

# NOTICE OF EXEMPTION

## Lead Agency/Applicant

FILED

**From:** Wheeler Ridge-Maricopa WSD  
12109 Highway 166  
Bakersfield, CA 93313-9630  
661-527-6069

20 JAN 21 PM 1:50

STANISLAUS CO. CLERK-RECORDER

**To:** State Clearinghouse  
Office of Planning & Research  
1400 Tenth Street  
Sacramento, CA 95814

**To:** Kern County Clerk BY Joselyn Rodriguez  
1115 Truxtun Avenue, 1<sup>st</sup> Floor  
Bakersfield, CA 93301  
DEPUTY

**To:** San Joaquin County Clerk  
44 N. San Joaquin St., Ste. 260  
Stockton, CA 95202

**To:** Stanislaus County Clerk-Recorder  
1021 I Street, Ste. 101  
Modesto, CA 95354

**To:** Merced County Recorder  
2222 M Street, 1<sup>st</sup> Floor  
Merced, CA 95340

**Project Title:** 2019-2020 Water Transfer from Del Puerto Water District within the Central Valley Project to Wheeler Ridge-Maricopa Water Storage District within the State Water Project.

**Location -- Specific:** Del Puerto Water District ("Del Puerto") is located in San Joaquin, Stanislaus and Merced Counties and Wheeler Ridge - Maricopa Water Storage District ("Wheeler Ridge") is located in Kern County. Wheeler Ridge has lands in the Delta Export Service Area of the CVP.

**Location -- Counties:** Kern County, Merced County, San Joaquin County and Stanislaus County.

**Description of Activity:** Del Puerto is proposing to transfer up to 15,000 AF of its 2019-2020 Central Valley Project ("CVP") supplies from Del Puerto to Wheeler Ridge on behalf of Westside Mutual Water Company, per Agreement. Del Puerto has a contract for an agricultural water supply with the United States Department of Interior, Bureau of Reclamation ("USBR") for water to be provided from the Central Valley Project ("CVP"). Del Puerto has up to 15,000 AF of such 2019-2020 CVP water supply captured at O'Neill Forebay in San Luis Reservoir that it is willing to transfer to Wheeler Ridge during the 2019-2020 WY through February 29, 2020, or the end of the 2019 Rescheduling period as determined by USBR. Transferred supplies are to be delivered to Wheeler Ridge and/or to Kern Water Bank Authority (a Reclamation-acknowledged banking project), in quantities to be determined by Wheeler Ridge as the then circumstances tolerate.

**Name of Public Agencies Approving or Carrying Out Activity:** Del Puerto Water District, Wheeler Ridge - Maricopa WSD (Lead Agency), California Department of Water Resources and Kern County Water Agency (Responsible Agencies), Kern County, Merced County, San Joaquin County and Stanislaus County.

### Exempt Status:

- Ministerial
- Declared Emergency
- Emergency Project
- Categorical Exemption.** State type and section number: See CEQA Guidelines Section 15301.
- Statutory Exemption.** State code number: See CEQA Guidelines Section 15061(b)3.

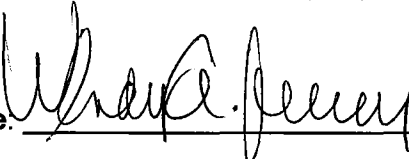
**Reasons why activity is exempt:** CEQA Guidelines Section 15061(b)3 provides that a Lead Agency may determine an activity to be exempt from CEQA based upon the general rule that CEQA applies only to projects that have a potential for causing significant environmental impacts. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Wheeler Ridge finds that approval of the proposed water transfer has no possibility for significant effect on the environment for the following reasons:

1. The proposed action consists of a one-time water transfer that will use existing facilities and would not require any construction or grading.
2. The project does not constitute a new permanent source of water supply and will not result in any growth inducing or cumulative environmental impacts.
3. There will be no land use changes or additional agricultural acreage being cultivated as a result of the proposed project.

Additionally, since the project will rely on the operation of existing facilities, there will be no expansion of use beyond that existing at the time of the Lead Agency's determination and will not have a significant effect on the physical environment; the project also qualifies for a categorical exemption from CEQA pursuant to CEQA Guidelines Section 15301. None of the exceptions listed in Section 15300.2 of the CEQA Guidelines would apply to the proposed action.

Note that per FONSI signed June 19, 2019 entitled *Westside Mutual Water Company Multiyear Banking and Transfer Program*, Reclamation may annually approve a series of transfers of up to 200,000 AF per year of available water supplies to Westside Mutual WC over a 9-year period. Transfers of CVP water would be from CVP contractors to Westside Mutual for either direct agricultural use on lands located within the CVP place-of-use (or to lands outside of the CVP place-of-use with temporary orders from the SWRCB) or for banking in Reclamation-acknowledged banking projects for later delivery to their agricultural lands within those same districts. As analyzed in the Environmental Assessment (EA-18-045) dated June 2019 entitled *Westside Mutual Water Company Multiyear Banking and Transfer Program*, this would improve the Westside Mutual water supply reliability and operational efficiency, especially for recovery during dry years that result in water shortages, as well as recharge during wet years. This efficiency improvement is necessary to normalize water supplies in a very volatile water supply market. Also, the Proposed Action would allow for better water management by helping to alleviate the need to pump additional groundwater. This could have a beneficial impact to those areas where there are subsidence issues as well as adhering to groundwater sustainability plans that are required under SGMA by 2020.

**Lead Agency Contact Person:** Wendy A. Jones  
Water Resources Manager  
(661) 527-6069

Signature:  Title: WATER RESOURCES MGR Date: 09 JAN 2020

- Signed by Lead Agency
- Signed by Applicant

Date received for filing by County Clerk:

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