

Notice Of Exemption

Appendix E

To: Office of Planning and Research

P.O. Box 3044, Room 113

Sacramento, CA 95812-3044

County Clerk County of Yolo

From (Public Agency): Department of Water Resources

Division of Multibenefit Initiatives

715 P Street, Sacramento, CA 95814

Project Title: Fair Ranch Instream Flow Water Transfer Agreement

Project Applicant: Department of Water Resources

Project Location Specific – Latitude 38°50'18.97"N/ Longitude 121°45'6.93"W.

Project Location – City: Unincorporated

Project Location – County: Yolo

Description of Nature, Purpose, and Beneficiaries of Project: The Project includes the grant of an easement of approximately 7,521 acres by RRG Garden Properties LLC, the owner of River Garden Farms and the Fair Ranch property, to the Department of Water Resources (DWR) for the purpose of protecting land to benefit the aquatic and riparian ecosystems, to preserve and benefit sensitive aquatic biological resources, promote ecological resilience, to provide climate change adaptation, and to provide other biological benefits to native species that utilize the aquatic environment. In addition, the Project proposes a water transfer at a minimum of 5,000 acre-feet and up to 16,000 acre-feet of Sacramento River Settlement Contract water between January and June starting in January 2027. River Garden Farms is a Sacramento River Settlement Contractor with rights to transfer up to 16,000-acre feet a year with approval from the Bureau of Reclamation. To deliver the water, a transfer agreement will be executed between River Garden Farms and the Bureau of Reclamation; to keep the water in-stream, a forbearance agreement will be executed between the California Department of Water Resources and River Garden Farms. Within the forbearance agreement, River Garden Farms would grant DWR a minimum of 5,000-acre feet and up to 16,000-acre feet from the Settlement Contract for instream flow dedication to improve fish and wildlife outcomes.

Name of Agency Approving Project: Department of Water Resources

Name of Person or Agency Carrying Out Project: Department of Water Resources & River Garden Farms

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption. CEQA Common Sense Exemption, Guidelines Section 15061, subd. (b)(3)
- Statutory Exemptions

Reasons why this project is exempt:

The Instream Flow Water Purchase Program provides funding for the acquisition of environmentally beneficial instream flows in the Sacramento-San Joaquin watershed to be provided January through June. The water transfers and purchases must measurably enhance streamflow at a time and location necessary to provide fisheries or ecosystem benefits or improve upon existing flow conditions. This easement and water transfer Project is exempt pursuant to CEQA Guidelines section 15061, subdivision (b)(3), as existing land management practices at Fair Ranch support water transfers up to 16,000 AF a year south of the Sacramento-San Joaquin Delta. Therefore, the proposed Project will not cause changes to land use within the Fair Ranch property compared to baseline conditions, and the forbearance agreement will result in beneficial instream flows to improve conditions for fish and wildlife. In addition, the easement will prevent development and other uses of the property that are inconsistent with the purposes of protecting land to benefit aquatic and riparian ecosystems. As a result, the Project can be implemented without causing any significant effect to an environmental resource. The common sense exemption is appropriate because CEQA only applies to projects which have the potential to cause a significant effect on the environment.

Lead Agency Contact Person: Steve Rothert

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Steve Rothert

2/9/2026

Steve Rothert

Manager, Division of Multibenefit Initiatives

Department of Water Resources

Signed by: Lead Agency

Date Received for filing at OPR: _____