

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 Water Purchase Agreement with Placer County Water Agency

Project Applicant: Westlands Water District

Project Location – Specific: Areas of Fresno, Kings and Placer counties.

Project Location – City: N/A

Project Location – County: Fresno, Kings and Placer

Description of Nature, Purpose and Beneficiaries of Project:

The transfer involves releasing up to 21,053 Acre-Feet (AF) from Placer County Water Agency's (PCWA) Middle Fork American River Project reservoirs release for transfer of up to 20,000 (AF) to Westlands Water District (WWD) for temporary storage in San Luis Reservoir and for direct irrigation with projected storage and delivery between July 1, 2021 and May 31, 2022.

Name of Public Agency Approving Project:

Westlands Water District, and Placer County Water Agency, State Water Resources Control Board

Name of Person or Agency Carrying Out Project:

Westlands Water District and Placer County Water Agency

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); CEQA Guidelines Sec. 15269(a));
- Emergency Project (Sec. 21080(b)(4); CEQA Guidelines Sec. 15269(b)(c));
- Categorical Exemption. (CEQA Guidelines Sec. 15301);
- 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)(4) and CEQA Guidelines Section 15269(c) 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 transfer is also statutorily exempt from CEQA pursuant to Public Resources Code section 21000, et seq. and CEQA Guidelines section 15269(c) because it involves specific actions necessary to prevent or mitigate the drought emergency. Water Code Section 1729 provides that a temporary change in the point of diversion, place of use, or purpose of use due to a transfer pursuant to Water Code section 1725, et seq., are exempt from the requirements of the California Environmental Quality Act (CEQA, Public Resources Code section 21000, et seq.).

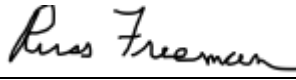
Lead Agency

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

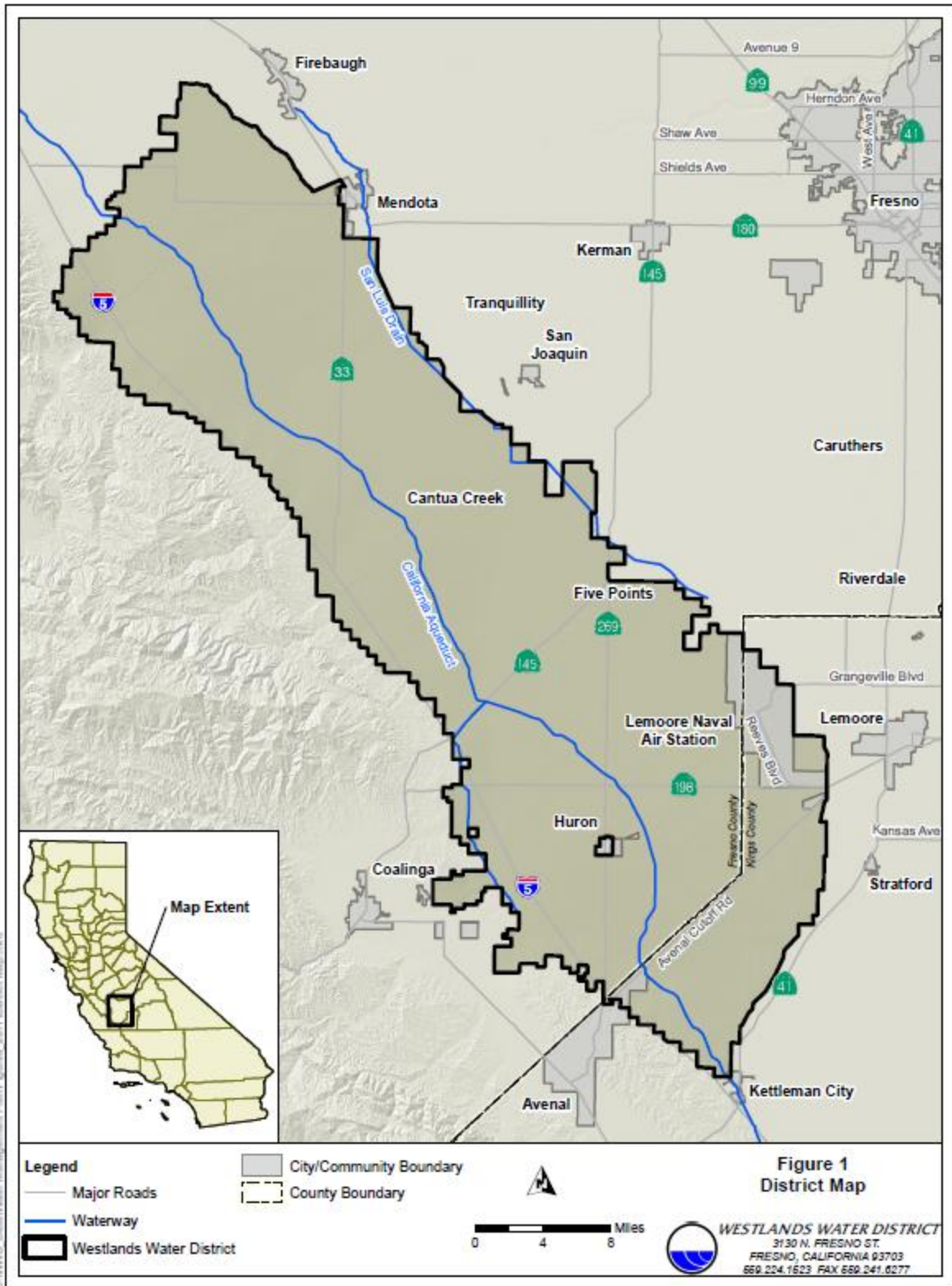
Signature:  Date: 06/17/2021 Title: Deputy General Manager Resources

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083, Public Resources Code.

Date Received for filing at OPR: _____

Reference: Sections 21108(b), 21152(b), Public Resources Code.



C:\WWW\DW\DW\Water Management\Plan\F\locat_2017\District Map.mxd
 Date: 8/27/2015