



FILED
KERN COUNTY

FEB 04 2020

MARY B. BEGARD
AUDITOR-CONTROLLER, KERN COUNTY
BY *[Signature]*

NOTICE OF EXEMPTION

To: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: Kern County Water Agency
P.O. Box 58
Bakersfield, CA 93302-0058

Kern County Clerk
1115 Truxtun Avenue
Bakersfield, CA 93301

Project Title: Common Landowner Transfer of up to 10,000 acre-feet (af) of Tulare Lake Basin Water Storage District's (Tulare Lake) 2020 State Water Project (SWP) Water to the Kern County Water Agency (Agency) on behalf of Henry Miller Water District (Henry Miller).

Location -- Specific: The Agency is a SWP contractor located in Kern County in the southern San Joaquin Valley. Henry Miller contracts for SWP water through the Agency and is in Kern County in the southern San Joaquin Valley. The SWP includes facilities located throughout the State of California. Tulare Lake is a SWP contractor located in Tulare County.

Location -- County: Kern County.

Description of Activity: In 2020, Tulare Lake will transfer up to 10,000 af of its 2020 SWP water to the Agency for delivery to Henry Miller from California Aqueduct turnouts located in the Agency's service area.

Name of Public Agency Approving or Carrying Out Activity: Agency (Lead Agency).

Exempt Status:

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

CEQA Guideline Section 15301(b) provides that a lead agency may determine an activity to be exempt from CEQA in that it utilizes only existing facilities. This transfer involves delivery water entirely within the Agency's service area, and exclusively utilizes existing facilities. Additionally, CEQA Guideline Section 15061(b)3 provides that a Lead Agency may determine an activity to be exempt based on a general rule that CEQA applies only to projects that have a potential for causing a significant effect on the environment. 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. The Agency finds that approval of the proposed water transfer has no possibility of 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 proposed action does not constitute a new permanent source of water supply and

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- will not result in any growth inducing or cumulative environmental impacts.
3. There will be no change in land use.

Lead Agency Contact Person: Holly Melton

Telephone: (661) 634-1400

Signature: 
Holly Melton

Title: Water Resources Manager

Date: 02/03/2020

☒ Signed by Lead Agency

Date received for filing by County Clerk:

☒ Signed by Applicant
