

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): CA Dept. of Water Resources

P.O. Box 942836

Sacramento, CA 94236-0001

(Address)

Project Title: Agrt. for Scope Development and Technical Support for Interconnection Related Activities

Project Applicant: CA Department of Water Resources (CDWR)

Project Location - Specific:

Meetings and related activities will be conducted in Sacramento at the offices of CDWR, Sacramento Municipal Utility District (SMUD), or by phone.

Project Location - City: Sacramento Project Location - County: Sacramento

Description of Nature, Purpose and Beneficiaries of Project:

This agreement is an action to fund and otherwise support feasibility and planning studies for possible future actions which CDWR and SMUD have not approved, adopted or funded. SMUD will perform scope development and technical support activities for potential delta conveyance power planning. See attached.

Name of Public Agency Approving Project: CDWR

Name of Person or Agency Carrying Out Project: CDWR and SMUD

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: 14 CCR 15306-Information collection
- Statutory Exemptions. State code number: PRC 21102, 21150; 14 CCR 15262-Feasibility studies

Reasons why project is exempt:

This agreement is to collect information and support feasibility and planning studies for possible future actions which CDWR and SMUD have not approved, adopted, or funded. The scope development and technical support for interconnection related activities will not have a legally binding effect on later activities. See attached.

Lead Agency

Contact Person: Masoud Shafa Area Code/Telephone/Extension: 916-574-1296

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: Masoud Shafa Date: 6/24/19 Title: Chief, Transmission Planning

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

JUN 25 2019

STATE CLEARINGHOUSE

Revised 2011

Attachment to Notice of Exemption for Agreement for Scope Development and Technical Support for Interconnection Related Activities (Agreement) between the California Department of Water Resources (CDWR) and the Sacramento Municipal Utility District (SMUD)

Description of Nature, Purpose and Beneficiaries of the Project:

This Agreement by CDWR and SMUD is considered an action to fund and otherwise support appropriate feasibility and planning studies, as those terms are used in Public Resources Code, Section 21102 and 21150 and CEQA Guidelines Section 15262, for possible future actions which CDWR and SMUD have not approved, adopted, or funded. This Agreement is also an action to allow for basic data collection, research, experimental management, and resource evaluation activities, as those terms are used in CEQA Guidelines Section 15306. This Agreement will enable SMUD to perform contract scope development and supporting activities for contracts that are prerequisites to obtaining service, if any, from SMUD and receiving energy, if any, over SMUD's transmission system, for a future possible conveyance facility, if any. Nothing in this agreement shall be construed to predetermine CDWR's decision after completion of the CEQA process and CDWR may determine, consistent with the completed analysis under CEQA, that no conveyance project shall be approved. The information collection, and feasibility and planning studies would help inform potential requirements for a transmission interconnection service contract, a dynamic energy scheduling contract, a transmission wheeling contract, and other contracts, as needed, or no contracts, if none are needed. This Agreement will terminate on December 31, 2021 unless terminated earlier by either party or mutually extended. The Agreement's budget will be capped at \$35,000 and may be increased by mutual agreement if the scope of activities require more time or effort. In addition, CDWR may provide SMUD with a temporary notice to stop work.

CDWR finds this project is exempt for the following reasons:

No construction or actual delivery of power over a transmission system for delta conveyance will proceed under this Agreement. Moreover, no construction or actual delivery of power over a transmission system for delta conveyance will proceed unless and until CDWR, as lead agency under CEQA, has complied with CEQA and considered feasible mitigation and alternatives to delta conveyance, including but not limited to the no project alternative. This Agreement is limited to providing monetary payment by CDWR to SMUD for their information collection, and feasibility and planning studies, including participating in meetings and telephone calls, and providing updates, as requested by CDWR. The scope development and technical support for interconnection related activities under this Agreement will not have a legally binding effect on later activities. Execution of separate contracts is necessary to authorize any construction, transmission, or delivery of power.

CEQA Guidelines 15306 provides a categorical exemption from CEQA for information collection consisting "of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded."

Public Resources Code 21102 and 21150 statutorily exempt state agencies from authorizing funds for a project involving only feasibility or planning studies for possible future actions which the agency has not approved. CEQA Guidelines 15262 provides that a "project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities."