

- **Board of Directors**
Water Planning and Stewardship Committee

April 8, 2008 Board Meeting

8-5

Subject

Authorize executing one-year water transfer agreements with various Sacramento Valley water districts

Description

In November 2007, the Board authorized the General Manager to enter into an agreement with the State Water Project Contractors Authority (Contractors Authority) to pursue up to 200,000 acre-feet of 2008 Central Valley water transfer option agreements. In February 2008, the Board approved minor revisions to the Contractors Authority agreement, which authorized initial payments to sellers for transfer development and environmental documentation costs. Metropolitan staff, in partnership with other State Water Contractor parties to the Contractors agreement, have now reached tentative agreement on one-year water transfer agreements with specific sellers. As a result, staff recommends that the Board authorize the General Manager to execute one-year water transfer agreements with Richvale Irrigation District, Western Canal Water District, South Feather Water and Power Agency and South Sutter Water District for up to 67,275 acre-feet.

As approved by the Board in November 2007, Metropolitan has forwarded funds to the Contractors Authority, which is serving as the fiscal agent for pursuing these water transfers, to be used for the Contractor Authority administrative costs and costs for environmental and other regulatory costs to develop the transfers. As reported to the Board in February, the structure for these transfer agreements ([Attachment 1](#)) has changed from options to direct purchases for up to \$200 per acre-foot and Metropolitan will need to decide whether to purchase most of these water transfer supplies prior to April 30, 2008. After providing for Delta conveyance losses, estimated at 20 percent, these agreements would provide up to 53,820 acre-feet of supplies with an effective unit cost of approximately \$250/acre-foot, not including energy costs to deliver the water to Metropolitan's service area. These agreements provide water supply insurance in 2008 while providing a basis for discussion of longer-term opportunities.

The amount of water Metropolitan could receive under these agreements will depend on other State Water Contractors' participation levels and the available capacity to pump non-project water through the Banks pumping plant. Currently, Metropolitan would have the right to purchase about 70 percent of these transfer supplies. If dry conditions continue and the State Water Project allocation is less than 55 percent, then there will be sufficient capacity at Banks pumping plant to convey the transfer water to Metropolitan. In addition, in order to ensure that Metropolitan can convey the full purchased amount, Metropolitan along with other State Water Contractors have worked closely with the Department of Water Resources to develop Principles for storing non-project water in Oroville Reservoir. These storage Principles would allow the State Water Project Contractors to regulate their transfer water in Oroville Reservoir this year as well as beyond 2008 as long as there is no impact to State Water Project operations.

Two of the sellers, Richvale Irrigation District and Western Canal Water District, prepared and adopted Negative Declarations (NDs) pursuant to the California Environmental Quality Act for these water transfers. During the 30-day public review period, both of these sellers received comment letters on their NDs raising various issues concerning potential environmental impacts and recommending preparation of a full Environmental Impact Report. The sellers reviewed and considered these comments prior to adopting the NDs and filing a Notice of Determination and found that no new issues were raised. Their action now triggers a 30-day period for commenting parties to litigate the adequacy of the NDs. In addition, Metropolitan staff reviewed and considered these comments and the sellers' findings prior to developing this Board recommendation. Prior to entering into

agreements to purchase these transfer supplies, staff will assess the credibility of any legal challenges to the CEQA document.

Policy

Metropolitan Water District Administrative Code Section 4203: Water Transfer Policy

California Environmental Quality Act (CEQA)

CEQA determinations for Option #1:

The four proposed agreements have been evaluated pursuant to CEQA and the State CEQA Guidelines. As appropriate, the proposed agreements have been grouped together by their similar CEQA determinations and discussed below.

Separate One-year Water Transfer Agreements with Richvale Irrigation District and Western Canal Water District (Two Lead Agencies)

Pursuant to the provisions of CEQA and the State CEQA Guidelines, Richvale Irrigation District and Western Canal Water District, acting as the Lead Agencies for their respective projects, prepared Negative Declarations (NDs) (**Attachment 2**, and **Attachment 3**) that were distributed for 30-day public review beginning on February 12 and 14, 2008, respectively. Western Canal and Richvale subsequently adopted their NDs and approved their projects on March 17 and 25, 2008, respectively. Metropolitan, as a Responsible Agency under CEQA, is required to certify that it has reviewed and considered the information in each ND and adopt the two Lead Agencies' findings prior to approval of the proposed agreements with each of these districts. Hard copies of the NDs are available for review in the Board Executive Secretary's office.

The CEQA determination is: Review and consider information provided in the two NDs, contingent on their adoption by their respective Lead Agencies and adopt the two Lead Agencies' findings related to the proposed agreements with Metropolitan.

Separate One-year Transfer Option Agreements with South Feather Water and Power Agency and South Sutter Water District (two districts)

The proposed actions, i.e., to execute agreements for one-year water transfers with the two districts, are statutorily exempt from CEQA under provisions of the Water Code and the State CEQA Guidelines. The proposed actions involve temporary changes in the points of diversion, places of use, or purpose of use due to transfers or exchanges of water or water rights as set forth in Section 1725 of the Water Code. The two districts will be responsible for complying with the statutory requirements of the Water Code. As such, these proposed actions qualify for a statutory exemption pursuant to Section 1729 of the Water Code and Section 15282(u) of the State CEQA Guidelines. In addition, the proposed actions are not subject to CEQA because they involve other government fiscal activities, which do not involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment [Section 15378(b)(4) of the State CEQA Guidelines].

The CEQA determination is: Determine that the proposed actions with the two districts are statutorily exempt from CEQA and are not subject to CEQA pursuant to Section 1729 of the Water Code and Sections 15282(u) and 15378(b)(4) of the State CEQA Guidelines.

CEQA determination for option #2:

None required

Board Options

Option #1

Adopt the CEQA determinations and authorize executing one-year water transfer agreements with Richvale Irrigation District, Western Canal Water District, South Feather Water and Power Agency and South Sutter Water District for up to 67,275 acre-feet on terms consistent with the attached term sheet (**Attachment 1**).

Fiscal Impact: Assuming Metropolitan purchases its minimum share of the Buyers Group supplies, Metropolitan’s minimum payment would be \$9.15 million (67,275 acre-feet x 68% x \$200/AF). Assuming Metropolitan purchases all of the Buyers Group supplies, Metropolitan’s maximum payment would be \$13.46 million.

Business Analysis: Approval will improve 2008 water supply reliability, help mitigate or avoid water supply allocations and contribute to the implementation of the Integrated Resources Plan.

Option #2

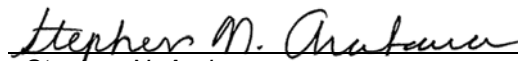
Do not authorize executing one-year water transfer agreements with various Sacramento Valley water districts.

Fiscal Impact: None

Business Analysis: Not authorizing executing one-year water transfer agreements with various Sacramento Valley water districts could result in a lost opportunity to secure water transfer supplies in 2008, potentially resulting in lower water supply reliability beyond 2008.

Staff Recommendation

Option #1


 Stephen N. Arakawa
 Manager, Water Resource Management

3/27/2008
 Date


 Jeffrey Kightlinger
 General Manager

3/27/2008
 Date

Attachment 1 – Proposed Terms and Conditions for 2008 Water Transfer Agreements

Attachment 2 – Initial Study and Proposed Negative Declaration for Richvale Irrigation District 2008 Crop Idling Water Transfer Program

Attachment 3 – Initial Study and Proposed Negative Declaration for Western Canal Water District 2008 Crop Idling Water Transfer Program

**PROPOSED TERMS AND CONDITIONS
FOR 2008 WATER TRANSFER AGREEMENTS**

1. Buyer will either assist Seller with preparing environmental documentation or pay Seller a \$5/AF payment to assist Seller with costs to prepare environmental documentation and securing environmental approvals.
2. If Buyer purchases the transfer water, Seller will receive a total payment of \$200/AF for the transfer water made available, which includes any \$5/AF payment made in Term 1¹.
3. The point of delivery for measuring the transfer water will be determined on a case-by-case basis. Buyer will be responsible for any carriage water loss associated with transfer water delivered to its service area.
4. Seller agrees to make all water under the Agreement available to Buyer if Buyer purchases the transfer water. Buyer agrees to make all payments to Seller consistent with the Agreement. The Agreement will include penalties for failure of either party to perform.

¹ The terms for the South Feather Water and Power Agency water transfer supplies will be as follows:

- \$5/AF payment for environmental documentation costs;
- \$160/AF payment if water is purchased by April 15, and
- Up to \$35/AF potential “generation impact fee”.

**Initial Study and
Proposed Negative Declaration
for
Richvale Irrigation District 2008 Crop Idling Water Transfer
Program**

Prepared by Richvale Irrigation District

**For additional information
regarding this document contact:**

Brad Mattson, Secretary/Manager, Richvale Irrigation District
P.O. Box 147 Richvale, California 95974

February 2008

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SECTION 1 PROJECT DESCRIPTION

1.0 PROJECT INTRODUCTION AND BACKGROUND

Richvale Irrigation District (RID) is proposing to sell up to 17,275 acre feet of water to participating member districts of the State Water Project Contractors Authority (Buyers)¹ during the 2008 irrigation season. Buyers are seeking up to approximately 400,000 acre feet of transfer water from various willing sellers in the Sacramento Valley during the 2008 irrigation season. Purchasing this water would lessen potential water supply shortages to these Buyers that may occur as a result of dry hydrologic conditions.

As a willing seller, RID would make up to 17,275 acre feet of water available to Buyers by idling cropland (i.e., non-irrigation of farmland by voluntary participants) or through shifting from higher water use crops to lower water use crops.

Water made available by crop idling or crop shifting within RID would then be retained and stored by the Department of Water Resources (DWR) for delivery to Buyers.

RID's entitlement to Feather River water is 149,850 acre feet, subject to curtailment under Joint Water District's 1969 Diversion Agreement with DWR. RID proposes to not divert (i.e., forebear) a portion of its water stored in Lake Oroville under this one-year transfer, which would allow DWR to deliver a portion of the foregone water to Buyers through the State Water Project (SWP).

For the last 5 years on average, less than 1% of the acreage dedicated to rice production in RID is fallowed and temporarily removed from farm production so improvements such as weed abatement, land leveling, etc. can be made. In 2007, 0.5% of rice land was fallowed. Land idled for purposes of developing water for this transfer would be those acres above the amount of fallowed rice land in 2007.

The proposed project would idle up to 5,235 acres of RID's service area that would otherwise be irrigated for rice in 2008. Idling would occur within approximately 32,100 total irrigable acres. The accepted Evapo-Transportation Rate of Applied Water (ETAW)² for rice culture is 3.3 acre feet per acre per growing season, which is consistent with the recent ETAW rates used for water transfers in the Sacramento Valley based on crop idling of rice acreage (*California Water Plan Update. Bulletin 160-05. December 2005*). Thus, the water made available for transfer by reduced crop evapotranspiration for the projected idled acreage would be up to 17,275 acre feet (5,235 acres x 3.3 AF/acre).

1.1 Project Location

¹ Buyers are the following State Water Project contractors: Metropolitan Water District of Southern California, Antelope Valley-East Kern Water Agency, Central Coast Water Authority, Dudley Ridge Water District, Kern County Water Agency, Napa County Flood Control and Water Conservation District, Palmdale Water District, San Bernardino Valley Municipal Water District, and Tulare Lake Basin Water Storage District. Depending on the hydrologic conditions existing in the spring of 2008, all or a portion of these agencies may elect to receive all or a portion of water purchased.

² ETAW is defined as the portion of the total evapotranspiration that is provided by irrigation. The portion of evapotranspiration met by precipitation occurring during the growing seasons or stored as soil moisture within the root zone before the growing season does not qualify as transferable water. ETAW values used for water transfer calculations are based upon crop water demands reflecting average rainfall and evaporative demand.

The project area, from which the water for this transfer will be made available, is defined by the RID boundaries which encompass approximately 35,000 acres in the northern Sacramento Valley in Butte County (Figure 1). Within the RID boundary are slightly more than 32,000 irrigable acres, of which approximately 29,100 acres are dedicated primarily to the production of rice. Lands within RID have either primary or secondary water service. Because RID uses its full entitlement every year only primary service lands will be eligible to participate in the project.

Land idled for the purpose of this transfer will be drawn from the rice acreage, to the exclusion of irrigable RID acreage dedicated to other crops or to habitat. Since the program will be offered to all eligible growers and it is anticipated that there will be more interest than RID desires to offer, a wide dispersal of acreage enrolled in the program is expected. RID will encourage program participants to disperse idled acreage and make clear to participants that large, contiguous blocks of idled land related to this program are undesirable. Dispersing the program acres throughout RID assures that historical operational water levels will be maintained in canals throughout the district so that wildlife impacts otherwise associated with dewatering the canals will be avoided, as will impacts associated with habitat loss which might occur with large, contiguous blocks of fallowed land.

1.2 Water Availability and Transfer

No new construction or improvements by RID, Buyers, or DWR would be necessary for the production and transfer of this water.

Water that would not be diverted would be available for transfer to Buyers through SWP facilities operated by DWR, including Lake Oroville. Water would accrue in storage on the basis of estimates of the amount of water that would have been consumed on the idled land but for the program. That is, the water that would have been consumed in the process of crop use, would be available for transfer.

The portion of applied water, which would, in the case of RID, have normally returned to the Sacramento River system as tailwater or groundwater discharge to surface waters, would remain available for instream use and diversion by others and would not be transferred.

As the ETAW for rice culture in the Sacramento Valley is calculated at 3.3 acre feet per acre per growing season, each acre of idled rice production will make available for transfer 3.3 acre feet of water throughout the growing season.

The typical growing season for rice in California is April through September. The potential ETAW demand across these months is shown in Table 1.1 with the corresponding water production expectations.

TABLE 1.1

Water Production Schedule

	May	June	July	August	September	
ETAW in Percent	15	22	24	24	15	
Water Production In Acre Feet	2,591.25	3,800.5	4,146	4,146	2,591.25	17,275
Total Production For Transfer in 2008 in Acre-Feet						17,275

During the implementation of the proposed project, water transferred by RID would be deemed transferred at the RID's point of diversion on the Thermalito Afterbay and custody would then transfer to Buyers. As the operator of the SWP, DWR would be able to anticipate the lowered demands of RID and hold a corresponding amount of water in storage at Oroville reservoir. DWR would then use its Oroville storage reservoir to regulate the water in a manner which would allow for delivery of the water through the Sacramento-San Joaquin Delta, pumping into the California Aqueduct or North Bay Aqueduct and making the ultimate delivery to Buyers.

Transfer of the water will occur within the regulatory parameters for the SWP, including all applicable Biological Opinions requirements under the Endangered Species Act that govern SWP pumping at the DWR's Banks Pumping Plant located in the Sacramento-San Joaquin Delta. To ensure compliance with all environmental requirements, DWR follows a set of mitigation and environmental programs in operating the SWP. In the near term, additional restrictions are being implemented as a result of interim operational remedies imposed by the United States District Court, Eastern District of California in *NRDC v. Kempthorne*, which will govern SWP operations for the protection of the Delta Smelt (*Hypomesus transpacificus*). Conclusion of the current consultation on the Long-Term Central Valley Project (CVP) and State Water project (SWP) Operations Criteria and Plan (OCAP) with the United States Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Agency (NOAA) Fisheries Service is expected to provide new Biological Opinions during 2008 for delta smelt, salmon, and green sturgeon that would replace the court's order regarding SWP operation. As a result, water may not be able to be transferred in certain months due to environmental restrictions on SWP pumping.

DWR estimates that approximately 20% of the water transferred through the Delta would be necessary to enable the maintenance of water quality standards, which are based largely upon the total amount of water moving through the Bay-Delta system, known as "carriage water." Additionally, a 3% system loss due to evaporation and other losses would be assessed by DWR for water received at the Banks pumping plant and transported through the SWP. Therefore, this transfer would yield up to approximately 13,302 acre feet [5,235 ac x 3.3 AF/ac less 23%] to Buyers. At the end of the irrigation season, the amount of carriage water actually required is calculated. Depending upon the hydrologic year type and other operational constraints, the actual amount of carriage water assessed for the transfer may vary somewhat from this estimate.

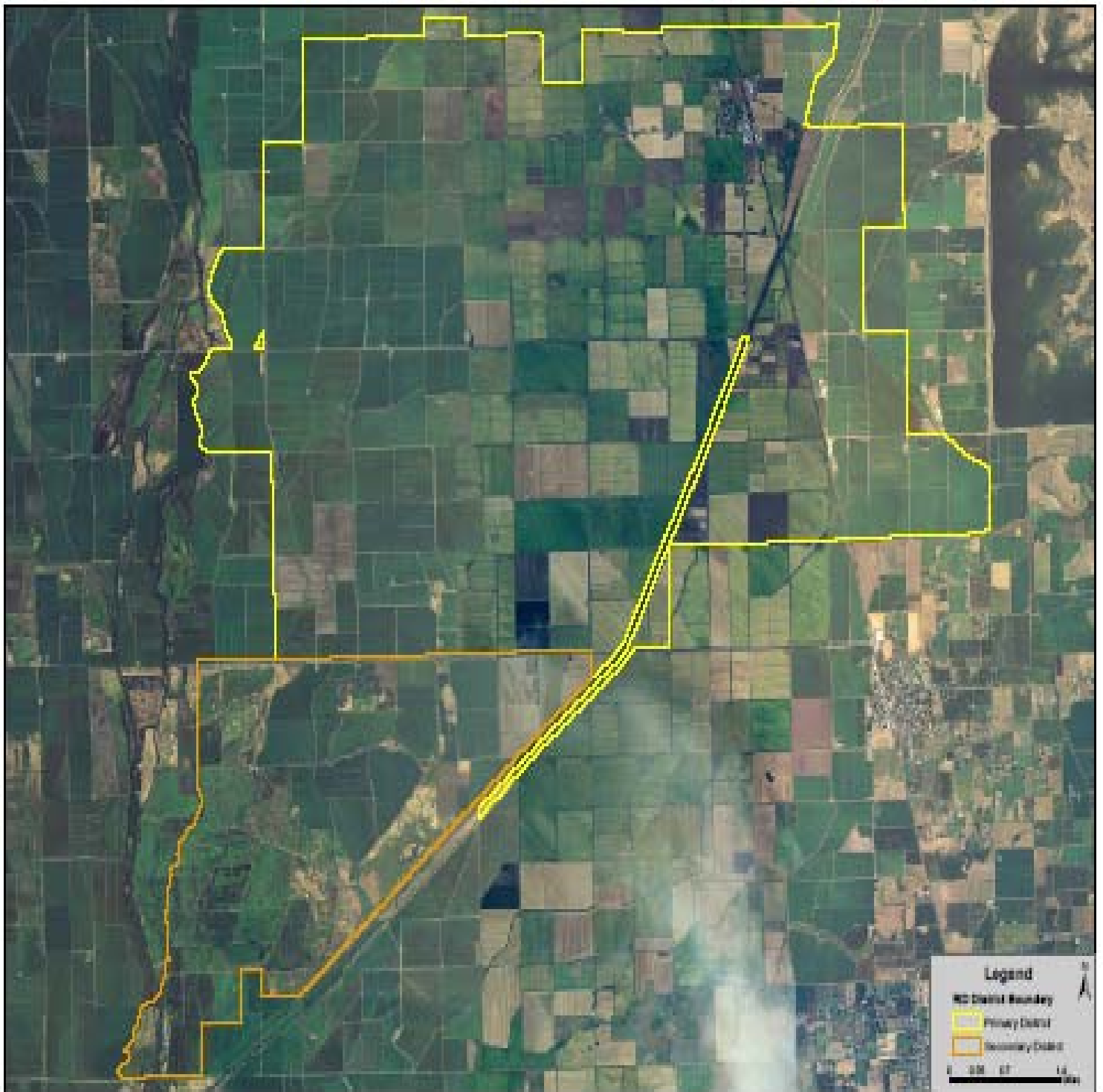
1.3 Use of Water by Buyers

It is contemplated that the Buyers will be required to purchase the water by April 15, 2008. If the water is purchased, Buyers would take delivery of this water in a manner physically identical to their typical SWP deliveries. Each Buyer would be entitled to a proportionate share of the total amount of water purchased as provided in Table 1.2. The acquired supplies would provide additional resource options to Buyers to mitigate potential dry-year water shortage conditions in 2008. This water would represent backfilling of a shortfall of water normally and historically received into Buyers service areas. Accordingly, any water transferred under the proposed Project would not represent a dependable long-term increase in supply. As such, no adverse Project-specific impacts to Buyers' service areas due to the proposed transfer would occur.

Table 1.2

Buyers Proportionate Share of Water Made Available by Richvale Irrigation District (Percentage)	
BUYERS	Water Purchase Percentage
Antelope Valley-East Kern WA	6.48
Central Coast Water Agency	2.85
Dudley Ridge Water District	1.31
Kern County Water Agency	13.14
Metropolitan Water District	62.86
Napa County Flood Control and WCD	1.73
Palmdale Water District	3.14
San Bernardino Valley MWD	7.86
Tulare Lake Basin WSD	0.63
Total	100

Figure 1: Project Location Map



SECTION 2 INITIAL STUDY

The following Initial Study, Environmental Checklist, and evaluation of potential environmental effects (see Section 3) were completed in accordance with Section 15063(d)(3) of the State CEQA Guidelines to determine if the proposed project could have any potentially significant impact on the physical environment.

An explanation is provided for all determinations, including the citation of sources as listed in Section 4. A "No Impact" or "Less-than-significant Impact" determination indicates that the proposed project will not have a significant effect on the physical environment for that specific environmental category. No environmental category was found to have a potentially significant adverse impact with implementation of the proposed project.

INITIAL STUDY AND ENVIRONMENTAL CHECKLIST FORM

- 1. Project Title:** Richvale Irrigation District 2008 Crop Idling Water Transfer Program
- 2. Lead Agency Name and Address:** Richvale Irrigation District
PO Box 147
Richvale, California 95974
- 3. Contact Person and Phone Number:** Brad Mattson, (530) 882-4243
- 4. Project Location:** Refer to Section 1 (1.1) of the Negative Declaration
- 5. Project Sponsor's Name and Address:** Richvale Irrigation District
PO Box 147
Richvale, California 95974
- 6. Description of Project:** Refer to Section 1 of the Negative Declaration.
- 7. Surrounding land uses and setting:** Agricultural/rural setting zoned for agricultural use.
- 8. Other agencies whose approval is required:**

Buyer agencies which could include: Antelope Valley-East Kern Water Agency, Central Coast Water Authority, Dudley Ridge Water District, Kern County Water Agency, Metropolitan Water District of Southern California, Napa County Flood Control and Water Conservation District, Palmdale Water District, San Bernardino Valley Municipal Water District, and Tulare Lake Basin Water Storage District – contract approval and CEQA compliance.

Joint Water Districts

California Department of Water Resources

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

2-6-08

Date

Brad Mattson

Printed Name

RID

For

SECTION 3 EVALUATION OF ENVIRONMENTAL IMPACTS

I. AESTHETICS – Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a,b,d) No Impact.** As there would be no construction activities with project implementation, no potential aesthetic resources would be impacted or altered. In addition, there would be no new sources of light and glare added to the project site. Hence, there would be no impacts to aesthetics with the proposed project.

- c) Less-than-significant Impact.** The pattern of cropping in the area within RID’s jurisdiction would be altered slightly, in that somewhat more land would be idled due to the implementation of the proposed project (i.e., about 19% of additional total irrigable acreage). Idled land is a typical feature of the agricultural landscape in RID’s jurisdiction and would not differ substantially from the existing environmental setting. As such, there would be a less-than-significant impact to the existing visual character within the farmlands occurring in RID’s jurisdiction.

II. AGRICULTURE RESOURCES: Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-c) No Impact. As a single-year activity, the proposed project would not convert any farmland (Prime, Unique, Important or otherwise) to non-agricultural uses. The proposed activity would result in a reduction in the amount of farmland irrigation during the 2008 growing season and an increase in the amount of land idled for that year. Participation in the proposed project would be solely voluntary. Zoning, agricultural conversion and Williamson Act issues would not be changed. No impact to agricultural resources would occur with project implementation.

III. AIR QUALITY: Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Conflict with or obstruct implementation of the applicable Air Quality Attainment Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues and Determination:	<i>Less Than Potentially Significant Impact</i>	<i>Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-e) No Impact. The Project site is located in the Sacramento Valley Air Basin. To the extent less agricultural land would be cultivated, less air pollutant emissions would be emitted from normal farm practices (e.g., internal combustion engine emissions from tilling, seeding, pesticide application, etc.). These reductions in air emissions would be beneficial; however, such reductions (i.e., up to 19% of typical farming activities) would not be that noticeable within the Sacramento Valley Air Basin for the short project duration. Odors associated with farming activities may lessen to a minor degree, due to the decrease in farming activities during the growing season. Overall, there would be no impacts to the air basin with project implementation.

IV. BIOLOGICAL RESOURCES – Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) **Less than significant Impact.** Several special-status wildlife species have the potential to occur within the project area: the giant garter snake (listed as state and federally threatened), the northwestern pond turtle (listed as a state species of special concern and federal species of concern), the winter-run Chinook salmon (listed as state and federally endangered), the delta smelt (listed as state and federally threatened) and the steelhead (listed as federally threatened).

Giant Garter Snake (*Thamnophis gigas*)

The giant garter snake can be found in agricultural wetlands such as irrigation and drainage canals. These artificial waterways can be used for purposes such as ease of movement; protection from predators; warmth to aid metabolism, gestation, and digestion and as a food source. (Draft Recovery Plan for the Giant Garter Snake. 1999.) While up to 5235 acres of land may be idled throughout RID as a result of the project, water levels in irrigation and drainage canals would be maintained at normal operating elevations and no drying of such conveyances would occur. As such, RID's water conveyance system would remain watered and available to the snake and other wildlife that utilize it.

Flooded rice fields in the Sacramento Valley can be used by the giant garter snake for foraging, cover and dispersal purposes. The non-irrigated project fields would have little or no vegetation, retaining the open character that is currently present in fields that are between plantings or that otherwise have relatively little vegetative cover. Because the maximum percentage of land idled for this project would

be 19% of the District's irrigable acreage, along with less than 1% of historically fallowed acreage, at least 81% of RID's irrigable acreage would remain unaffected. Lands taken out of production would be dispersed throughout RID such that the contiguity of idled lands would be minimized allowing for a mosaic of lands that could be utilized by the snake throughout RID's jurisdiction. The changes to agricultural fields that would occur under the proposed project could have minor and temporary effects on the giant garter snake through the decrease in potential cover and foraging areas as a result of the reduction in planted rice acreage. The one-year duration of the program minimizes any potential disruption to the giant garter snake.

Because the project would not convert any agricultural lands to non-agricultural land uses, the only change would be a temporary, one-year increase in the time between planting of rice crops within a percentage of the RID farmlands. In addition, at least 81% of RID's fields would remain unaffected by the proposed project. As such, the proposed project could have a less-than-significant impact to the giant garter snake within the existing farmlands due to a short-term decrease in potential cover and foraging areas for this species.

Northwestern Pond Turtle (*Clemmys marmorata marmorata*)

The northwestern pond turtle inhabits waters with little or no current. The banks of inhabited waters usually have thick vegetation, but basking sites such as logs, rocks, or open banks must also be present. Pond turtles lay their eggs in nests in upland areas, including grasslands, woodlands, and savannas. Pond turtles could be found in and along irrigation and drainage canals. The proposed project would not eliminate water from the conveyance canals within RID's service area. Therefore the proposed project would not impact the western pond turtle.

Chinook Salmon (*Oncorhynchus tshawytscha*), Delta Smelt (*Hypomesus transpacificus*) and Steelhead (*Oncorhynchus mykiss*)

The Sacramento-San Joaquin Delta is a migration corridor and seasonal rearing habitat for winter-run Chinook salmon and steelhead. It provides spawning and nursery habitat for Delta Smelt. Transfer water to the buyers would be delivered through the Sacramento-San Joaquin Delta with timing identical to the buyer's typical SWP deliveries in conformance with all existing and pending requirements under the Endangered Species Act, including court orders, which govern SWP operations for the protection of Chinook Salmon, Delta Smelt, and Steelhead. The proposed transfer would not affect these environmental regulations and restrictions or SWP operations under them. As such, there would be no impact from the proposed project on listed fish species in the Sacramento-San Joaquin Delta.

The proposed project would result in less-than-significant impacts to special status species because no wildlife would be directly affected by the idling activities and indirect impacts to habitat, such as a decrease in potential foraging and cover habitat for the giant garter snake, would be temporary (i.e., one year) and minimal.

- b) **No impact.** The proposed action would have no effect on riparian or other sensitive habitats. All canals serving such areas would be in normal operations and all normal water deliveries thereto would be continued to those lands. Such areas may not participate in transfers, and all canals and drains adjacent to those lands will be in operation at normal operating levels. Therefore there would be no impact to riparian or other sensitive habitats.
- c) **No Impact.** No impacts to wetlands would occur from the proposed project due to continuation of normal deliveries to such lands during the Project; such lands are ineligible to participate in land idling transfers; and all canals and drains serving or transerving such areas will be operated at normal operating elevations throughout the Project.
- d) **Less than significant Impact.**

Waterfowl

The proposed project would result in the fallowing of up to 5,235 acres of rice fields. Rice fields in the project area serve as foraging habitat for many waterfowl species. However, implementation of the project would not interfere substantially with the foraging of native-resident or migratory waterfowl because other foraging habitat is abundant both locally and regionally. Because the proposed project would not convert any agricultural lands to non-agricultural land uses, the only change would be a one-year increase in the time between planting of rice in the project farmlands and a minor reduction in the acreage of rice lands available to waterfowl for foraging in 2008. This reduction in foraging acreage is less-than-significant based upon the regional abundance of flooded foraging habitat.

Fish Species

The proposed project may increase flows during July through September in the Sacramento River resulting from the movement of transfer water. Such flow increases may have a beneficial effect on fishes in the river during the transfer period. Because of the relatively large volume of summer flows in the Sacramento River, changes in flows resulting from the water acquisition would be small and effects on fish in the Sacramento River would be negligible. Therefore, there would be no adverse impact on the movement of any native resident or migratory fish species from the proposed project.

e,f) No Impact. The proposed project would not conflict with any local, regional or state policy, ordinance or conservation plan in effect for the area. Hence no impact to adopted habitat conservation plans would occur with project implementation.

V. CULTURAL RESOURCES – Would the proposed Action:

Issues and Determination:	<i>Less Than Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-d) No Impact. The proposed project does not involve any land alteration and thus no archeological or paleontologic disturbances are possible within the proposed project’s scope. In addition, with no construction activities proposed, there would be no disturbances to potential burial sites or cemeteries. Therefore, no impact to cultural resources would occur with project implementation.

VI. GEOLOGY AND SOILS – Would the proposed action:

Issues and Determination:	<u>Less Than Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) **No Impact.** No project facility falls within an Alquist-Priolo Earthquake Fault Zone, as presented in the most recent Division of Mines and Geology Special Publication 42. Hence, no impact relating to fault rupture zones would occur with project implementation.
- b) **No Impact.** Based upon readily available soil map information, most of the project area is underlain by fine-textured, strongly structured soils, such as clay and silty clay. Such soils have a wind erodibility index of 86 (tons per acre per year) when in a dry, unvegetated condition (U.S Department of Agriculture 1993). Highly wind-erodible soils, such as fine sands and sands, have a wind erodibility index of 134-310.

Therefore, the soils in the project area have a relatively low risk of wind erosion when left in a dry, unvegetated condition.

- c) **No Impact.** Soils in the proposed project area consist of clays with a flat terrain. The proposed project would not result in instability of existing soils. The use of the soils for this short-term project is in accordance with past farming practices and no landslides, lateral spreading, subsidence, liquefaction or collapse have occurred, to date.
- d) **No Impact.** Expansive soils are not known to occur within or on the proposed project site. Therefore, no impacts pertaining to expansive soils would occur with project implementation.
- e) **No Impact.** The proposed project would not involve the use of septic tanks or alternative wastewater treatment disposal systems to handle wastewater generation. Therefore, no impacts would result with implementation of the proposed project.

VII. HAZARDS AND HAZARDOUS MATERIALS – Would the proposed Action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a-h) No Impact. The proposed project would not involve the transport or use of hazardous materials nor change any public exposure to hazards or hazardous materials beyond what is currently occurring with existing farming practices within RID’s jurisdiction. Herbicide and pesticides use on rice lands would decrease by up to 19% from what is now occurring within RID’s area due to the idling for one year. This minor decrease in the use of such chemicals may be viewed as beneficial, but would not substantially affect the overall physical environment. Overall, there would be no hazardous impacts with project implementation.

VIII. HYDROLOGY AND WATER QUALITY – Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there should be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place housing within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation of seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a) **No Impact.** The proposed project does not involve any discharges and thus would not violate water quality standards or waste discharge requirements. Hence, no impacts to water quality standards would occur with project implementation.
- b) **No Impact.** As the proposed project would not extract groundwater supplies nor inject water into aquifers, there would be no project impacts resulting from substantial depletion of groundwater supplies or interference with groundwater recharge resulting in a net deficit in aquifer volume or lowering of local groundwater table level.
- c-d) **No Impact.** The proposed project would not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion, siltation on- or off-site, or increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The water transferred would be maintained within existing conveyance and storage systems of DWR. No drainage courses would receive transferred water from the proposed project. In addition, there are no construction activities associated with the proposed project. As such, no impacts relating to water drainage patterns would occur with project implementation.
- d) **No Impact.** The proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems. Also refer to previous responses, (Items c-d). Hence, no impacts relating to storm water drainage systems would occur with project implementation.
- e-f) **No Impact.** The proposed project would not result in degradation of water quality. Refer to previous responses, (Items a-c). Hence, no impacts to water quality would occur with project implementation.
- g-i) **No Impact.** The proposed project would not expose people or property to water-related hazards such as flooding or impede or redirect flood flows. The proposed project would not involve constructing any housing. All facilities which would be utilized are existing facilities constructed according to standard engineering design practices to limit the potential for exposure of people or property to water-related hazards, such as flooding. Therefore, no impact relating to flooding would occur with the project implementation.
- j) **No Impact.** The proposed project would not be subject to tsunami or seiche wave inundation because the project area is not situated near a large enough body of water. Also, the associated facilities are not subject

to mudslides. As such, no impacts would result from project implementation with respect to tsunamis or seiches.

IX. LAND USE AND PLANNING – Would the project:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural communities' conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-c) No Impact. The proposed project would not displace or divide an established community, as no new construction activities would occur with project implementation. Only existing facilities and equipment would be employed. Also, no zoning or land use changes would be required for the participating farmer to enter into an agreement to idle a portion of his or her farmlands. Idling of agricultural land is a typical agricultural practice. Refer to Item IV.f (Biological Resources) with regard to the question on conflicts with applicable habitat conservation plans. Overall, there would be no impacts to land use or planning with project implementation.

X. MINERAL RESOURCES – Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a, b) No Impact. As the area is currently used for agricultural purposes only, the one-year idling of some additional farmlands for a one-year period would not result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State. No impacts to mineral resources would occur with the proposed water transfer.

XI. NOISE – Would the proposed Action result in:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport of public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-f) No Impact. The proposed project does not involve the development or enhancement of any new noise emitting devices. In addition, there would be no construction activities, associated with the proposed project. Only existing facilities and equipment would be utilized with the proposed water transfer. As such, no noise impacts would result with project implementation.

XII. POPULATION AND HOUSING – Would the proposed Action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?

Discussion:

a-c) No Impact. The proposed project would involve the movement of water in amounts that would not exceed existing entitlements for water transported through the California Aqueduct nor allow for a total amount of water to be transported that would exceed levels previously delivered in non-shortage years. Therefore, there would be no net increase in water supply. No housing would be constructed, demolished, or replaced as a result of the proposed project, no displacement of people and no substantial population growth would result. Therefore, no impacts to housing or population distribution would occur as a result of the proposed water transfer.

XIII. PUBLIC SERVICES – Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a) No Impact. The proposed project does not create any new demand for public services or alterations to existing public facilities. The proposed water transfer would occur within existing water conveyance facilities. Hence, no impacts to public services or facilities would occur with project implementation.

XIV. RECREATION – Would the proposed action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a,b) No Impact. The proposed project would not create nor does it alter demand for recreational services. The proposed project would involve the movement of water in amounts that would not exceed existing entitlements for water transported through the California Aqueduct nor allow for a total amount of water to be transported that would exceed levels previously delivered in non-shortage years. As such, there would be no net increase in recreational opportunities and no impacts to recreational facilities or activities would occur with project implementation.

XV. TRANSPORTATION / TRAFFIC – Would the proposed action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-g) No Impact. The proposed project does not create any new demand for any mode of transportation services as it would involve existing facilities and to forebear water for water supply purposes. Also, there are no construction activities associated with the proposed project (such as movement of trucks). Therefore, no transportation impacts would occur with project implementation.

XVI. UTILITIES AND SERVICE SYSTEMS – Would the proposed action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-g) No Impact. The proposed project would not place additional demands on nor affect public utilities, particularly wastewater treatment facilities, water facilities, and storm drain systems in the area. No new or expanded water entitlements would be necessary. That is, the proposed project would involve the movement of pre-existing entitlements of water. No solid waste disposal or disposal facilities would be needed for the proposed project. Therefore no impacts to existing utilities and conveyance systems would occur with project implementation.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE -

Would the proposed action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulative considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) **Less Than Significant Impact.** As previously discussed, the proposed project has the potential to degrade the environment in some resource areas (biological resources and esthetics). However, as noted above, these impacts are not significant individually or cumulatively. The proposed project would occur through existing facilities with no new construction. As such, implementation of the proposed project would have no impacts.
- b) **Less Than Significant Impact.** Water transfers from the Sacramento Valley through the Delta for consumptive uses and environmental purposes have been occurring on a large scale for over a decade. There have been no known demonstrable adverse impacts resulting from recent crop idling water transfers. The proposed transfer is one of several transfers likely to occur in 2008. This project proposes to sell Buyers up to 17,275 acre-feet of water to meet some of their needs in the event of a shortfall. This would be a portion of the 150,000 acre-feet Buyers are negotiating from willing sellers in the Sacramento River watershed. CALFED’s Environmental Water Account could purchase up to 70,000 acre-feet, much of which may come from the Sacramento River watershed. In addition, up to 140,000 acre-feet of other proposed transfers in the Sacramento River watershed could be purchased by other buyers. In total, it is possible that about 360,000 acre-feet of water may be transferred from the Sacramento Valley in 2008. This is within historic transfer volumes as shown in table XVII-1 below and represents about 2.5% of the average annual total water supply available in the Sacramento Valley from surface and groundwater resources for all uses and 4.1% of total average agricultural water use in the Sacramento Valley.³ As such, and recognizing that no significant impacts have been noted for transfers within this order of magnitude, no

³ DWR Bulletin 160-05

significant impacts are expected within the Sacramento Valley. Delta impacts are likewise not expected to be significant as all of the water shown in Table XVII-1 was pumped in the Delta within existing biological constraints and without incident.

Table XVII-1

Past Water Transfers From the Sacramento Valley in TAF Annually												
Program	1991	1992	1993	1994	2001	2002	2003	2004	2005	2006	2007	Potential 2008
DWR Drought Water Banks/Dry Year Programs	820	193	0	220	138	22	11	0.5	0	0	0	0
Environ Water Acct	0	0	0	0	80	145	70	120	5	0	147	70
Others	0	0	0	0	160	5	125	0	0	0	0	290
Totals (TAF)	820	193	0	220	378	172	206	120.5	5	0	147	360

- c) **No Impact.** The negative declaration assesses the potential impacts of the proposed project. There would be no construction activities associated with the proposed water transfer. Typical farming practices with the idling of land would comply with applicable health and safety requirements. Therefore, the proposed project would not cause substantial adverse effects on human beings, either directly or indirectly.

SECTION 4 REFERENCES

The following documents were used in the preparation of this Negative Declaration.

California Department of Water Resources. *California Water Plan Update. Bulletin 160-05.* December 2005.

State of California, 2007. *California Environmental Quality Act, CEQA Guidelines. Amended July 11, 2006.*

U.S. Department of Agriculture, Soil Conservation Service. 1993. *U.S. Department of Agriculture Soil Conservation Service national soil survey handbook. November. Washington, DC.*

U.S. Fish and Wildlife Service. 1999. Draft Recovery Plan for the Giant Garter Snake (*Thamnophis gigas*). U.S. Fish and Wildlife Service, Portland, Oregon. ix+192 pp.

<http://www.dfg.ca.gov/hcpb/species/ssc/ssc.shtml>

<http://endangered.fws.gov/wildlife.html#Species>

**SECTION 5
LIST OF PREPARERS**

Brad Mattson, General Manager, Richvale Irrigation District

Jeff Meith, Attorney, Minasian Law Firm

**Initial Study and
Proposed Negative Declaration
for
Western Canal Water District 2008 Crop Idling Water
Transfer Program**

Prepared by Western Canal Water District

**For additional information
regarding this document contact:**

Ted Trimble, General Manager, Western Canal Water District
P.O. Box 190 Richvale, California 95974

February 2008

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SECTION 1 PROJECT DESCRIPTION

1.0 PROJECT INTRODUCTION AND BACKGROUND

Western Canal Water District (WCWD) is proposing to sell up to 30,000 acre-feet of water to participating member districts of the State Water Project Contractors Authority (Buyers)¹ during the 2008 irrigation season. Buyers are seeking up to approximately 400,000 acre-feet of transfer water from various willing sellers in the Sacramento Valley during the 2008 irrigation season. Purchasing this water would lessen potential water supply shortages to these Buyers that may occur as a result of dry hydrologic conditions.

As a willing seller, WCWD would make up to 30,000 acre feet of water available to Buyers by idling cropland (i.e., non-irrigation of farmland by voluntary participants) or through shifting from higher water use crops to lower water use crops.

Water made available by crop idling or crop shifting within WCWD would then be retained and stored by the Department of Water Resources (DWR) for delivery to Buyers.

WCWD's entitlement to Feather River water is 295,000 acre-feet, subject to curtailment under a 1985 agreement with DWR. WCWD proposes to not divert a portion of its water stored in Lake Oroville under this one-year transfer, which would allow DWR to deliver a portion of the foregone water to Buyers through the State Water Project (SWP).

For the last five years, on average, less than 5% of the acreage dedicated to rice production in WCWD is fallowed and temporarily removed from farm production so improvements such as weed abatement, land leveling, etc. can be made. In 2007, 1.1% of rice land was fallowed. Land idled for purposes of developing water for this transfer would be those acres above the amount of fallowed rice land in 2007.

The proposed project would idle up to approximately 9,091 acres of WCWD's service area that would otherwise be irrigated for rice in 2008. Idling would occur within approximately 58,471 total irrigable acres. The accepted Evapo-Transportation Rate of Applied Water (ETAW)² for rice culture is 3.3 acre feet per acre per growing season, which is consistent with the recent ETAW rates used for water transfers in the Sacramento Valley based on crop idling of rice acreage (*California Water Plan Update. Bulletin 160-05. December 2005*). Thus, the water made available for transfer by reduced crop evapotranspiration for the projected idled acreage would be up to 30,000 acre feet (9,091 acres x 3.3 AF/acre).

1.1 Project Location

¹ Buyers are the following State Water Project contractors: Metropolitan Water District of Southern California, Antelope Valley-East Kern Water Agency, Central Coast Water Authority, Dudley Ridge Water District, Kern County Water Agency, Napa County Flood Control and Water Conservation District, Palmdale Water District, San Bernardino Valley Municipal Water District, and Tulare Lake Basin Water Storage District. Depending on the hydrologic conditions existing in the spring of 2008, all or a portion of these agencies may elect to receive all or a portion of water purchased.

² ETAW is defined as the portion of the total evapotranspiration that is provided by irrigation. The portion of evapotranspiration met by precipitation occurring during the growing seasons or stored as soil moisture within the root zone before the growing season does not qualify as transferable water. ETAW values used for water transfer calculations are based upon crop water demands reflecting average rainfall and evaporative demand.

The project area, from which the water for this transfer will be made available, is defined by the WCWD boundaries, which encompass approximately 67,500 acres in the northern Sacramento Valley in Butte and Glenn Counties (Figure 1). Within the WCWD boundary are approximately 58,471 irrigable acres, of which approximately 52,300 acres are dedicated primarily to the production of rice.

Land idled for the purpose of this transfer will be drawn from the rice acreage, to the exclusion of irrigable District acreage dedicated to other crops or to habitat. Since the program will be offered to all eligible growers and it is anticipated that there will be more interest than WCWD desires to offer, a wide dispersal of acreage enrolled in the program is expected. WCWD will encourage program participants to disperse idled acreage and make clear to participants that large, contiguous blocks of idled land related to this program are undesirable. Dispersing the program acres throughout the District assures that historical, operational water levels will be maintained in canals throughout the District so that wildlife impacts otherwise associated with dewatering the canals will be avoided, as will impacts associated with habitat loss which might occur with large, contiguous blocks of fallowed land.

1.2 Water Availability and Transfer

No new construction or improvements by WCWD, Buyers, or DWR would be necessary for the production and transfer of this water.

Water that would not be diverted would be available for transfer to Buyers through SWP facilities operated by DWR, including Lake Oroville. Water would accrue in storage on the basis of estimates of the amount of water that would have been consumed on the idled land but for the program. That is, the water that would have been consumed in the process of crop use would be available for transfer.

The portion of applied water, which would, in the case of WCWD, have normally returned to the Sacramento River system as tailwater or groundwater discharge to surface waters, would remain available for instream use and diversion by others and would not be transferred.

As the ETAW for rice culture in the Sacramento Valley is calculated at 3.3 acre feet per acre per growing season, each acre of idled rice production will make available for transfer 3.3 acre feet of water throughout the growing season.

The typical growing season for rice in California is April through September. The potential ETAW demand across these months is shown in Table 1.1 with the corresponding water production expectations.

TABLE 1.1

Water Production Schedule

	May	June	July	August	September	
ETAW in Percent	15	22	24	24	15	
Water Production In Acre Feet	4,500	6,600	7,200	7,200	4,500	30,000
Total Production For Transfer in 2008 in Acre-Feet						30,000

During the implementation of the proposed project, water transferred by WCWD would be deemed transferred at the WCWD's point of diversion on the Thermalito Afterbay and custody would then transfer to Buyers. As the operator of the SWP, DWR would be able to anticipate the lowered demands of WCWD and hold a corresponding amount of water in storage at Oroville reservoir. DWR would then use its Oroville storage reservoir to regulate the water in a manner, which would allow for delivery of the water through the Sacramento-San Joaquin Delta, pumping into the California Aqueduct or North Bay Aqueduct and making the ultimate delivery to Buyers.

Transfer of the water will occur within the regulatory parameters for the SWP, including all applicable Biological Opinions requirements under the Endangered Species Act that govern SWP pumping at the DWR's Banks Pumping Plant located in the Sacramento-San Joaquin Delta. To ensure compliance with all environmental requirements, DWR follows a set of mitigation and environmental programs in operating the SWP. In the near term, additional restrictions are being implemented as a result of interim operational remedies imposed by the United States District Court, Eastern District of California in *NRDC v. Kempthorne*, which will govern SWP operations for the protection of the Delta Smelt (*Hypomesus transpacificus*). Conclusion of the current consultation on the Long-Term Central Valley Project (CVP) and State Water project (SWP) Operations Criteria and Plan (OCAP) with the United States Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Agency (NOAA) Fisheries Service is expected to provide new Biological Opinions during 2008 for delta smelt, salmon, and green sturgeon that would replace the court's order regarding SWP operation. As a result, water may not be able to be transferred in certain months due to environmental restrictions on SWP pumping.

DWR estimates that approximately 20% of the water transferred through the Delta would be necessary to enable the maintenance of water quality standards, which are based largely upon the total amount of water moving through the Bay-Delta system, known as "carriage water." Additionally, a 3% system loss due to evaporation and other losses would be assessed by DWR for water received at the Banks pumping plant and transported through the SWP. Therefore, this transfer would yield up to approximately 23,100 acre feet [9,091 ac x 3.3 AF/ac less 23%] to Buyers. At the end of the irrigation season, the amount of carriage water actually required is calculated. Depending upon the hydrologic year type and other operational constraints, the actual amount of carriage water assessed for the transfer may vary somewhat from this estimate.

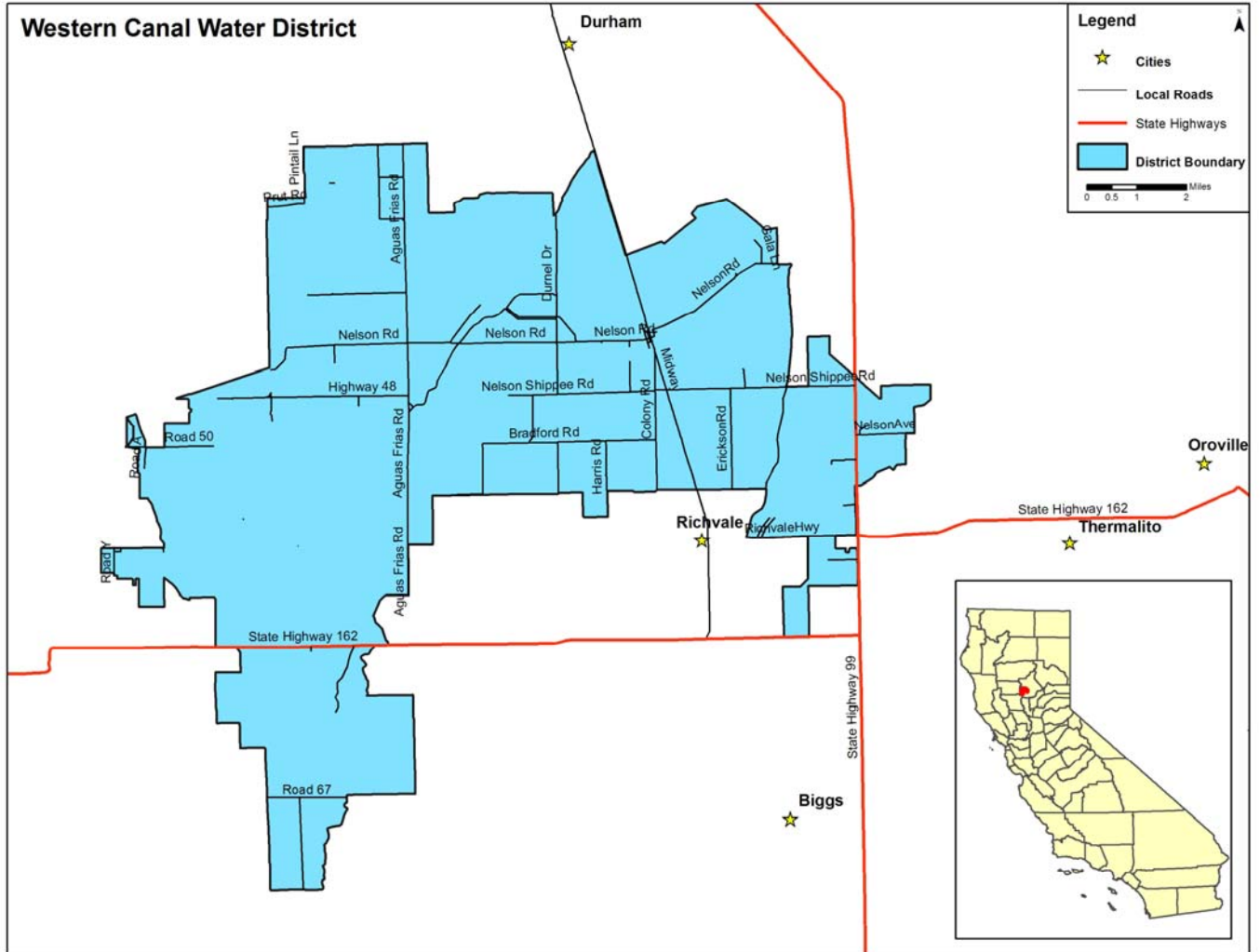
1.3 Use of Water by Buyers

It is contemplated that the Buyers will be required to purchase the water by April 15, 2008. If the water is purchased, Buyers would take delivery of this water in a manner physically identical to their typical SWP deliveries. Each Buyer would be entitled to a proportionate share of the total amount of water purchased as provided in Table 1.2. The acquired supplies would provide additional resource options to Buyers to mitigate potential dry-year water shortage conditions in 2008. This water would represent backfilling of a shortfall of water normally and historically received into Buyers service areas. Accordingly, any water transferred under the proposed Project would not represent a dependable long-term increase in supply. As such, no adverse Project-specific impacts to Buyers' service areas due to the proposed transfer would occur.

Table 1.2

Buyers Proportionate Share of Water Made Available by Western Canal Water District (Percentage)	
BUYERS	Water Purchase Percentage
Antelope Valley-East Kern WA	6.48
Central Coast Water Agency	2.85
Dudley Ridge Water District	1.31
Kern County Water Agency	13.14
Metropolitan Water District	62.86
Napa County Flood Control and WCD	1.73
Palmdale Water District	3.14
San Bernardino Valley MWD	7.86
Tulare Lake Basin WSD	0.63
Total	100

Figure 1: Project Location Map



SECTION 2 INITIAL STUDY

The following Initial Study, Environmental Checklist, and evaluation of potential environmental effects (see Section 3) were completed in accordance with Section 15063(d)(3) of the State CEQA Guidelines to determine if the proposed project could have any potentially significant impact on the physical environment.

An explanation is provided for all determinations, including the citation of sources as listed in Section 4. A "No Impact" or "Less-than-significant Impact" determination indicates that the proposed project will not have a significant effect on the physical environment for that specific environmental category. No environmental category was found to have a potentially significant adverse impact with implementation of the proposed project.

INITIAL STUDY AND ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Western Canal Water District 2008 Crop Idling Water Transfer Program

2. Lead Agency Name and Address: Western Canal Water District
PO Box 190
Richvale, California 95974

3. Contact Person and Phone Number: Ted Trimble, (530) 342-5083

4. Project Location: Refer to Section 1 (1.1) of the Negative Declaration

5. Project Sponsor's Name and Address: Western Canal Water District
PO Box 190
Richvale, California 95974

6. Description of Project: Refer to Section 1 of the Negative Declaration.

7. Surrounding land uses and setting: Agricultural/rural setting zoned for agricultural use.

8. Other agencies whose approval is required:

Buyer agencies which could include: Antelope Valley-East Kern Water Agency, Central Coast Water Authority, Dudley Ridge Water District, Kern County Water Agency, Metropolitan Water District of Southern California, Napa County Flood Control and Water Conservation District, Palmdale Water District, San Bernardino Valley Municipal Water District, and Tulare Lake Basin Water Storage District – contract approval and CEQA compliance.

California Department of Water Resources

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology /Soils
- Hazards/Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

February 12, 2008

Signature

Date

Ted Trimble

WCWD

Printed Name

For

SECTION 3 EVALUATION OF ENVIRONMENTAL IMPACTS

I. AESTHETICS – Would the proposed Action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a,b,d) **No Impact.** As there would be no construction activities with project implementation, no potential aesthetic resources would be impacted or altered. In addition, there would be no new sources of light and glare added to the project site. Hence, there would be no impacts to aesthetics with the proposed project.

- c) **Less-than-significant Impact.** The pattern of cropping in the area within WCWD’s jurisdiction would be altered slightly, in that somewhat more land would be idled due to the implementation of the proposed project (i.e., about 16% additional of total irrigable acreage). Idled land is a typical feature of the agricultural landscape in WCWD’s jurisdiction and would not differ substantially from the existing environmental setting. As such, there would be a less-than-significant impact to the existing visual character within the farmlands occurring in WCWD’s jurisdiction.

II. AGRICULTURE RESOURCES: Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-c) No Impact. As a single-year activity, the proposed project would not convert any farmland (Prime, Unique, Important or otherwise) to non-agricultural uses. The proposed activity would result in a reduction in the amount of farmland irrigation during the 2008 growing season and an increase in the amount of land idled for that year. Participation in the proposed project would be solely voluntary. Zoning, agricultural conversion and Williamson Act issues would not be changed. No impact to agricultural resources would occur with project implementation.

III. AIR QUALITY: Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Conflict with or obstruct implementation of the applicable Air Quality Attainment Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues and Determination:	<i>Less Than Potentially Significant Impact</i>	<i>Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-e) No Impact. The Project site is located in the Sacramento Valley Air Basin. To the extent less agricultural land would be cultivated, less air pollutant emissions would be emitted from normal farm practices (e.g., internal combustion engine emissions from tilling, seeding, pesticide application, etc.). These reductions in air emissions would be beneficial; however, such reductions (i.e., up to 16% of typical farming activities) would not be that noticeable within the Sacramento Valley Air Basin for the short project duration. Odors associated with farming activities may lessen to a minor degree, due to the decrease in farming activities during the growing season. Overall, there would be no impacts to the air basin with project implementation.

IV. BIOLOGICAL RESOURCES – Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) **Less than significant Impact.** Several special-status wildlife species have the potential to occur within the project area: the giant garter snake (listed as state and federally threatened), the northwestern pond turtle (listed as a state species of special concern and federal species of concern), the winter-run Chinook salmon (listed as state and federally endangered), the delta smelt (listed as state and federally threatened) and the steelhead (listed as federally threatened).

Giant Garter Snake (*Thamnophis gigas*)

The giant garter snake can be found in agricultural wetlands such as irrigation and drainage canals. These artificial waterways can be used for purposes such as ease of movement; protection from predators; warmth to aid metabolism, gestation, and digestion and as a food source. (Draft Recovery Plan for the Giant Garter Snake. 1999.) While up to 9,091 acres of land may be idled throughout WCWD as a result of the project, water levels in irrigation and drainage canals would be maintained at normal operating elevations and no drying of such conveyances would occur. As such, WCWD's water conveyance system would remain watered and available to the snake and other wildlife that utilize it.

Flooded rice fields in the Sacramento Valley can be used by the giant garter snake for foraging, cover and dispersal purposes. The non-irrigated project fields would have little or no vegetation, retaining the open character that is currently present in fields that are between plantings or that otherwise have

relatively little vegetative cover. Because the maximum percentage of land idled for this project would be 16% of the District's irrigable acreage, along with less than 2% of historically fallowed acreage, at least 82% of WCWD's irrigable acreage would remain unaffected. Lands taken out of production would be dispersed throughout WCWD such that the contiguity of idled lands would be minimized allowing for a mosaic of lands that could be utilized by the snake throughout WCWD's jurisdiction. The changes to agricultural fields that would occur under the proposed project could have minor and temporary effects on the giant garter snake through the decrease in potential cover and foraging areas as a result of the reduction in planted rice acreage.

Because the project would not convert any agricultural lands to non-agricultural land uses, the only change would be a temporary, one-year increase in the time between planting of rice crops within a percentage of the WCWD farmlands. In addition, at least 82% of WCWD's fields would remain unaffected by the proposed project. As such, the proposed project could have a less-than-significant impact to the giant garter snake within the existing farmlands due to a short-term decrease in potential cover and foraging areas for this species.

Northwestern Pond Turtle (*Clemmys marmorata marmorata*)

The northwestern pond turtle inhabits waters with little or no current. The banks of inhabited waters usually have thick vegetation, but basking sites such as logs, rocks, or open banks must also be present. Pond turtles lay their eggs in nests in upland areas, including grasslands, woodlands, and savannas. Pond turtles could be found in and along irrigation and drainage canals. The proposed project would not eliminate water from the conveyance canals within WCWD's service area. Therefore the proposed project would not impact the western pond turtle.

Chinook Salmon (*Oncorhynchus tshawytscha*), Delta Smelt (*Hypomesus transpacificus*) and Steelhead (*Oncorhynchus mykiss*)

The Sacramento-San Joaquin Delta is a migration corridor and seasonal rearing habitat for winter-run Chinook salmon and steelhead. It provides spawning and nursery habitat for Delta Smelt. Transfer water to the buyers would be delivered through the Sacramento-San Joaquin Delta with timing identical to the buyer's typical SWP deliveries in conformance with all existing and pending requirements under the Endangered Species Act, including court orders, which govern SWP operations for the protection of Chinook Salmon, Delta Smelt, and Steelhead. The proposed transfer would not affect these environmental regulations and restrictions or SWP operations under them. As such, there would be no impact from the proposed project on listed fish species in the Sacramento-San Joaquin Delta.

The proposed project would result in less-than-significant impacts to special status species because no wildlife would be directly affected by the idling activities and indirect impacts to habitat, such as a decrease in potential foraging and cover habitat for the giant garter snake, would be temporary (i.e., one year) and minimal.

- b) **No impact.** The proposed action would have no effect on riparian or other sensitive habitats. All canals serving such areas would be in normal operations and all normal water deliveries thereto would be continued to those lands. Such areas may not participate in transfers, and all canals and drains adjacent to those lands will be in operation at normal operating levels. Therefore there would be no impact to riparian or other sensitive habitats.
- c) **No Impact.** No impacts to wetlands would occur from the proposed project due to continuation of normal deliveries to such lands during the Project; such lands are ineligible to participate in land idling transfers; and, all canals and drains serving or traversing such areas will be operated at normal operating elevations throughout the Project. .
- d) **Less than significant Impact.**

Waterfowl

The proposed project would result in the fallowing of up to 9,091 acres of rice fields. Rice fields in the project area serve as foraging habitat for many waterfowl species. However, implementation of the project would not interfere substantially with the foraging of native-resident or migratory waterfowl because other foraging habitat is abundant both locally and regionally. Because the proposed project would not convert any agricultural lands to non-agricultural land uses, the only change would be a one-year increase in the time between planting of rice in the project farmlands and a minor reduction in the acreage of rice lands available to waterfowl for foraging in 2008. This reduction in foraging acreage is less-than-significant based upon the regional abundance of flooded foraging habitat. Therefore, there would be a less-than-significant impact to potential wildlife corridors for waterfowl that are within the project acreage.

Fish Species

The proposed project may increase flows during July through September in the Sacramento River resulting from the movement of transfer water. Such flow increases may have a beneficial effect on fishes in the river during the transfer period. Because of the relatively large volume of summer flows in the Sacramento River, changes in flows resulting from the water acquisition would be small and effects on fish in the Sacramento River would be negligible. Therefore, there would be no adverse impact on the movement of any native resident or migratory fish species from the proposed project.

e,f) No Impact. The proposed project would not conflict with any local, regional or state policy, ordinance or conservation plan in effect for the area. Hence no impact to adopted habitat conservation plans would occur with project implementation.

V. CULTURAL RESOURCES – Would the proposed Action:

Issues and Determination:	<i>Less Than Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-d) No Impact. The proposed project does not involve any land alteration and thus no archeological or paleontologic disturbances are possible within the proposed project’s scope. In addition, with no construction activities proposed, there would be no disturbances to potential burial sites or cemeteries. Therefore, no impact to cultural resources would occur with project implementation.

VI. GEOLOGY AND SOILS – Would the proposed action:

Issues and Determination:	<i>Less Than Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) **No Impact.** No project facility falls within an Alquist-Priolo Earthquake Fault Zone, as presented in the most recent Division of Mines and Geology Special Publication 42. Hence, no impact relating to fault rupture zones would occur with project implementation.
- b) **No Impact.** Based upon readily available soil map information, most of the project area is underlain by fine-textured, strongly structured soils, such as clay and silty clay. Such soils have a wind erodibility index

of 86 (tons per acre per year) when in a dry, unvegetated condition (U.S Department of Agriculture 1993). Highly wind-erodible soils, such as fine sands and sands, have a wind erodibility index of 134-310. Therefore, the soils in the project area have a relatively low risk of wind erosion when left in a dry, unvegetated condition.

