Notice of Determination

Appendix D

To:

☐ Office of Planning and Research

U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044

Street Address: 1400 Tenth St., Rm 113, Sacramento, CA 95814

☒ County Clerk
County of: Merced
Address: 2222 M. Street
Merced, CA 95340

From:
Public Agency: San Luis Water District
Address: 1015 Sixth Street
Los Banos, CA 93635
Contact: Steve Stadler, PE
Phone: (209) 826-4043

2025-EIR-146

FILED

December 17, 2025

MATT H. MAY
COUNTY CLERK
By _____
Deputy Clerk

Lead Agency (if different from above): San Luis Water District
Address: 1015 Sixth Street
Los Banos, CA 93635
Contact: Steve Stadler, PE
Phone: (209) 826-4043

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2025110036

Project Title: Los Banos Creek Recharge and Recovery Project

Project Applicant: San Luis Water District

Project Location (include county): Merced County

Project Description:

See attached Project Description.

This is to advise that the San Luis Water District (☒ Lead Agency or ☐ Responsible Agency) has approved the above described project on 12/16/2025 (date) and has made the following determinations regarding the above described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☐ were ☒ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
San Luis Water District office located at 1015 6th Street, Los Banos, CA 93635

Signature (Public Agency): _____ Title: District Engineer

Date: 12/16/2025 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011

Project Title

Los Banos Creek Recharge and Recovery Project (Project)

Description of Project

Project Background and Purpose

The Project is located within the boundaries of San Luis Water District's (SLWD) service area and predominantly on properties owned by Vulcan Materials Company surrounding the intersection of Los Banos Creek and the Delta-Mendota Canal (DMC), generally within existing quarry pits located on the properties that are adjacent to the aforementioned waterways. The Project area is located southwest of the City of Los Banos within Merced County, more near and along Los Banos Creek between the San Luis Canal and the Central California Irrigation District (CCID) Outside Canal. The property has been the site of a pilot project to recharge groundwater and more recently groundwater recharge operations under the State of California Governor's Executive Orders N-4-23 and N-7-23. The Project has received funding through the State of California Department of Water Resources Sustainable Groundwater Management Act Implementation Grant and through the Consolidated Appropriations Act pursuant to Public Law No. 118-42. The Project is eligible to receive Central Valley Project (CVP) water consistent with SLWD's CVP Contract No. 14-06-200-7773A-IR1-P.

SLWD and Vulcan have entered into a 20-year License Agreement (License Agreement) that automatically renews for five-year periods unless a notice of termination is issued by either party. The License Agreement facilitates SLWD's ability to construct, operate, and maintain all the necessary infrastructure to conduct storage, and recharge operations in the proposed Central and South Basins. The License Agreement provides for the addition of basins to be used for water supply projects as they become available.

Project Description

The Project entails using existing gravel pits (basins), designated as the Central Basin and the Southern Basin, to capture, store, recharge, and bank CVP and Warren Act water and/or Los Banos creek flood waters. The Central Basin is approximately 85 acres and has the capacity to store approximately 1,000 acre-feet. The Southern Basin is approximately 51 acres and is expected to store approximately 800 acre-feet upon completion of mining operations. The Basins will serve four purposes:

1. Surface Water Storage

Conveyed using the DMC, CVP and Warren Act water will be stored during the winter months and returned to the DMC in the spring to serve agricultural demand. Some of the return water may be exchange with Reclamation to serve agricultural demands from the San Luis Canal. CVP water may be transferred to SLWD from other CVP contractors for short term storage, and the return transfer will take place in a subsequent water year, typically the next water year. In most cases the transfer(s) will be conducted using the Accelerated Water Transfer Program.

2. Groundwater Recharge

The Central Delta Mendota Groundwater Sustainability Agency is developing groundwater management policies. It is expected that policies will be developed to encourage recharge and other actions that will improve groundwater sustainability. The basins will be operated to achieve both their maximum storage and recharge potential. Assuming a conservative daily infiltration rate of 0.5 inches per day, the Central Basin can recharge over a 90-day period approximately 242 acre-feet. Using the same assumptions, the Southern Basin can recharge approximately 208 acre-feet. Evaporation losses will be calculated using data from the California Irrigation Management Information System and deducted from the daily surface volume to calculate net recharge. SLWD

will consider transfers of surface water for recharge by other contractors to help improve basin wide groundwater sustainability. These types of transfers for recharge will typically be conducted by CVP water contractors within the Delta Mendota Sub-Basin.

3. Groundwater Recovery

When drought conditions occur, SLWD may extract, or effectively recover, a portion of the water recharged in the Central and Southern Basins and introduce the water into the Delta-Mendota Canal. Recovery of the recharged water will comply with the Delta-Mendota Subbasin Groundwater Sustainability Plan, limited to avoid significant and unreasonable impacts, as defined under the Sustainable Groundwater Management Act (SGMA) of 2014, and at least 5% of all water recharged will remain in the aquifer and will not be recovered. Recovered water will be used within the SLWD boundaries (which is wholly within the Central Delta Mendota Groundwater Sustainability Agency boundaries).

All water recovered and introduced into the DMC will comply with all relevant standards and monitoring protocols established for the introduction of pumped water into the DMC. The relevant standards and monitoring protocols are detailed in a draft Monitoring Plan prepared for the Project provided in Appendix D..

4. Flood Water Capture

Los Banos Creek is prone to flooding. During a declaration of flood emergency or when the State of California Governor's office issues Executive Orders such as N-4-23 and N-7-23 the basins may be used to divert flood water.

DMC Diversions

Under the Project, CVP and/or Warren Act water will be conveyed through the DMC and diverted into the Central Basin or the Southern Basin at three locations. The first point of diversion will be constructed at approximately mile post MP 80.03-L where a new storage and recovery pump system will be installed to lift water from and return water to the DMC from the Central Basin. The second point of diversion will be constructed at approximately mile-post MP 80.03-R where a second new storage and recovery pump system will be installed to lift water from and return water to the DMC from the Southern Basin. The third point of diversion is at the existing diversion structure near Check 15 at mile post MP 79.60-R (Los Banos Creek) which will gravity flow water from the DMC into Los Banos Creek where a weir and diversion structure will be constructed to divert flows into the Central Basin.

Los Banos Creek Diversions

Flood water flowing in Los Banos Creek may be diverted downstream of the DMC siphon crossing where the aforementioned weir and diversion structure will be constructed to divert flows into the Central Basin. Flood waters will only be diverted under the previously stated conditions. Under the Project, the weir and diversion structure would be constructed and the capacity to divert flood waters would increase.

Conveyance and Infrastructure

The Project would include constructing the following infrastructure and conveyance components:

- Construct a 30 to 50 cfs water transfer facility between the Central Basin and the DMC.
- Construct a 30 to 50 cfs water transfer facility between the Southern Basin and the DMC.
- Construct a weir in Los Banos Creek downstream of the DMC siphon crossing and the existing Vulcan haul road crossing to facilitate convey water into the Central Basin from Los Banos Creek to capture water released from the DMC or flood flows;

- Construct a diversion structure on the right bank of Los Banos Creek immediately upstream of the newly constructed weir to convey water flowing in Los Banos Creek into the Central Basin.

The Project also includes contouring of the of the bottom of the existing pits being used for the Central Basin and the Southern Basin to facilitate the evacuation of the storage space. There will be no excavation work to create water storage space as the storage space was effectively created through past mining operations. Reshaping and stability improvements to the banks of the basins will also be performed.

Construction Schedule

Construction of the Project is anticipated to be completed within 12 months. Generally, construction would occur between the hours of 7am and 6pm, Monday through Saturday, excluding holidays.

Equipment

Construction equipment would likely include the following equipment used during construction:

- Excavators,
- Backhoes,
- Graders,
- Skid steers,
- Loaders,
- Hauling trucks,
- Scrapers,
- Compactors (Large and Small dependent on area conditions),
- Bulldozer,
- Large tractor and large discing unit, and
- Water trucks supplying water for dust control and conditioning soil for compaction

Operation and Maintenance

System Operation

The Project may have different and overlapping operations depending on the water year and water type. The following descriptions are based on an average water year and are subject to change as the water year deviates from the average.

