EMPIRE WEST SIDE IRRIGATION DISTRICT TRANSFER OF SWP TABLE A CONTRACT AMOUNT FROM TULARE LAKE BASIN WATER STORAGE DISTRICT

INITIAL STUDY/PROPOSED NEGATIVE DECLARATION

SEPTEMBER 2023

PREPARED FOR:

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ACRONYMS AND ABBREVIATIONS

AB ..... Assembly Bill
AF ..... acre-feet
CALFIRE..... California Department of Forestry and Fire Protection
CARB.....California Air Resources Board
CCAA..... California Clean Air Act
CEQA .....California Environmental Quality Act
CGS .....California Geological Survey
Delta..... Sacramento-San Joaquin River Delta
DOC .....California Department of Conservation
DTSC..... California Department of Toxic Substances Control
DWR .....California Department of Water Resources
EIR .....Environmental Impact Report
EOP .....Emergency Operations Plan
EWSID.....Empire West Side Irrigation District
GHG .....Greenhouse Gas
GWP .....Global Warming Potential
IS ..... Initial Study
IS/ND ..... Initial Study/Negative Declaration
ND .....Negative Declaration
PG&E .....Pacific Gas & Electric
PM_{10} ..... particulate matter 10 microns in size
$PM_{2.5}$ ..... fine particulate matter 2.5 microns in size
ppb .....parts per billion
ppm .....parts per million
Project..... Transfer of SWP Table A Contract Amount from Tulare Lake Basin Water Storage District
SJVAB.....San Joaquin Valley Air Basin
SJVAPCD .....San Joaquin Valley Air Pollution Control District
SWP .....State Water Project
SWRCB..... State Water Resources Control Board
TLBWSD.....Tulare Lake Basin Water Storage District
$\mu g/m^3$.....micrograms per cubic meter

CHAPTER 1 INTRODUCTION

Provost & Pritchard Consulting Group has prepared this Initial Study/Proposed Negative Declaration (IS/ND) on behalf of Empire West Side Irrigation District (ESWID) to address the environmental effects of the Transfer of SWP Table A Contract Amount from Tulare Lake Basin Water Storage District (TLBWSD). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. EWSID is the CEQA lead agency for this Project.

The site and the Project are described in detail in Chapter 2 Project Description.

1.1 REGULATORY INFORMATION

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, *et seq.*)—also known as the CEQA Guidelines. Section 15064 (a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A negative declaration (ND) may be prepared instead if the lead agency finds that there is no substantial evidence in light of the whole record that the project may have a significant effect on the environment. A ND is a written statement describing the reasons why a proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a ND or mitigated ND shall be prepared for a project subject to CEQA when either:

a. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed Project may have a significant effect on the environment, or
b. The IS identified potentially significant effects, but:
    1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed mitigated ND and IS are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and
    2. There is no substantial evidence, in light of the whole record before the agency, that the proposed Project as *revised* may have a significant effect on the environment.

1.2 DOCUMENT FORMAT

This IS/ND contains five chapters. Chapter 1 Introduction provides an overview of the Project and the CEQA process. Chapter 2 Project Description, provides a detailed description of proposed Project components and objectives. Chapter 3 Determination, the Lead Agency's determination based upon this initial evaluation. Chapter 4 Environmental Impact Analysis presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less

than significant level. Chapter 5 References details the documents and reports this document relies upon to provide its analysis.

CHAPTER 2 PROJECT DESCRIPTION

2.1 PROJECT BACKGROUND

2.1.1 Project Title

Empire West Side Irrigation District Transfer of SWP Table A Contract Amount from Tulare Lake Basin Water Storage District.

2.1.2 Lead Agency Name and Address

Empire West Side Irrigation District
P.O. Box 66
Stratford, CA 93266

2.1.3 Contact Person and Phone Number

Lead Agency Contact

Scott Sills
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(559) 923-4239

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Rick Besecker, Project Manager
(559) 449-2700

2.1.4 Project Location

The Project is located within the service areas of the Empire West Side Irrigation District (EWSID) in Kings County and the Tulare Lake Basin Water Storage District (TLBWSD) in Kings and Tulare County (see Figure 2-1). The point of delivery for the water would be in Reach 8C of the California Aqueduct. The neighboring EWSID and TLBWSD both deliver their SWP water from Pool 22 of the California Aqueduct. The centroid of the Project site is 36°12'21" N and 119°51'27" W.

2.1.5 General Plan Designation and Zoning

The Project is zoned agricultural.

2.1.6 Description of Project

Project Description

EWSID proposes to accept a permanent transfer of 617 acre-feet (AF) of State Water Project (SWP) Table A Contract amount from TLBWSD. Both EWSID and TLBWSD are agricultural water purveyors with water

supply contracts with the California Department of Water Resources (DWR) for surface water supplies from the SWP. While these contracts specify (in Table A of the contract) the maximum amount of SWP water that each contractor can request for delivery each year, depending on the SWP allocation for a particular year, the actual water associated with the transferred Table A could be much lower than 617 AF.

Ceil W Howe III, Erica J Howe, Ceil W Howe Jr., Geraldine M Howe, and Westlake Farms are landowners and have farming operations in TLBWSD. As they are unable to physically deliver their SWP water to these lands, they have requested to permanently transfer the SWP Table A Contract amount associated with their lands in TLBWSD to a landowner and farming operation (Tachi Farms) in EWSID. The boards of directors of both districts have agreed to support the transfer of the SWP Table A Contract amount as requested by Westlake Farms.

The lands owned by Tachi Farms in EWSID are in agricultural production, consisting of pistachios, grapes and pomegranates. The transfer water would be used to supplement their existing SWP and Kings River water supply.

