

Notice of Exemption

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

County Clerk
County of Contra Costa
555 Escobar Street
Martinez, CA 94553

Stanislaus County Clerk-Recorder
1021 I Street, Suite 101
Modesto, CA 95354

San Joaquin County Clerk-Recorder
44 North San Joaquin Street, Suite 260
Stockton, CA 95202

Merced County Clerk-Recorder
2222 M St.
Merced, CA 95340

Fresno County Recorder
2281 Tulare Street, Room 302
Fresno, CA 93721

Kings County Clerk – Recorder
1400 W. Lacey Blvd
Hanford CA 93230

From: Contra Costa Water District
P.O. Box H20
Concord, CA 94524
925-688-8168
Lead Agency/Applicant and
Filing Agency

Project Title: Central Valley Project (CVP) Water Transfer Project between Del Puerto Water District (Del Puerto), Panoche Water District (Panoche), Westlands Water District (Westlands) and Contra Costa Water District (Contra Costa)

Project Applicant: Contra Costa Water District

Project Location - Specific: Del Puerto, Panoche, Westlands, and Contra Costa service areas would receive transfer water originating from the CVP and conveyed through CVP, Del Puerto, Panoche, Westlands, and Contra Costa existing facilities.

Project Location - City: Various

Project Location - County: Contra Costa, Stanislaus, San Joaquin, Merced, Fresno, Kings Counties

Description of Nature, Purpose and Beneficiaries of Project: Del Puerto, Panoche, Westlands, and Contra Costa are entering into an agreement for CCWD to transfer up to 2,000 acre-feet of Contra Costa's CVP allocation each to Del Puerto, Panoche, and Westlands in 2021, and then for Del Puerto, Panoche, and Westlands to each transfer the same amount of their CVP water to CCWD by 2026. With ongoing dry hydrologic conditions and no CVP allocations for the rest of the year, the transfer will provide supplemental water supply to Del Puerto, Panoche, and Westlands this year. Water transferred to Del Puerto, Panoche, and Westlands will be made available by Contra Costa using water previously stored in Los Vaqueros Reservoir in lieu of Contra Costa's CVP allocation, allowing that water to be pumped at the CVP Jones Pumping Plant and conveyed to Del Puerto, Panoche, and Westlands service areas through existing CVP, Del Puerto, Panoche, and Westlands facilities. Water transferred to CCWD will be conveyed using CCWD's existing facilities to its service area. Operations to enable the water transfers will require approval by the Bureau of Reclamation.

Name of Public Agency Approving Project: Contra Costa Water District

Name of Person or Agency Carrying Out Project: Contra Costa Water District

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. CEQA Guidelines Section 15301, Use of Existing Facilities
- Statutory Exemptions. State code number:

Reasons why project is exempt:

The project is exempt from CEQA pursuant to Public Resources Code Section 21080 (b)(3) and CEQA Guidelines Section 15269(a) due to the Declared Emergency. On May 10, 2021, Governor Newsom declared a State of Emergency (Proclamation) to address the severe drought condition, in particular in 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.

As a separate and independent basis for determining the project to be exempt, 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.

As a separate and independent basis for determining the project to be exempt, the project is also eligible for a Class 1 categorical exemption under CEQA Guidelines Section 15301 for Use of Existing

Facilities. Conveyance of the water transferred would occur through existing facilities and would not exceed their normal capacity. Accordingly, no construction of new or expansion of existing water conveyance facilities are required to facilitate the proposed transfers of water. The Reclamation approvals of the water transfers would be administrative in nature and provide the necessary regulatory approvals to allow for the water transfers to proceed using existing facilities.

Lead Agency

Contact Person: Lucinda Shih

Area Code/Telephone/Extension: (925) 688-8168

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: Lucinda Shih Date: 6/18/21 Title: Water Resources Manager

Signed by Lead Agency

Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.

Date Received for filing at OPR: _____

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.