department review. A Program update was provided to the E&IT Committee on September 4, 2024, and at the September 12, 2024, Board Meeting, the Board authorized a job order contract through Sourcewell for Staples Construction, Inc. to temporarily relocate the equipment racks and their contents at Headquarters to allow for construction of a new solar canopy. At the October 1, 2025, E&IT Committee meeting, staff provided an update to the Board regarding the status of the equipment racks. At the November 2025 Board meeting, staff requested authorization to execute a contract with Staples for concrete foundation modifications and procurement and installation of new equipment racks.

Mayhew Reservoir received a building permit on September 20, 2024, Desal on October 10, 2024, and Headquarters on November 18, 2024. The City of Fremont provisionally approved the Whitfield Reservoir building permit on February 19, 2025, with the provision that an outstanding issue regarding an abandoned utility onsite be resolved. In December 2024, the District reviewed Issued for Construction drawings for Mayhew Reservoir, Newark Desalination Facility (Desal), and Headquarters and issued Notices to Proceed for construction. Construction began at Mayhew in December 2024, Headquarters in January 2025, and Desal in February 2025. A Program update was provided to the E&IT Committee in January 2025. Construction at the three sites reached substantial mechanical completion in May 2025.

In June 2025, work at Desal resulted in a two-week plant outage. Staff provided an update to the E&IT Committee in July 2025. Work at Desal, Headquarters, and Mayhew Reservoir was stopped

until the interconnection procedures for all facilities could be reviewed and new PG&E outages could be scheduled, pushing facility completions beyond FY2024-25. Interconnection work was completed at Headquarters in early October 2025, in mid-October at Mayhew, and early November at Desal. Commissioning and testing will follow prior to energization.

Whitfield Reservoir was on hold while NEER requested an easement quitclaim from PG&E. In June 2025, PG&E rejected the quitclaim request and NEER redesigned the system to avoid the easement. The revised system is <5% smaller in energy production capacity. Staff evaluated the revised system and potential changes to the PPA, and revised plans were submitted to the City of Fremont in the second quarter of FY 2025/26.

In September 2025, Madison Energy Infrastructure (MEI) acquired NEER. MEI staff has indicated that the existing PPAs, as well as the EPC, will be preserved in this transition period. Staff provided a program status update to the E&IT Committee at the December 17, 2025, committee meeting in advance of requesting authorization to amend the Whitfield PPA at the January 2026 Board meeting.

FY 2025/26 Budget: $248,373

Cathodic Protection Improvements and Additions (*Infrastructure Improvements*)

Cathodic protection systems are used to mitigate the corrosion of the District's steel infrastructure, including buried steel pipelines and above ground water storage tanks. Originally installed between 1972 and 1995, many of the District's active impressed current cathodic protection systems are reaching the end of their useful lives and are in need of rehabilitation or replacement. The Cathodic Protection Improvements and Additions Project has hired JDH Corrosion Consultants to evaluate 35 impressed current cathodic protection systems, which collectively protect over 70 miles of buried steel pipeline and six water storage tanks.

In addition, the District will be using the consultant to evaluate current cathodic protection standards and specifications used for capital projects and developer-installed infrastructure, as well as develop a Corrosion Monitoring Program. The intent is for the District to modernize its design standards, codify standard operating procedures for the continued operation and maintenance of the existing cathodic protection systems, as well as develop and implement a programmatic approach to rehabilitating and replacing cathodic protection systems that reach their end of useful life.

The Board approved a professional services agreement with JDH Consultants in Q1 of FY 2023/24 in the amount of $207,635. The Consultant has completed a field survey of existing rectifiers and has provided a status report. This status report was reviewed and finalized in 4Q of FY 24/25. This report will serve as a record of the current state of our cathodic protection systems and as a guide for any internal personnel looking to research about the District's existing cathodic protection systems in the future.

In addition to a summary of recommendations, JDH has been tasked with providing updated standard specifications and drawings for the District's cathodic protection systems and providing training for District Operations and Engineering staff. In Q1 of FY 2025/26, JDH provided examples of standards and specifications based on modern industry standards and the District has provided comments. The District will continue to work with JDH to finalize the updates to the standards and specifications through Q3 of FY 2025/26, and then schedule training for internal staff.

FY 2025/26 Budget: $170,000
FY 2026/27 Budget: $170,000

New Cedar ARP Well (*Infrastructure Improvements*)

The existing Aquifer Reclamation Program wells (Bellflower, Cedar 1, Cedar 2, Darvon 2, and Farwell), which were converted to Newark Desalination Facility source-water wells, were installed in 1974, with the exception of Cedar 2, which was installed in 1982. All of the wells have exceeded the typical life span (approximately 20-30 years) of a production well. With the exception of Cedar 2, the wells are now starting to show signs of decline because of their materials of construction and their age. The existing Cedar 1 well will be destroyed and replaced with a new well to maintain the long-term viability of the wellfield and the integrity of the groundwater subbasin as a viable water source. A new Newark Aquifer well for blend around water will also be installed at the Cedar site for providing reliability and redundancy. This project includes one well destruction, construction of two new wells, and associated pumping equipment.

An internal project kickoff meeting was held in February 2020. In August 2023 a Request for Proposals (RFP) for design of the well construction and site equipment arrangement was circulated, but no proposals were received. The RFP was restructured and recirculated in December 2023, and in February 2024 a project update was provided to the E&IT committee, and the Board authorized a Professional Services Agreement for well design and environmental consultant support with Montgomery & Associates. A well design consultant kick-off meeting was held in March 2024. A CEQA kick-off meeting was held with the subconsultant in May 2024. The RFP for design of the site equipment was circulated in June 2024. AECOM Technical Services, Inc. (AECOM) was selected for equipment and site design and the Board authorized a Professional Services Agreement with AECOM at the September 12, 2024, Board meeting. Through the third quarter of FY24/25, a draft CEQA IS/MND was developed, draft Basis of Design Reports (BODR) for the well and the site layout were developed, and the design progressed. During the fourth quarter, on-site potholing and a functional valve test were performed to verify buried utilities in support of the design. In September 2025, AECOM delivered the 50% design drawing and contract specifications which are currently under review. The Board authorized a professional services agreement amendment with Montgomery and Associates at the November 13, 2025, Board meeting for additional CEQA-related work.

FY 2025/265 Budget: $2,790,280

Patterson Reservoir Remediation Project (*Infrastructure Improvements*)

Figure 10: Patterson Reservoir

In 2004, the Division of Safety of Dams (DSOD) analyzed the west embankment of Patterson Reservoir as part of their High Slip-Rate Seismic Reevaluation Program and notified the District that the reservoir could not be operated above Elevation 196.00 feet. The reservoir was designed for use to Elevation 199.83 feet. Following changes to water distribution patterns during the recent drought, the District sought to remediate the reservoir and engaged GEI Consultants in 2017 to perform a geotechnical study. DSOD used the resulting report to re-assess the embankment and confirmed the Elevation 196.00 limit on July 31, 2019, requiring a physical freeboard of 4'-0."

Staff amended GEI's contract on November 15, 2019, to include scope and fees for an alternatives analysis. Among other alternatives, GEI proposed the construction of a berm surrounding the reservoir, lowering the existing spillway, or a combination of both. In July 2020, DSOD verbally approved the alternatives without altering the requirement for 4'-0" of freeboard. An update to the E&IT Committee was provided on September 19, 2020. GEI developed conceptual designs and provided a draft Alternatives Analysis Memorandum. Based on the draft memo, project stakeholders selected to pursue the berm alternative as the preferred alternative to develop. GEI and District staff evaluated site access requirements prior to completion of the alternatives analysis. The Alternatives Analysis phase was completed in June 2022 following review and approval of the final alternatives' memorandum. The design phase would follow under a separate professional services agreement. The berm remains the preferred alternative.

An updated project charter was circulated among the stakeholders in spring 2023, and an RFP for engineering, environmental, and cultural resources services was developed and circulated in May and June 2023. A project update was provided to the E&IT committee on July 5, 2023. The Board authorized execution of a Professional Services Agreement (PSA) with GEI Consultants for design services on August 10, 2023. A project kickoff meeting was held in September 2023. The 15% basis of design memo and preliminary drawings were submitted for District review in December 2023. The 65% design was submitted for District review in May 2024. Staff initiated coordination with PG&E to raise and relocate two power poles to increase vertical clearance from the overhead wires. A draft CEQA Initial Study/Mitigated Negative Declaration document was developed and is under internal review. The District met with the Confederated Villages of Lisjan Nation and will address issues raised by the Nation during project implementation. Staff was informed by PG&E that existing electrical overhead wires and power poles that conflict with the work belong to East Bay regional Park District (EBRPD); Staff and GEI are addressing DSOD questions related to the proposed narrow west berm. Staff continued coordination with EBRPD, the Fremont Police Department, DSOD and internal stakeholders, and evaluated design changes associated with the west berm and associated electric utility line relocation. Staff provided an update to the E&IT committee on June 4, 2025. At the June 12, 2025, Board Meeting, the Board authorized an

amendment to the PSA with GEI to provide additional engineering services to complete the modified design and to design the relocation of utility lines owned by EBRPD that conflict with the project. Design continued through the second quarter of FY 2025/26.

FY 2025/26 Budget: $543,616

Decoto Reservoir Improvements (*Infrastructure Improvements*)

Figure 11: Decoto Reservoir Interior

The existing reservoir was built in 1964 with a corrugated metal roof over wood framing and cast-in-place concrete walls and columns. The roof and underlying framing are reaching the end of their useful life and will be replaced, seismically retrofitted, and upgraded to support future solar panels. New lighting and ventilation will be provided in the course of that work. The liner, drain valve, inlet/outlet valve, and altitude valve will be replaced as well.

A joint RFP for the Alameda Reservoir Roof Replacement and Decoto Reservoir Improvements projects was issued in October 2020, and the Board authorized execution of a PSA with TJC and Associates, Inc. (TJC) for these services on December 10, 2020. The PSA was executed on March 29, 2021.

Design commenced in March 2022. The 15% Design/Draft Basis of Design Memorandum was received in June 2022. The 30% Design set and the Final Basis of Design Memorandum were received in October 2022, and the 65% Design set in November 2022. The 90% drawings were received in late December 2022.

The District provided the 90% Design set to the Division of Safety of Dams (DSOD), who has jurisdictional authority over the reservoir and determined that a DSOD engineering review is required. The project team is working with DSOD to facilitate their review. In December 2023, the District received initial comments from DSOD. The District and its design consultant responded to the comments. In June 2024, DSOD began its final round of reviews on the 90% set, and in December 2024 indicated that it needed more time for review and requested additional information. Circulation of the IS/MND for public comment occurred between May 27, 2024, and June 26, 2024. One comment was received and responded to in the Final IS/MND. The Board adopted the IS/MND on July 11, 2024.

In February 2025, the District received 100% drawings which addressed preliminary comments from DSOD and observations from the Alameda Reservoir construction, and DSOD review continues. The District was notified by CalOES that a CalOES/BRIC grant application for the project had been short-listed. Construction was rescheduled for 2027 to allow time for the grant application to be processed.

In April 2025, the BRIC grant program lost federal funding. In the first quarter of FY 2025/26, the District's grant management team converted the BRIC grant application to the state-funded Hazard Management Grant Program (HMGP), for which no change in schedule is required. In the second quarter of FY 2025/26, staff responded to questions from the potential grantor.

FY 2025/26 Budget: $12,600

B16 WTP2 Zone 3 Booster Discharge Pipeline Replacement (*Inf. Improvements*)

The permanent B16 booster station installation was completed in late 2015. A new below grade pipeline from the booster station to the Zone 3 connection on the WTP2 site was to have been installed by the Distribution Maintenance Division (DMD), however new development workload prevented DMD from completing the work. The existing pipeline, which dates to the 2004 temporary booster installation, is unlined bare steel (12-inch diameter by ~100-ft length) and lies on the ground. The existing pipeline needs to be replaced before it experiences severe corrosion and leaks. At the April 13, 2021, Board Meeting, the Board approved a resolution finding the project categorically exempt from CEQA.

Figure 12: B16 Booster Discharge Piping

The design reached 90% completion in Q4 2021/22 utilizing an above-ground solution due to tight site constraints.

The construction scope of work was incorporated into the concurrent Lindsay Tract Main Renewal Project. The B16 work was planned during the 2025 TP2 shutdown. This project, together with the Lindsay Tract project, was awarded to A&B Construction, Inc. at the August 8, 2024, Board Meeting. Both projects were expected to be complete by the first quarter of FY 2025/26; due to project complications, the end date for the projects has been pushed out to the third quarter. The contractor began field work in March 2025, and B16 was put in service in June 2025. Remaining B16 project punchlist items were completed in August 2025 without interruption to service.

FY 2025/26 Budget: $77,769

Lindsay Tract Main Renewal (*Infrastructure Improvements*)

The City of Newark initiated a neighborhood revitalization project in the Lindsay Tract area of the City which includes streetscape and drainage improvements. The Lindsay Tract Main Renewal project was developed from ACWD's Small Diameter Main Renewal Program. Aging water mains identified for replacement under the Main Renewal Program overlapped a City of Newark sidewalk, drainage, and green infrastructure improvements project. ACWD explored opportunities for a cooperative agreement that would realize efficiencies from contract management, paving, sidewalk, and permitting costs, and as a result, a cooperative agreement was drafted.

At the February 11, 2021, Board Meeting, the General Manager was authorized to execute a Cooperative Agreement with the City of Newark.

The City of Newark and ACWD jointly prepared a Request for Proposals for the design portion of the work, and six responses were received and evaluated. The City of Newark was responsible for awarding the contract, and ACWD had the option to elect to include the water main design portion or to not participate. Both the City and ACWD agreed BKF scored highest of the proposals received, and had the qualifications, experience, and desired approach to execute all aspects of the work.

Figure 13: Main replacement in progress

Staff and the City of Newark provided joint public outreach events with residents in the project areas on August 3 and 11, 2021 and received favorable input for the main renewal work from the attendees. At the September 2021 meeting, the Board adopted a CEQA Categorical Exemption resolution for the Lindsay Tract main renewal work. On September 23, 2021, District and City staff provided a presentation of the conceptual street improvement plans and main renewal work for the Lindsay Tract project area to the City of Newark Council.

A project overview was provided to the E&IT Committee on July 21, 2021. A Project update was provided to the committee at the June 7, 2023 meeting. At the January 2023 meeting the City Council decided to not proceed with the assessment district and the project was paused. The District's portion of the work was separated from the project, and a new professional services agreement with BKF to complete the 100% design and provide engineering services during construction was approved by the Board at the June 2023 Board meeting. The B16 Booster Station Discharge Pipeline Replacement Project work was added to the contract documents to allow it to be performed by the same contractor. A construction contract was awarded at the August 2024 Board Meeting to A&B Construction, Inc. Preliminary activities, such as utility locating were completed in January 2025. A&B Construction Inc. commenced construction on May 29, 2025, after a pause associated with trench spoils disposal. Construction is ongoing and is planned through the third quarter of FY 2025/26. At the September 11, 2025, Board meeting, the District authorized a second amendment to the Professional Services Agreement (PSA) with Alpha CM, Inc. to provide project schedule review services. The Board authorized Contract Change Order 3 at the November 13, 2025, Board meeting. An amendment to the PSA with Alpha CM for additional construction inspection services is anticipated in the third quarter of FY2025/26.

Project: Lindsay Tract and Birch Street Main Renewal & B16 Booster Station Upgrade (combined contract)						
Contractor: A&B Construction Inc.						
Awarded Value: $6,580,200						
CCO Authorization at Award: $460,614 (7%)						
Date	Change Order	Change Order Amount	Change Order approved by	Change Order Cumulative Amount	Remaining GM Change Order Authority	Change Order Cumulative Amount as % of contract
4/17/2025	1	$28,505.52	GM	$28,505.52	$432,108.48	0.4%
10/7/2025	2	$ 338,614.71	GM	$367,120.23	$93,493.77	6%
11/13/2025	3	$141,284	Board	$508,404.23		8%

FY 2025/26 Budget: $6,907,959

PFAS Treatment at ACWD's Groundwater Facilities (*Infrastructure Improvements*)

Per- and Polyfluoroalkyl Substances (PFAS) have been detected in the District's ground water supply, including Perfluorooctane Sulfonic Acid (PFOS) and Perfluorohexane sulfonate (PFHxS) at levels above California State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW) Notification Level (NL), but below the Response Level (RL). The District began voluntary groundwater monitoring for PFAS in June 2020 and found PFAS compounds above their Notification Limit (NL) at the PT and Mowry groundwater wells that supply the Blending Facility. The PFAS Treatment Project will restore production capacity at the Blending Facility while still delivering water with PFAS concentrations below currently established NLs by implementing an interim 6 million gallon per day (6 MGD) PFAS Ion Exchange (IX) treatment facility. In order to deliver water to customers with PFAS concentrations below their NLs, the District has adjusted blending ratios, resulting in increased use of water imported from SFPUC and decreased production at the Blending Facility. The Board authorized a PSA with Trussell Technologies (Trussell) in January 2022 for up to $1,363,127 to review alternatives, provide treatment recommendations, and proceed with implementation as needed.

Figure 14: Pressure Vessels

In August 2022, Department of Water Resources announced a potential new NL for PFHxS, which could necessitate up to 15 MGD of PFAS treatment if the District were to restore Blending Facility capacity while keeping PFAS compounds below their NLs. As the proposed PFHxS NL and MCL are not yet established, staff proposed adjusting the project scope to design a 15 MGD facility that can be constructed in phases, beginning with the construction of a 6 MGD facility. An amendment to the Trussell PSA is required to accommodate this design scope change. The Project was reviewed with the full Board during the August 18, 2022, Board Workshop.

At the October 10, 2022, Board Meeting, the Board authorized an amendment to the PSA with Trussell in an amount not to exceed $1,293,588 for the revised project scope to design a 15 MGD facility with initial construction of a 6 MGD facility. On October 31, 2022, DDW established the NL and RL for PFHxS; the NL was set at 3 ng/L, which is higher than the previously suggested NL of 2 ng/L for PFHxS. In the third quarter of FY 2022/23, the team accomplished the following: complete 65% design and initiate 90% design, completed design and bid the pre-purchase of pumping, transformer and pressure vessel equipment, rejected bids for the pre-purchase of pumping, transformer and pressure vessel equipment, adopted the ISMND CEQA findings for the Project, met with DDW to review the 65% design and solicit comments, and held a public informational meeting regarding the Project with neighbors surrounding the Blending Facility.

The EPA issued National Primary Drinking Water Regulations for six PFAS in fall 2024. The MCLs are 4.0ppt for each of PFOA and PFOS, and a calculated Hazard Index for PFNA, PFHxS, PFBS, and HFPO-DA. In the fourth quarter of FY 2022/23, the team completed 90% design deliverable and obtained Board approval for the pre-purchase of pumping, transformer, PLC, and pressure vessel equipment, and commenced the 100% design. An amendment to Trussell Tech professional services agreement was approved by the Board at the July 2023 Board meeting for additional design services to address comments received during the 90% design.

The 100% design was completed at the beginning of August 2023, and the construction contract was advertised for bidding. One bid was received from Myers & Sons Construction LLC. and the Board awarded the contract at the October 12, 2023, Board Meeting. Additionally, the Board approved a PSA amendment to Kleinfelder for general inspection services during construction and a PSA amendment to Vertech for SCADA integration services for the new facility. A pre-construction public outreach meeting was held on November 16, 2023. The media procurement was advertised in November 2023. Three bids were received; however, all three deviated from the bid documents and were determined to be non-responsive. The Board rejected all bids at the January 2024 Board Meeting. Per the District's procurement policy, staff then proceeded to negotiate with the media vendor Evoqua and came to an agreement. The Board awarded the procurement at the February 2024 Board meeting.

Due to the long lead time of the motor control center (MCC) equipment required for full automation of the IX facility, limited startup (Task 1) is scheduled for summer 2024 and the facility will be in operation in that state until the MCC is available. Fully automated operations are expected to begin in the third quarter of FY 2024/25. The Contractor mobilized to site in December 2023. The project team submitted a draft to the State Division of Drinking Water (DDW) in March 2024. The District's pre-purchased power transformer delivery date from the vendor was approximately one year behind schedule. Myer's construction provided an alternative arrangement to rent a transformer until the permanent transformer was delivered in late 2024.

Task 1 construction and initial startup were completed in September 2024, and the facility is in-service and treating water, in manual operation mode. Work on Task 2, which includes site restoration, the facility permanent power system and the automation systems, was completed in March 2025. An update was provided to the E&IT Committee in June 2025 and the Board accepted completion of the project at the June 2025 regular Board meeting. Also, in June 2025, the Project

received a Project Achievement Award from the Northern California Chapter of the Construction Management Association of America.

In Q1 of FY 2025/26, staff identified an increase in differential pressure across the ion exchange media vessels and planned for corrective treatment of the media. In Q2 the media vendor scraped the top of the media bed to remove potential sediment accumulation with minimal improvement. Subsequently, staff performed a slight backwash to dislodge potential blockage at the vessel outlet and this resulted in significantly lower differential pressures. Staff continues to investigate the cause of the increased differential pressures. Additionally, in Q1-Q2, Staff continued work on final punchlist items required to complete commissioning of the facility automation, which is expected to be completed in Q3 FY 2025/26.

Project: Groundwater PFAS Treatment Project
Contractor: Myers Construction
Awarded Value: $15,916,000
CCO Authorization at Award: $1,114,120 (7%)

Date	Change Order	Change Order Amount	Change Order approved by	Change Order Cumulative Amount	Remaining GM Change Order Authority	Change Order Cumulative Amount as % of contract
3/6/24	1	$24,354.71	General Manager	$24,354.72	$1,089,765.28	0.15%
7/16/24	2	$259,150.22	General Manager	$283,504.94	$806,260.34	1.78%
8/15/24	3	$282,125.17	General Manager	$565,635.11	$524,135.17	3.55%
3/20/25	4	$210,600.68	General Manager	$776,235.79	$313,534.49	4.87%
4/24/25	5	$310,934.65	General Manager	$1,087,165.44	$26,954.56	6.83%

Main Renewal Fremont – Crestwood Street Project (*Infrastructure Improvements*)

Staff initiated work on a Fixed-Price Design Build (FPDB) delivery of a package of five separate small diameter replacement sites in the City of Fremont, totaling just over three miles in length. This project will implement a temporary bypass system during construction. A project overview was provided to the E&IT Committee in January 2024. The Board approved the project and adopted a resolution finding the project exempt from CEQA at the April 2024 Board meeting. A Request for Qualifications was circulated in May 2024. Two of five Design-Builders who submitted qualifications were selected to participate in the Request for Proposals process, and two

proposals were received in April 2025. A project overview was provided to the E&IT Committee on July 2, 2025, and the Board awarded the project to West Valley Construction Company, Inc., at the July 10, 2025, Board meeting. During the first and second quarters of FY 2025/26, the design-builder provided engineering design packages for review.

FY 2025/26 Budget: $3,964,731

Paseo Padre Parkway/I-680 Overpass Pipeline Improvements Project (*Infrastructure Improvements*)

The Paseo Padre I/680 Overpass Pipeline Improvement Project will rehabilitate a 12-inch steel pipeline located within the Paseo Padre Parkway box girder bridge crossing I-680 in Fremont. In 2022, a significant leak was observed under the overpass and the pipe was isolated and removed from service. A project kick-off meeting was held in March 2024. Investigation of the pipeline interior and exterior is underway to inform the design work for rehabilitation. The project will explore the use of trenchless methods to rehabilitate the pipe. On July 31, 2024, the District secured the Caltrans encroachment permit for the initial closed-circuit television (CCTV) assessment and supporting work which includes lead paint removal and pipeline cutting/patching. The pipeline lead paint removal was completed in late October 2024. Pipeline cutting and patching will be performed by Ferguson Welding via an existing contract. Execution of an agreement with a CCTV contractor is expected to occur during the third quarter of FY 2025/26.

FY 2024/25 Budget: $193,316

Hidden Valley Tank Seismic Upgrade Project – Phase II (*Infrastructure Improvements*)

The Hidden Valley Tank Seismic Upgrade Project – Phase II will evaluate the seismic performance of the tank, advancing a seismic study performed in 1997, evaluate the tank lining and coating, evaluate methods to improve tank circulation, and implement associated structural, coating, and circulation upgrades. The Phase 2 project will build upon the 2008 Phase 1 seismic improvements to the inlet/outline pipe connection and overflow drain.

A project kick-off meeting was held in March 2024. The Request for Proposals for engineering and ancillary services was circulated on June 4, 2024, a briefing was provided to the E&IT Committee at the September 4, 2024, meeting, and the Board authorized a professional services agreement with Freyer & Laureta Inc. at the September 9, 2024, Board meeting.

The project kick-off meeting with Freyer & Laureta, Inc. and the District's stakeholders was held in November 2024. A job order contract for water tank drainage and disinfection support services with Staples Construction Company, via Sourcewell, was authorized by the Board at the December 12, 2024, Board meeting.

Tank drainage and cleaning services were completed in March 2025, and disinfection service occurred in early April following inspection by the consultant. The consultant completed preliminary evaluation and structural analysis in the fourth quarter of FY 2024/25. In the first and

second quarters of FY2025/26, hydraulic modeling was performed to evaluate storage needs in the zone in connection with potential modifications to the tank.

FY 2024/25 Budget: $383,677

Desal PLC and Foundation Fieldbus Replacement Projects ***(****Infrastructure Improvements****)***

The Desal Programmable Logic Controller (PLC) and Foundation Fieldbus (FF) Replacement Projects will replace the existing Modicon Quantum Hot Standby (HSBY) PLC, Remote Input/Output (I/O) Drops, and the proprietary FF instrumentation equipment that is approaching the end of its commercial lifecycle with the latest product line of Modicon M580 HSBY PLC system with X80 I/Os and District standard instrumentation equipment These projects are planned to be implemented in conjunction with Desal SCADA Replacement Project.

A program kick-off meeting was held with internal stakeholders on September 23, 2024, and the project charter has been reviewed and executed by project sponsors. A Request for Proposals (RFP) for Engineering Services to provide PLC and instrumentation hardware design and construction bidding packages for both Projects was advertised on October 7, 2024, and proposals were received on December 10, 2024. Staff recommended award of a professional services agreement for this work to Agilitech at the March 2025 Regular Board Meeting. PLC programming and installation services will be awarded under a separate future contract.

Work completed in Q1 FY25/26 includes the finalization of as-builting, assessment, selection of Foundation Fieldbus replacement equipment, and development of the draft bill of materials for the new PLC hardware to facilitate the District pre-purchasing long lead time equipment. Work completed in Q2 FY25/26 includes providing the draft Basis Of Design Report (BODR) and PLC fabrication design documents and commenced work on the new installation design. Work planned for Q3 FY25/26 includes completion of the BODR and PLC fabrication design, commencement of fabrication bidding, and receipt and review of the 50% installation design.

FY 2025/26 Budget:
$820,000 for FF Project
$969,000 for PLC Project

Peralta Boulevard Main Renewal Project (*Infrastructure Improvements*)

The Peralta Boulevard Main Renewal Project will renew approximately 1.5 miles of the existing 10-inch 1930’s-era pipeline on Peralta Boulevard between Fremont Boulevard and Mowry Avenue. The Board approved an amendment an existing “on-call” surveying agreement with Sandis for site surveying along the project alignment at the December 11, 2025, Board meeting. Project kickoff and initial engineering analysis are anticipated during the third quarter of FY2025/26.

FY 2025/26 Budget: $ 565,703.13

Old Town Streetscape ACWD Water Main (*Infrastructure Improvements*)

Old Town Streetscape ACWD Water Main Project will renew the existing 1950's-era pipeline and other mains on Thornton Avenue in Newark between Ash Street and Cherry Street in Newark as part of the Old Town Streetscape improvement project lead by the City of Newark. The project was introduced to the EI&T Committee at the May 1, 2024, committee meeting, and the Board authorized a cooperative agreement between the District and the City of Newark at the May 15, 2024, Board meeting. The cooperative agreement provides the basis for the District's involvement in the project, including financial obligations and participation in the design and construction of the pipeline. A preliminary pipeline alignment was provided to the District in January 2025, and a 50% alignment was provided in August 2025. In the second quarter of FY 2025/26, the City's consultant provided an updated plan submittal for review.

FY 2025/26 Budget: $ 291,708.59

QUARTERLY DIRECTORS' EXPENSE REPORT
For Period Covering 10/01/2025 - 12/31/2025
4th Quarter 2025

Date	Description	Akbari	Gunther	Huang	Sethy	Weed
10/3/2025	**South Bay Engineers' Club Meeting, 10/2/2025 - Pleasanton, CA**				**X**	
	Registration				$ 30.00	
	Sub-Total	**$ -**	**$ -**	**$ -**	**$ 30.00**	**$ -**
10/6/2025	**Water Education Foundation Annual Summit, 10/1/2025 - Sacramento, CA**				**X**	**X**
	Registration					$ 275.00
	Lodging				$ 173.25	
	Meals				$ 33.97	
	Parking				$ 24.99	$ 24.99
	Sub-Total	**$ -**	**$ -**	**$ -**	**$ 232.21**	**$ 299.99**
10/6/2025	**ACWA Region 2 Program and Tour - 10/23/2025 - Oroville, CA**				**X**	
	Registration				$ 65.00	
	Lodging				$ 245.74	
	Meals				$ 34.96	
	Gas				$ 46.70	
	Sub-Total	**$ -**	**$ -**	**$ -**	**$ 392.40**	**$ -**
11/6/2025	**San Francisco State of the Estuary Conference, 10/28-29/2025 - San Francisco, CA**				**X**	
	Registration				$ 495.00	
	Transportation				$ 24.20	
	Parking				$ 6.00	
	Sub-Total	**$ -**	**$ -**	**$ -**	**$ 525.20**	**$ -**
11/14/2025	**ACWA Region 5 Event and Tour, 9/25/2025 - San Francisco, CA**					**X**
	Lodging					$ 150.06
	Transportation					$ 18.96
	Sub-Total	**$ -**	**$ -**	**$ -**	**$ -**	**$ 169.02**
11/6/2025	**ACWA Fall 2025 Conference, 12/2-4/2025 - San Diego, CA**	**X**	**X**	**X**	**X**	**X**
	Airfare	$ 274.96	$ 246.31	$ 286.97		$ 413.30
	Lodging	$ 755.22	$ 732.23	$ 755.22	$ 815.22	$ 864.96
	Transportation	$ 176.66	$ 58.96	$ 157.15	$ 121.20	$ 216.76
	Meals	$ 94.26	$ 75.03	$ 106.77	$ 153.79	$ 34.00
	Sub-Total	**$ 1,301.10**	**$ 1,112.53**	**$ 1,306.11**	**$ 1,090.21**	**$ 1,529.02**

QUARTERLY DIRECTORS' EXPENSE REPORT
For Period Covering 10/01/2025 - 12/31/2025
4th Quarter 2025

Date	Description	Akbari	Gunther	Huang	Sethy	Weed
12/8/2025	**Delta Conveyance Finance Authority Meeting, 11/19-24/2025 - Santa Clarita, CA**				**X**	
	Lodging				$ 329.70	
	Meals				$ 86.23	
	Miscellaneous				$ 39.99	
	Gas				$ 58.50	
	Sub-Total	**$ -**	**$ -**	**$ -**	**$ 514.42**	**$ -**
	TOTAL QUARTERLY EXPENSES	**$ 1,301.10**	**$ 1,112.53**	**$ 1,306.11**	**$ 2,784.44**	**$ 1,998.03**
	GRAND TOTAL	**$ 8,502.21**				

ALAMEDA COUNTY WATER DISTRICT
Consolidated Portfolio Management Summary Report
December 31, 2025

Investment Type	Par Value	Market Value	Book Value	% of Portfolio	Days to Maturity	YTM
Unrestricted Funds:						
ACWD Portfolio						
LAIF/CAMP	$ 31,357,347.56	$ 31,409,694.29	$ 31,357,347.56	17.11	1	4.006
Passbook/Checking	9,496,873.35	9,496,873.35	9,496,873.35	5.18	1	0.000
Subtotal	40,854,220.91	40,906,567.64	40,854,220.91			
Chandler Managed Account Summary						
Asset Backed Securities	7,915,844.07	7,998,102.90	7,940,504.64	4.33	591	4.360
Federal Agency Bond / Note	3,530,000.00	3,577,499.31	3,588,960.05	1.96	777	3.790
Federal Agency Collateralized Mortgage Obligation	13,526,000.00	13,447,560.45	13,196,858.22	7.20	1767	4.420
Corporate Note	36,388,405.00	36,552,731.37	36,215,362.13	19.76	807	4.010
Municipal Bond / Note	4,820,000.00	4,756,389.77	4,688,873.20	2.56	1511	4.150
Supranational	3,480,000.00	3,450,037.20	3,464,061.60	1.89	110	0.970
U.S. Treasury Bond / Note	74,230,000.00	73,900,354.21	73,343,437.83	40.01	814	3.520
Subtotal	143,890,249.07	143,682,675.21	142,438,057.67			
Total Unrestricted Funds	184,744,469.98	184,589,242.85	183,292,278.58			
Restricted Funds:						
Passbook/Checking	2,826.49	2,826.49	2,826.49	0.00	1	0.000
Total Restricted Funds	2,826.49	2,826.49	2,826.49			
Total Portfolio	**$ 184,747,296.47**	**$ 184,592,069.34**	**$ 183,295,105.07**	**100.00**	**694**	**3.592**

"THE ABOVE INVESTMENTS ARE CONSISTENT WITH THOSE PERMITTED BY CALIFORNIA GOVERNMENT CODE SECTION 53651, AND ARE IN CONFORMANCE WITH THE STATED INVESTMENT POLICY OF THE ALAMEDA COUNTY WATER DISTRICT TREASURER/AUDITOR AS SUBMITTED TO SAID DISTRICT'S BOARD OF DIRECTORS. THERE ARE SUFFICIENT FUNDS AVAILABLE IN THE LOCAL AGENCY INVESTMENT FUND AND/OR MATURING WITHIN THE NEXT SIX MONTHS TO SATISFY ALL DISTRICT BOARD APPROVED EXPENDITURES."

NOTE 1: THE SOURCES OF MARKET VALUATION FOR THE SECURITIES ARE CHANDLER ASSET MANAGEMENT AND US BANK.

Calvin Cho, Accounting & Treasury Manager — 1/20/26

JONATHAN WUNDERLICH, TREASURER — 1/20/26

ALAMEDA COUNTY WATER DISTRICT
Portfolio Management
Portfolio Details - Investments
December 31, 2025

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	Term	Days to Maturity	YTM	Maturity Date
LAIF/CAMP											
528-00	528-00	G/F-CAMP		222,669.30	222,669.30	222,669.30	3.950	1	1	3.950	
90-01-001-A	90-01-001-A	G/F-LAIF		27,128,546.18	27,180,892.91	27,128,546.18	4.015	1	1	4.015	
528-02	528-02	INSTALLERS REIMB. FD - CAMP		4,006,132.08	4,006,132.08	4,006,132.08	3.950	1	1	3.950	
		Subtotal and Average		**31,357,347.56**	**31,409,694.29**	**31,357,347.56**		**1**	**1**	**4.006**	
Passbook/Checking											
237260721	237260721	G/F-JP MORGAN CUSTOMER	07/01/2025	-116,666.73	-116,666.73	-116,666.73		1	1	0.000	
237260598	237260598	G/F-JP MORGAN LOCKBOX	07/01/2025	257.66	257.66	257.66		1	1	0.000	
237270282	237270282	G/F-JP MORGAN CHECKING		9,328,641.20	9,328,641.20	9,328,641.20		1	1	0.000	
237270563	237270563	G/F-JP MORGAN PAYROLL	07/01/2025	-1.00	-1.00	-1.00		1	1	0.000	
237270381	237270381	G/F-JP MORGAN WARRANTS		-1,316,475.41	-1,316,475.41	-1,316,475.41		1	1	0.000	
291144623	291144623	G/F-US BANK TREASURY		1,601,117.63	1,601,117.63	1,601,117.63		1	1	0.000	
		Subtotal and Average		**9,496,873.35**	**9,496,873.35**	**9,496,873.35**		**1**	**1**	**0.000**	
		Total and Average		**40,854,220.91**	**40,906,567.64**	**40,854,220.91**		**1**	**1**	**3.075**	

CHANDLER
ASSET MANAGEMENT

MONTHLY ACCOUNT STATEMENT

Alameda County Water District Cons | Account #10955 | As of December 31, 2025

CHANDLER ASSET MANAGEMENT | chandlerasset.com

Chandler Team:

For questions about your account, please call (800) 317-4747,
or contact clientservice@chandlerasset.com

Custodian:

PORTFOLIO SUMMARY

Alameda County Water District Cons | Account #10955 | As of December 31, 2025

Portfolio Characteristics

Average Modified Duration	2.42
Average Coupon	3.32%
Average Purchase YTM	3.74%
Average Market YTM	3.79%
Average Credit Quality*	AA+
Average Final Maturity	2.86
Average Life	2.72

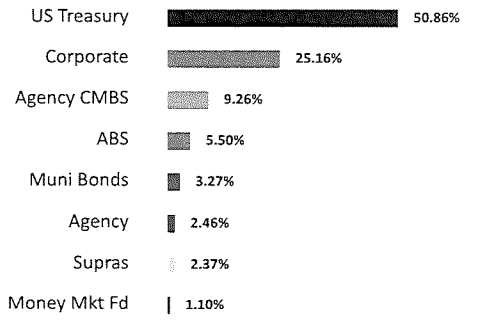
Account Summary

	End Values as of 11/30/2025	End Values as of 12/31/2025
Market Value	145,085,957.57	145,289,611.14
Accrued Interest	1,016,236.98	1,074,077.66
Total Market Value	**146,102,194.55**	**146,363,688.80**
Income Earned	361,241.62	445,099.40
Cont/WD	0.00	0.00
Par	145,150,123.98	145,497,185.00
Book Value	143,705,284.33	144,044,993.60
Cost Value	143,705,284.33	144,044,993.60

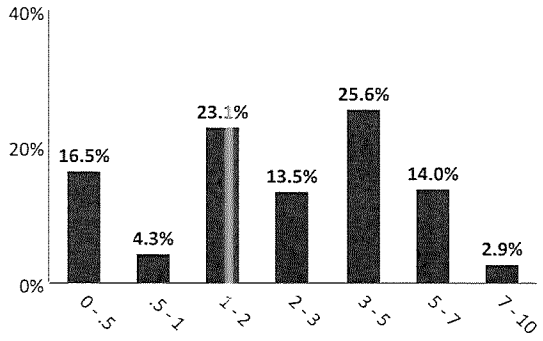
Top Issuers

United States	50.86%
FHLMC	9.26%
Inter-American Development Bank	2.37%
Federal Home Loan Banks	1.68%
WF Card Issuance Trust	1.50%
Guardian Life Global Funding	1.37%
Metropolitan Life Global Funding I	1.33%
Deere & Company	1.32%

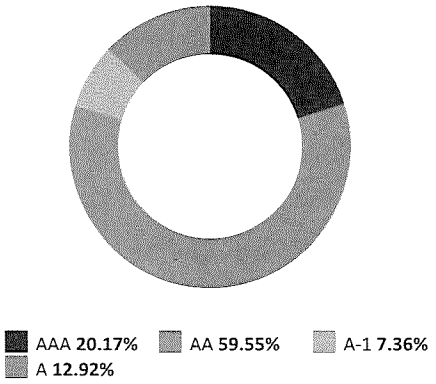
Sector Allocation



Maturity Distribution



Credit Quality*



*The average credit quality is a weighted average calculation of the highest of S&P, Moody's and Fitch.

RECONCILIATION SUMMARY

Alameda County Water District Cons | Account #10955 | As of December 31, 2025

Maturities / Calls

Month to Date	**(750,000.00)**
Fiscal Year to Date	**(10,970,000.00)**

Principal Paydowns

Month to Date	**(101,723.05)**
Fiscal Year to Date	**(1,059,371.04)**

Purchases

Month to Date	**2,080,907.01**
Fiscal Year to Date	**37,369,373.76**

Sales

Month to Date	**(842,665.05)**
Fiscal Year to Date	**(27,480,122.42)**

Interest Received

Month to Date	**387,823.96**
Fiscal Year to Date	**2,377,203.99**

Purchased / Sold Interest

Month to Date	**(565.24)**
Fiscal Year to Date	**(12,888.38)**

Accrual Activity Summary

	Month to Date	Fiscal Year to Date (07/01/2025)
Beginning Book Value	143,705,284.33	146,125,045.65
Maturities/Calls	(750,000.00)	(10,970,000.00)
Principal Paydowns	(101,723.05)	(1,059,371.04)
Purchases	2,080,907.01	37,369,373.76
Sales	(842,665.05)	(27,480,122.42)
Change in Cash, Payables, Receivables	(41,809.50)	(274.12)
Amortization/Accretion	0.00	0.00
Realized Gain (Loss)	(5,000.14)	58,746.76
Ending Book Value	144,044,993.60	144,044,993.60

Fair Market Activity Summary

	Month to Date	Fiscal Year to Date (07/01/2025)
Beginning Market Value	145,085,957.57	146,289,122.52
Maturities/Calls	(750,000.00)	(10,970,000.00)
Principal Paydowns	(101,723.05)	(1,059,371.04)
Purchases	2,080,907.01	37,369,373.76
Sales	(842,665.05)	(27,480,122.42)
Change in Cash, Payables, Receivables	(41,809.50)	(274.12)
Amortization/Accretion	0.00	0.00
Change in Net Unrealized Gain (Loss)	(136,055.70)	1,080,540.68
Realized Gain (Loss)	(5,000.14)	58,746.76
Ending Market Value	145,289,611.14	145,289,611.14

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
ABS									
47800AAC4	JDOT 2022-B A3 3.74 02/16/2027	59,043.90	07/12/2022 3.74%	59,038.26 59,038.26	99.96 4.07%	59,022.06 98.14	0.04% (16.21)	Aaa/NA AAA	1.13 0.12
43815JAC7	HAROT 2023-1 A3 5.04 04/21/2027	76,935.69	02/16/2023 5.05%	76,921.40 76,921.40	100.23 4.16%	77,112.34 107.71	0.05% 190.94	Aaa/NA AAA	1.30 0.25
47800BAC2	JDOT 2022-C A3 5.09 06/15/2027	148,604.09	10/12/2022 5.09%	148,592.56 148,592.56	100.24 4.16%	148,965.94 336.18	0.10% 373.38	Aaa/NA AAA	1.45 0.24
58768PAC8	MBART 2022-1 A3 5.21 08/16/2027	215,474.38	11/15/2022 5.21%	215,431.76 215,431.76	100.29 4.06%	216,109.38 498.94	0.15% 677.62	Aaa/AAA NA	1.62 0.24
47800CAC0	JDOT 2023 A3 5.01 11/15/2027	115,786.01	02/23/2023 4.99%	115,849.32 115,849.32	100.46 4.01%	116,318.74 257.82	0.08% 469.41	Aaa/NA AAA	1.87 0.43
44935DAD1	HALST 2025-B A3 4.53 04/17/2028	915,000.00	-- 4.46%	916,183.72 916,183.72	100.90 3.88%	923,262.45 1,842.20	0.64% 7,078.73	NA/AAA AAA	2.30 1.30
362962AD4	GMALT 2025-2 A3 4.58 05/22/2028	315,000.00	05/20/2025 4.58%	314,994.77 314,994.77	100.90 3.87%	317,826.81 440.83	0.22% 2,832.04	NA/AAA AAA	2.39 1.18
096912AD2	BMWLT 2025-1 A3 4.43 06/26/2028	170,000.00	06/03/2025 4.43%	169,996.26 169,996.26	100.86 3.79%	171,469.14 125.52	0.12% 1,472.88	NA/AAA AAA	2.49 1.27
92970QAA3	WFCIT 2024-1 A 4.94 02/15/2029	1,000,000.00	05/21/2025 4.36%	1,009,687.50 1,009,687.50	101.32 3.76%	1,013,239.00 2,195.56	0.70% 3,551.50	Aaa/AAA AAA	3.13 1.07
096924AD7	BMWOT 2025-A A3 4.56 09/25/2029	900,000.00	05/20/2025 4.42%	904,042.97 904,042.97	101.01 3.82%	909,051.30 684.00	0.63% 5,008.33	Aaa/AAA NA	3.73 1.27
437921AD1	HAROT 252 A3 4.15 10/15/2029	215,000.00	04/29/2025 4.15%	214,975.99 214,975.99	100.61 3.84%	216,315.16 396.56	0.15% 1,339.17	Aaa/NA AAA	3.79 1.77
89231HAD8	TAOT 2025-B A3 4.34 11/15/2029	210,000.00	04/24/2025 4.34%	209,987.97 209,987.97	100.78 3.93%	211,647.87 405.07	0.15% 1,659.90	NA/AAA AAA	3.87 1.72
44935XAD7	HART 2025-B A3 4.36 12/17/2029	260,000.00	06/03/2025 4.36%	259,976.52 259,976.52	100.95 3.87%	262,482.22 503.82	0.18% 2,505.70	NA/AAA AAA	3.96 1.79
02582JKP4	AMXCA 2025-2 A 4.28 04/15/2030	635,000.00	05/06/2025 4.28%	634,988.51 634,988.51	101.14 3.79%	642,247.89 1,207.91	0.44% 7,259.38	NA/AAA AAA	4.29 2.14
92970QAJ4	WFCIT 2025-1 A 4.34 05/15/2030	540,000.00	06/03/2025 4.33%	539,991.04 539,991.04	101.33 3.78%	547,168.50 1,041.60	0.38% 7,177.46	NA/AAA AAA	4.37 2.21
92970QAJ4	WFCIT 2025-1 A 4.34 05/15/2030	610,000.00	06/03/2025 4.33%	609,989.87 609,989.87	101.33 3.78%	618,097.75 1,176.62	0.43% 8,107.88	NA/AAA AAA	4.37 2.21
17305EHA6	CCCIT 2025-A1 A1 4.3 06/21/2030	530,000.00	06/18/2025 4.31%	529,856.21 529,856.21	101.16 3.80%	536,154.36 633.06	0.37% 6,298.15	Aaa/AAA NA	4.47 2.32

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
17305EHA6	CCCIT 2025-A1 A1 4.3 06/21/2030	1,000,000.00	10/09/2025 3.90%	1,010,000.00 1,010,000.00	101.16 3.80%	1,011,612.00 1,194.44	0.70% 1,612.00	Aaa/AAA NA	4.47 2.32
				7,940,504.64	**101.04**	**7,998,102.90**	**5.50%**		**3.53**
Total ABS		**7,915,844.07**	**4.36%**	**7,940,504.64**	**3.83%**	**13,145.96**	**57,598.26**		**1.62**
AGENCY									
3130ATS57	FEDERAL HOME LOAN BANKS 4.5 03/10/2028	1,250,000.00	03/21/2023 4.01%	1,277,087.50 1,277,087.50	102.09 3.50%	1,276,132.50 17,343.75	0.88% (955.00)	Aa1/AA+ AA+	2.19 2.05
3130ATS57	FEDERAL HOME LOAN BANKS 4.5 03/10/2028	750,000.00	03/21/2023 4.00%	766,252.50 766,252.50	102.09 3.50%	765,679.50 10,406.25	0.53% (573.00)	Aa1/AA+ AA+	2.19 2.05
880591EZ1	TENNESSEE VALLEY AUTHORITY 3.875 03/15/2028	1,130,000.00	-- 3.73%	1,137,176.05 1,137,176.05	100.71 3.54%	1,137,985.71 12,892.99	0.78% 809.66	Aa1/AA+ AA+	2.21 2.07
3130AFFX0	FEDERAL HOME LOAN BANKS 3.25 11/16/2028	400,000.00	08/10/2022 2.84%	408,444.00 408,444.00	99.43 3.46%	397,701.60 1,625.00	0.27% (10,742.40)	Aa1/AA+ AA+	2.88 2.71
				3,588,960.05	**101.35**	**3,577,499.31**	**2.46%**		**2.27**
Total Agency		**3,530,000.00**	**3.79%**	**3,588,960.05**	**3.51%**	**42,267.99**	**(11,460.74)**		**2.13**
AGENCY CMBS									
3137FKZZ2	FHMS K-088 A2 3.69 01/25/2029	500,000.00	07/08/2022 3.53%	502,871.09 502,871.09	99.49 3.81%	497,439.00 1,537.50	0.34% (5,432.09)	Aaa/AA+ AA+	3.07 2.78
3137FLYV0	FHMS K-092 A2 3.298 04/25/2029	500,000.00	05/24/2022 3.08%	504,824.22 504,824.22	98.20 3.85%	490,989.00 1,374.17	0.34% (13,835.22)	Aa1/AA+ AAA	3.31 3.02
3137H9D71	FHMS K-750 A2 3.0 09/25/2029	385,000.00	10/26/2022 4.80%	345,671.09 345,671.09	97.17 3.88%	374,087.95 962.50	0.26% 28,416.86	Aa1/AA+ AAA	3.73 3.11
3137FQ3A9	FHMS K-100 A2 2.673 09/25/2029	500,000.00	05/23/2022 3.64%	482,460.94 482,460.94	95.68 3.91%	478,423.50 1,113.75	0.33% (4,037.44)	Aa1/AA+ AAA	3.73 3.45
3137HAGZ3	FHMS K-752 A2 4.284 07/25/2030	1,200,000.00	08/16/2023 5.03%	1,151,821.20 1,151,821.20	100.89 4.02%	1,210,668.00 4,284.00	0.83% 58,846.80	Aa1/AA+ AAA	4.56 3.92
3137HB2L7	FHMS K-753 A2 4.4 10/25/2030	500,000.00	11/27/2023 5.12%	479,511.72 479,511.72	101.28 4.06%	506,423.00 1,833.33	0.35% 26,911.28	Aa1/AA+ AAA	4.82 4.18
3137HBC51	FHMS K-754 A2 4.94 11/25/2030	1,000,000.00	12/07/2023 4.80%	1,010,781.25 1,010,781.25	103.51 4.10%	1,035,113.00 4,116.67	0.71% 24,331.75	Aa1/AA+ AAA	4.90 4.24
3137FJY60	FHMS K-1508 A2 3.9 12/25/2030	591,000.00	02/09/2023 4.23%	576,779.06 576,779.06	99.15 4.07%	585,951.09 1,920.75	0.40% 9,172.03	Aa1/AA+ AA+	4.98 4.28
3137HJZS9	FHMS K-759 A2 4.8 01/25/2032	2,505,000.00	-- 4.66%	2,517,655.80 2,517,655.80	102.95 4.21%	2,578,817.34 10,020.00	1.77% 61,161.54	Aa1/AA+ AAA	6.07 5.08

Alameda County Water District Cons | Account #10955 | As of December 31, 2025

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
3137H73P6	FHMS K-142 A2 2.4 03/25/2032	500,000.00	05/25/2022 3.30%	464,140.63 464,140.63	90.19 4.23%	450,973.50 1,000.00	0.31% (13,167.13)	Aaa/AA+ AA+	6.23 5.56
3137H8BK6	FHMS K-147 A2 3.0 06/25/2032	500,000.00	11/15/2022 4.57%	440,351.56 440,351.56	92.95 4.26%	464,773.50 1,250.00	0.32% 24,421.94	Aa1/AA+ AAA	6.48 5.71
3137HN4L9	FHMS K-761 A2 4.4 06/25/2032	800,000.00	09/04/2025 4.23%	805,687.20 805,687.20	100.68 4.26%	805,473.60 2,933.33	0.55% (213.60)	Aa1/AA+ AAA	6.48 5.47
3137H8U90	FHMS K-148 A2 3.5 07/25/2032	1,050,000.00	-- 4.12%	999,591.80 999,591.80	95.63 4.27%	1,004,128.65 3,062.50	0.69% 4,536.85	Aaa/AA+ AA+	6.57 5.70
3137HNTK4	FHMS K-762 A2 4.36 09/25/2032	750,000.00	11/05/2025 4.25%	752,540.25 752,540.25	100.44 4.27%	753,262.50 2,725.00	0.52% 722.25	Aa1/AAA AA+	6.74 5.64
3137H9JG5	FHMS K-151 A2 3.8 10/25/2032	1,000,000.00	01/13/2025 4.99%	920,937.50 920,937.50	97.04 4.30%	970,392.00 3,166.67	0.67% 49,454.50	Aaa/AA+ AA+	6.82 5.87
3137HPET6	FHMS K-763 A2 4.17 10/25/2032	700,000.00	12/08/2025 4.20%	694,097.60 694,097.60	99.28 4.28%	694,961.40 2,432.50	0.48% 863.80	Aa1/AA+ AA+	6.82 5.75
3137H9UD9	FHMS K-154 A2 4.35 01/25/2033	545,000.00	03/20/2023 4.34%	547,135.31 547,135.31	100.13 4.32%	545,683.43 1,975.63	0.38% (1,451.88)	Aa1/AA+ AAA	7.07 5.94
				13,196,858.22	**99.53**	**13,447,560.45**	**9.26%**		**5.64**
Total Agency CMBS		**13,526,000.00**	**4.42%**	**13,196,858.22**	**4.15%**	**45,708.29**	**250,702.23**		**4.84**
CASH									
CCYUSD	Receivable	3,032.35	--	3,032.35 3,032.35	1.00	3,032.35 0.00	0.00% 0.00	Aaa/AAA AAA	0.00 0.00
CCYUSD	Receivable	1,190.95	--	1,190.95 1,190.95	1.00	1,190.95 0.00	0.00% 0.00	Aaa/AAA AAA	0.00 0.00
				4,223.30	**1.00**	**4,223.30**	**0.00%**		**0.00**
Total Cash		**4,223.30**		**4,223.30**		**0.00**	**0.00**		**0.00**
CORPORATE									
89236TJK2	TOYOTA MOTOR CREDIT CORP 1.125 06/18/2026	1,270,000.00	06/15/2021 1.14%	1,269,441.20 1,269,441.20	98.79 3.80%	1,254,580.93 515.94	0.86% (14,860.27)	A1/A+ A+	0.46 0.45
58989V2D5	MET TOWER GLOBAL FUNDING 1.25 09/14/2026	280,000.00	09/07/2021 1.28%	279,742.40 279,742.40	98.18 3.90%	274,916.32 1,040.28	0.19% (4,826.08)	Aa3/AA- AA-	0.70 0.68
06368FAC3	BANK OF MONTREAL 1.25 09/15/2026	550,000.00	09/13/2021 1.29%	549,334.50 549,334.50	98.18 3.89%	540,004.85 2,024.31	0.37% (9,329.65)	A2/A- AA-	0.71 0.69
06368FAC3	BANK OF MONTREAL 1.25 09/15/2026	1,200,000.00	09/10/2021 1.31%	1,197,504.00 1,197,504.00	98.18 3.89%	1,178,192.40 4,416.67	0.81% (19,311.60)	A2/A- AA-	0.71 0.69

Alameda County Water District Cons | Account #10955 | As of December 31, 2025

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
931142ER0	WALMART INC 1.05 09/17/2026	125,000.00	09/08/2021 1.11%	124,763.75 124,763.75	98.21 3.63%	122,763.75 379.17	0.08% (2,000.00)	Aa2/AA AA	0.71 0.69
59217GER6	METROPOLITAN LIFE GLOBAL FUNDING I 1.875 01/11/2027	950,000.00	01/03/2022 1.91%	948,917.00 948,917.00	97.99 3.89%	930,943.00 8,411.46	0.64% (17,974.00)	Aa3/AA- AA-	1.03 0.99
59217GER6	METROPOLITAN LIFE GLOBAL FUNDING I 1.875 01/11/2027	400,000.00	01/03/2022 1.91%	399,544.00 399,544.00	97.99 3.89%	391,976.00 3,541.67	0.27% (7,568.00)	Aa3/AA- AA-	1.03 0.99
808513BY0	CHARLES SCHWAB CORP 2.45 03/03/2027	370,000.00	03/01/2022 2.48%	369,600.40 369,600.40	98.42 3.84%	364,162.51 2,971.31	0.25% (5,437.89)	A2/A- A	1.17 1.13
808513BY0	CHARLES SCHWAB CORP 2.45 03/03/2027	160,000.00	03/01/2022 2.48%	159,827.20 159,827.20	98.42 3.84%	157,475.68 1,284.89	0.11% (2,351.52)	A2/A- A	1.17 1.13
084664CZ2	BERKSHIRE HATHAWAY FINANCE CORP 2.3 03/15/2027	500,000.00	03/07/2022 2.30%	499,905.00 499,905.00	98.42 3.65%	492,124.00 3,386.11	0.34% (7,781.00)	Aa2/AA A+	1.20 1.16
084664CZ2	BERKSHIRE HATHAWAY FINANCE CORP 2.3 03/15/2027	820,000.00	03/07/2022 2.30%	819,844.20 819,844.20	98.42 3.65%	807,083.36 5,553.22	0.56% (12,760.84)	Aa2/AA A+	1.20 1.16
40139LBF9	GUARDIAN LIFE GLOBAL FUNDING 3.246 03/29/2027	870,000.00	-- 4.06%	852,750.00 852,750.00	99.27 3.85%	863,658.57 7,216.94	0.59% 10,908.57	Aa1/AA+ NA	1.24 1.19
91324PEG3	UNITEDHEALTH GROUP INC 3.7 05/15/2027	500,000.00	08/17/2022 3.56%	502,670.00 502,670.00	99.82 3.84%	499,080.00 2,363.89	0.34% (3,590.00)	A2/A+ A	1.37 1.32
927804GH1	VIRGINIA ELECTRIC AND POWER CO 3.75 05/15/2027	750,000.00	-- 3.67%	752,255.40 752,255.40	99.81 3.89%	748,545.75 3,593.75	0.52% (3,709.65)	A3/BBB+ A	1.37 1.32
91324PEG3	UNITEDHEALTH GROUP INC 3.7 05/15/2027	850,000.00	-- 3.50%	856,366.00 856,366.00	99.82 3.84%	848,436.00 4,018.61	0.58% (7,930.00)	A2/A+ A	1.37 1.32
89115A2C5	TORONTO-DOMINION BANK 4.108 06/08/2027	300,000.00	06/01/2022 4.08%	300,297.00 300,297.00	100.28 3.90%	300,842.70 787.37	0.21% 545.70	A2/A- NA	1.44 1.38
14913R3A3	CATERPILLAR FINANCIAL SERVICES CORP 3.6 08/12/2027	810,000.00	-- 4.17%	800,828.10 800,828.10	99.85 3.70%	808,774.47 11,259.00	0.56% 7,946.37	A2/A A+	1.61 1.53
931142EX7	WALMART INC 3.95 09/09/2027	750,000.00	-- 3.98%	749,146.30 749,146.30	100.57 3.60%	754,251.00 9,216.67	0.52% 5,104.70	Aa2/AA AA	1.69 1.52
24422EWK1	JOHN DEERE CAPITAL CORP 4.15 09/15/2027	1,000,000.00	09/20/2022 4.49%	986,310.00 986,310.00	100.77 3.67%	1,007,732.00 12,219.44	0.69% 21,422.00	A1/A A+	1.71 1.61
66815L2K4	NORTHWESTERN MUTUAL GLOBAL FUNDING 4.35 09/15/2027	400,000.00	09/16/2022 4.61%	395,780.00 395,780.00	100.76 3.88%	403,021.60 5,123.33	0.28% 7,241.60	Aa1/AA+ AAA	1.71 1.61
24422EWK1	JOHN DEERE CAPITAL CORP 4.15 09/15/2027	400,000.00	09/16/2022 4.41%	395,876.00 395,876.00	100.77 3.67%	403,092.80 4,887.78	0.28% 7,216.80	A1/A A+	1.71 1.61

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
037833DK3	APPLE INC 3.0 11/13/2027	500,000.00	01/27/2023 4.16%	475,850.00 475,850.00	98.99 3.56%	494,965.50 2,000.00	0.34% 19,115.50	Aaa/AA+ NA	1.87 1.79
023135CP9	AMAZON.COM INC 4.55 12/01/2027	250,000.00	01/17/2023 4.20%	253,600.00 253,600.00	101.65 3.65%	254,129.75 947.92	0.17% 529.75	A1/AA AA-	1.92 1.74
023135CP9	AMAZON.COM INC 4.55 12/01/2027	250,000.00	01/17/2023 4.19%	253,600.00 253,600.00	101.65 3.65%	254,129.75 947.92	0.17% 529.75	A1/AA AA-	1.92 1.74
64952WEY5	NEW YORK LIFE GLOBAL FUNDING 4.85 01/09/2028	300,000.00	01/26/2023 4.44%	305,157.00 305,157.00	101.81 3.91%	305,428.20 6,951.67	0.21% 271.20	Aa1/AA+ AAA	2.02 1.87
89236TKQ7	TOYOTA MOTOR CREDIT CORP 4.625 01/12/2028	300,000.00	01/27/2023 4.45%	302,196.00 302,196.00	101.56 3.82%	304,668.90 6,513.54	0.21% 2,472.90	A1/A+ A+	2.03 1.88
756109AU8	REALTY INCOME CORP 3.65 01/15/2028	410,000.00	04/10/2023 4.87%	388,876.80 388,876.80	99.35 3.99%	407,322.29 6,900.53	0.28% 18,445.49	A3/A- NA	2.04 1.91
06051GGF0	BANK OF AMERICA CORP 3.824 01/20/2028	450,000.00	-- 5.72%	425,346.90 425,346.90	99.76 4.76%	448,920.90 7,695.80	0.31% 23,574.00	A1/A- AA-	2.05 1.00
91324PEP3	UNITEDHEALTH GROUP INC 5.25 02/15/2028	500,000.00	02/21/2023 4.89%	507,630.00 507,630.00	102.73 3.89%	513,662.00 9,916.67	0.35% 6,032.00	A2/A+ A	2.13 1.89
025816DP1	AMERICAN EXPRESS CO 5.098 02/16/2028	750,000.00	04/24/2025 4.55%	756,967.50 756,967.50	101.16 4.35%	758,711.25 14,338.13	0.52% 1,743.75	A2/A- A	2.13 1.06
00287YDY2	ABBVIE INC 4.65 03/15/2028	750,000.00	04/24/2025 4.26%	757,642.50 757,642.50	101.68 3.85%	762,576.00 10,268.75	0.52% 4,933.50	A3/A- NA	2.21 1.98
64110LAS5	NETFLIX INC 4.875 04/15/2028	800,000.00	06/17/2025 4.30%	812,112.00 812,112.00	102.14 3.88%	817,130.40 8,233.33	0.56% 5,018.40	A3/A NA	2.29 2.13
90331HPS6	US BANK NA 4.73 05/15/2028	595,000.00	05/12/2025 4.88%	595,000.00 595,000.00	101.01 4.24%	601,007.72 3,596.11	0.41% 6,007.72	A2/A+ A+	2.37 1.31
58933YBH7	MERCK & CO INC 4.05 05/17/2028	1,000,000.00	-- 4.07%	998,926.00 998,926.00	100.72 3.73%	1,007,205.00 4,950.00	0.69% 8,279.00	Aa3/A+ NA	2.38 2.16
87612EBU9	TARGET CORP 4.35 06/15/2028	255,000.00	06/05/2025 4.35%	254,997.45 254,997.45	101.17 3.85%	257,982.23 493.00	0.18% 2,984.78	A2/A A	2.46 2.23
78016HZS2	ROYAL BANK OF CANADA 5.2 08/01/2028	800,000.00	09/11/2023 5.50%	789,600.00 789,600.00	103.09 3.93%	824,748.00 17,333.33	0.57% 35,148.00	A1/A AA-	2.59 2.35
40139LBH5	GUARDIAN LIFE GLOBAL FUNDING 5.737 10/02/2028	450,000.00	12/07/2023 4.81%	467,644.50 467,644.50	104.33 4.05%	469,496.70 6,382.41	0.32% 1,852.20	Aa1/AA+ NA	2.76 2.50
66815L2Q1	NORTHWESTERN MUTUAL GLOBAL FUNDING 4.71 01/10/2029	500,000.00	-- 4.67%	500,944.24 500,944.24	101.77 4.08%	508,828.50 11,186.25	0.35% 7,884.26	Aa1/AA+ AAA	3.03 2.74

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Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
24422EXH7	JOHN DEERE CAPITAL CORP 4.5 01/16/2029	500,000.00	01/10/2024 4.53%	499,325.00 499,325.00	101.60 3.94%	507,986.00 10,312.50	0.35% 8,661.00	A1/A A+	3.04 2.76
57629W5B2	MASSMUTUAL GLOBAL FUNDING II 4.85 01/17/2029	600,000.00	01/09/2024 4.85%	599,922.00 599,922.00	102.04 4.13%	612,237.60 13,256.67	0.42% 12,315.60	Aa3/AA+ AA+	3.05 2.75
46647PAM8	JPMORGAN CHASE & CO 3.509 01/23/2029	500,000.00	02/23/2024 5.13%	471,610.00 471,610.00	99.05 4.28%	495,255.50 7,700.31	0.34% 23,645.50	A1/A AA-	3.06 1.93
69371RS80	PACCAR FINANCIAL CORP 4.6 01/31/2029	980,000.00	01/24/2024 4.64%	978,402.60 978,402.60	101.84 3.96%	997,988.88 18,908.56	0.69% 19,586.28	A1/A+ NA	3.08 2.80
61747YFA8	MORGAN STANLEY 5.123 02/01/2029	500,000.00	02/23/2024 5.23%	498,170.00 498,170.00	102.08 4.50%	510,416.50 10,672.92	0.35% 12,246.50	A1/A- A+	3.09 1.92
06051GMT3	BANK OF AMERICA CORP 4.623 05/09/2029	600,000.00	05/08/2025 4.86%	598,722.00 598,722.00	101.33 4.26%	607,959.60 4,006.60	0.42% 9,237.60	A1/A- AA-	3.35 2.20
59217GFT1	METROPOLITAN LIFE GLOBAL FUNDING I 4.9 01/09/2030	600,000.00	01/02/2025 4.95%	598,764.00 598,764.00	102.32 4.27%	613,908.00 14,046.67	0.42% 15,144.00	Aa3/AA- AA-	4.02 3.54
57629TBV8	MASSMUTUAL GLOBAL FUNDING II 4.95 01/10/2030	580,000.00	01/03/2025 4.96%	579,721.60 579,721.60	102.38 4.30%	593,775.00 13,637.25	0.41% 14,053.40	Aa3/AA+ AA+	4.03 3.54
61747YFK6	MORGAN STANLEY 5.173 01/16/2030	550,000.00	01/13/2025 5.39%	545,737.50 545,737.50	102.66 4.45%	564,611.85 13,040.27	0.39% 18,874.35	A1/A- A+	4.04 2.73
46647PEB8	JPMORGAN CHASE & CO 5.012 01/23/2030	750,000.00	01/21/2025 5.02%	749,812.50 749,812.50	102.47 4.35%	768,525.00 16,497.83	0.53% 18,712.50	A1/A AA-	4.06 2.76
95000U3J0	WELLS FARGO & CO 5.198 01/23/2030	750,000.00	01/22/2025 5.13%	751,852.50 751,852.50	102.99 4.40%	772,387.50 17,110.08	0.53% 20,535.00	A1/BBB+ A+	4.06 2.75
26442CBA1	DUKE ENERGY CAROLINAS LLC 2.45 02/01/2030	900,000.00	02/26/2025 4.69%	812,205.00 812,205.00	93.78 4.12%	843,986.70 9,187.50	0.58% 31,781.70	Aa3/A NA	4.09 3.78
63743HFX5	NATIONAL RURAL UTILITIES COOPERATIVE FINANCE CORP 4.95 02/07/2030	580,000.00	02/04/2025 4.98%	579,112.60 579,112.60	102.92 4.17%	596,921.50 11,484.00	0.41% 17,808.90	A2/NA A	4.10 3.55
02665WFY2	AMERICAN HONDA FINANCE CORP 4.8 03/05/2030	400,000.00	03/03/2025 4.82%	399,648.00 399,648.00	102.17 4.23%	408,692.40 6,186.67	0.28% 9,044.40	A3/A- NA	4.18 3.70
74153WCW7	PRICOA GLOBAL FUNDING I 4.7 05/28/2030	750,000.00	08/20/2025 4.38%	760,282.50 760,282.50	101.76 4.26%	763,227.00 3,231.25	0.53% 2,944.50	Aa3/AA- AA-	4.41 3.93
66815L2W8	NORTHWESTERN MUTUAL GLOBAL FUNDING 4.6 06/03/2030	500,000.00	05/27/2025 4.60%	499,910.00 499,910.00	101.47 4.23%	507,370.00 1,788.89	0.35% 7,460.00	Aa1/AA+ AAA	4.42 3.96
74464AAC5	PUBLIC STORAGE OPERATING CO 4.375 07/01/2030	750,000.00	08/19/2025 4.32%	751,845.00 751,845.00	100.82 4.17%	756,120.75 16,497.40	0.52% 4,275.75	A2/A NA	4.50 3.98

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
437076DJ8	HOME DEPOT INC 3.95 09/15/2030	1,000,000.00	09/09/2025 4.02%	996,900.00 996,900.00	99.77 4.00%	997,694.00 11,630.56	0.69% 794.00	A2/A A	4.71 4.20
828807DZ7	SIMON PROPERTY GROUP LP 4.375 10/01/2030	800,000.00	10/07/2025 4.28%	803,422.14 803,422.14	100.72 4.20%	805,739.20 12,833.33	0.55% 2,317.06	A3/A NA	4.75 4.12
40139LBN2	GUARDIAN LIFE GLOBAL FUNDING 4.327 10/06/2030	650,000.00	09/30/2025 4.33%	650,000.00 650,000.00	100.18 4.28%	651,192.75 6,640.74	0.45% 1,192.75	Aa1/AA+ NA	4.76 4.22
141781CF9	CARGILL INC 4.125 10/23/2030	450,000.00	10/21/2025 4.11%	450,261.00 450,261.00	99.57 4.22%	448,050.15 3,506.25	0.31% (2,210.85)	A2/A NA	4.81 4.29
717081FD0	PFIZER INC 4.2 11/15/2030	585,000.00	11/18/2025 4.22%	584,537.85 584,537.85	100.46 4.09%	587,709.72 2,730.00	0.40% 3,171.87	A2/A NA	4.87 4.28
Total Corporate		**36,390,000.00**	**4.01%**	**36,216,957.13** **36,216,957.13**	**100.49** **4.00%**	**36,554,326.37** **437,773.37**	**25.16%** **337,369.24**		**2.59** **2.21**
MONEY MARKET FUND									
31846V567	FIRST AMER:GVT OBLG Z	1,404,579.23	-- 3.64%	1,404,579.23 1,404,579.23	1.00 3.64%	1,404,579.23 0.00	0.97% 0.00	Aaa/ AAAm AAA	0.00 0.00
31846V567	FIRST AMER:GVT OBLG Z	196,538.40	-- 3.64%	196,538.40 196,538.40	1.00 3.64%	196,538.40 0.00	0.14% 0.00	Aaa/ AAAm AAA	0.00 0.00
Total Money Market Fund		**1,601,117.63**	**3.64%**	**1,601,117.63** **1,601,117.63**	**1.00** **3.64%**	**1,601,117.63** **0.00**	**1.10%** **0.00**		**0.00** **0.00**
MUNICIPAL BONDS									
93974EYF7	WASHINGTON STATE 3.5 08/01/2029	850,000.00	07/20/2022 3.60%	844,985.00 844,985.00	99.33 3.70%	844,310.95 12,395.83	0.58% (674.05)	Aaa/AA+ AA+	3.58 3.29
882724WW3	TEXAS STATE 4.0 10/01/2029	500,000.00	05/02/2023 4.05%	498,530.00 498,530.00	100.62 3.82%	503,092.50 5,000.00	0.35% 4,562.50	NA/AAA AAA	3.75 3.42
649791RF9	NEW YORK ST 1.84 03/15/2030	300,000.00	06/01/2022 3.89%	258,996.00 258,996.00	92.12 3.89%	276,349.20 1,625.33	0.19% 17,353.20	Aa1/AA+ AA+	4.20 3.96
544351QV4	LOS ANGELES CALIF 5.0 09/01/2030	500,000.00	09/16/2022 4.20%	524,990.00 524,990.00	104.51 3.93%	522,574.00 8,333.33	0.36% (2,416.00)	Aa2/AA- AAA	4.67 4.08
649791PX2	NEW YORK ST 2.8 02/15/2032	1,000,000.00	06/07/2022 3.89%	912,410.00 912,410.00	92.84 4.14%	928,380.00 10,577.78	0.64% 15,970.00	Aa1/AA+ AA+	6.13 5.47