The lands owned by Westlake Farms in TLBWSD are in agricultural production, consisting of olives and open land that has historically been planted to row crops. The lands within TLBWSD would continue to be farmed after the transfer, utilizing the same combination of other local water supplies that are currently used.

No native lands will be brought into agricultural production, and no construction or any operational or maintenance changes will occur as a result of the Project.

2.1.7 Site and Surrounding Land Uses and Setting

The Project is located within the service areas of EWSID in Kings County and TLBWSD in Kings and Tulare Counties. The point of delivery would remain in Reach 8C of the California Aqueduct.

2.1.8 Other Public Agencies Whose Approval May Be Required

- Tulare Lake Basin Water Storage District
- California Department of Water Resources

2.1.9 Consultation with California Native American Tribes

Public Resources Code Section 21080.3.1, *et seq. (codification of AB 52, 2013-14)*) requires that a lead agency, within 14 days of determining that it will undertake a project, must notify in writing any California Native American Tribe traditionally and culturally affiliated with the geographic area of the project if that Tribe has previously requested notification about projects in that geographic area. The notice must briefly describe the project and inquire whether the Tribe wishes to initiate request formal consultation. Tribes have 30 days from receipt of notification to request formal consultation. The lead agency then has 30 days to initiate the consultation, which then continues until the parties come to an agreement regarding necessary mitigation or agree that no mitigation is needed, or one or both parties determine that negotiation occurred in good faith, but no agreement will be made.

On September 22, 2023 EWSID notified the Santa Rosa Rancheria Tachi Yokut Tribe, the Torres Martinz Desert Cahuilla Indian Tribe, Tule River Yokut Tribe, and the Tejon Yokut Tribe, and has not received any written correspondence from them pursuant to Public Resources Code Section 21080.3.1 requesting notification of proposed project.

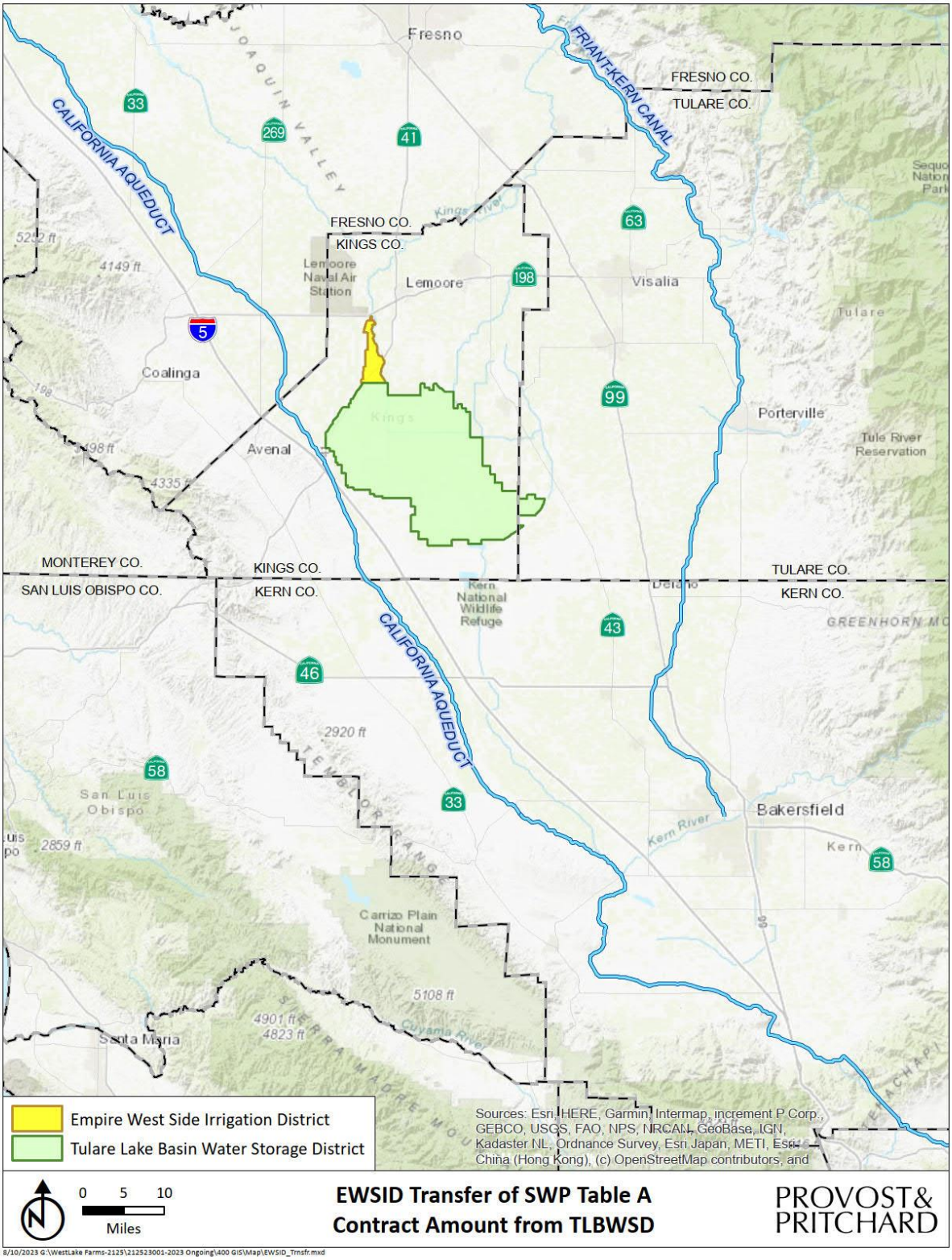

Figure 2-1: Regional Location Map

CHAPTER 3 DETERMINATION

3.1 POTENTIAL ENVIRONMENTAL IMPACTS

As indicated by the discussions of existing and baseline conditions, and impact analyses that follow in this Chapter, environmental factors not checked below would have no impacts or less than significant impacts resulting from the project. Environmental factors that are. checked below would have potentially significant impacts resulting from the project. Mitigation measures are recommended for each of the potentially significant impacts that would reduce the impact to less than significant.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials
☐ Hydrology / Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities and Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

The analyses of environmental impacts in Chapter 4 Environmental Impact Analysis result in an impact statement, which shall have the following meanings.

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3.2 DETERMINATION

On the basis of this initial evaluation (to be completed by the Lead Agency):

☒ 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 Date

_____

Printed Name/Position

CHAPTER 4 ENVIRONMENTAL IMPACT ANALYSIS

4.1 AESTHETICS

Table 4-1: Aesthetics Impacts

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

4.1.1 Baseline Conditions

The Project is located in western Kings County within the boundaries of EWSID and is predominately agricultural. The lands associated with the Project are planted to pistachios (464 acres), pomegranates (158 acres) and grapes (144 acres).

4.1.2 Impact Assessment

a), c) No Impact. The Project consists of the permanent transfer of water between two neighboring water agencies, and would not involve any construction or any significant changes in land use. There would be no changes to scenic vistas or public views.

b) No Impact. According to the California Department of Transportation mapping of state scenic highways, there are no officially designated state scenic highways located within the County of Kings.[1] There would be no impact to a designated state scenic highway.

[1] (California Department of Transportation 2023)

d) **No Impact.** The Project is located in a rural setting, not subject to preexisting exterior lighting from surrounding development and existing street lighting often found in urban areas. The Project would not introduce new sources of light and glare to the area in the form of exterior safety and security lighting.

4.2 AGRICULTURE AND FORESTRY RESOURCES

Table 4-2: Agriculture and Forest Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

4.2.1 Baseline Conditions

According to the California Department of Conservation (DOC) website, the Project is located on lands that have agricultural preserve land use designations and are designated as Farmland of Statewide Importance under the DOC's Farmland Mapping and Monitoring Program.[2]

4.2.2 Impact Assessment

a), b), e) **No Impact.** The Project would not cause any changes in land use or zoning and does not involve the conversion of farmland to non-agricultural use. The lands in TLBWSD that are relinquishing their SWP Table A Contract amount would not have SWP water available but would continue to be irrigated with

[2] (California Department of Conservation 2023)

other available water sources on the Kings, Kaweah, and Tule River watersheds. In EWSID, the transferred water would be used on lands historically irrigated and no native lands would be brought under cultivation.

c), d) **No Impact.** There are no forest lands associated with the Project.

4.3 AIR QUALITY

Table 4-3: Air Quality Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

4.3.1 Baseline Conditions

The Project is located in western Kings County, south of the city of Lemoore and west of the town of Stratford. The Project site is within the boundary of the San Joaquin Valley Air Pollution Control District (SJVAPCD) and the San Joaquin Valley Air Basin (SJVAB). The SJVAB is made up of eight counties in California's Central Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and the San Joaquin Valley Air Basin portion of Kern. The San Joaquin Valley is bounded by the Sierra Nevada Mountain Range to the east and the Coastal Mountain Range to the west. Wind within the SJVAB typically channels south-southwest during the summer months, while wind flows to the north-northwest during the winter months. Wind velocity for the region is considered low for an area of such size.[3] Due to a lack of strong wind and the natural confinement of the mountain ranges surrounding the SJVAB, the region experiences some of the worst air quality in the world.

Regulatory Attainment Designations

Under the California Clean Air Act (CCAA), the California Air Resources Board (CARB) is required to designate areas of the State as attainment, nonattainment, or unclassified with respect to applicable standards. An "attainment" designation for an area signifies that pollutant concentrations did not violate the applicable standard in that area. A "nonattainment" designation indicates that a pollutant concentration violated the applicable standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria. Depending on the frequency and severity of pollutants exceeding applicable standards, the nonattainment designation can be further classified as serious nonattainment,

[3] (San Joaquin Valley Air Pollution Control District 2012)

severe nonattainment, or extreme nonattainment, with extreme nonattainment being the most severe of the classifications. An "unclassified" designation signifies that the data does not support either an attainment or nonattainment designation. The CCAA divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category.

The United States Environmental Protection Agency (USEPA) designates areas for ozone, carbon monoxide, and nitrogen dioxide as "does not meet the primary standards," "cannot be classified," or "better than national standards." For sulfur dioxide, areas are designated as "does not meet the primary standards," "does not meet the secondary standards," "cannot be classified," or "better than national standards." However, the CARB terminology of attainment, nonattainment, and unclassified is more frequently used. The USEPA uses the same sub-categories for nonattainment status: serious, severe, and extreme. In 1991, USEPA assigned new nonattainment designations to areas that had previously been classified as Group I, II, or III for PM_{10} based on the likelihood that they would violate national PM_{10} standards. All other areas are designated "unclassified."

