Notice of Preparation of an Environmental Impact Report for the Petition Requesting an Extension of Time to More Fully Exercise Conditional Water Rights for Operation of the State Water Project

CALIFORNIA DEPARTMENT OF WATER RESOURCES

To: Agencies and Interested Parties

Date: September 30, 2025

Subject: Notice of Preparation of an Environmental Impact Report for the California Department of Water Resources' Petition to the State Water Resources Control Board for Extension of Time to modify the timeframe of Conditional Water Rights Under the State Water Project Permits 16478, 16479, 16481, and 16482 for water supply and Permits 16477 and 16480 for hydropower operations

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The Department of Water Resources (DWR) is requesting a time extension to continue the development of its existing water rights permits without altering the existing permitted quantities or rates, purpose of use, season of use, points of diversion, or places of use. The water rights permits that are the subject of this Notice of Preparation are permit numbers 16478, 16479, 16481, 16482, 16477 and 16480 (Water Rights). As the petitioner and project applicant, DWR will prepare an Environmental Impact Report (EIR) for the petition it filed with the State Water Resources Control Board (State Water Board) for a water right extension of time (Extension of Time) to modify the Water Right development timeframes but otherwise remain consistent with the existing conditions of the permits. The EIR will be prepared pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code sections 21000, et seq., and the CEQA Guidelines, Title 14 of the California Code of Regulations sections 15000, et seq. DWR will be the lead agency for this EIR.

DWR currently holds several water right permits[1] that authorize the appropriation of water from the Feather River and Delta channels for the purpose of operating the SWP. The permits initially required that construction of the SWP be completed by December 1, 1980, and complete application of the water to the proposed use be completed by December 1, 1990. On July 2, 1991, DWR petitioned for an extension of time and received approval of the petition from the State Water Board. Term 6 of the amended Permits 16478, 16479, 16481, and 16482 required that construction work be completed by December 31, 2000, while Term 7 required that complete application of the water to beneficial use be completed by December 31, 2009. The same construction and development deadlines are set forth in Terms 7 and 8, respectively, in the power permits (16477 and

[1] Water Rights Permits 16478 (A005630), 16479 (A014443), 16481 (A014445A), and 16482 (A017512) for water supply and Permits 16477 (A005629) and 16480 (A014444) for hydropower operations.

16480). On December 31, 2009, DWR petitioned for a five-year extension (2009 Petitions) of both Terms 6 and 7 of Permits 16478, 16479, 16481, and 16482 and Term 8 of the Power Permits, which the State Water Board did not deny or approve. On January 21, 2025, DWR submitted a petition for extension of time to modify these terms of its conditional water rights under the Water Rights Permits. DWR is preparing this EIR, which is intended to be used by the State Water Board when issuing a decision on DWR's petition.

Purpose of the Notice of Preparation

The purpose of a Notice of Preparation (NOP) is to formally notify responsible and trustee agencies involved in the approval or funding of a project, the Office of Land Use and Climate Innovation, and other interested parties that an EIR will be prepared. The NOP provides information about the proposed project and its potential environmental impacts to allow recipients the opportunity to provide a meaningful response related to the scope and content of the EIR. Responsible and trustee agencies should respond to the NOP with the following information: "[the significant environmental issues and reasonable alternatives and mitigation measures that the responsible or trustee agency, or the Office of Land Use and Climate Innovation will need to have explored in the draft EIR"; and "[whether the agency will be a responsible agency or trustee agency for the project." (CEQA Guidelines, § 15082, subd. (b)(1).)

The description, location, and potential environmental effects of the proposed project are presented below. DWR determined that an EIR would be required for the proposed project.

