County of Santa Clara - Clerk-Recorder's Office
State of California

File Number: ENV25771
ENVIRONMENTAL FILING
No. of Pages: 3
Total Fees: $50.00
File Date: 08/21/2025
Expires: 09/19/2025

LOUIS CHIARAMONTE, Clerk-Recorder
By: Fraulein Dominguez, Deputy Clerk-Recorder

SANTA CLARA COUNTY CLERK
CEQA FILING COVER SHEET

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
  - ☐ Filing Fee (new project)
  - ☐ Previously Paid F&W **(must attach F&W receipt and project titles must match)**
  - ☐ No Effect Determination **(F&W letter must be attached)**
- ☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
  - ☐ Filing Fee (new project)
  - ☐ Previously Paid F&W **(must attach F&W receipt and project titles must match)**
  - ☐ No Effect Determination **(F&W letter must be attached)**
- ☑ Notice of Exemption (NOE)
- ☐ Other (Please fill in type):

1. LEAD AGENCY: Santa Clara Valley Water District
2. LEAD AGENCY EMAIL: michaelmartin@valleywater.org
3. PROJECT TITLE: Letter Agreement Between DWR and Valley Water approving Valley Water's 2025 and/or 2026 CVP Water Exchange with State Water Supplies
4. APPLICANT NAME: Santa Clara Valley Water District PHONE: 408-630-3095
5. APPLICANT EMAIL: michaelmartin@valleywater.org
6. APPLICANT ADDRESS: 5750 Almaden Expressway, San Jose, CA 95118
7. PROJECT APPLICANT IS A: ☑ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity
8. NOTICE TO BE POSTED FOR 30 DAYS.

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Rev_8/2023

Public Notice

Notice of Exemption

Valley Water

To: Santa Clara County
Clerk-Recorder's Office, Business Division
110 West Tasman Drive, First Floor
San Jose, CA 95134

From: Valley Water
5750 Almaden Expressway
San Jose, CA 95118-3686
Telephone (408) 630-3096

Project Title: Letter Agreement Between the Department of Water Resources and Santa Clara Valley Water District (Valley Water) under the Consolidated Place of Use Order approving Valley Water's 2025 and/or 2026 CVP Water Exchange with State Water Supplies

Project Location: Various

Project Location: Santa Clara County

Project Purpose: The Letter Agreement will enhance Valley Water's operational flexibility needed to effectively manage deliveries of imported water in 2025 and 2026.

Description of Project: The Agreement provides DWR's approval for Valley Water's requested operations as described in the CPOU petition and approved by the SWRCB which temporarily amends the authorized places of use associated with Reclamation and DWR's water rights permits. The exchange of Valley Water's CVP water with SWP water will increase Valley Water's operational flexibility by allowing SWP water supplies to be conveyed to Valley Water through the South Bay Aqueduct to compensate for constraints on the San Felipe Division due to scheduled maintenance and unscheduled outages. It also provides Valley Water the ability to efficiently balance the management of its SWP and CVP water supplies within its service area.

The Agreement provides for DWR to deliver of up to 75,000 acre-feet of SWP water supplies from the Banks Pump Plant to the South Bay Aqueduct in exchange for an equal amount of Valley Water's CVP water made available to DWR by Reclamation at the O'Neill Forebay. The Agreement is for the period from July 2025 through July 2026. All water exchanged under this Agreement would be conveyed using existing SWP and CVP facilities. The total quantity of water delivered under the Agreement and all other water deliveries to Valley Water will not exceed Valley Water's maximum allowable capacity in the South Bay Aqueduct of the California Aqueduct.

Name of Public Agency Approving Project: Valley Water

Name of Agency or Person Carrying Out Project: Valley Water

Exempt Status: (*check one*)

- ☐ Ministerial [§21080(b)(1); 15268];
- ☐ Declared Emergency [§21080(b)(3); 15269(a)];
- ☐ Emergency Project [§21080(b)(c); 15269(b)(c)];
- ☒ Categorical Exemptions [§15301, Class 1, Existing Facilities]
- ☒ Statutory Exemptions [California Water Code §1729]

Reasons Why Project is Exempt: All water conveyance under the Agreement would occur through existing water conveyance facilities and would not exceed their capacities. The Project would not involve any construction or major alteration of facilities. The total quantity of water delivered would not change Valley Water's existing CVP or SWP allocations or the total amount of water exported from the Delta. The Project entails the continued operation of existing facilities involving negligible or no expansion of existing or former use. Furthermore, water transfers associated with the Agreement would amount to a temporary transfer in the form of a change in the point of diversion, place of use, or purpose of use of water that otherwise would have been consumptively used or stored.

As such, the Agreement is consistent with CWC §1725. Therefore, the Project meets the requirements of CWC §1729 and CEQA Guidelines §15301 and is statutorily and categorically exempt from the requirements of CEQA.

CWC §1729 provides for a statutory exemption from CEQA applicable to a proposed water transfer that is consistent with CWC §1725.[1]

> "A proposed temporary change under this article shall be exempt from the requirements of Division 13 (commencing with §21000) of the Public Resources Code."

CEQA Guidelines §15301 states that:

> "Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use."

None of the conditions noted under the CEQA Guidelines §15300.2 exist.

Lead Agency: Valley Water
Contact Person: Michael Martin

Area Code/Telephone/Extension:
(408) 630-3095

Signature: Signed by: Michael Martin 7283D3EF50BD4AE...

Date: 8/20/2025

Title: Michael Martin
Senior Water Resources Specialist

cc: CEQA Administrative Record

[1] Water Code §1725 allows for a temporary transfer in the form of a change in the point of diversion, place of use, or purpose of use of water that otherwise would have been consumptively used or stored, so long as the proposed transfer would not injure legal users or unreasonably effect fish, wildlife, or other instream beneficial uses.

State of California - Department of Fish and Wildlife

2025 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT

DFW 753.5a (REV. 01/01/25) Previously DFG 753.5a

RECEIPT NUMBER: ENV25771

STATE CLEARINGHOUSE NUMBER *(If applicable)*

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
SANTA CLARA VALLEY WATER DISTRICT	MICHAELMARTIN@VALLEYWATER.ORG	08/21/2025

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
SANTA CLARA	

PROJECT TITLE

LETTER AGREEMENT BETWEEN DWR AND VALLEY WATER APPROVING VALLEY WATER'S 2025 AND

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
SANTA CLARA VALLEY WATER DISTRICT	MICHAELMARTIN@VALLEYWATER.	(408)630-3095

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
5750 ALMADEN EXPRESSWAY	SAN JOSE	CA	95118

PROJECT APPLICANT *(Check appropriate box)*

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$4,123.50	$
☐ Mitigated/Negative Declaration (MND)(ND)	$2,968.75	$
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$1,401.75	$

☒ Exempt from fee

- ☒ Notice of Exemption (attach)
- ☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$850.00	$
☒ County documentary handling fee		$ $50.00
☐ Other		$

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other **TOTAL RECEIVED** $ $50.00

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X Dominguez	Fraulein Dominguez, Deputy County Clerk-Recorder

ORIGINAL - PROJECT APPLICANT | COPY - CDFW/ASB | COPY - LEAD AGENCY | COPY - COUNTY CLERK | DFW 753.5a (Rev. 01012025)