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Print Form

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: _____
_____
_____

From: (Public Agency): Department of Water Resources
715 P Street, 8th Floor
Sacramento, CA 95814
(Address)

Project Title: Groundwater Sustainability Plan Periodic Review - San Joaquin Valley-Merced Subbasin - October 2026

Project Applicant: Merced Subbasin GSA, Merced Irrigation-Urban GSA, Turner Island Water District GSA - Merced

Project Location - Specific:
San Joaquin Valley - Merced Subbasin

Project Location - City: _____ Project Location - County: Merced

Description of Nature, Purpose and Beneficiaries of Project:

The Sustainable Groundwater Management Act (SGMA), Water Code 10720 et seq., requires local groundwater sustainability agencies (GSAs) to develop and implement groundwater sustainability plans (GSPs). (Water Code 10727) The Department of Water Resources (DWR) is required to evaluate whether GSPs and their local implementation comply with certain provisions of SGMA, are likely to achieve sustainability, and whether they adversely affect the ability of adjacent basins to implement their GSPs. (Water Code 10733) DWR is required to issue an assessment within two years of submission of a GSP and again at least every five years during GSP implementation. (Water Code 10733.4, 10733.8) Accordingly, DWR conducted a 5-year periodic review of the San Joaquin Valley - Merced Subbasin GSP and has issued an assessment that determines the GSP or its implementation is "incomplete." (23 Cal. Code Regs. 355.2, 355.6)

Name of Public Agency Approving Project: Department of Water Resources (but see explanation below)

Name of Person or Agency Carrying Out Project: Merced Subbasin GSA, Merced Irrigation-Urban GSA, Turner Island Water District GSA - Merced

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. State type and section number: Guidelines 15061 [common sense]
- ☒ Statutory Exemptions. State code number: Water Code 10728.6 (see additional reasons below)

Reasons why project is exempt:

CEQA does not apply to the preparation and adoption of GSPs, and a GSA is authorized to implement its GSP prior to and regardless of DWR's assessment (Water Code 10733.4(d); Water Code § 10728.6). DWR is statutorily mandated to issue the assessment and no actions or activities with potential to affect the physical environment are initiated or caused by DWR's issuance of this assessment or DWR's "approval" of a GSP. When DWR "approves" a GSP or its implementation, DWR is not authorizing any new activities in the basin, but rather making a determination (i.e., "approving of") that the components of the plan satisfied the technical requirements of SGMA and the GSP Regulations and that the basin was likely to achieve the sustainability goal within SGMA timeframes through implementation of its plan. The effect of DWR's evaluation of GSPs under SGMA is limited to determining whether state intervention in a basin may be necessary. GSP approval by DWR does not affect or determine water rights. (WC 10738) All existing, ongoing, and future actions with potential to affect the physical environment within the basin have been or will be carried out, approved, or permitted by other persons, entities, or agencies. There is therefore no possibility that DWR's issuance of the assessment may have a significant effect on the physical environment within the basin covered by the GSP. (CEQA Guidelines 15061(b)(3)). CEQA exemptions that also would apply to issuance of the assessment, include those for actions to maintain or protect natural resources or the environment, and actions by regulatory agencies to enforce laws or issue administrative decisions enforcing laws administered by them (i.e., SGMA). (CEQA Guidelines 15307, 15308, 15321.)

Lead Agency
Contact Person: Paul Gosselin Area Code/Telephone/Extension: 916-873-4921

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Paul Gosselin Date: 10/8/2026 Title: Deputy Director

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____