

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency _____

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

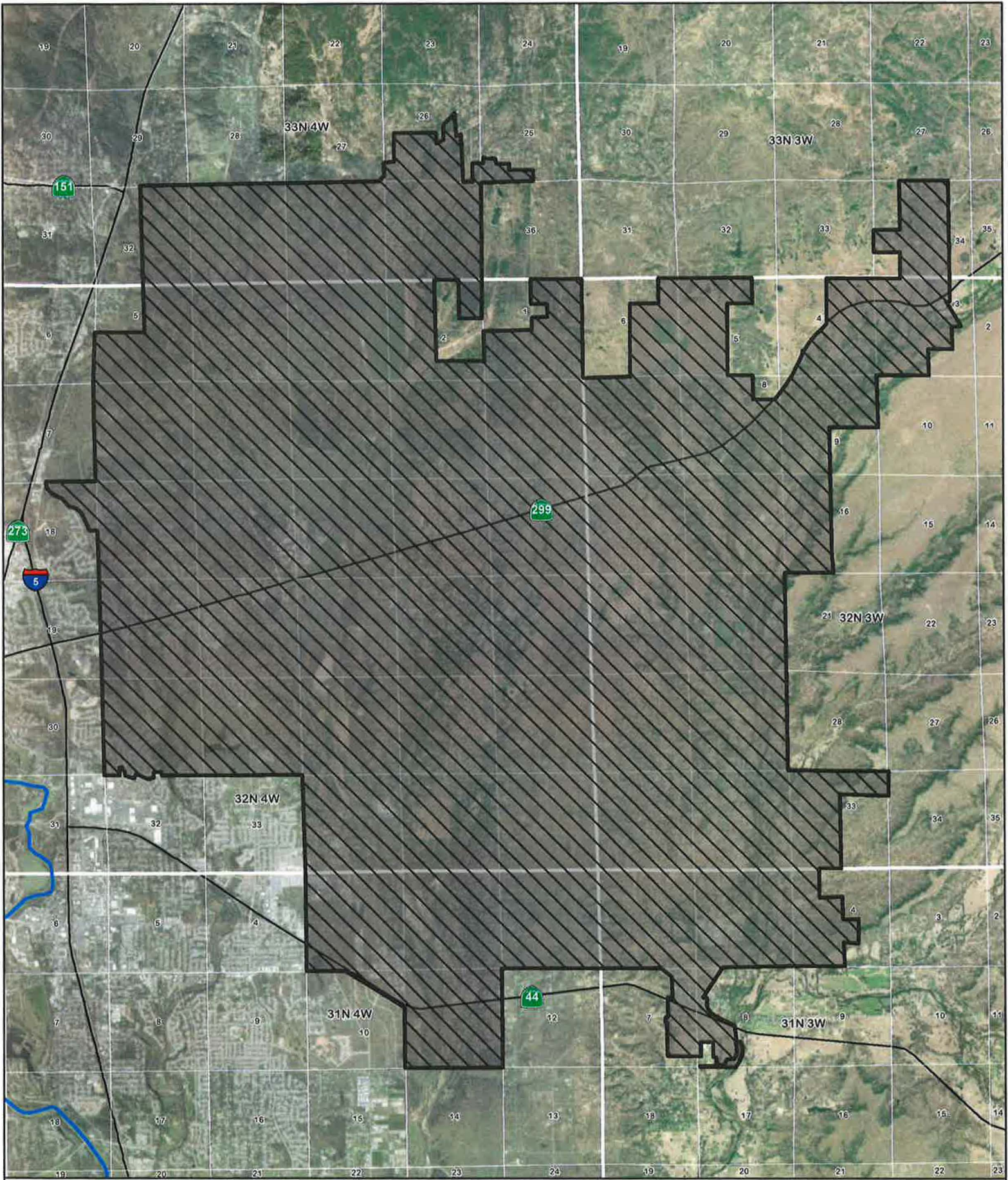
Date Received for filing at OPR: _____



Governor's Office of Planning & Research

Aug 27 2020

STATE CLEARINGHOUSE

Revised 2011



-  District Boundary
-  Contractor's Service Area

Bella Vista Water District

Contract No. 14-06-200-851A-P
Exhibit A



— BUREAU OF —
RECLAMATION

Date: 2/28/2020
File Name: N:\Districts\Contracts\bella_vista\bella_vista_20200228.mxd

0 1 2 Miles



602-202-110

**BELLA VISTA WATER DISTRICT
COUNTY OF SHASTA, CALIFORNIA**

Resolution No. 20-07

A Resolution of the Board of Directors of the
Bella Vista Water District

**MAKING CEQA FINDINGS RELATED TO THE EXECUTION OF THE AMENDMENT TO
THE EXISTING CONTRACT BETWEEN THE UNITED STATES AND BELLA VISTA
WATER DISTRICT PROVIDING FOR PROJECT WATER SERVICE AND FACILITIES
REPAYMENT**

WHEREAS, the Bella Vista Water District (“District”) and the United States Bureau of Reclamation (“United States”) or their predecessors in interest entered into long term water service contracts in 1964, which were subsequently renewed in Long-Term Renewal Contract between the United States and Bella Vista Water District Providing for Water Service from Trinity River Division, Contract No. 14-06-200-851A-LTR1 (“Existing Contract”).