- c) **No Impact.** Soils in the proposed project area consist of clays with a flat terrain. The proposed project would not result in instability of existing soils. The use of the soils for this short-term project is in accordance with past farming practices and no landslides, lateral spreading, subsidence, liquefaction or collapse have occurred, to date.
- d) **No Impact.** Expansive soils are not known to occur within or on the proposed project site. Therefore, no impacts pertaining to expansive soils would occur with project implementation.
- e) **No Impact.** The proposed project would not involve the use of septic tanks or alternative wastewater treatment disposal systems to handle wastewater generation. Therefore, no impacts would result with implementation of the proposed project.

VII. HAZARDS AND HAZARDOUS MATERIALS – Would the proposed Action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a-h) No Impact. The proposed project would not involve the transport or use of hazardous materials nor change any public exposure to hazards or hazardous materials beyond what is currently occurring with existing farming practices within WCWD’s jurisdiction. Herbicide and pesticides use on rice lands would decrease by up to 16% from what is now occurring within WCWD’s area due to the idling for one year. This minor decrease in the use of such chemicals may be viewed as beneficial, but would not substantially affect the overall physical environment. Overall, there would be no hazardous impacts with project implementation.

VIII. HYDROLOGY AND WATER QUALITY – Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there should be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place housing within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation of seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

- a) **No Impact.** The proposed project does not involve any discharges and thus would not violate water quality standards or waste discharge requirements. Hence, no impacts to water quality standards would occur with project implementation.
- b) **No Impact.** As the proposed project would not extract groundwater supplies nor inject water into aquifers, there would be no project impacts resulting from substantial depletion of groundwater supplies or interference with groundwater recharge resulting in a net deficit in aquifer volume or lowering of local groundwater table level.
- c-d) **No Impact.** The proposed project would not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in substantial erosion, siltation on- or off-site, or increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site. The water transferred would be maintained within existing conveyance and storage systems of DWR. No drainage courses would receive transferred water from the proposed project. In addition, there are no construction activities associated with the proposed project. As such, no impacts relating to water drainage patterns would occur with project implementation.
- d) **No Impact.** The proposed project would not create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems. Also refer to previous responses, (Items c-d). Hence, no impacts relating to storm water drainage systems would occur with project implementation.
- e-f) **No Impact.** The proposed project would not result in degradation of water quality. Refer to previous responses, (Items a-c). Hence, no impacts to water quality would occur with project implementation.
- g-i) **No Impact.** The proposed project would not expose people or property to water-related hazards such as flooding or impede or redirect flood flows. The proposed project would not involve constructing any housing. All facilities which would be utilized are existing facilities constructed according to standard engineering design practices to limit the potential for exposure of people or property to water-related hazards, such as flooding. Therefore, no impact relating to flooding would occur with the project implementation.
- j) **No Impact.** The proposed project would not be subject to tsunami or seiche wave inundation because the project area is not situated near a large enough body of water. Also, the associated facilities are not subject

to mudslides. As such, no impacts would result from project implementation with respect to tsunamis or seiches.

IX. LAND USE AND PLANNING – Would the project:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural communities' conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-c) No Impact. The proposed project would not displace or divide an established community, as no new construction activities would occur with project implementation. Only existing facilities and equipment would be employed. Also, no zoning or land use changes would be required for the participating farmer to enter into an agreement to idle a portion of his or her farmlands. Idling of agricultural land is a typical agricultural practice. Refer to Item IV.f (Biological Resources) with regard to the question on conflicts with applicable habitat conservation plans. Overall, there would be no impacts to land use or planning with project implementation.

X. MINERAL RESOURCES – Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a, b) No Impact. As the area is currently used for agricultural purposes only, the one-year idling of some additional farmlands for a one-year period would not result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State. No impacts to mineral resources would occur with the proposed water transfer.

XI. NOISE – Would the proposed Action result in:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport of public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-f) No Impact. The proposed project does not involve the development or enhancement of any new noise emitting devices. In addition, there would be no construction activities, associated with the proposed project. Only existing facilities and equipment would be utilized with the proposed water transfer. As such, no noise impacts would result with project implementation.

XII. POPULATION AND HOUSING – Would the proposed Action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?

Discussion:

a-c) No Impact. The proposed project would involve the movement of water in amounts that would not exceed existing entitlements for water transported through the California Aqueduct nor allow for a total amount of water to be transported that would exceed levels previously delivered in non-shortage years. Therefore, there would be no net increase in water supply. No housing would be constructed, demolished, or replaced as a result of the proposed project, no displacement of people and no substantial population growth would result. Therefore, no impacts to housing or population distribution would occur as a result of the proposed water transfer.

XIII. PUBLIC SERVICES – Would the proposed Action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a) No Impact. The proposed project does not create any new demand for public services or alterations to existing public facilities. The proposed water transfer would occur within existing water conveyance facilities. Hence, no impacts to public services or facilities would occur with project implementation.

XIV. RECREATION – Would the proposed action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a,b) No Impact. The proposed project would not create nor does it alter demand for recreational services. The proposed project would involve the movement of water in amounts that would not exceed existing entitlements for water transported through the California Aqueduct nor allow for a total amount of water to be transported that would exceed levels previously delivered in non-shortage years. As such, there would be no net increase in recreational opportunities and no impacts to recreational facilities or activities would occur with project implementation.

XV. TRANSPORTATION / TRAFFIC – Would the proposed action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-g) No Impact. The proposed project does not create any new demand for any mode of transportation services as it would involve existing facilities and to forebear water for water supply purposes. Also, there are no construction activities associated with the proposed project (such as movement of trucks). Therefore, no transportation impacts would occur with project implementation.

XVI. UTILITIES AND SERVICE SYSTEMS – Would the proposed action:

Issues and Determination:	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-g) No Impact. The proposed project would not place additional demands on nor affect public utilities, particularly wastewater treatment facilities, water facilities, and storm drain systems in the area. No new or expanded water entitlements would be necessary. That is, the proposed project would involve the movement of pre-existing entitlements of water. No solid waste disposal or disposal facilities would be needed for the proposed project. Therefore no impacts to existing utilities and conveyance systems would occur with project implementation.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE -

Would the proposed action:

Issues and Determination:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulative considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) **Less Than Significant Impact.** As previously discussed, the proposed project has the potential to degrade the environment in some resource areas (biological resources and esthetics). However, as noted above, these impacts are not significant individually or cumulatively. The proposed project would occur through existing facilities with no new construction. As such, implementation of the proposed project would have no impacts.
- b) **Less Than Significant Impact.** Water transfers from the Sacramento Valley through the Delta for consumptive uses and environmental purposes have been occurring on a large scale for over a decade. There have been no known demonstrable adverse impacts resulting from recent crop idling water transfers.

The proposed transfer is one of several transfers likely to occur in 2008. This project proposes to sell Buyers up to 30,000 acre-feet of water to meet some of their needs in the event of a shortfall. This would be a portion of the 150,000 acre-feet Buyers are negotiating from willing sellers in the Sacramento River watershed. CALFED’s Environmental Water Account could purchase up to 70,000 acre-feet, much of which may come from the Sacramento River watershed. In addition, up to 140,000 acre-feet of other proposed transfers in the Sacramento River watershed could be purchased by other buyers. In total, it is possible that about 360,000 acre-feet of water may be transferred from the Sacramento Valley in 2008. This is within historic transfer volumes as shown in table XVII-1 below and represents about 2.5% of the average annual total water supply available in the Sacramento Valley from surface and groundwater resources for all uses and 4.1% of total average agricultural water use in the Sacramento Valley.³ As such,

³ DWR Bulletin 160-05

and recognizing that no significant impacts have been noted for transfers within this order of magnitude, no significant impacts are expected within the Sacramento Valley. Delta impacts are likewise not expected to be significant as all of the water shown in Table XVII-1 was pumped in the Delta within existing biological constraints and without incident.

Table XVII-1

Past Water Transfers From the Sacramento Valley in TAF Annually												
Program	1991	1992	1993	1994	2001	2002	2003	2004	2005	2006	2007	Potential 2008
DWR Drought Water Banks/Dry Year Programs	820	193	0	220	138	22	11	0.5	0	0	0	0
Environ Water Acct	0	0	0	0	80	145	70	120	5	0	147	70
Others	0	0	0	0	160	5	125	0	0	0	0	290
Totals (TAF)	820	193	0	220	378	172	206	120.5	5	0	147	360

- c) **No Impact.** The negative declaration assesses the potential impacts of the proposed project. There would be no construction activities associated with the proposed water transfer. Typical farming practices with the idling of land would comply with applicable health and safety requirements. Therefore, the proposed project would not cause substantial adverse effects on human beings, either directly or indirectly.

SECTION 4 REFERENCES

The following documents were used in the preparation of this Negative Declaration.

California Department of Water Resources. *California Water Plan Update. Bulletin 160-05.* December 2005.

State of California, 2007. *California Environmental Quality Act, CEQA Guidelines. Amended July 11, 2006.*

U.S. Department of Agriculture, Soil Conservation Service. 1993. *U.S. Department of Agriculture Soil Conservation Service national soil survey handbook. November. Washington, DC.*

U.S. Fish and Wildlife Service. 1999. Draft Recovery Plan for the Giant Garter Snake (*Thamnophis gigas*). U.S. Fish and Wildlife Service, Portland, Oregon. ix+192 pp.

<http://www.dfg.ca.gov/hcpb/species/ssc/ssc.shtml>

<http://endangered.fws.gov/wildlife.html#Species>

**SECTION 5
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