According to the USEPA the SJVAPCD was in nonattainment for two pollutant concentrations, with PM-2.5 being classified as in nonattainment, and 8-hour Ozone classified as being in extreme nonattainment as of August 22, 2023.[4]

Table 4-3.1: Summary of Ambient Air Quality Standards and Attainment Designation

Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Ozone (O_3)	1-hour	0.09 ppm	Nonattainment/ Severe	–	No Federal Standard
	8-hour	0.070 ppm	Nonattainment	0.075 ppm	Nonattainment (Extreme)**
Particulate Matter (PM_{10})	AAM	20 µg/m^3	Nonattainment	–	Attainment
	24-hour	50 µg/m^3		150 µg/m^3	
Fine Particulate Matter ($PM_{2.5}$)	AAM	12 µg/m^3	Nonattainment	12 µg/m^3	Nonattainment
	24-hour	No Standard		35 µg/m^3	
Carbon Monoxide (CO)	1-hour	20 ppm	Attainment/ Unclassified	35 ppm	Attainment/ Unclassified
	8-hour	9 ppm		9 ppm	
	8-hour (Lake Tahoe)	6 ppm		–	
Nitrogen Dioxide (NO_2)	AAM	0.030 ppm	Attainment	53 ppb	Attainment/ Unclassified
	1-hour	0.18 ppm		100 ppb	
Sulfur Dioxide (SO_2)	AAM	–	Attainment	--	Attainment/ Unclassified
	24-hour	0.04 ppm		--	
	3-hour	–		0.5 ppm	
	1-hour	0.25 ppm		75 ppb	
Lead (Pb)	30-day Average	1.5 µg/m^3	Attainment	–	No Designation/ Classification
	Calendar Quarter	–		--	
	Rolling 3-Month Average	–		0.15 µg/m^3	

[4] (United States Environmental Protection Agency 2023)

Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Sulfates (SO_4)	24-hour	25 µg/m^3	Attainment	No Federal Standards	
Hydrogen Sulfide (H_2S)	1-hour	0.03 ppm (42 µg/m^3)	Unclassified		
Vinyl Chloride (C_2H_3Cl)	24-hour	0.01 ppm (26 µg/m^3)	Attainment		
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/kilometer-visibility of 10 miles or more due to particles when the relative humidity is less than 70%.	Unclassified		

** For more information on standards visit: https://ww3.arb.ca.gov/research/aaqs/aaqs2.pdf*
*** No Federal 1-hour standard. Reclassified extreme nonattainment for the Federal 8-hour standard [6/14/23].*
****Secondary Standard*
Source: http://www.valleyair.org/aqinfo/attainment.htm. Accessed 2023

Thresholds of Significance

Air pollutant emissions have regional effects and localized effects. This analysis assesses the regional effects of the Project's criteria pollutant emissions in comparison to SJVAPCD thresholds of significance for short-term construction activities and long-term operation of the Project. Localized emissions from Project construction and operation are also assessed using concentration-based thresholds that determine if the Project would result in a localized exceedance of any ambient air quality standards or would make a cumulatively considerable contribution to an existing exceedance.

The primary pollutants of concern during Project construction and operation are reactive organic gases (ROG), nitrogen oxides (NO_X), PM10, and PM2.5. The SJVAPCD Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) adopted in 2015 contains thresholds for ROG and NO_X; sulfur oxides (SO_X), carbon monoxide (CO), PM10, and PM2.5.

Ozone is a secondary pollutant that can be formed miles away from the source of emissions through reactions of ROG and NOx emissions in the presence of sunlight. Therefore, ROG and NOx are termed ozone precursors. The SJVAB often exceeds the state and national ozone standards. Therefore, if the Project emits a substantial quantity of ozone precursors, the Project may contribute to an exceedance of the ozone standard. The SJVAB also exceeds air quality standards for PM10, and PM2.5; therefore, substantial Project emissions may contribute to an exceedance for these pollutants.

The SJVAPCD adopted significance thresholds for construction-related and operational ROG, NO_X, PM, CO, and SO_X, these thresholds are included in Table 4-3.2.

Table 4-3.2: Project-Level Air Quality CEQA Thresholds of Significance

Pollutant	Significance Threshold	
	Construction Emissions (tons/year)	Operational Emissions (tons/year)
ROG	10	10
NO_X	10	10
CO	100	100
SO_X	27	27
PM_{10}	15	15
$PM_{2.5}$	15	15

Source: SJVAPCD. 2015. Guidance for Assessing and Mitigating Air Quality Impacts. Website: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF. Accessed August 22, 2023.

4.3.2 Impact Assessment

a)-d) **No Impact.** The Project would not involve any construction or any significant changes in land use. Agricultural operations would continue at their current levels. Because of the lack of any ground-disturbing construction activities, there would be no impacts to air quality associated with the Project.

4.4 BIOLOGICAL RESOURCES

Table 4-4: Biological Resources Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒

e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

4.4.1 Baseline Conditions

The Project is located within the service areas of the EWSID in Kings Couty and the TLBWSD in Kings and Tulare County (see Figure 2-1). Kings and Tulare County contain a variety of biological communities and wildlife habitats that contribute to the overall functionality of their ecosystems. The San Joaquin Valley, which contains Kings County, has the San Joaquin Multi-Species Habitat Conservation Plan and Open Space Plan. This plan was developed to conserve and protect habitats in the San Joaquin Valley.

4.4.2 Impact Assessment

a) No Impact. The Project involves the transfer of water from TLBWSD's SWP Contract to EWSID's SWP Contract. Construction or land alterations are not part of Project activities. EWSID proposes to accept a permanent transfer of 617 AF of SWP Table A Contract water from TLBWSD. TLBWSD and EWSID both deliver their SWP water from Pool 22 of the California Aqueduct. Ultimately, the transfer water would use existing facilities and would not include any new infrastructure, conveyance facilities, construction, or alteration of lands.

The Project would not directly change the land use patterns of the cultivated or fallowed fields within the districts' boundaries. Implementation of the Project would not change existing conditions, such as stream flows. There would be no impact to any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service.

b), c) No Impact. Riparian habitats typically occur adjacent to waterways. The Project area contains numerous waterways; however, there would be no new construction or ground disturbance associated with the Project and no proposed change in land uses. The Project would not conflict with the San Joaquin Multi-Species Habitat Conservation Plan and Open Space Plan.

Because there would be no new construction or ground disturbance associated with the Project and stream conditions would remain substantially similar to existing conditions. There would be no impact to riparian habitat or other sensitive natural communities. No construction or earthmoving activities would take place as a part of the Project including the trimming or removal of any vegetation. As such, there would be no impacts to federally protected waters or wetlands.

d) No Impact. The Project would not involve any grading or expansion of the existing water conveyance facilities. There would be no construction of any buildings or facilities that would impede migratory wildlife. There would be no impacts that would interfere with the movement of any wildlife species or the use of native wildlife nursery sites.

e) No Impact. The Project does not involve tree removal, grading or expansion of the existing facilities and would not conflict with any existing or proposed preservation policies or ordinances. There would be no conflicts with local policies or ordinances protecting biological resources.

f) **No Impact.** The Project would not involve any construction or any significant changes in land use. Agricultural operations would continue at their current levels. Because of the lack of any ground-disturbing construction activities, there will be no impacts to biological resources. Although the San Joaquin Multi-Species Habitat Conservation Plan and Open Space Plan overlaps the participating District's service areas, Project activities would not trigger notification or conflict with existing plans and policies as the Project does not involve any construction or ground disturbing activities. There would be no conflicts with any adopted conservation plans.

4.5 CULTURAL RESOURCES

Table 4-5: Cultural Resources Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

4.5.1 Baseline Conditions

The Project area is located in western Kings County. The lands associated with the project are developed to agricultural production.

4.5.2 Impact Assessment

a)-c) **No Impact.** The Project would not involve any construction or any changes in land use. Agricultural operations would continue at their current levels. Because of the lack of any ground-disturbing construction activities, there will be no impact to historical or archeological resources.

4.6 ENERGY

Table 4-6: Energy Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

4.6.1 Baseline Conditions

The Project area is located in western Kings County. The lands associated with the project are developed to agricultural production. The Project site is served by PG&E for its energy needs.[5]

4.6.2 Impact Assessment

a)-b) **No Impact.** The Project consists of the transfer of water between two neighboring water agencies, both located south of the Sacramento-San Joaquin River Delta (Delta). There would be no additional pumping from the Delta required to deliver this water.

4.7 GEOLOGY AND SOILS

Table 4-7: Geology and Soils Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. 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.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☒

[5] (Pacific Gas and Electric 2023)

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit 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?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☐	☒

4.7.1 Baseline Conditions

Geology and Soils

The Project is located in Kings County and spans the Great Valley Geomorphic Province. The province is an alluvial plain about 50 miles wide and 400 miles long in the central part of California. Its northern part is the Sacramento Valley, drained by the Sacramento River and its southern part is the San Joaquin Valley drained by the San Joaquin River. The Great Valley is a trough in which sediments have been deposited almost continuously since the Jurassic (about 160 million years ago). Great oil fields have been found in southernmost San Joaquin Valley and along anticlinal uplifts on its southwestern margin. In the Sacramento Valley, the Sutter Buttes, the remnants of an isolated Pliocene volcano, rise above the valley floor.

Based on criteria established by the California Geological Survey (CGS), faults can be classified as active, potentially active, or inactive. Active faults are those having historically produced earthquakes or shown evidence of movement within the past 11,000 years (during the Holocene Epoch). Potentially active faults have demonstrated displacement within the last 1.6 million years (during the Pleistocene Epoch) while not displacing the Holocene Strata. Inactive faults do not exhibit displacement younger than 1.6 million years before the present. In addition, there are buried thrust faults, which are faults with no surface exposure Due to their buried nature, the existence of buried thrust faults are usually not known until they produce an earthquake.

The CGS establishes regulatory zones around active faults, called Alquist-Priolo Earthquake Fault Zones. These zones, which extend from 200 to 500 feet on each side of a known fault, identify areas where a potential surface fault rupture could prove hazardous for buildings.[6]

Faults and Seismicity

The Project area is not located within an Alquist-Priolo Earthquake Fault Zone.[7]

Liquefaction

Liquefaction takes place when loosely packed, water-logged sediments at or near the ground surface lose their strength in response to strong ground shaking. Liquefaction occurring beneath buildings and other structures can cause major damage during earthquakes. According to the DOC Earthquake Zones of Required Investigation map, no portions of the Project are located in areas susceptible to liquefaction.[8]

Soil Subsidence

There are two types of subsidence: land subsidence and hydro compaction subsidence. Land subsidence occurs when an extensive amount of ground water, oil, or natural gas is withdrawn from below the ground surface. This includes land subsidence resulting from groundwater overdraft. Hydro compaction subsidence occurs when a large land area settles due to over-saturation. According to the United States Geological Survey, the Project area is located in a region that experiences severe subsidence.[9]

Dam and Levee Failure

The Project is not located in an area that would be susceptible to dam and levee failure.[10]

4.7.2 Impact Assessment

a)-f) **No Impact.** The Project would not involve any construction or any significant changes in land use. Agricultural operations would continue at their current levels. Because of the lack of any ground-disturbing construction activities, there will be no impacts to geology and soils.

[6] (California Department of Conservation 2002)
[7] (California Department of Conservation 2023)
[8] Ibid.
[9] (United States Geological Survey 2023)
[10] (California Department of Water Resources 2023)

4.8 GREENHOUSE GAS EMISSIONS

Table 4-8: Greenhouse Gas Emissions Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

4.8.1 Baseline Conditions

Commonly identified greenhouse gas (GHG) emissions and sources include the following:

Carbon dioxide (CO_2) is an odorless, colorless natural greenhouse gas. Carbon dioxide is emitted from natural and anthropogenic sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out gassing. Anthropogenic sources include the burning of coal, oil, natural gas, and wood.

Methane (CH_4) is a flammable greenhouse gas. A natural source of methane is the anaerobic decay of organic matter. Geological deposits, known as natural gas fields, also contain methane, which is extracted for fuel. Other sources are from landfills, fermentation of manure, and ruminants such as cattle.

Nitrous oxide (N_2O), also known as laughing gas, is a colorless greenhouse gas. Nitrous oxide is produced by microbial processes in soil and water, including those reactions that occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load.

Water vapor is the most abundant, and variable greenhouse gas. It is not considered a pollutant; in the atmosphere, it maintains a climate necessary for life.

Ozone (O_3) is known as a photochemical pollutant and is a greenhouse gas; however, unlike other greenhouse gases, ozone in the troposphere is relatively short-lived and, therefore, is not global in nature. Ozone is not emitted directly into the atmosphere but is formed by a complex series of chemical reactions between volatile organic compounds, nitrogen oxides, and sunlight.

Aerosols are suspensions of particulate matter in a gas emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light.

Chlorofluorocarbons (CFCs) are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were first synthesized in 1928 for use as

refrigerants, aerosol propellants, and cleaning solvents. CFCs destroy stratospheric ozone; therefore, their production was stopped as required by the Montreal Protocol in 1987.

Hydrofluorocarbons (HFCs) are synthetic chemicals that are used as a substitute for CFCs. Of all the greenhouse gases, HFCs are one of three groups (the other two are perfluorocarbons and sulfur hexafluoride) with the highest global warming potential. HFCs are human-made for applications such as air conditioners and refrigerants.

Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere; therefore, PFCs have long atmospheric lifetimes, between 10,000 and 50,000 years. The two main sources of PFCs are primary aluminum production and semiconductor manufacture.

Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It has the highest global warming potential of any gas evaluated. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

There are uncertainties as to exactly what the climate changes will be in various local areas of the earth, and what the effects of clouds will be in determining the rate at which the mean temperature will increase. There are also uncertainties associated with the magnitude and timing of other consequences of a warmer planet: sea level rise, spread of certain diseases out of their usual geographic range, the effect on agricultural production, water supply, sustainability of ecosystems, increased strength and frequency of storms, extreme heat events, air pollution episodes, and the consequence of these effects on the economy.

Emissions of GHGs contributing to global climate change are largely attributable to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. About three-quarters of human emissions of CO_2 to the global atmosphere during the past 20 years are due to fossil fuel burning. Atmospheric concentrations of CO_2, CH_4, and N_2O have increased by at least 40 percent, 150 percent, and 20 percent respectively since the year 1750. GHG emissions are typically expressed in carbon dioxide-equivalents (CO_2e), based on the GHG's Global Warming Potential (GWP). The GWP is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. For example, one ton of CH_4 has the same contribution to the greenhouse effect as approximately 25 tons of CO_2. Therefore, CH_4 is a much more potent GHG than CO_2. In accordance with SJVAPCD's *CEQA Greenhouse Gas Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects*[11], proposed projects complying with Best Performance Standards (BPS) would be determined to have a less-than-significant impact. Projects not complying with BPS would be considered less than significant if operational GHG emissions would be reduced or mitigated by a minimum of 29 percent, in comparison to business-as-usual (year 2004) conditions. In addition, project-generated emissions complying with an approved plan or mitigation program would also be determined to have a less-than-significant impact.

4.8.2 Impact Assessment

a)-b) **No Impact.** The Project consists of the transfer of water between two neighboring water agencies, both located south of the Delta. There would be no additional pumping from the Delta due to the transfer of this water, so there would be no changes to greenhouse gas emissions.

[11] (San Joaquin Valley Air Pollution Control District 2009)

4.9 HAZARDS AND HAZARDOUS MATERIALS

Table 4-9: Hazards and Hazardous Materials Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

4.9.1 Baseline Conditions

Hazardous Materials

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The California Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. DTSC's EnviroStor database provides DTSC's component

of Cortese List data. In addition to the EnviroStor database, the SWRCB Geotracker database provides information on regulated hazardous waste facilities in California, including underground storage tank (UST) cases and non-UST cleanup programs, including Spills-Leaks-Investigations-Cleanups sites, Department of Defense sites, and Land Disposal program.

A search of the DTSC EnviroStor database and the SWRCB Geotracker determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project area or immediate surrounding vicinity.[12]

Airports

The nearest public airport to the Project is the Hanford Municipal Airport, located approximately 10 miles northeast of the Project site. While not a public airport, Lemoore Naval Air Station is located approximately 15 miles northwest of the Project.

Emergency Response Plan

Kings County adopted an Emergency Operations Plan (EOP) in November of 2015.[13] The purpose of the EOP is to provide the basis for a coordinated response before, during and after a disaster affecting Kings County or other jurisdictions in its Operational Area, as defined in the EOP. This plan establishes policies and an emergency management organization and assigns roles and responsibilities to ensure the effective management of emergency operations. The plan also identifies sources of external support which might be provided through mutual aid and specific statutory authorities by other jurisdictions, State and federal agencies, and the private sector.

Sensitive Receptors

The Project is located in mostly open space that contains little to no sensitive receptors.

4.9.2 Impact Assessment

a)-g) No Impact. There are no hazards or hazardous materials associated with the Project. Therefore, further analysis of the Project's potential impacts from hazards and hazardous materials are not warranted.

