

## NOTICE OF EXEMPTION

# 2019110355

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

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

**To:** Kern County Clerk  
1115 Truxtun Avenue  
Bakersfield, CA 93301

**To:** Tulare County Clerk-Recorder  
221 S. Mooney Blvd., Room 103  
Visalia, CA 93291-4593

**Project Title:** 2019-2020 Water Transfer and Exchange between Lower Tule River Irrigation District within the Central Valley Project and Wheeler Ridge-Maricopa Water Storage District within the State Water Project.

**Location -- Specific:** Lower Tule River Irrigation District ("Lower Tule River") is located in Tulare County 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 Central Valley Project.

**Location -- Counties:** Kern County and Tulare County.

**Description of Activity:** Lower Tule River is proposing to transfer up to 8,500 AF of its 2019-2020 Central Valley Project ("CVP") Cross Valley Canal water from Lower Tule River to Wheeler Ridge. Lower Tule River has a contract for an agricultural water supply with the United States Department of Interior, Bureau of Reclamation ("Reclamation") for water to be provided from the Central Valley Project ("CVP"). Lower Tule River forecasts that it will have up to 8,500 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 from O'Neill Forebay during the noted Water Years.

In exchange for the CVP supply delivered to WRM under separate agreement between Lower Tule River and a common landowner to the parties of this Agreement, Lower Tule River will receive CVP and / or non-project water from the Friant Kern Canal, Kaweah, Tule and/or Kern Rivers. Though not contemplated as such, the exchange could be an unbalanced exchange.

**Name of Public Agencies Approving or Carrying Out Activity:** Lower Tule River Irrigation District, Wheeler Ridge – Maricopa WSD (Lead Agency), California Department of Water Resources and Kern County Water Agency (Responsible Agencies), Tulare County and Kern 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.

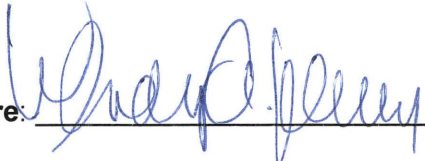
**Reasons why activity is exempt:** CEQA Guidelines Section 15061(b)3 provides that a Lead Agency may determine an activity to be exempt from CEQA based upon the general rule that CEQA applies only to projects that have a potential for causing significant environmental impacts. Where it can be seen with 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.

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

Signature:  Title: WATER RESOURCES MGR Date: 15 NOV 2019

- Signed by Lead Agency
- Signed by Applicant

Date received for filing by County Clerk:

Governor's Office of Planning & Research

NOV 18 2019

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