Background

The SWP is a multi-benefit water storage and delivery system that extends more than 700miles and includes water, power, and conveyance systems. The SWP is the nation's largest state-owned water and power generator and user-financed water system. A collection of canals, pipelines, reservoirs, and hydroelectric power facilities delivers clean water to 27 million Californians, 750,000 acres of farmland, and businesses throughout the State. The existing principal facilities of the SWP are Oroville Reservoir and related facilities; facilities in the Sacramento-San Joaquin Delta and Suisun Marsh including the Harvey O. Banks Pumping Plant, Barker Slough Pumping Plant, North Bay Aqueduct, Suisun Marsh Salinity Control Gates, South Bay Aqueduct; San Luis Dam, and related facilities; and the California Aqueduct, including its branches and terminal reservoirs. The SWP includes 36 storage facilities, 21 pumping plants, five hydroelectric power plants, four pumping-generating plants, and more than 700 miles of canals, tunnels, and pipelines. DWR holds contracts with 29 public agencies in northern, central, and southern California for water supplies from the SWP, collectively referred to as public water agencies or water contractors. These water contractors, in turn, deliver water to wholesale or retail customers or deliver it directly to agricultural, municipal, and industrial water users. Water stored in the Oroville facilities, along with water available in the Delta, is exported to the water contractors, as well as dedicated to environmental regulatory compliance.

The SWP operates consistent with the Water Quality Control Plan for the Sacramento-San Joaquin Bay-Delta (Bay-Delta Plan) through compliance with the terms and conditions of the Water Rights.

DWR operates the SWP in compliance with several other federal permits including the Federal Endangered Species Act through biological opinions issued by the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) for the coordinated operation of the Central Valley Project and the SWP. The Federal biological opinions provide incidental take authority for threatened and endangered species listed under Federal law.

DWR operates the SWP in compliance with the California Endangered Species Act (CESA). DWR operates consistent with an Incidental Take Permit (ITP) issued by the California Department of Fish and Wildlife (CDFW), pursuant to section 2081 of the California Fish and Game Code. The ITP permit provides incidental take authority for threatened and endangered aquatic species that are listed under state law.

During the proposed further development of its beneficial use of its Water Rights, DWR shall comply with all state and federal laws and regulations, including as those laws and regulations are modified over time. As DWR expands its beneficial use over time, it will need to seek new permits from multiple state and federal agencies under several different regulatory programs for its long-term operations and for any further construction of SWP facilities.

Project Description

DWR has submitted the petition to extend the time for Terms 6 and 7 in its Water Rights permits to allow for the potential, under possible future conditions, to put the water under its Water Rights to further beneficial use. Importantly, in this petition, DWR is requesting an extension to a date no later than December 31, 2085 without altering the existing permitted quantities or rates, purpose of use, season of use, points of diversion, or places of use. The requested extension would provide additional time to meet changing water supply demands while ensuring environmental protections.

Location of Project

The Water Rights are located in the Feather River watershed and in the Sacramento-San Joaquin Bay-Delta. The water supply under the Water Rights will be put to beneficial use in the Bay-Delta watershed, and throughout the State of California in the SWP's authorized places of use that span multiple counties including Plumas, Butte, Glenn, Sutter, Yuba, Yolo, Sacramento, Napa, Marin, Sonoma, Solano, San Joaquin, Contra Costa, Alameda, Santa Clara, Stanislaus, Merced, Monterey, Santa Cruz, San Benito, Fresno, Kings, Tulare, Kern, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Riverside, Orange, San Diego, and Imperial.

The project location currently includes major water conveyance facilities such as the California Aqueduct, Oroville Dam, and various pumping stations (Figure 1). The geographic area in which the effects of the Time Extension will be evaluated for the CEQA process includes the following:

- Oroville Facilities
- Lower Feather River from the Fish Barrier Dam to the confluence with the Sacramento River
- Sacramento River from the confluence with the Feather River to the Delta
- SWP Facilities in the Delta
- Waters within the legal Delta
- SWP Facilities in Suisun Marsh and Bay
- Waters within the Suisun Marsh and Bay
- SWP Facilities south of the Delta

Potential Environmental Effects
The EIR will contain a discussion of the following resource categories.

- Biological Resources; aquatic biological resources
- Surface Water Hydrology
- Surface Water Quality
- Tribal Cultural Resources
- Other CEQA Discussions, which may include discussion of cumulative impacts, growth inducement, climate change and resiliency, and environmental justice.

Public Scoping Meetings
A public scoping meeting will be held to inform interested parties about the proposed project and to solicit input on the scope and content of the EIR.

Location	Date and Time
Virtual Meeting via Zoom Please use the link to register in advance of the meeting: https://us02web.zoom.us/webinar/register/WN_wZb_pdf9RZ2Nl2zG3Z4knw After registering, you will receive a confirmation email containing information about joining the webinar. Attendees can register and join the meeting at any time.	October 17, 2025 at 12:00 p.m.