[12] (California Department of Toxic Substances Control 2023); (State of California 2023)
[13] (Kings County Office of Emergency Services 2015)

4.10 HYDROLOGY AND WATER QUALITY

Table 4-10: Hydrology and Water Quality Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	☒
i. result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☐	☒
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
iv. impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

4.10.1 **Baseline Conditions**

The Project is located within the Tulare Lake Hydrologic Region. The Tulare Lake region encompasses about 17,050 square miles and includes all of Tulare and Kings counties, and most of Fresno and Kern counties. The hydrologic region is bordered to the east by the Sierra Nevada, to the west by the Coast Ranges, and to the south by the Tehachapi Mountains. To the north, the Tulare Lake region is separated from the San Joaquin River Hydrologic Region (San Joaquin region) by a rise in the San Joaquin Valley floor caused by an accumulation of San Joaquin River and the Kings River alluvial fan deposits. Although this drainage divide is the boundary between the San Joaquin and Tulare Lake regions, geographically the valley floor portion of the Tulare Lake region is considered part of the southern San Joaquin Valley. Major rivers draining into the

Tulare Lake region include the Kings, Kaweah, Tule, and Kern, which extend from the Sierra Nevada headwaters in eastern Fresno and Tulare counties, to their termination at the former Tulare Lake and Buena Vista Lake beds.

4.10.2 Impact Assessment

a)-e) No Impact. The Project consists of a permanent water transfer from TLBWSD to EWSID on behalf of two landowners farming in two neighboring water agencies, both located south of the Delta and both taking SWP deliveries from the same Pool (22) of the California Aqueduct. There would be no change in water quality, as the water being transferred is each agencies' SWP supply, which derives from the same source in the Delta; no changes to drainage patterns, or no increase in flood hazards due to the Project. Thus, there would be no changes to hydrology and water quality resources.

4.11 LAND USE AND PLANNING

Table 4-11: Land Use and Planning Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

4.11.1 Baseline Conditions

The Project is located in western Kings County outside of the boundaries of any established communities and is primarily agricultural.

4.11.2 Impact Assessment

a)-b) No Impact. The Project would not involve any construction or any significant changes in land use. Therefore, further analysis of the Project's potential impacts to land use and planning are not warranted.

4.12 MINERAL RESOURCES

Table 4-12: Mineral Resources Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

4.12.1 Baseline Conditions

According to the DOC, portions of northeast Kings County are known to contain aggregate materials, however, according to the County's General Plan, the County only had one active surface mining permit as of 2009.[14] [15] Other mines that no longer operate are also located throughout the County, namely a gypsum and mercury mine in the southwest portion of the County. No mineral resources are known to exist in the immediate vicinity of the Project site.

4.12.2 Impact Assessment

a)-b) **No Impact.** The Project would not involve any construction or any significant changes in land use. Because of the lack of any ground-disturbing construction activities, there will be no impacts to mineral resources.

4.13 NOISE

Table 4-13: Noise Impacts

Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☐	☒

[14] (California Department of Conservation 2022)
[15] (County of Kings 2009)

Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) For a project located within the vicinity of a private airstrip or 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 expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

4.13.1 Baseline Conditions

The Project is located in unincorporated areas of western Kings County with limited sensitive receptors.

4.13.2 Impact Assessment

a) **No Impact.** Noise from agricultural operations would continue at the same levels. No additional noise would be generated.

b) **No Impact.** Ground borne vibrations and noise from agricultural operations would continue at the same levels. No additional ground borne vibrations or noise would be generated.

c) **No Impact.** Although the Project is located approximately 3 miles north of a private airstrip (CA49) with limited use, it would not expose workers to excessive noise levels.

4.14 POPULATION AND HOUSING

Table 4-14: Population and Housing Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Induce substantial unplanned 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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

4.14.1 Baseline Conditions

The Project is located in an unincorporated area of western Kings County southeast of the city of Lemoore, and southwest of the city of Hanford. According to the United States Census Bureau, Lemoore had a population of 14,973 people in 2022, Hanford had a population of 58,470 in 2022, and Kings County had a total population of 152,981 people in 2022.[16]

4.14.2 Impact Assessment

a)-b) **No Impact.** The Project would not involve any construction or any significant changes in land use. No changes to population or housing would occur as a result of this Project.

4.15 PUBLIC SERVICES

Table 4-15: Public Services

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

4.15.1 Baseline Conditions

The Project is in an unincorporated area of western Kings County, south of the city of Lemoore and west of the town of Stratford.

Fire Protection: The nearest Kings County fire station to the Project site is the Kings County Fire Department Station 10, located in the town of Stratford.

Police Protection: The nearest Kings County Sheriff Department to the Project site is located in the City of Hanford.

Schools: There are no schools within the vicinity of the Project.

[16] (United States Census Bureau 2022)

Parks: There are no parks within the vicinity of the Project.

Landfills: There are no landfills within the vicinity of the Project.

4.15.2 Impact Assessment

a) No Impact.. There are no governmental facilities in the Project vicinity. The Project would not result in the addition to or alteration of any public services. The Project would not require additional public facilities beyond those that already exist.

4.16 RECREATION

Table 4-16: Recreation Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

4.16.1 Baseline Conditions

The Project is located in western Kings County south of the city of Lemoore and west of the town of Stratford, in an agricultural area with no recreational opportunities.

4.16.2 Impact Assessment

a)-b) No Impact. There are no recreational facilities in the Project vicinity.

4.17 TRANSPORTATION

Table 4-17: Transportation Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

4.17.1 Baseline Conditions

The Project is located in western Kings County south of the city of Lemoore and west of the town of Stratford, in an agricultural area with no transportation resources.

4.17.2 Impact Assessment

a)-d) No Impact. The Project would not involve any construction or any significant changes in land use. There are no transportation resources that would be affected by the Project.

