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## State Water Resources Control Board

### Notice of Determination

To: Office of Planning and Research,  
1400 Tenth Street Room 113, Sacramento, California 95814

From: State Water Resources Control Board, Division of Water Rights,  
Post Office Box 2000, Sacramento, California 95812-2000

Subject: Filing of Notice of Determination in compliance with  
Public Resources Code section 21108

### Public Agency Information

Name: State Water Resources Control Board, Division of Water Rights,  
Post Office Box 2000, Sacramento, CA 95812-2000

Contact: Matthew McCarthy

Phone: (916) 341-5310

Is the Public Agency also the Lead Agency? No

### Lead Agency Information

Agency: Orange County Water District

Contact: Adam Hutchinson

Phone: (714) 378-3214

Address: 18700 Ward St, Fountain Valley, CA 92708

### Project Information

SCH Number: 2002081024

Title: Water Right Permit Application A031174B01 and Orange County Water  
District Application to Appropriate Santa Ana River Water by Permit Project

Applicant: Orange County Water District

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E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

Location: The project is located within: (1) Prado Basin, a mostly undeveloped flood control basin located behind Prado Dam on the Santa Ana River near the cities of Yorba Linda, Norco, and Corona; (2) along the Santa Ana River; and (3) within the service area of the Orange County Water District in Orange and Riverside counties.

Description: Please see attachment.

## **Responsible Agency Determinations**

This is to advise that the State Water Resources Control Board as Responsible Agency has approved the above-described project on April 22, 2025 and has made the following determinations regarding the above-described project:

1. The project will have a significant effect on the environment.
2. An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the California Environmental Quality Act.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A Statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of the California Environmental Quality Act.

This is to certify that the final Environmental Impact Report with comments and responses and record of project approval is available to the general public at the Orange County Water District Headquarters, 18700 Ward St, Fountain Valley, CA 92708.

Signature:

Name: Amanda Montgomery

Title: Environmental Program Manager

Date: April 22, 2025

# **Attachment to Notice of Determination for Water Right Permit Application A031174B01**

## **Project Background**

This current project is for the State Water Resources Control Board's (State Water Board) issuance of a permit for water right permit application A031174B01 of the Orange County Water District (District).

The project stems from water right application A031174 that the District originally filed on November 5, 1992. The application, which was amended by the District on August 24, 1998 and May 8, 2007, requested a permit to divert 505,000 acre-feet of water per year (afy) from the Santa Ana River from January 1 to December 31 of each year. Diverted water would be diverted to surface and underground storage and subsequently extracted for municipal, industrial, recreational, and fish and wildlife preservation and enhancement uses.

The State Water Board held a hearing to consider application A031174 and issued Decision 1647 on December 2, 2008. In the decision, the State Water Board found that the District had only completed project-level environmental review required by the California Environmental Quality Act (CEQA) for the diversion and use of 362,000 afy of the 505,000 afy requested in the application. Decision 1647 therefore split Application A031174 into two applications. Application A031174A included the 362,000 afy for the projects for which the District had completed environmental review, and permit 21243 was issued for the application. Application A031174B included the remaining 143,000 afy to allow the District to complete project-level environmental review.

Since Decision 1647 was issued, the District has completed project-level environmental review for 49,980 afy distributed among five projects for application A031174B. On October 18, 2024, the State Water Board split application A031174B into two applications. Application A031174B01 includes the 49,980 afy for the projects for which the District has completed environmental review, and permit 21464 was issued for the application on April 22, 2025. Application A031174B02 includes the remaining 93,020 afy and will continue to be processed by the State Water Board.

## **Summary of All Projects and Environmental Documents**

The District is the CEQA lead agency for preparation of environmental documentation for application A031174B01, and the District has completed the following environmental documents that the State Water Board relied upon to issue permit 21464 for application A031174B01:

1. Orange County Water District Application to Appropriate Santa Ana River Water by Permit. The District completed program-level environmental review for the 362,000 afy that is authorized under permit 21243 (application A031174A) with issuance of the final Programmatic Environmental Impact Report for the Orange

County Water District Application to Appropriate Santa Ana River Water by Permit on July 19, 2006 (SCH No. 2002081024). The facilities for diversion and use of water that are listed in permit 21243 are the same for permit 21464 (application A031174B01), therefore the mitigation measures listed in permit 21243 will also be included as mitigation measures in permit 21464.

2. Burriss Basin, Lincoln Basin Reconfiguration and Five Coves Pipeline Project. The District completed project-level environmental review to increase their capacity to divert and store water by 3,150 afy under permit 21464. The project involves the reconfiguration of existing groundwater basins, construction of a transfer well, and construction of a transfer pipeline system. On June 13, 2008, the District issued a Notice of Intent to Adopt a Mitigated Negative Declaration for the Burriss Basin and Lincoln Basin Reconfiguration and Five Coves Pipeline Project (SCH No. 2008061079). The District adopted Notices of Determination for the project on January 8, 2009, and April 28, 2009. The mitigation measures from the environmental document that are within the purview of the State Water Board as a responsible agency are conditions of permit 21464.
3. Miraloma Recharge Basin Project. The District completed project-level environmental review to increase their capacity to divert and store water by 30,000 afy under permit 21464. The project involves the construction and operation of an approximate 13-acre recharge basin. On June 22, 2011, the District issued a Notice of Completion for a Draft Environmental Impact Report (EIR) for the Miraloma Basin Recharge Project (SCH No. 2010101093). The District adopted a Notice of Determination for the project on September 19, 2011. No impacts that required mitigation were identified as within the State Water Board's purview as a responsible agency.
4. Fletcher Basin Improvement Project. The District completed project-level environmental review to increase their capacity to divert and store water by 900 afy under permit 21464. The project involves making improvements to Fletcher Basin to allow it to operate as both a flood control detention basin and a groundwater recharge basin. On August 11, 2011, the District issued a Notice of Intent to Adopt a Mitigated Negative Declaration for the Fletcher Basin Improvement Project (SCH No. 2011081037). The District adopted a Notice of Determination for the project on October 28, 2011. The mitigation measures from the environmental document that are within the purview of the State Water Board as a responsible agency are conditions of permit 21464.
5. Prado Dam Ecosystem Restoration and Water Conservation Project. The District completed project-level environmental review to increase their capacity to divert and store water by 10,000 afy under permit 21464. The project proposes a combination of water conservation, sediment management and ecosystem restoration activities within the Prado Basin and along the lower Santa Ana River.

On April 1, 2016, the District issued a Notice of Preparation for a Draft EIR for the Prado Dam Feasibility Study (SCH No. 2016041002). The District adopted a Notice of Determination for the project on May 20, 2021. The mitigation measures from the environmental document that are within the purview of the State Water Board as a responsible agency are conditions permit 21464.

6. Five-Year Minor Deviation to the Prado Dam Water Control Plan. The District projects that raising the elevation of the dam will increase their capacity to divert and store water by 5,930 afy. On March 11, 2024, the District issued a Notice of Exemption under the categorical exemption for minor alterations to land and information collection. (Cal. Code Regs., tit. 14, §§ 15304, 15306.) The project consists of a request by the District to the U.S. Army Corps of Engineers to implement a Minor Deviation from the Prado Dam Interim Water Control Plan that would allow for the expansion of the existing buffer pool in Prado Basin from water surface elevation 505 feet to 508 feet.