# **NOTICE OF EXEMPTION**

**To:** □ Office of Planning and Research

P.O. Box 3044, Room 113 Sacramento, CA 95812-3044

☐ County Clerk/County Recorder

County of Fresno P.O. Box 766 Fresno, CA 93712

□ County Clerk/County Recorder

County of Kings

1400 West Lacey Boulevard

Hanford, CA 93230

From: ☐ Westlands Water District

P.O. Box 6056 Fresno, CA 93703

Project Title: 2021 Groundwater Pumping and Conveyance Project

**Project Applicant:** Westlands Water District

**Project Location – Specific:** District-wide, located in western Fresno and Kings counties.

Project Location - City: N/A Project Location - County: Fresno, Kings

#### **Description of Nature, Purpose and Beneficiaries of Project:**

The Project includes executing a one-year Warren Act contract with the United States Bureau of Reclamation (USBR) and a one-year State Water Project Analysis Office (SWPAO) Agreement with the Department of Water Resources to convey up to 30,000 acre-feet of groundwater in the San Luis Canal (SLC) in 2021. The Project would allow well owners within the District to pump groundwater into the SLC, using existing pipelines and integration locations, for delivery and use on other land in the District, or to temporarily store it in San Luis Reservoir to meet peak summer crop demands and guard against water shortages 2022. Per USBR's Water in Quality Monitoring (usbr.gov/mp/nepa/includes/documentShow.php?Doc ID=46945; see Appendix B) for the Project, water quality testing and groundwater level monitoring will be performed routinely.

The District's action on the Project is for one year in response to emergency conditions, which are demonstrated by, among other factors, the limited amount of water available from the Central Valley Project, and the 5% water allocation to South of Delta Agricultural Contractors, including the District, which is not available for delivery until further notice from USBR. The District anticipates the USBR will rely upon its recent approval of the Five-Year Warren Act for Westlands Water District Environmental Assessment and Finding of No Significant Impact (CGB-EA-2020-032 and CGB-FONSI-2020-032, respectively) to support execution of the one-year Warren Act contract.

### Name of Public Agency Approving Project:

Westlands Water District, United States Bureau of Reclamation, California Department of Water Resources

# Name of Person or Agency Carrying Out Project:

Westlands Water District.

### Exempt Status: (check one)

☐ Ministerial (Sec	. 21080(b)(	1); 15268);
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Reference: Sections 21108(b), 21152(b), Public Resources Code.

- X Declared Emergency (Sec. 21080(b)(3); CEQA Guidelines Sec. 15269(a));
- X Emergency Project (Sec. 21080(b)(4); CEQA Guidelines Sec. 15269(b)(c));
- X Categorical Exemption. (CEQA Guidelines Sec. 15301);
- X Statutory Exemptions. (Sec. 21080(b)(4); CEQA Guidelines Sec. 15269(c));

# Reasons why project is exempt:

Westlands Water District has determined that this project is exempt from CEQA pursuant to Public Resources Code Section 21080 (b)(3) and CEQA Guidelines Section 15269(a) for the following reasons:

On May 10, 2021, Governor Newsom declared a State of Emergency (Proclamation) to address the severe drought condition, in particular the Central Valley. Government Code section 8571 authorizes the Governor to suspend certain regulatory requirements, including CEQA, under emergency conditions. The Proclamation orders the State "to expeditiously consider requests to move water to areas of need, including requests involving voluntary water transfers, forbearance agreements, water exchanges, or other means," and suspends CEQA for purposes of carrying out or approving this and other directives. The Project will carry out this directive and will prevent or mitigate the impacts of the drought emergency.

The Project also is statutorily exempt from CEQA pursuant to Public Resources Code section 21080(b)(4) and CEQA Guidelines section 15269(c) because it involves specific actions necessary to prevent or mitigate the drought emergency. The Project also is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301 because it involves operation of existing facilities with no or negligible expansion of use.

Lead Agency
Contact Person: Russ Freeman

Area Code/Telephone/Extension: (559) 241-6241

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: 5/25/21 Title: Deputy General Manager Resources

X Signed by Lead Agency X Signed by Applicant

Authority cited: Sections 21083, Public Resources Code.

Date Received for filing at OPR: