

Notice of Determination E202010000024

Appendix D

To:

☒ Office of Planning and Research

U.S. Mail:

Street Address:

P.O. Box 3044

1400 Tenth St., Rm 113

Sacramento, CA 95812-3044 Sacramento, CA 95814

☒ County Clerk

County of: Fresno

Address: 2220 Tulare Street

Fresno, CA 93721

From:

Public Agency: Westlands Water District

Address: 3130 N. Fresno Street

Fresno, CA 93703

Contact: David Vang

Phone: 559-241-6202

Lead Agency (if different from above):

Address:

Contact:

Phone:

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): 2013041028

Project Title: Mendota Pool Group 20-Year Exchange Program

Project Applicant: Mendota Pool Group

Project Location (include county): Fresno Slough portion of the Kings River in Fresno County.

Project Description:

Project Description attached as separate page.

This is to advise that the Westlands Water District has approved the above
☒ Lead Agency or ☐ Responsible Agency

described project on January 21, 2020 and has made the following determinations regarding the above
 (date)
 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:

https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=36282

Signature (Public Agency): [Signature] Title: Chief Operating OfficerDate: January 21, 2020 Date Received for filing at OPR: _____

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Notice of Determination (NOD) Attachment A – Project Description:

The Mendota Pool Group (MPG) extends a previously approved 10-Year Exchange Program, Settlement Agreements, and subsequent 3-year and 1-year extensions (hereafter referred to as the Existing Exchange Agreements) for a period of 20 additional years. The 20-Year Exchange Program (Project) would allow MPG farmers in the Westlands Water District (Westlands) to supplement their Central Valley Project (CVP) water deliveries and conservation practices with affordable, reliable, and good quality water in order to maintain continued cultivation of approximately 42,316 acres of historically irrigated lands. MPG irrigated lands are located in Westlands' San Luis Canal (SLC) service area. The U.S. Department of the Interior, Bureau of Reclamation (Reclamation) administers the CVP and would issue a series of annual or multi-year exchange agreements to facilitate the Project. The water exchange allows MPG farmers to deliver groundwater of suitable quality to Mendota Pool in exchange for CVP irrigation water delivered via the SLC for use on MPG-owned farms in Westlands.

Three alternatives were considered for analysis in the Joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR): a No Project Alternative, a Proposed Project, and Alternative 2. Reclamation and Westlands as the Lead Agencies both certified the EIS/EIR and approved Alternative 2, which is hereafter referred to as the Approved Project.

Approved Project:

The Approved Project consists of the following components:

- a. CVP Water Transfer: The Approved Project would allow MPG to pump up to 26,316 acre-feet (AF) of water per year (AFY) of non-CVP groundwater into the Mendota Pool and Fresno Slough, and exchange it contractually with Reclamation for up to 25,000¹ AFY of CVP water from the Delta-Mendota Canal (DMC) at Check 13 at O'Neal Forebay of the San Luis Reservoir. The Approved Project would allow for continued water exchange; however, MPG would be limited to pumping a maximum of 400,000 AF of groundwater for exchange over the 20-year period. This exchanged water would be delivered to land owned by MPG members in Westlands. Reclamation would issue a series of annual or multi-year exchange agreements over the 20-year period. The amount of water exchanged each year would vary based on several factors, including rainfall, CVP water availability and ground and surface water monitoring data reflecting the effects of MPG pumping. The groundwater pumping program would be adaptively managed to avoid or substantially lessen environmental impacts to less-than-significant levels. Adjustments will be made to the pumping program if the monitoring program indicates that actions need to be taken to prevent significant impacts, such as well drawdown, subsidence, or water quality degradation in the Mendota Pool.
- b. Adjacent Overlying Use: In addition to water exchanged with Reclamation through the CVP, the program would continue to authorize the MPG to pump up to an additional 12,000 AFY of groundwater from MPG wells to irrigate overlying lands and lands adjacent to the Mendota Pool owned and operated by MPG members. This provision is referred to in the Existing

¹ The Approved Project would continue a constraint of the Existing Exchange Agreements that requires 5 percent of the groundwater pumped into the Mendota Pool be retained in the Pool to account for conveyance water loss.

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Notice of Determination
Mendota Pool Group 20-Year Exchange Program

Exchange Agreements as "adjacent use". Although this water would be pumped from MPG wells located in Farmers Water District (FWD) and from other non-districted areas around the Mendota Pool, all water pumped in FWD for adjacent use must be used within FWD to allow for groundwater recharge within this area. If pumping for adjacent use exceeds 12,000 AFY, transfer pumping (as discussed above) must be reduced by a corresponding amount.

- c. *Monitoring Program, Design Constraints and Adaptive Management:* The Approved Project includes continued implementation of the Monitoring Program, design constraints, and an adaptive management approach established by the 1998 Final EIR, 2004 Final EIS and Settlement Agreements, with revisions, and may also include possible new actions consistent with SGMA and local future GSPs. These provisions are designed to continually improve the groundwater pumping program and avoid or substantially lessen associated environmental impacts.
- i. *Monitoring Program* – The data and results of the monitoring program would continue to be summarized in an annual report prepared by the MPG, the Exchange Contractors, and Wonderful Orchards. The results of the monitoring program would inform the design of the subsequent year's pumping program. Monitoring data would be provided to Reclamation at the specified frequency for each parameter to verify pumping and monitoring plan implementation. In addition, monitoring data would also be provided to the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife, among others, if requested, at the same intervals the data is provided to Reclamation. The Monitoring Program would continue to involve the participation of MPG and voluntary participation of several entities around the Mendota Pool, including the Exchange Contractors, Wonderful Orchards, San Luis Delta Mendota Water Authority, the City of Mendota, the United States Geological Survey (USGS), the DWR, and others.
 - ii. *Design Constraints* - Design constraints are management strategies inherent in the groundwater pumping program that were started under the Existing Exchange Agreements in 2001. Design constraints from these agreements would be continued, with modifications, under the Approved Project. The design constraints apply to the annual pumping programs, pumping from the deep and shallow zones and to triggers based on the results of the annual monitoring program. Design constraints are established to monitor and regulate surface water rights and quality, groundwater pumping and quality, and subsidence.
 - iii. *Adaptive Management* - Under the Approved Project, the adaptive management program would be continued with improvements that better avoid or substantially reduce potential adverse effects to water quality in the Mendota Pool. Exchange Agreements with Reclamation would be issued either on an annual or multi-year basis subject to annual review and concurrence of the Exchange Contractors and Wonderful Orchards. Further, similar to the process under the Existing Exchange Agreements, a pumping program would be developed by MPG on an annual basis and reviewed by the Exchange Contractors, Wonderful Orchards, and Reclamation to allow for year-to-year variations in hydrologic conditions. Each exchange agreement under the Approved Project would be based on consideration of several factors, including the design constraints and the results of the monthly TDS data and the annual reporting program. As with the Existing Exchange Agreements, the annual pumping program negotiated with Reclamation,

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Westlands, and other stakeholders at the beginning of each irrigation season (March 1st) would take into consideration the monitoring results of previous exchange years and design that specific year's exchange program based on those results.

- d. Groundwater Recharge: The approved Project would include a groundwater recharge component not currently provided for in the existing Exchange Agreements. The purpose of the groundwater recharge component is to replenish the San Joaquin Groundwater Basin during periods when surplus CVP water or flood flows are available. The groundwater recharge component is intended to offset potential adverse effects of groundwater pumped under the Exchange Agreements.

The groundwater recharge component could include use of existing recharge basins on the New Columbia Ranch. Potential water sources available for groundwater recharge would include flood flows from the Kings River, Section 215 surplus CVP water for South of Delta Contractors (water from San Luis Reservoir), Section 215 water for Friant Contractors, and surplus San Joaquin River restoration flows which would be conveyed by existing diversions on the New Columbia Ranch. These diversions may include the Columbia Canal, Ridge Ditch, Central Canal, or Lone Willow Slough. Groundwater recharge could also include use of an existing recharge canal on land owned by Terra Linda Farms located west of the Fresno Slough whenever supplemental water or flood flows are available. Water sources potentially available for groundwater recharge at this location include Section 215 surplus CVP water, flood flows from the Kings River, and surplus San Joaquin River Restoration Flows. However, the analysis conservatively assumes only flood flows from the Kings River would be available for proposed recharge actions. Based on a review of flood flow data, flood flows from the Kings River are predicted to be available for recharge at the Terra Linda Recharge Canal in up to eight years of the 20-year exchange period and up to four years at the existing four New Columbia Ranch (NCR) Recharge Ponds. The total potential additional recharge potential above existing levels and attributable to MPG during the 20-year life of the Approved Project is conservatively estimated to be 23,169 AF. Groundwater recharge from the Terra Linda Recharge Canal is estimated to be 4,127 AF over the 20-year period, while MPG contributions to the existing four NCR Recharge Ponds is estimated to be 19,042 AF.

MPG would also construct and operate a groundwater recharge basin adjacent the Terra Linda Farms Recharge Canal. The proposed recharge basin, referred to as the River Ranch Recharge Basin, would replenish underlying local groundwater aquifers. This analysis assumes that flood flows from the Kings River would also be the source of water for River Ranch Recharge Basin and that flows would be available for the same eight years (over the 20-year period) that they're available to the Terra Linda Farms Recharge Canal under the Approved Project.

