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KERN COUNTY**

MAR 19 2021

**MARY B. BEDARD
AUDITOR CONTROLLER-COUNTY CLERK
BY  DEPUTY**

NOTICE OF EXEMPTION

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

From: Kern County Water Agency
3200 Rio Mirada Drive
Bakersfield, CA 93308

Kern County Clerk
1115 Truxtun Avenue
Bakersfield, CA 93301

Project Title: Kern County Water Agency (Agency) exchange of up to 53,300 acre-feet (af) in 2021 and 2022 of its State Water Project (SWP) Table A water for Kern-Tulare Water District's (KTWD) Central Valley Project (CVP) water.

Location -- Specific: The Agency is a SWP contractor located in Kern County in the southern San Joaquin Valley. KTWD is a CVP contractor located in Kern and Tulare Counties in the southern San Joaquin Valley. The SWP includes facilities located throughout the State of California. The California Department of Water Resources (DWR) is headquartered in Sacramento, California.

Location -- County: Kern and Tulare Counties.

Description of Activity: The Agency will exchange up to 53,300 af in 2021 and 2022 of its SWP Table A water for KTWD's CVP water for the purpose of facilitating in-district delivery of KTWD's CVP water. There is no construction, land use change, or modification to existing facilities; no new lands will be brought into production as a result of the requested exchange.

Name of Public Agency Approving or Carrying Out Activity: KCWA (Lead Agency), DWR and U.S. Bureau of Reclamation

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:

Notice of Environmental Document
Posted by County Clerk on 3/19/2021
and for 30 days thereafter, pursuant to
Section 21152(C), Public Resources Code

18751

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 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: 03/16/2021

☒ Signed by Lead Agency

Date received for filing by County Clerk:

☒ Signed by Applicant