WHEREAS, water service under the Existing Contract began in 1966, and has continued uninterrupted to District lands since then.

WHEREAS, Section 4011(a)(1) of the 2016 Water Infrastructure Improvements for the Nation Act (Pub. L. 114-322, 130 Stat. 1628) (“WIIN Act”), directs that, upon request of a Contractor, the Secretary of the Interior shall convert an existing water service contract into a repayment contract under Section 9(d) or Section 9(c)(1) of the Act of August 4, 1939 (53 Stat. 1195), as applicable.

WHEREAS, the WIIN Act further directs that such converted contracts shall “not modify other water service, repayment, exchange and transfer contractual rights between the [Contractor], and the Bureau of Reclamation, or any rights, obligations, or relationships of the [Contractor] and their landowners as provided under State law,” nor shall implementation of the WIIN Act alter “the priority of a water service or repayment contractor to receive water.”

WHEREAS, from 2018 to 2020 the District and the United States engaged in publically noticed negotiation sessions to develop the attached Amendment to the Existing Contract Between the United States and Bella Vista Water District Providing for Project Water Service and Facilities Repayment (“Amendment”), which would implement the conversion authorized and directed by the WIIN Act.

WHEREAS, the Amendment provides for the early repayment of costs owed to the United States pursuant to the Existing Contract, under the parameters set by the WIIN Act. If approved, it would continue water service under the terms provided in the Existing Contract, as amended, "so long as the Contractor pays applicable Rates and Charges under the Amendment consistent with Section 9(d)...of the Act of August 4, 1939," and applicable law.

WHEREAS, the Amendment involves no increase in existing water service or contractual water allocations; no new construction, expansion, or any modification to the existing distribution system of the District or the Central Valley Project; nor any change in the source of water to be delivered, the area of its use, or the uses to which such supplies will be put.

WHEREAS, the Board of Directors of the District has considered the execution of the Amendment as a project under the California Environmental Quality Act (CEQA), and has determined based on the foregoing that the project is exempt from CEQA pursuant to Title 14 of the California Code of Regulations (CEQA Guidelines), Sections 15061(b)(3), 15261, 15301, and 15300.2.

NOW, THEREFORE, BE RESOLVED as follows:

1. The facts set forth in the recitals above and in the documents referenced therein are true and correct.
2. Executing the Amendment is statutorily exempt from compliance with the California Environmental Quality Act as provided in the California Public Resources Code and implemented through Title 14 of the California Code of Regulations, Sections 15260 through 15285, with particular reference to Section 15261(a), because it is merely a continuation of a project approved, funded and fully operated prior to November 23, 1970, and no modification or alteration in the facilities, or the amount of water delivered is proposed.
3. Execution of the Amendment is categorically exempt from compliance with the California Environmental Quality Act as provided in Title 14 of the California Code of Regulations, Section 15300 through 15333, with particular reference to Section 15301, because it merely provides for continued operation of existing facilities.
4. Upon approval of the Amendment by the Board, the Secretary shall promptly prepare and file a Notice of Exemption under CEQA. In accordance with this finding of exemption, no fee is due under California Fish and Game Code Section 711.4.

5. The District's officers, staff and consultants are authorized and directed to do all things necessary and appropriate to carry out this Resolution and to ensure continued and uninterrupted water service to the District under its water service contract.

Passed and Adopted this 24th day of August 2020 by the following vote:

Ayes: Bambino, Nash, Schabarum, Smith, and Waite

Noes: 0

Absent: 0

Abstain: 0



Leimone Waite, President of the Board of
Directors of Bella Vista Water District

ATTEST:



David J. Coxey, Secretary of the Board of
Directors of Bella Vista Water District

BELLA VISTA WATER DISTRICT

STATE OF CALIFORNIA)

) ss

COUNTY OF SHASTA)

I, DAVID J. COXEY, Secretary of the Bella Vista Water District DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Directors of said District at a Regular Meeting of said Board of Directors by the following vote:

AYES: Bambino, Nash, Schabarum, Smith, and Waite

NOES: 0

ABSENT: 0

ABSTAINED: 0



David J. Coxey, Secretary of the
Board of Directors

STATE OF CALIFORNIA)

) ss

COUNTY OF SHASTA)

I, DAVID J. COXEY, Secretary of the Bella Vista Water District DO HEREBY CERTIFY that the foregoing is a full and correct copy of Resolution No. 20-07 of said Board of Directors, and that the same has not been amended or repealed.



David J. Coxey, Secretary of the
Board of Directors