By providing an additional recharge facility, this alternative would offset drawdown of local groundwater aquifers to a greater extent than under the Approved Project and, in doing so, reduce the potential for undesirable effects such as groundwater level declines and migration of the naturally-occurring saline groundwater front west of the Fresno Slough. The River Ranch Recharge Basin under this alternative would function solely for the purpose of recharging the local groundwater aquifer and would not be used as a water bank (e.g., Meyer's Water Bank) wherein water is contractually recharged, banked and extracted for later use. Under this alternative, the MPG would maximize recharge with the goal of achieving over 43,000 AF of recharge over the 20-year exchange period by constructing the River Ranch Recharge Basin, activating the Terra Linda Farm Recharge Canal, and

contributing to the existing four NCR Recharge Ponds, dependent upon the availability of water supplies and capacity of recharge facilities.

- e. New Groundwater Wells: The Approved Project also includes the replacement of groundwater wells, as necessary, and the continuation of the existing groundwater monitoring program. In addition, an unknown number of MPG wells along the San Joaquin River may be affected or removed from service due to the changes associated with the San Joaquin River Restoration Project (SJRRP).

FRESNO COUNTY
CLERK'S OFFICE
BRANDI L. ORTH

2221 KERN STREET
FRESNO, CA 93721

Finalization 2020024227
01/23/2020 02:38pm
78 jmunoz

Item Title	Count
1 EIRND EIR - Negative Declaration	1

1 EIRA EIR Administrative Fee	1
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Document ID	Amount
DOC# E202010000028 Time Recorded 02:38 pm	0.00

2 EIRFND EIR - Filing EIR	1
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Document ID	Amount
DOC# E2020100000293343.25 Time Recorded 02:38 pm	

3 EIRA EIR Administrative Fee	1
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Document ID	Amount
DOC# E202010000030 Time Recorded 02:38 pm	50.00

Total	5850.00
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Payment Type	Amount
Credit Card # 076832	3393.25
No Fee	2456.75
Amount Due	0.00

Thank You
Please Retain This Receipt
For Your Records

State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

RECEIPT NUMBER:

E202010000024

STATE CLEARINGHOUSE NUMBER (if applicable)

2013041028

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY WESTLANDS WATER DISTRICT	LEAD AGENCY EMAIL	DATE 01/23/2020
COUNTY/STATE AGENCY OF FILING FRESNO COUNTY	DOCUMENT NUMBER E202010000024	
PROJECT TITLE MENDOTA POOL GROUP 20-YEAR EXCHANGE PROGRAM		

PROJECT APPLICANT NAME WESTLANDS WATER DISTRICT	PROJECT APPLICANT EMAIL		PHONE NUMBER (559) 241-6202
PROJECT APPLICANT ADDRESS 3130 N. FRESNO ST	CITY FRESNO	STATE CA	ZIP CODE 93703
PROJECT APPLICANT (Check appropriate box) <input type="checkbox"/> Local Public Agency <input type="checkbox"/> School District <input type="checkbox"/> Other Special District <input type="checkbox"/> State Agency <input checked="" type="checkbox"/> Private Entity			

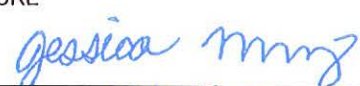
CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$	<u>3,343.25</u>
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$	<u>0.00</u>
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,043.75	\$	<u>0.00</u>
<input type="checkbox"/> Exempt from fee <input type="checkbox"/> Notice of Exemption (attach) <input type="checkbox"/> CDFW No Effect Determination (attach) <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$1,136.50	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$	<u>50.00</u>
<input type="checkbox"/> Other		\$	<u>0.00</u>

PAYMENT METHOD:

☐ Cash ☒ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 3,393.25

SIGNATURE X  Jessica Munoz	AGENCY OF FILING PRINTED NAME AND TITLE Jessica Munoz Deputy Clerk
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State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

RECEIPT NUMBER:

E20201000024

STATE CLEARINGHOUSE NUMBER (if applicable)

2013041028

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LEAD AGENCY	LEAD AGENCY EMAIL	DATE
WESTLANDS WATER DISTRICT		01/23/2020
COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER	
FRESNO COUNTY	E20201000024	
PROJECT TITLE		
MENDOTA POOL GROUP 20-YEAR EXCHANGE PROGRAM		

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
WESTLANDS WATER DISTRICT		(559) 241-6202
PROJECT APPLICANT ADDRESS	CITY	STATE
3130 N. FRESNO ST	FRESNO	CA
		ZIP CODE
		93703

PROJECT APPLICANT (Check appropriate box)

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

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TOTAL RECEIVED \$ 3,393.25

SIGNATURE

X

Jessica Munoz
Jessica Munoz

AGENCY OF FILING PRINTED NAME AND TITLE

Jessica Munoz Deputy Clerk