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
13063ESC1	CALIFORNIA ST 4.35 11/01/2032	900,000.00	10/31/2025 4.26%	904,788.00 904,788.00	100.90 4.20%	908,059.50 5,981.25	0.62% 3,271.50	Aa2/AA- AA	6.84 5.82
13063EMK9	CALIFORNIA ST 4.5 04/01/2033	770,000.00	12/30/2024 5.04%	744,174.20 744,174.20	100.47 4.42%	773,623.62 8,662.50	0.53% 29,449.42	Aa2/AA- AA	7.25 2.10
Total Municipal Bonds		**4,820,000.00**	**4.15%**	**4,688,873.20** **4,688,873.20**	**98.83** **4.05%**	**4,756,389.77** **52,576.03**	**3.27%** **67,516.57**		**5.47** **4.14**
SUPRANATIONAL									
4581X0DV7	INTER-AMERICAN DEVELOPMENT BANK 0.875 04/20/2026	2,430,000.00	04/13/2021 0.97%	2,418,870.60 2,418,870.60	99.14 3.77%	2,409,077.70 4,193.44	1.66% (9,792.90)	Aaa/AAA NA	0.30 0.30
4581X0DV7	INTER-AMERICAN DEVELOPMENT BANK 0.875 04/20/2026	1,050,000.00	04/13/2021 0.97%	1,045,191.00 1,045,191.00	99.14 3.77%	1,040,959.50 1,811.98	0.72% (4,231.50)	Aaa/AAA NA	0.30 0.30
Total Supranational		**3,480,000.00**	**0.97%**	**3,464,061.60** **3,464,061.60**	**99.14** **3.77%**	**3,450,037.20** **6,005.42**	**2.37%** **(14,024.40)**		**0.30** **0.30**
US TREASURY									
91282CBH3	UNITED STATES TREASURY 0.375 01/31/2026	1,000,000.00	02/23/2021 0.73%	990,156.25 990,156.25	99.74 3.68%	997,402.00 1,569.29	0.69% 7,245.75	Aa1/AA+ AA+	0.08 0.08
91282CJV4	UNITED STATES TREASURY 4.25 01/31/2026	1,000,000.00	04/21/2025 4.07%	1,001,289.06 1,001,289.06	100.04 3.68%	1,000,400.00 17,785.33	0.69% (889.06)	Aa1/AA+ AA+	0.08 0.08
91282CGL9	UNITED STATES TREASURY 4.0 02/15/2026	2,000,000.00	04/21/2025 4.05%	1,999,140.63 1,999,140.63	100.03 3.70%	2,000,582.00 30,217.39	1.38% 1,441.37	Aa1/AA+ AA+	0.13 0.12
912797PV3	UNITED STATES TREASURY 03/19/2026	2,000,000.00	04/21/2025 3.96%	1,930,030.28 1,930,030.28	99.26 3.60%	1,985,110.00 0.00	1.37% 55,079.72	P-1/A-1+ F1+	0.21 0.21
912797SC2	UNITED STATES TREASURY 03/26/2026	1,400,000.00	09/25/2025 3.86%	1,373,727.35 1,373,727.35	99.19 3.60%	1,388,647.40 0.00	0.96% 14,920.05	P-1/A-1+ F1+	0.23 0.23
91282CKH3	UNITED STATES TREASURY 4.5 03/31/2026	2,000,000.00	04/24/2025 4.02%	2,008,671.88 2,008,671.88	100.21 3.58%	2,004,216.00 22,994.51	1.38% (4,455.88)	Aa1/AA+ AA+	0.25 0.24
912797QD2	UNITED STATES TREASURY 04/16/2026	3,400,000.00	-- 3.89%	3,296,042.97 3,296,042.97	98.98 3.61%	3,365,384.60 0.00	2.32% 69,341.63	P-1/A-1+ F1+	0.29 0.28
912797SN8	UNITED STATES TREASURY 04/30/2026	2,000,000.00	11/19/2025 3.82%	1,966,865.31 1,966,865.31	98.84 3.62%	1,976,884.00 0.00	1.36% 10,018.69	P-1/A-1+ F1+	0.33 0.32
912797QN0	UNITED STATES TREASURY 05/14/2026	2,000,000.00	11/19/2025 3.81%	1,964,081.25 1,964,081.25	98.72 3.59%	1,974,368.00 0.00	1.36% 10,286.75	P-1/A-1+ F1+	0.37 0.36

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Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
91282CCF6	UNITED STATES TREASURY 0.75 05/31/2026	1,000,000.00	06/18/2021 0.99%	992,500.00 992,500.00	98.85 3.60%	988,491.00 659.34	0.68% (4,009.00)	Aa1/AA+ AA+	0.41 0.40
91282CCW9	UNITED STATES TREASURY 0.75 08/31/2026	1,000,000.00	10/27/2021 1.29%	981,953.13 981,953.13	98.17 3.59%	981,705.00 2,548.34	0.68% (248.13)	Aa1/AA+ AA+	0.67 0.64
91282CDG3	UNITED STATES TREASURY 1.125 10/31/2026	2,000,000.00	-- 1.29%	1,988,408.21 1,988,408.21	97.99 3.62%	1,959,766.00 3,853.59	1.35% (28,642.21)	Aa1/AA+ AA+	0.83 0.81
91282CDG3	UNITED STATES TREASURY 1.125 10/31/2026	1,275,000.00	-- 1.27%	1,266,842.77 1,266,842.77	97.99 3.62%	1,249,350.83 2,456.66	0.86% (17,491.95)	Aa1/AA+ AA+	0.83 0.81
912828Z78	UNITED STATES TREASURY 1.5 01/31/2027	2,750,000.00	-- 2.81%	2,601,464.85 2,601,464.85	97.86 3.54%	2,691,240.75 17,262.23	1.85% 89,775.90	Aa1/AA+ AA+	1.08 1.05
912828Z78	UNITED STATES TREASURY 1.5 01/31/2027	1,350,000.00	03/15/2022 2.08%	1,314,087.89 1,314,087.89	97.86 3.54%	1,321,154.55 8,474.18	0.91% 7,066.66	Aa1/AA+ AA+	1.08 1.05
91282CEN7	UNITED STATES TREASURY 2.75 04/30/2027	1,750,000.00	-- 3.60%	1,687,695.32 1,687,695.32	99.03 3.50%	1,733,047.75 8,242.40	1.19% 45,352.43	Aa1/AA+ AA+	1.33 1.28
91282CEN7	UNITED STATES TREASURY 2.75 04/30/2027	1,000,000.00	06/06/2022 3.01%	988,046.87 988,046.87	99.03 3.50%	990,313.00 4,709.94	0.68% 2,266.13	Aa1/AA+ AA+	1.33 1.28
91282CEW7	UNITED STATES TREASURY 3.25 06/30/2027	2,750,000.00	-- 3.16%	2,759,296.88 2,759,296.88	99.66 3.49%	2,740,548.25 246.89	1.89% (18,748.63)	Aa1/AA+ AA+	1.50 1.45
91282CEW7	UNITED STATES TREASURY 3.25 06/30/2027	1,000,000.00	08/05/2022 2.97%	1,012,421.87 1,012,421.87	99.66 3.49%	996,563.00 89.78	0.69% (15,858.87)	Aa1/AA+ AA+	1.50 1.45
91282CFB2	UNITED STATES TREASURY 2.75 07/31/2027	1,100,000.00	09/19/2022 3.70%	1,054,023.44 1,054,023.44	98.87 3.49%	1,087,582.10 12,658.97	0.75% 33,558.66	Aa1/AA+ AA+	1.58 1.51
91282CFH9	UNITED STATES TREASURY 3.125 08/31/2027	1,325,000.00	-- 3.38%	1,311,405.27 1,311,405.27	99.43 3.48%	1,317,391.85 14,068.97	0.91% 5,986.58	Aa1/AA+ AA+	1.67 1.58
91282CFM8	UNITED STATES TREASURY 4.125 09/30/2027	1,900,000.00	-- 3.87%	1,920,210.94 1,920,210.94	101.07 3.48%	1,920,335.70 20,024.38	1.32% 124.76	Aa1/AA+ AA+	1.75 1.65
91282CFM8	UNITED STATES TREASURY 4.125 09/30/2027	2,300,000.00	-- 4.14%	2,299,117.18 2,299,117.18	101.07 3.48%	2,324,616.90 24,240.04	1.60% 25,499.72	Aa1/AA+ AA+	1.75 1.65
91282CLX7	UNITED STATES TREASURY 4.125 11/15/2027	1,500,000.00	04/17/2025 3.77%	1,512,890.63 1,512,890.63	101.14 3.49%	1,517,109.00 8,033.49	1.04% 4,218.37	Aa1/AA+ AA+	1.87 1.78
91282CGC9	UNITED STATES TREASURY 3.875 12/31/2027	2,250,000.00	-- 3.84%	2,253,222.66 2,253,222.66	100.75 3.48%	2,266,787.25 240.85	1.56% 13,564.59	Aa1/AA+ AA+	2.00 1.91
91282CGC9	UNITED STATES TREASURY 3.875 12/31/2027	1,250,000.00	01/26/2023 3.60%	1,264,355.47 1,264,355.47	100.75 3.48%	1,259,326.25 133.81	0.87% (5,029.22)	Aa1/AA+ AA+	2.00 1.91
91282CMF5	UNITED STATES TREASURY 4.25 01/15/2028	800,000.00	04/08/2025 3.84%	808,406.25 808,406.25	101.47 3.49%	811,781.60 15,706.52	0.56% 3,375.35	Aa1/AA+ AA+	2.04 1.90

Alameda County Water District Cons | Account #10955 | As of December 31, 2025

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
91282CGP0	UNITED STATES TREASURY 4.0 02/29/2028	1,300,000.00	04/04/2025 3.66%	1,311,933.59 1,311,933.59	101.04 3.49%	1,313,559.00 17,668.51	0.90% 1,625.41	Aa1/AA+ AA+	2.16 2.03
91282CGT2	UNITED STATES TREASURY 3.625 03/31/2028	750,000.00	05/15/2023 3.48%	754,658.21 754,658.21	100.27 3.50%	751,992.00 6,946.26	0.52% (2,666.21)	Aa1/AA+ AA+	2.25 2.12
91282CGT2	UNITED STATES TREASURY 3.625 03/31/2028	750,000.00	05/15/2023 3.48%	754,658.21 754,658.21	100.27 3.50%	751,992.00 6,946.26	0.52% (2,666.21)	Aa1/AA+ AA+	2.25 2.12
91282CMW8	UNITED STATES TREASURY 3.75 04/15/2028	1,500,000.00	04/17/2025 3.77%	1,499,296.88 1,499,296.88	100.52 3.51%	1,507,792.50 12,053.57	1.04% 8,495.62	Aa1/AA+ AA+	2.29 2.16
9128284V9	UNITED STATES TREASURY 2.875 08/15/2028	700,000.00	06/01/2022 3.03%	694,750.00 694,750.00	98.39 3.52%	688,761.50 7,601.56	0.47% (5,988.50)	Aa1/AA+ AA+	2.62 2.47
9128285M8	UNITED STATES TREASURY 3.125 11/15/2028	1,350,000.00	-- 4.34%	1,312,939.45 1,312,939.45	98.88 3.54%	1,334,917.80 5,477.38	0.92% 21,978.35	Aa1/AA+ AA+	2.88 2.71
91282CKG5	UNITED STATES TREASURY 4.125 03/31/2029	1,200,000.00	04/07/2025 3.76%	1,215,984.38 1,215,984.38	101.66 3.58%	1,219,875.60 12,646.98	0.84% 3,891.22	Aa1/AA+ AA+	3.25 2.99
91282CEM9	UNITED STATES TREASURY 2.875 04/30/2029	1,000,000.00	-- 2.83%	1,002,431.64 1,002,431.64	97.79 3.59%	977,891.00 4,924.03	0.67% (24,540.64)	Aa1/AA+ AA+	3.33 3.12
91282CFC0	UNITED STATES TREASURY 2.625 07/31/2029	600,000.00	08/02/2022 2.77%	595,101.56 595,101.56	96.71 3.61%	580,265.40 6,591.03	0.40% (14,836.16)	Aa1/AA+ AA+	3.58 3.34
91282CFL0	UNITED STATES TREASURY 3.875 09/30/2029	1,500,000.00	12/05/2022 3.74%	1,511,484.38 1,511,484.38	100.86 3.62%	1,512,949.50 14,850.62	1.04% 1,465.12	Aa1/AA+ AA+	3.75 3.42
91282CGJ4	UNITED STATES TREASURY 3.5 01/31/2030	1,000,000.00	02/03/2023 3.56%	996,289.06 996,289.06	99.43 3.65%	994,258.00 14,646.74	0.68% (2,031.06)	Aa1/AA+ AA+	4.08 3.71
91282CGQ8	UNITED STATES TREASURY 4.0 02/28/2030	300,000.00	02/24/2023 4.10%	298,253.91 298,253.91	101.27 3.67%	303,820.20 4,077.35	0.21% 5,566.29	Aa1/AA+ AA+	4.16 3.75
91282CHJ3	UNITED STATES TREASURY 3.75 06/30/2030	1,700,000.00	-- 3.75%	1,698,769.53 1,698,769.53	100.24 3.69%	1,704,051.10 176.11	1.17% 5,281.57	Aa1/AA+ AA+	4.50 4.10
91282CHR5	UNITED STATES TREASURY 4.0 07/31/2030	700,000.00	12/28/2023 3.84%	706,644.53 706,644.53	101.27 3.70%	708,886.50 11,717.39	0.49% 2,241.97	Aa1/AA+ AA+	4.58 4.09
91282CHW4	UNITED STATES TREASURY 4.125 08/31/2030	1,000,000.00	09/11/2023 4.37%	985,507.81 985,507.81	101.76 3.71%	1,017,578.00 14,015.88	0.70% 32,070.19	Aa1/AA+ AA+	4.67 4.15
91282CJX0	UNITED STATES TREASURY 4.0 01/31/2031	550,000.00	02/23/2024 4.33%	539,085.94 539,085.94	101.15 3.75%	556,337.65 9,206.52	0.38% 17,251.71	Aa1/AA+ AA+	5.08 4.49
91282CKC4	UNITED STATES TREASURY 4.25 02/28/2031	1,500,000.00	03/20/2024 4.27%	1,497,832.03 1,497,832.03	102.30 3.75%	1,534,512.00 21,660.91	1.06% 36,679.97	Aa1/AA+ AA+	5.16 4.54
91282CCB5	UNITED STATES TREASURY 1.625 05/15/2031	650,000.00	08/02/2022 2.73%	594,166.02 594,166.02	89.59 3.79%	582,333.70 1,371.37	0.40% (11,832.32)	Aa1/AA+ AA+	5.37 5.04

Alameda County Water District Cons | Account #10955 | As of December 31, 2025

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
91282CDJ7	UNITED STATES TREASURY 1.375 11/15/2031	600,000.00	08/11/2022 2.83%	529,195.31 529,195.31	87.11 3.85%	522,633.00 1,071.13	0.36% (6,562.31)	Aa1/AA+ AA+	5.87 5.52
91282CLZ2	UNITED STATES TREASURY 4.125 11/30/2031	1,550,000.00	12/19/2024 4.48%	1,517,667.97 1,517,667.97	101.50 3.84%	1,573,310.45 5,620.88	1.08% 55,642.48	Aa1/AA+ AA+	5.91 5.19
91282CMC2	UNITED STATES TREASURY 4.5 12/31/2031	1,000,000.00	01/13/2025 4.70%	988,242.19 988,242.19	103.48 3.84%	1,034,844.00 124.31	0.71% 46,601.81	Aa1/AA+ AA+	6.00 5.23
91282CMK4	UNITED STATES TREASURY 4.375 01/31/2032	1,270,000.00	02/19/2025 4.47%	1,262,757.03 1,262,757.03	102.78 3.86%	1,305,322.51 23,251.70	0.90% 42,565.48	Aa1/AA+ AA+	6.08 5.22
91282CMR9	UNITED STATES TREASURY 4.125 02/29/2032	750,000.00	03/20/2025 4.10%	751,025.39 751,025.39	101.41 3.86%	760,576.50 10,511.91	0.52% 9,551.11	Aa1/AA+ AA+	6.16 5.33
91282CMT5	UNITED STATES TREASURY 4.125 03/31/2032	800,000.00	04/08/2025 4.06%	802,906.25 802,906.25	101.37 3.87%	810,968.80 8,431.32	0.56% 8,062.55	Aa1/AA+ AA+	6.25 5.41
91282CNA5	UNITED STATES TREASURY 4.0 04/30/2032	1,000,000.00	05/05/2025 4.15%	990,976.56 990,976.56	100.65 3.88%	1,006,484.00 6,850.83	0.69% 15,507.44	Aa1/AA+ AA+	6.33 5.51
91282CEP2	UNITED STATES TREASURY 2.875 05/15/2032	800,000.00	-- 3.15%	788,535.16 788,535.16	94.29 3.90%	754,312.80 2,986.19	0.52% (34,222.36)	Aa1/AA+ AA+	6.37 5.71
91282CFF3	UNITED STATES TREASURY 2.75 08/15/2032	380,000.00	08/17/2022 2.89%	375,695.31 375,695.31	93.21 3.92%	354,216.24 3,947.15	0.24% (21,479.07)	Aa1/AA+ AA+	6.62 5.89
91282CGM7	UNITED STATES TREASURY 3.5 02/15/2033	230,000.00	05/18/2023 3.66%	227,035.16 227,035.16	97.18 3.96%	223,522.28 3,040.63	0.15% (3,512.88)	Aa1/AA+ AA+	7.13 6.14
91282CHC8	UNITED STATES TREASURY 3.375 05/15/2033	1,000,000.00	06/15/2023 3.72%	971,289.06 971,289.06	96.14 3.98%	961,367.00 4,381.91	0.66% (9,922.06)	Aa1/AA+ AA+	7.37 6.41
91282CHT1	UNITED STATES TREASURY 3.875 08/15/2033	900,000.00	-- 4.72%	840,814.46 840,814.46	99.17 4.00%	892,512.00 13,172.89	0.61% 51,697.54	Aa1/AA+ AA+	7.62 6.44
91282CLW9	UNITED STATES TREASURY 4.25 11/15/2034	800,000.00	12/19/2024 4.55%	781,156.25 781,156.25	101.05 4.11%	808,406.40 4,414.36	0.56% 27,250.15	Aa1/AA+ AA+	8.87 7.30
Total US Treasury		**74,230,000.00**	**3.52%**	**73,343,437.83** **73,343,437.83**	**99.60** **3.62%**	**73,900,354.21** **476,600.60**	**50.86%** **556,916.37**		**2.46** **2.23**
Total Portfolio		**145,497,185.00**	**3.74%**	**144,044,993.60** **144,044,993.60**	**98.81** **3.79%**	**145,289,611.14** **1,074,077.66**	**100.00%** **1,244,617.54**		**2.86** **2.42**
Total Market Value + Accrued						**146,363,688.80**			

ACWD RESTRICTED FUND
Portfolio Management
Portfolio Details - Investments
December 31, 2025

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	Term	Days to Maturity	YTM	Maturity Date
Passbook/Checking											
15REV-MMFD	15REV-MMFD	15 REVENUE BONDS FUND		129.39	129.39	129.39		1	1	0.000	
22REV-MMFD	22REV-MMFD	22 REVENUE BONDS FUND		821.70	821.70	821.70		1	1	0.000	
25REV-MMFD	25REV-MMFD	25 REVENUE BONDS FUND		1,875.40	1,875.40	1,875.40		1	1	0.000	
		Subtotal and Average		**2,826.49**	**2,826.49**	**2,826.49**		**1**	**1**	**0.000**	
		Total and Average		**2,826.49**	**2,826.49**	**2,826.49**		**1**	**1**	**0.000**	

TRANSACTION LEDGER

CHANDLER ASSET MANAGEMENT

Alameda County Water District | Account #10684|10/01/2025 Through 12/31/2025|

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/ Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	11/20/2025	912797QN0	2,000,000.00	UNITED STATES TREASURY 05/14/2026	98.204	3.81%	(1,964,081.25)	0.00	(1,964,081.25)	0.00
Purchase	11/20/2025	912797SN8	2,000,000.00	UNITED STATES TREASURY 04/30/2026	98.343	3.82%	(1,966,865.31)	0.00	(1,966,865.31)	0.00
Total Purchase			**4,000,000.00**				**(3,930,946.56)**	**0.00**	**(3,930,946.56)**	**0.00**
TOTAL ACQUISITIONS			**4,000,000.00**				**(3,930,946.56)**	**0.00**	**(3,930,946.56)**	**0.00**
DISPOSITIONS										
Maturity	10/15/2025	91282CFP1	(150,000.00)	UNITED STATES TREASURY 4.25 10/15/2025	100.000	4.07%	150,000.00	0.00	150,000.00	(650.39)
Maturity	10/28/2025	459058JL8	(1,000,000.00)	INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPM 0.5 10/28/2025	100.000	0.63%	1,000,000.00	0.00	1,000,000.00	5,840.00
Maturity	10/28/2025	459058JL8	(1,060,000.00)	INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPM 0.5 10/28/2025	100.000	0.47%	1,060,000.00	0.00	1,060,000.00	(678.40)
Maturity	10/28/2025	459058JL8	(740,000.00)	INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPM 0.5 10/28/2025	100.000	0.54%	740,000.00	0.00	740,000.00	836.20
Maturity	11/07/2025	3135G06G3	(615,000.00)	FEDERAL NATIONAL MORTGAGE ASSOCIATION 0.5 11/07/2025	100.000	0.57%	615,000.00	0.00	615,000.00	2,201.70
Maturity	12/12/2025	3130ATUC9	(750,000.00)	FEDERAL HOME LOAN BANKS 4.5 12/12/2025	100.000	4.21%	750,000.00	0.00	750,000.00	(5,447.00)
Total Maturity			**(4,315,000.00)**				**4,315,000.00**	**0.00**	**4,315,000.00**	**2,102.11**
TOTAL DISPOSITIONS			**(4,315,000.00)**				**4,315,000.00**	**0.00**	**4,315,000.00**	**2,102.11**

TRANSACTION LEDGER

CHANDLER ASSET MANAGEMENT

Alameda County Water District - Long Term | Account #10954 | 10/01/2025 Through 12/31/2025 |

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/ Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	10/08/2025	828807DZ7	380,000.00	SIMON PROPERTY GROUP LP 4.375 10/01/2030	100.425	4.28%	(381,615.00)	(2,262.85)	(383,877.85)	0.00
Purchase	10/08/2025	828807DZ7	174,000.00	SIMON PROPERTY GROUP LP 4.375 10/01/2030	100.425	4.28%	(174,739.50)	(1,036.15)	(175,775.65)	0.00
Purchase	10/08/2025	828807DZ7	246,000.00	SIMON PROPERTY GROUP LP 4.375 10/01/2030	100.434	4.27%	(247,067.64)	(1,464.90)	(248,532.54)	0.00
Purchase	10/09/2025	91282CHJ3	1,200,000.00	UNITED STATES TREASURY 3.75 06/30/2030	100.273	3.69%	(1,203,281.25)	(12,350.54)	(1,215,631.79)	0.00
Purchase	10/10/2025	17305EHA6	1,000,000.00	CCCIT 2025-A1 A1 4.3 06/21/2030	101.000	3.90%	(1,010,000.00)	(12,422.22)	(1,022,422.22)	0.00
Purchase	10/14/2025	91282CEP2	300,000.00	UNITED STATES TREASURY 2.875 05/15/2032	94.570	3.81%	(283,710.94)	(3,562.50)	(287,273.44)	0.00
Purchase	10/23/2025	141781CF9	450,000.00	CARGILL INC 4.125 10/23/2030	100.058	4.11%	(450,261.00)	0.00	(450,261.00)	0.00
Purchase	11/06/2025	13063ESC1	900,000.00	CALIFORNIA ST 4.35 11/01/2032	100.532	4.26%	(904,788.00)	0.00	(904,788.00)	0.00
Purchase	11/13/2025	3137HNTK4	750,000.00	FHMS K-762 A2 4.36 09/25/2032	100.339	4.25%	(752,540.25)	(1,090.00)	(753,630.25)	0.00
Purchase	11/21/2025	717081FD0	585,000.00	PFIZER INC 4.2 11/15/2030	99.921	4.22%	(584,537.85)	0.00	(584,537.85)	0.00
Purchase	12/18/2025	3137HPET6	700,000.00	FHMS K-763 A2 4.17 10/25/2032	99.157	4.20%	(694,097.60)	(1,378.42)	(695,476.02)	0.00
Total Purchase			**6,685,000.00**				**(6,686,639.03)**	**(35,567.58)**	**(6,722,206.61)**	**0.00**
TOTAL ACQUISITIONS			**6,685,000.00**				**(6,686,639.03)**	**(35,567.58)**	**(6,722,206.61)**	**0.00**

DISPOSITIONS

TRANSACTION LEDGER

CHANDLER ASSET MANAGEMENT

Alameda County Water District - Long Term | Account #10954|10/01/2025 Through 12/31/2025|

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/ Sold	Total Amount	Gain/Loss
Maturity	10/28/2025	459058JL8	(400,000.00)	INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPM 0.5 10/28/2025	100.000	0.54%	400,000.00	0.00	400,000.00	452.00
Total Maturity			**(400,000.00)**				**400,000.00**	**0.00**	**400,000.00**	**452.00**
Sale	10/08/2025	89236TJK2	(540,000.00)	TOYOTA MOTOR CREDIT CORP 1.125 06/18/2026	98.038	1.14%	529,405.20	1,856.25	531,261.45	(10,357.20)
Sale	10/08/2025	91324PEC2	(130,000.00)	UNITEDHEALTH GROUP INC 1.15 05/15/2026	98.292	1.04%	127,779.60	593.85	128,373.45	(2,653.30)
Sale	10/09/2025	91282CCF6	(600,000.00)	UNITED STATES TREASURY 0.75 05/31/2026	98.098	0.91%	588,585.94	1,610.66	590,196.60	(6,914.06)
Sale	10/09/2025	91282CBH3	(600,000.00)	UNITED STATES TREASURY 0.375 01/31/2026	98.906	0.58%	593,437.50	427.99	593,865.49	(656.25)
Sale	10/10/2025	91282CCW9	(1,050,000.00)	UNITED STATES TREASURY 0.75 08/31/2026	97.426	0.77%	1,022,970.70	870.17	1,023,840.87	(26,250.01)
Sale	10/14/2025	02665WFY2	(240,000.00)	AMERICAN HONDA FINANCE CORP 4.8 03/05/2030	102.021	4.82%	244,850.40	1,248.00	246,098.40	5,061.60
Sale	10/22/2025	3130AFFX0	(450,000.00)	FEDERAL HOME LOAN BANKS 3.25 11/16/2028	99.569	2.84%	448,060.50	6,337.50	454,398.00	(11,439.00)
Sale	11/03/2025	13063DMB1	(500,000.00)	3.05 04/01/2029	97.391	3.69%	486,955.00	1,355.56	488,310.56	6,230.00
Sale	11/12/2025	3137FLN91	(500,000.00)	FHMS K-091 A2 3.505 03/25/2029	98.805	3.28%	494,023.43	535.49	494,558.92	(9,023.45)
Sale	11/12/2025	3137FLMV3	(1,000,000.00)	FHMS K-090 A2 3.422 02/25/2029	98.570	4.95%	985,703.13	1,045.61	986,748.74	66,171.88
Sale	12/11/2025	912828Z78	(150,000.00)	UNITED STATES TREASURY 1.5 01/31/2027	97.633	2.08%	146,449.22	813.18	147,262.40	439.45
Total Sale			**(5,760,000.00)**				**5,668,220.62**	**16,694.26**	**5,684,914.88**	**10,609.66**
TOTAL DISPOSITIONS			**(6,160,000.00)**				**6,068,220.62**	**16,694.26**	**6,084,914.88**	**11,061.66**

ALAMEDA COUNTY WATER DISTRICT

BUDGET REPORT

Month Ending December 31, 2025 — Year to Date Percentage 50%

	FY 2025-26			FY 2024-25		FY 2025-26 vs FY 2024-25	
	Adopted Budget	Year to Date Total	Percent of Budget	Amended Budget	Prior Year to Date (PYTD)	Incr (Decr) From PYTD	% Change From PYTD
BEGINNING CASH BALANCE	**$ 172,950,000**	**$ 171,297,720**		**$ 175,889,000**	**$ 174,691,039**	**$ (3,393,318)**	**-1.9%**
REVENUE							
Water Revenue							
Service Charges	47,999,000	24,425,369	50.9%	46,935,000	22,733,191	1,692,179	7.4%
Commodity Charges	86,046,000	48,979,445	56.9%	81,536,000	48,782,612	196,833	0.4%
Ground Water Revenue	634,000	222,859	35.2%	631,000	141,665	81,195	57.3%
1% Tax Allocation	9,316,000	4,813,232	51.7%	8,445,000	4,544,476	268,756	5.9%
State Water Contract Tax	7,348,000	3,630,397	49.4%	6,452,000	3,901,256	(270,858)	-6.9%
Interest Revenue	4,729,000	2,717,685	57.5%	3,753,000	1,122,297	1,595,388	142.2%
Facilities Connection Charges - FIF	1,680,000	3,647,335	217.1%	4,621,000	526,170	3,121,165	593.2%
Facilities Connection Charges - FRF	820,000	1,807,571	220.4%	2,679,000	255,939	1,551,632	606.3%
Customer Capital Contributions	3,619,000	1,863,675	51.5%	4,093,000	1,681,356	182,319	10.8%
Grants, Reimbursements	6,515,000	133,662	2.1%	1,078,000	1,139,972	(1,006,310)	-88.3%
Other Revenue	9,092,000	10,240,335	112.6%	1,316,000	982,379	9,257,956	942.4%
TOTAL REVENUE	**177,798,000**	**102,481,566**	**57.6%**	**161,539,000**	**85,811,311**	**16,670,255**	**19.4%**
EXPENSES							
Source of Supply							
Water Purchases	40,104,000	14,335,854	35.7%	41,665,000	19,974,401	(5,638,547)	-28.2%
Operation of Supply System	14,254,000	6,126,456	43.0%	13,581,000	5,704,309	422,147	7.4%
Pumping	2,938,000	1,463,947	49.8%	2,586,000	1,413,319	50,628	3.6%
Water Treatment	19,495,000	9,039,663	46.4%	19,532,000	8,340,336	699,327	8.4%
Transmission & Distribution	17,510,000	9,294,859	53.1%	16,053,000	8,289,202	1,005,657	12.1%
Customer Accounts	5,646,000	2,630,501	46.6%	5,232,000	2,436,551	193,951	8.0%
Administrative & General*	28,200,000	25,224,626	89.4%	25,518,000	24,130,733	1,093,893	4.5%
Expense Projects	2,948,000	1,536,114	52.1%	4,121,000	2,025,422	(489,308)	-24.2%
TOTAL EXPENSES	**131,095,000**	**69,652,020**	**53.1%**	**128,288,000**	**72,314,272**	**(2,662,252)**	**-3.7%**
CAPITAL EXPENDITURES	61,095,000	20,503,920	33.6%	58,290,000	36,272,838	(15,768,917)	-43.5%
CUSTOMER CAPITAL CONTRIBUTIONS	3,619,000	1,641,682	45.4%	4,093,000	1,418,859	222,823	15.7%
DEBT SERVICE	7,888,000	2,046,544	25.9%	7,646,000	1,301,748	744,796	57.2%
TOTAL EXPENSES & CAPITAL EXPENDITURES	**203,697,000**	**93,844,165**	**46.1%**	**198,317,000**	**111,307,716**	**(17,463,550)**	**-15.7%**
NET OF REVENUE & EXPENSES	(25,899,000)	8,637,401		(36,778,000)	(25,496,404)	34,133,805	-133.9%
Debt Proceeds	-	-		30,000,000	-	-	0.0%
Reconciling Time Difference		(839,328)			221,899	(1,061,228)	-478.2%
ENDING CASH BALANCE							
General Fund (GF)	88,079,000	112,635,867		99,015,000	81,535,027	31,100,840	38.1%
Facilities Improvement Fund (FIF)	58,971,000	66,459,926		70,095,000	67,881,506	(1,421,580)	-2.1%
Facilities Renewal Fund (FRF)	-	-		-	-	-	0.0%
	$ 147,050,000	**$ 179,095,793**		**$ 169,111,000**	**$ 149,416,534**	**$ 29,679,259**	**19.9%**

* Administrative & General includes full CalPERS UAL prepayment ($4.5m), OPEB UAAL ($2.8m), pension advanced funding ($6.7m), and OPEB Normal Cost ($1.3m)

ALAMEDA COUNTY WATER DISTRICT
M E M O R A N D U M

DATE: February 5, 2026

TO: Board of Directors

FROM: Ed Stevenson, General Manager

SUBJECT: **Personnel Report 2nd Quarter (10/01/25 to 12/31/25)**

Listed below are Sick & Appointment Leave, Overtime, Temporary Services, and Personnel Activity Summaries for the second quarter of FY 2025/26, compared to the same period of FY 2024/25.

Sick & Appointment Leave

Total sick leave hours used through the second quarter of FY 2025/26 were 3,459 (approximately 432 days) compared to 2,977 (approximately 372 used during the same period in FY 2024/25.

A total of 156 employees used sick leave this quarter compared to 143 last year during this period.

This represents an increase of 16.19% of total sick leave.

Total Sick Leave Hours – Q2 FY 2025/26 compared to Q2 FY 2024/25

Year	Days	Hours	Average per Employee	% Change
2025/26	432	3,459	22.17	16.19%
2024/25	372	2,977	20.81	

Total appointment leave hours used through the second quarter of FY 2025/26 were 602 hours (approximately 75 days) compared to 461 hours (approximately 57 days) used in the same period of FY 2024/25.

A total of 89 employees used appointment leave hours in FY 2025/26, compared to 79 employees in FY 2024/25.

This represents an increase of 30.59% in appointment leave usage.

Total Appointment Leave Hours – Q2 FY 2025/26 compared to Q2 FY 2024/25

Year	Days	Hours	Average per Employee	% Change
2025/26	75	602	6.76	30.59%
2024/25	57	461	5.83	

Overtime

Total overtime hours incurred in the second quarter of FY 2025/26 were 3,039 compared to 3,473 in FY 2024/25, representing a decrease of 12.5%. The most OT hours were in Operations & Maintenance by Water Treatment Plant Operators and Treatment Facilities Operators (1,692 hours) followed by Distribution Maintenance (1,001 hours).

Total Overtime Hours – Q2 FY 2025/26 compared to Q2 FY 2024/25

Year	Overtime Hours	% Change
2025/26	3,039	-12.5%
2024/25	3,473	

Vacancy and Open/Ongoing Recruitment Status

Department & Position	Number of Vacancies	Status	Reason
OFFICE OF THE GENERAL MANAGER			
OGM TOTAL	**0**		
ENGINEERING & TECHNOLOGY SVCS			
Engineer I/II	2	Recruitment in progress	Resignations
Engineering Tech I/II		Recruitment completed	Retirement
Engineering Tech I/II	1	Recruitment in progress	Resignation
Senior Engineer	1	Recruitment pending	Promotion
Defined-Term Construction Inspector	1	Recruitment pending	Promotion
Project Engineering Manager	1	Recruitment in progress	Resignation
Chief Information Security Officer		Recruitment completed	Resignation
ETS TOTAL	**6**		
FINANCE & ADMINISTRATION			
Customer Account Rep I/II	1	Recruitment in progress	Promotion
Customer Account Rep I/II (DT)	1	Recruitment pending	Transfer
Human Resources Tech I/II		Recruitment complete	Resignation
Human Resources Tech I/II		Recruitment complete	Resignation
Accountant I/II	1	Recruitment in progress	Upcoming retirement
Senior Business Analyst		Recruitment complete	Upcoming retirement
FIN & ADMIN TOTAL	**3**		
OPERATIONS & MAINTENANCE			
Office Assistant I/II	1	Recruitment in progress	Promotion
Engineering Technician I/II	1	Recruitment pending	
QA/QC Officer	1	Recruitment pending	
Chemist I/II	1	Recruitment pending	
Senior Chemist	1	Recruitment in progress	Promotion
WTP Trainee		Recruitment complete	Termination
Gardener I/II	1	Recruitment pending	
Utility Worker I	2	Recruitment pending	
Utility Mechanic I/II	2	Recruitment in progress	Retirement
DMD Manager		Recruitment complete	Retirement
O&M TOTAL	**10**		
WATER RESOURCES			
Water Supply Supervisor	1	Recruitment in progress	Promotion
Water Supply & Planning Manager	1	Recruitment in progress	Upcoming retirement
Defined-Term Hydrogeologist	1	Recruitment pending	
WR TOTAL	**3**		

Temporary Agency Staffing Services Agreement Costs

Temporary Staffing Agency services costs incurred in the second quarter of 2025/26 were $73,450 compared to $101,296 in the same quarter of FY 2024/25. This represents a decrease of 27.49%.

Temporary Staff Status Report

Position	Department	Start Date	Total Hours Worked	Anticipated End Date	Comments
Customer Account Rep	F&A	8/11/2025	388	2/11/2026	Due to vacant position
Office Assistant	O&M	9/23/2025	252	10/17/2025	Due to vacant position
Office Assistant	O&M	10/27/2025	312	4/26/2026	Due to vacant position
Utility Worker	O&M	10/24/2025	388	4/24/2026	Flushing Program
Utility Worker	O&M	11/03/202	311	5/3/2026	Flushing Program
Temp Agency Employees					**Total: 5**
Engineering Intern	ETS	1/21/2025	677	12/4/2025	6-month assignment not to exceed 30 hours/week
Engineering Intern	O&M	10/6/2025	192	4/6/2026	6-month assignment not to exceed 30 hours/week
OGM Intern	OGM	6/23/2025	618	6/23/2026	6-month assignment not to exceed 30 hours/week
OGM Intern	OGM	6/26/2025	363	10/1/2025	6-month assignment not to exceed 30 hours/week
Water Resources Intern	WR	7/7/2025	690	1/7/2026	6-month assignment not to exceed 30 hours/week
Water Resources Intern	WR	7/9/2025	489	1/9/2026	6-month assignment not to exceed 30 hours/week
Interns					**Total: 6**
DMD Supervisor	O&M	7/1/2025	476	12/31/2025	Retiree Rehire
Instrument Tech 2	O&M	7/1/2025	360	12/31/2025	Retiree Rehire
Construction Inspector	ETS	7/1/2025	736	12/31/2025	Retiree Rehire
DMD Supervisor	O&M	7/1/2025	198	10/9/2025	Retiree Rehire
Retiree Rehires					**Total: 4**
					Grand Total: 15

Personnel Activity

From July 1, 2025, to December 31, 2025, there were eight (8) new hires, fourteen (14) promotions, two (2) resignations, one (1) retirement and one (1) end of assignment.

Department	Total	Position	Date	Action
Office of the General Manager	**1**			
	1	OGM Intern	10/1/2025	End of Assignment
Engineering & Tech Services	**5**			
	1	Engineering Technician II	08/15/2025	Resignation
	1	Project Engineering Manager	10/31/2025	Resignation
	1	Chief Information Security Officer	11/17/2025	New Hire
	1	Engineering Technician II	12/1/2025	New Hire
	1	Engineering Technician II	12/31/2025	Retirement
Finance & Administration	**8**			
	1	Senior Administrative Analyst	07/01/2025	Promotion
	1	DT Meter Reader	07/14/2025	New Hire
	2	Buyer II	08/03/2025	Promotion
	1	Health & Safety Specialist	09/15/2025	New Hire
	1	Human Resources Technician II	09/28/2025	Promotion
	1	Human Resources Technician I	10/6/2025	New Hire
	1	Senior Business Analyst	11/17/2025	New Hire
Operations and Maintenance	**13**			
	1	Instrument & Controls Technician I	07/07/2025	New Hire
	1	Engineering Supervisor	07/20/2025	Promotion
	1	Utility Worker II	08/03/2025	Promotion
	1	Utility Worker II	08/15/2025	Promotion
	1	Utility Worker II	09/14/2024	Promotion
	1	Engineering Tech II	09/14/2025	Promotion
	1	Advanced Treatment Plant Operator	09/14/2025	Promotion
	1	Utility Worker II	09/28/2025	Promotion
	1	Advanced Treatment Plant Operator	09/28/2025	Promotion
	1	Water Production Intern	10/6/2025	New Hire
	1	DMD Supervisor	10/12/2025	Promotion
	1	DMD Manager	10/12/2025	Promotion
	1	WTPO Trainee	10/27/2025	New Hire
Water Resources	**1**			
	1	Engineering Tech II	11/23/2025	Promotion

Personnel Budget

DEPARTMENT	FY 2025/26 Adopted Positions
OFFICE OF THE GENERAL MANAGER	7
ENGINEERING & TECHNOLOGY SERVICES	44
FINANCE & ADMINISTRATION	43
OPERATIONS & MAINTENANCE	120
WATER RESOURCES	29
TOTALS	**243**

ACWD Distribution System Hardness
January 2026