# NOTICE OF EXEMPTION

То:		Office of Planning and Research P.O. Box 3044, Room 113 Sacramento, CA 95812-3044
	X	County Clerk/County Recorder County of Fresno P.O. Box 766 Fresno, CA 93712
	X	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 Cooperative Agreement for Central Valley Project Water Transfer Project Between Del Puerto Water District, Panoche Water District, Westlands Water District and Contra Costa Water District

Project Applicant: Westlands Water District

Project Location – Specific:	Central Valley Project Areas of	Fresno,	Kings, Stanislaus, Merced, and
	Contra Costa Counites		

Project Location – City: N/A	Project Location – County: Fresno, Kings, Stanislaus,
	Merced, and Contra Costa Counites

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

The transfer agreement is for up to 2,000 AF to Westlands Water District (WWD) from Del Puerto Water District (DPWD), Panoche Water District (PWD), and Contra Costa Water District (CCWD). All Central Valley Project (CVP) contractors that receive water from the United States, through the Bureau of Reclamation (Reclamation), and CCWD has the ability to schedule delivery of a portion of its CVP allocation at Reclamation's C.W. "Bill" Jones Pumping Plant (Jones Pumping Plant) for delivery to the service areas of DPWD, PWD, and WWD, and, in a future year, DPWD, PWD, and WWD have the ability to schedule delivery of a portion of their CVP allocation at CCWD's intakes for delivery to CCWD's service area and/or storage in Los Vaqueros Reservoir.

#### Name of Public Agency Approving Project:

Westlands Water District, and Del Puerto Water District, Panoche Water District, and Contra Costa Water District, San Luis & Delta-Mendota Water Authority

#### Name of Person or Agency Carrying Out Project:

Westlands Water District, and Del Puerto Water District, Panoche Water District, and Contra Costa Water District

Exempt Status: (check one)

- □ Ministerial (Sec. 21080(b)(1); 15268);
- 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));
- Categorical Exemption. (CEQA Guidelines Sec. 15301);
- X Statutory Exemptions. (Public Resource 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 Proclamation of 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 transfer will carry out this directive and will prevent or mitigate the impacts of the drought emergency.

The transfer 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 transfer 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: <u>Russ Freeman</u>

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? X YES NO

Signature: Kinas Frieman

Date: 06/17/2021 Title: Deputy General Manager Resources

**X** Signed by Lead Agency **X** Signed by Applicant

Authority cited: Sections 21083, Public Resources Code. Reference: Sections 21108(b), 21152(b), Public Resources Code. Date Received for filing at OPR:

