

2020020454

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CLERK OF THE  
BOARD OF SUPERVISORS

**NOTICE OF EXEMPTION**

2020 FEB 19 AM 11:52

COUNTY OF SAN BERNARDINO  
CALIFORNIA  
To: Office of Planning & Research  
PO Box 3044, Room 113  
Sacramento, CA 95812-3044

From: Mojave Water Agency  
13846 Conference Center Dr.  
Apple Valley, CA 92307

To: San Bernardino County Clerk's Office  
222 W. Hospitality Ln. First Fl.  
San Bernardino, CA 92415-0022

To: Kings County Clerk  
1400 W. Lacy Blvd.  
Kings County Government Center  
Hanford, CA 93230

To: Kern County Clerk  
1115 Truxtun Ave. 1st Floor  
Bakersfield, CA 93301

**Project Title:** Agreement between Mojave Water Agency and the Westside Districts for a Water Exchange.

**Location -- Specific:** Mojave Water Agency ("MWA") is a State Water Project ("SWP") contractor located in San Bernardino County. The Westside Districts are comprised of Dudley Ridge Water District, a SWP contractor located in southern Kings County, and four Member Units of the Kern County Water Agency (Belridge Water Storage District, Berrenda Mesa Water District, Lost Hills Water District, and Wheeler Ridge-Maricopa Water Storage District), a SWP contractor located in Kern County. The California Department of Water Resources ("DWR") is headquartered in Sacramento, California. The SWP includes facilities located throughout the State of California.

**Location -- County:** San Bernardino, Kings and Kern Counties.

**Description of Activity:** MWA is requesting approval of an exchange of SWP water according to Article 56(f) of its water supply contract with DWR. The water included in this exchange is a portion of the SWP water allocated in 2020 to MWA by DWR. It is the intent of the parties to accomplish the exchange consistent with the guidelines communicated by DWR in the Notice to Contractors #17-11 dated December 18, 2017.

Based on the May 20 SWP water allocation for 2020, MWA will release up to 47,145 AF of its Table A allocation for 2020 to the Westside Districts in exchange for the return of 25% of the water within ten years, as described in the attached term sheet.

**Name of Public Agency Approving or Carrying Out Activity:** Mojave WA (Lead Agency), Dudley Ridge WD, Kern County WA, Belridge WSD, Berrenda Mesa WD, Lost Hills WD, Wheeler Ridge-Maricopa WSD, and California Department of Water Resources (Responsible Agencies).


**Exempt Status:**

- Ministerial
- Declared Emergency
- Emergency Project
- Categorical Exemption.** State type and section number: See CEQA Guidelines Section 15061(b)3.
- Statutory Exemption.** State code number: See CEQA Guidelines Section 15061(b)3.

**Reasons why activity is exempt:** CEQA Guidelines Section 15061(b)3 provides that a lead agency may determine an activity to be exempt from CEQA based upon the general rule that CEQA applies only to projects that have a potential for causing significant environmental impacts. 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. DRWD finds that approval of the project has no possibility for significant effect on the environment for the following reasons:

- a. No construction is required to implement the project.
- b. No adverse environmental impacts have been identified with implementation of the project.

**Lead Agency Contact Person:** Kathy Cortner, CFO Tel : (760) 946-7004

**Signature:**  **Title:** General Manager **Date:** 2/18/20  
Tom McCarthy

Governor's Office of Planning & Research

FEB 24 2020

STATE CLEARINGHOUSE

BRUNICK, MCELHANEY & KENNEDY

PROFESSIONAL LAW CORPORATION

1839 COMMERCENTER WEST

SAN BERNARDINO, CALIFORNIA 92408

TELEPHONE: (909) 889-8301

FAX: (909) 388-1889

WILLIAM J. BRUNICK  
LELAND P. MCELHANEY  
STEVEN M. KENNEDY

MAILING ADDRESS:

POST OFFICE BOX 13130

SAN BERNARDINO, CALIFORNIA 92423-3130

February 19, 2020

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

**RE: *Filing of Notice of Exemption***  
**Project Title: Agreement between Mojave Water Agency and  
the Westside Districts for a Water Exchange**

To Whom It May Concern:

Please find enclosed two (2) copies of a Notice of Exemption filed by Mojave Water Agency as lead agency for the:

**Project Title: Agreement between Mojave Water Agency and the Westside Districts for a Water Exchange**

Please receive stamp one copy and return in the envelope provided.

Thank you. Please contact the undersigned should you have any questions.

Very truly yours,

**BRUNICK, MCELHANEY & KENNEDY PLC**



WILLIAM J. BRUNICK

WJB\pjg  
Enclosure: As stated

*mailed CU*

Governor's Office of Planning & Research

**FEB 24 2020**

**STATE CLEARINGHOUSE**

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