4.18 TRIBAL CULTURAL RESOURCES

Table 4-18: Tribal Cultural Resources Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in the local register of	☐	☐	☐	☒

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
	historical resources as defined in Public Resources Code section 5020.1(k), or				
ii.	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

4.18.1 Baseline Conditions

Kings County is historically home to the Yokut tribal groups, including the Tachi Yokut Tribe. The Tachi Yokut Tribe historically lived in vicinity of Tulare Lake which covered much of the southern San Joaquin Valley prior to frontier expansion into the west and California. The Tachi Yokut Tribe maintains a strong presence in the Kings County area in present times.

4.18.2 Impact Assessment

a) **No Impact.** The Project consists of the transfer of water between two water agencies, and would not involve any construction or any significant changes in land use. On September 22, 2023 EWSID notified the Santa Rosa Rancheria Tachi Yokut Tribe, the Torres Martinz Desert Cahuilla Indian Tribe, Tule River Yokut Tribe, and the Tejon Yokut Tribe, and has not received any written correspondence from them pursuant to Public Resources Code Section 21080.3.1 requesting notification of proposed project. Therefore, further analysis of the Project's potential impacts to tribal cultural resources are not warranted.

4.19 UTILITIES AND SERVICE SYSTEMS

Table 4-19: Utilities and Service Systems Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c) 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?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

4.19.1 Baseline Conditions

The Project is served by PG&E for its electric needs.

4.19.2 Impact Assessment

a)-e) **No Impact.** There are no utilities or service systems that would be affected by the Project.

4.20 WILDFIRE

Table 4-20: Wildfire Impacts

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

4.20.1 Baseline Conditions

According to the California Department of Forestry and Fire Control (CALFIRE), the Project would be located in areas that are protected by local jurisdictions for fire protection, six miles southwest of a Federal Responsibility Area (Santa Rosa Rancheria).[17] Additionally, according to CALFIRE, the Project would be located over 30 miles northeast of the nearest Very High Fire Hazard Severity Zone (west of the City of Avenal).[18]

4.20.2 Impact Assessment

a)-d) **No Impact.** The Project areas are agricultural and not located near a Federal or State Responsibility Area or in a very high fire hazard severity zone.

[17] (California Department of Forestry and Fire Protection 2023)
[18] (California Department of Forestry and Fire Protection 2023)

4.21 CEQA MANDATORY FINDINGS OF SIGNIFICANCE

Table 4-21: CEQA Mandatory Findings of Significance

Does the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have the potential to substantially 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, substantially 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?	☐	☐	☐	☒
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively 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)?	☐	☐	☐	☒
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

4.21.1 Statement of Findings

a) No Impact. As the Project consists of the transfer of surface water between two neighboring water agencies, the Project has no potential to substantially degrade the environment, reduce the habitat or population of fish or wildlife species, threaten to eliminate a plant or animal community, or restrict, reduce, or eliminate endangered, rare or important plants, animals, or California history or prehistory.

b) No Impact. Cumulatively considerable means that "the incremental effects of an individual 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 project." The Project consists of the transfer of water between two neighboring water agencies. Due to the lack of construction activities, the opportunity for cumulatively considerable effects or impacts is not available.

c) No Impact. The Project will not result in substantial adverse effects on human beings, either directly or indirectly. With a lack of construction or any operational changes, there will be no Project impacts.

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NEGATIVE DECLARATION

EMPIRE WEST SIDE IRRIGATION DISTRICT
TRANSFER OF SWP TABLE A CONTRACT AMOUNT FROM
TULARE LAKE BASIN WATER STORAGE DISTRICT

(State Clearinghouse No. 2023090554)

I. PROJECT DESCRIPTION AND LOCATION

The Empire West Side Irrigation District (EWSID) and the Tulare Lake Basin Water Storage District (TLBWSD) are agricultural water purveyors with water supply contracts with the California Department of Water Resources (DWR) for surface water supplies from the State Water Project (SWP). EWSID proposes to accept a transfer, on a permanent basis, of 617 acre-feet (AF) of SWP Table A Contract amount from TLBWSD. A landowner and farming operation (Westlake Farms) owning land in TLBWSD has requested to transfer the SWP Table A Contract amount associated with their land in TLBWSD to a farming operation (Tachi Farms) in EWSID. The boards of directors of both districts have agreed to support the permanent transfer of the SWP Table A Contract amount as requested by Westlake Farms.

The lands owned by Tachi Farms in EWSID are in agricultural production, consisting of pistachios, grapes and pomegranates. The transfer water would be used to supplement the existing SWP and Kings River water supply.

The lands owned by Westlake Farms in TLBWSD are in agricultural production, consisting of olives and open land that has historically been planted with row crops. The lands within TLBWSD would continue to be farmed after the transfer, utilizing a combination of other local water supplies,

No native lands will be brought into agricultural production, and no construction or any operational or maintenance changes will occur as a result of the Project.

The project details and the proposed Negative Declaration are more thoroughly covered in the Initial Study and Environmental Checklist on file at the business office of the Empire West Side Irrigation District at 5065 19-1/2 Avenue, Riverdale, CA 93656 and the Tulare Lake Basin Water Storage District located at 1001 Chase Ave., Corcoran, CA 93212.

Comments were received by the Department of Water Resources and clarifying language was added to the Project Description in the Initial Study.

II. PROJECT PROPONENTS

Empire West Side Irrigation District (lead agency) and Tulare Lake Basin Water Storage District (responsible agency).

III. PROPOSED FINDING

The Board of Directors of Empire West Side Irrigation District has determined that the project will not have a significant effect on the environment for the reasons stated in the Initial Study.

IV. MITIGATION MEASURES

The Board of Directors of Empire West Side Irrigation District has concluded that no mitigation measures are necessary in order to avoid any potentially significant effects.

_____ _____

Date Scott Sills, General Manager