- Surface Water Storage – Filling of the basins could begin as soon as November through February and discharge starting in March through June.
- Groundwater Recharge – As water is made available recharge operations could take place anytime throughout the year. At a minimum groundwater recharge will take place during the short-term Surface Water Storage operation. The summer months will be avoided to reduce evaporation losses.
- Flood Water – Typical flood events can start as early as January and as late as March. Flood water would be diverted when the appropriate flood stage is triggered, and storage capacity is available. Releases from the Los Banos Creek Detention Dam can take place at any time but typically occur from the end of September through the middle of March, when the conservation pool is at its lowest volume.

In the latter of consecutive dry years, there is the possibility that the Project may not conduct surface water storge or recharge operations.

Recovery Infrastructure and Operations

As a part of the Project, up to three recovery wells would be constructed south of the Delta-Mendota Canal and west of Creek Avenue. The specific locations for the wells will be selected based on a hydrogeological evaluation of potential sites. Each well will be connected to a discharge pipeline to a point-of-introduction into the Delta-Mendota Canal. Where practical, existing turnout facilities, such as the turnout at MP 80.03R, or newly constructed facilities, such as the water transfer facility between the DMC and the Southern Basin, will be utilized and improved as necessary. Whereas not practical, a new point of introduction will be constructed. Any construction would take place within the Project site.

A draft Monitoring Plan has been developed specifically for this Project to ensure the following: (1) at least 5% of all recharged groundwater is retained within the aquifer; (2) extractions only occur when groundwater levels are above established minimum thresholds; (3) extractions are not causing or contributing to groundwater quality degradation; and (4) extractions are not causing or contributing to land subsidence. The recovered water that is introduced shall comply with the established monitoring plan for water introduced into the Delta-Mendota Canal.

Water Quality Testing

Stored surface water introduced back into the Delta-Mendota Canal will comply with the draft Monitoring Plan prepared specifically for this Project. Stored surface water and recharged water recovered back into the DMC would be tested and comply fully with this draft Monitoring Plan. As part of this Monitoring Plan, when water is diverted into the basins from the DMC, water quality sampling will be conducted monthly. Constituents identified in the water quality requirements established for the introduction of water into the Delta-Mendota Canal will be tested (DMC Water Quality Requirements). Prior to stored water being returned to the DMC water quality testing will be conducted and compared to the DMC Water Quality Requirements. In the event the monthly water quality testing of the DMC is of lesser quality than the DMC Water Quality Requirements, the monthly DMC test results shall be used as the benchmark for the stored water. Water from the basins shall not be reintroduced into the DMC if the water quality has degraded significantly from the baseline test results (the DMC Water Quality Requirements or monthly DMC water quality test results). Reclamation may authorize minor water quality deviations from the DMC Water Quality Requirements.

THANK YOU

PLEASE KEEP FOR REFERENCE

MATT H. MAY
MERCED
County Clerk - Recorder
2222 M STREET
MERCED, CA 95340
(209) 385-7627

Public

Finalization No.: 202534840
Cashier: clerk2
Register: REC-COUNTER03
Date/Time: 12/17/2025 01:56 PM

Description	Fee
NOD/Neg Dec	
Document No.:	2025-EIR-146
Transaction Time:	01:56 PM
Transaction Fee:	$2,968.75
Admin Fee:	$50.00
Transaction Total:	$3,018.75
Total Amount Due:	$3,018.75
Total Paid	
Check Tendered: #10817	$3,018.75
Amount Due:	$0.00

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

Print | StartOver | Save

RECEIPT NUMBER: 24-12/17/2025-0065

STATE CLEARINGHOUSE NUMBER *(If applicable)*: 2025110036

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
SAN LUIS WATER DISTRICT		12/17/2025

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
MERCED COUNTY	2025-EIR-146

PROJECT TITLE

LOS BANOS CREEK RECHARGE AND RECOVERY PROJECT

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
SAN LUIS WATER DISTRICT		(209) 826-4043

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
1015 SIXTH STREET	LOS BANOS	CA	93635

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	$ 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	$ 50.00
☐ Other		$

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other 210817 **TOTAL RECEIVED** $ 3,018.75

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X Lea Holguin	Lea Holguin Deputy Clerk

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