

NOTICE OF EXEMPTION

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| To: | Office of Planning and Research Post Office Box 3044 Sacramento, California 95812 | From: | Department of Water Resources Water Management 1516 9 th Street Sacramento, California 95814 |
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| Project Title | Agreement for Use of Kern County Water Agency's State Water Project Water Outside of Its Service Area and Conveyance of Non-Project Water to Kern County Water Agency (SWPAO #22009) |
| Location- Specific | From O'Neill Forebay and/or Banks Pumping Plant to KCWA's turnout(s) in Reaches 9 through 16A of the California Aqueduct |
| Location- County | Kern County |
| Description of Activity | Due to Cross Valley Canal capacity limitations and to provide irrigation flexibility, Kern-Tulare Water District (KTWD) and Kern County Water Agency (KCWA) will conduct a bona fide water exchange through two water conveyances: (1) conveyance of up to 53,300 acre-feet of KCWA's State Water Project (SWP) 2022/2023 Table A water through KCWA's existing turnouts to KTWD, and (2) conveyance of a like amount of 2022 CVP water supplies to KCWA where the United States Bureau of Reclamation (Reclamation) will make KTWD's CVP water available to DWR at Banks Pumping Plant and/or O'Neill Forebay for DWR to deliver to KCWA. DWR will enter into an Agreement with KCWA to authorize the use of KCWA's SWP Table A Water outside of KCWA's service area under Article 56(f) of KCWA's water supply contract and the conveyance of non-Project water to KCWA pursuant to Article 55 of KCWA's water supply contract. This exchange is subject to the State Water Resources Control Board (SWRCB) Order Approving DWR's and Reclamation's Petition for Temporary Change in the Place of Use (CPOU), issued on July 14, 2021. |
| Name of Public Agency Approving or Carrying out Activity | KCWA (lead agency), DWR (responsible agency), Reclamation |
| Exempt Status | <input type="checkbox"/> Ministerial <input type="checkbox"/> Declared Emergency <input type="checkbox"/> Emergency Project <input checked="" type="checkbox"/> Categorical Exemption: Class 1; CEQA Guidelines Section 15301, existing facility <input checked="" type="checkbox"/> Statutory Exemption: California Water Code Section 1729 |
| Reasons why activity is exempt | <p>a. California Water Code, § 1729, exempts temporary changes in place of use from the requirements of the California Environmental Quality Act. (see also Cal. Code Regs., tit. 14, § 15282, subd. (u)).</p> <p>b. The project is a water management operation using only existing facilities.</p> |

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| | <p>c. The project will not support new development or a change in land use.</p> <p>d. The project does not establish a new permanent source of water supply.</p> |
| Responsible Agency Contact Person | Patrick Luzuriaga Telephone: 916-820-7778 |

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| <p>Signature:</p> <p><i>John Leahigh</i></p> <hr/> <p>John Leahigh Assistant Division Manager, Water Management Division of Operations and Maintenance</p> | <p>Date:</p> <p>10/3/2022</p> <hr/> |
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