

**NOTICE OF EXEMPTION PLEASE POST FOR 30 DAYS**

FROM: City of Fresno Development and Resource Management Dept.  
2600 Fresno Street  
Fresno, California 93721-3604

TO: X Fresno County Clerk  
2220 Tulare Street  
Fresno, California 93721

Office of Planning & Research SCH NO.: N/A  
P.O. Box 3044, Room 212  
Sacramento, California 95812-3044

**FILED**  
DEC 23 2016  
TIME 10:49 AM  
FRESNO COUNTY CLERK  
DEPUTY

**Project Title: Revised, Amended, and Restated Cooperative Agreement between the Fresno Irrigation District and the City of Fresno for Water Utilization and Conveyance**

**Project Location:** Citywide

**Project Location - city:** City of Fresno

**Project Location- county:** County of Fresno

**Description of Nature, Purpose and Beneficiaries of Project:** The City's surface water supplies are delivered (i.e. conveyed) to the City's surface water treatment facilities, as well as recharge basins located in and around the City, through a series of channels, ditches, and canals owned and operated by the Fresno Irrigation District (District). The City and the District have cooperated and collaborated on surface water conveyance since August 1970, four years after the City executed a contract with the United States Bureau of Reclamation (Bureau) for the delivery of surface water from Millerton Lake to the City for groundwater recharge. The City and the District have previously entered into two conveyance agreements: (a) the first on August 12, 1970, and (b) the second on May 25, 1976. The District is currently providing conveyance services to the City under the terms, conditions, and compensation method described in the Conveyance Agreement dated May 25, 1976, which expires December 31, 2016.

On February 26, 2015, the City Council adopted a five-year water utility rate plan to finance the construction of a five-year water capital plan totaling approximately \$429 million (Recharge Fresno). The five-year capital plan is intended specifically to implement a more robust conjunctive-use water resource management strategy that will allow the City to use more surface water, in lieu of groundwater, to meet the many and varied water demands of the residents, businesses, industries, and institutions in the City's service area. This transition from groundwater to surface water as the primary water supply source is driven by the regulatory requirements of the Sustainable Groundwater Management Act (SGMA) and increased groundwater contaminant regulations requiring wells be removed from service.

The sharply different water management approach mandated by the SGMA requires the City to work closely with the District, as the City's surface water supply provider, to update the services provided by the District. City staff and District staff have undertaken extensive negotiations to present the

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Notice of Exemption, City of Fresno Cooperative Agreement

proposed Agreement, which reflects necessary changes in how the District provides water to the City by ensuring year-round delivery of surface water for the City's surface water treatment facilities.

The proposed Agreement will allow the District to provide continuous surface water deliveries to the City so the City may implement the Recharge Fresno program to comply with the SGMA and water quality regulations.

Beneficiaries of the project would be: Department of Public Utilities  
2600 Fresno Street  
Fresno, CA 93721

Name of Public Agency Approving Project: City of Fresno

Name of Person or Agency Carrying Out Project: THOMAS C. ESQUEDA, Director  
Department of Public Utilities  
2600 Fresno Street  
Fresno, CA 93721

Exempt Status: (check one)

- Ministerial - PRC § 21080(b)(1); CEQA Guidelines §15268
- Declared Emergency - PRC § 21080(b)(3); CEQA Guidelines §15269(a)
- Emergency Project - PRC § 21080(b)(4); CEQA Guidelines §15269(b) and (c)
- Categorical Exemption – Class 1/CEQA Guidelines §15301
- Statutory Exemption – PRC §15261

Reasons why project is exempt: Under Section 15261 of the CEQA Guidelines, projects carried out by public agencies approved prior to November 23, 1970 are exempt from CEQA requirements. In addition, Section 15301(e)/Class 1 of the CEQA Guidelines exempts projects consisting of the operation, permitting, or minor alteration of existing public facilities that involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination are exempt from CEQA requirements.

The proposed Agreement meets the criteria noted above because it is a continuation of an agreement first entered into on August 12, 1970, which has continued uninterrupted and remains fundamentally the same. Furthermore, the proposed Agreement consists of the operation of existing structures and facilities. There is no substantial evidence in the record that any of the exceptions to these Statutory and Categorical Exemptions, set forth in CEQA Guidelines, Sections 15261 and 15300.2 apply to this project. Therefore, no adverse environmental impacts will occur as a result of the proposed project. Accordingly, a statutory and categorical exemption, as noted above, have been prepared for the project.

Lead Agency Contact Person: Phillip Siegrist, Planner II  
City of Fresno Development & Resource Management Department

Full Telephone No. (559) 621-8061

**If filed/signed by applicant:**

Attach certified document of exemption finding  (check if attached)

Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature:  Date: 12.23.14

**Printed Name and Title:** McKencie Contreras, Supervising Planner  
City of Fresno Development and Resource Management Department

**Signed by Lead Agency**  **Signed by applicant**

**Attachments:** Exhibit A

# City of Fresno Water Service Area Boundary Exhibit "A"

December 13, 2016

The City's Water Service Area consists of Included Acres and Excluded Acres, and on an annual basis City and District shall review this Exhibit B map to show the total number of acres in each area as of the first day of March of each year.