Comment Submission and Document Availability
This NOP is being circulated for a 30-day public comment period, beginning on September 30, 2025, and ending on October 30, 2025.

Written or oral comments may be submitted at the public scoping meeting, or written comments may be sent to the contact identified above (Analisa Martinez). Written comments should include your name/organization, address, and contact information, and the name of a contact person in your organization if applicable. Please note that your comment in its entirety could be made publicly available at any time.

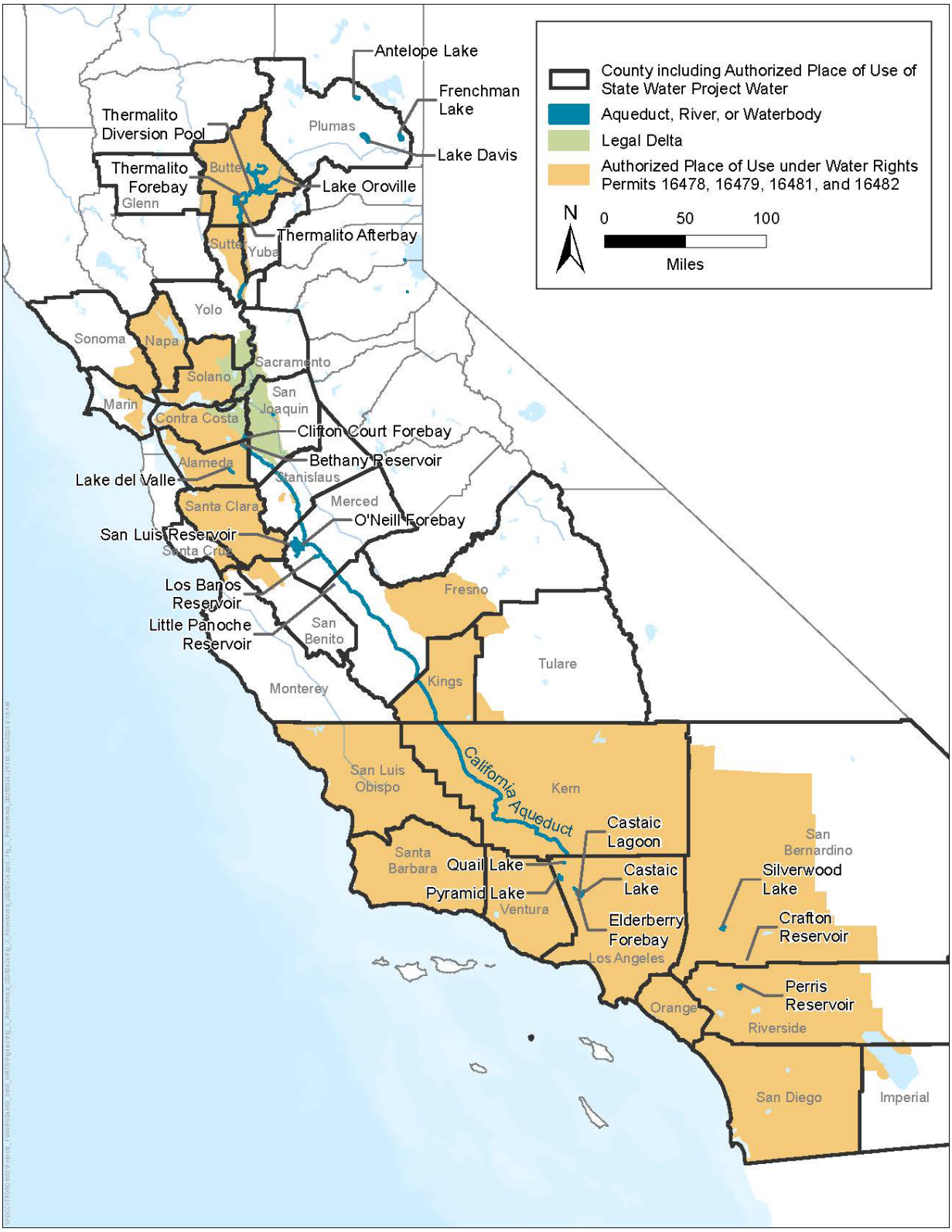


Figure 1. Location of the SWP Authorized Places of Use and Sacramento-San Joaquin Delta (Project Location)