

NOTICE OF EXEMPTION

To:

Tulare County Clerk
221 S. Mooney Blvd. Rm 105
Visalia, CA 93291

From:

Kern-Tulare Water District
5001 California Avenue, Suite 102
Bakersfield, CA 93309

Kern County Clerk
1115 Truxtun Avenue, 1st Floor
Bakersfield, CA 93301

Office of Land Use and Climate Innovation
Online Submittal via CEQA Submit

Project Title: Fiscal Year 2026–2027 Operations, Maintenance, and Capital Improvement Program (“Project”)

Project Location: Existing District facilities and rights-of-way, including the Avenue 24, Avenue 36, Cecil, Twin Pipes, Shafter Check, Woollomes, Quinn, and Cameo #4 pumping plants/check structures; Guzman Reservoir and other District-operated regulating reservoirs; and existing pipelines, laterals, and turnouts along the Avenue 24, Avenue 36, Cecil, and Woollomes distribution systems, including turnout/lateral locations 40-5, 13-A, 1H, LW-8A, LW-17, Quinn & Woollomes Extension, CL-9, and CL-7.

Name of Public Agency Approving Project (Lead Agency): Kern-Tulare Water District

Name of Person or Agency Carrying Out Project: Kern-Tulare Water District

Project Description: The Kern-Tulare Water District (KTWD) proposes to implement its Fiscal Year 2026–2027 Operations, Maintenance, and Capital Improvement Program across the existing District facilities and pipeline rights-of-way identified above. The Project encompasses routine inspection and maintenance, repair, sediment removal, and in-kind replacement or rehabilitation of existing agricultural water conveyance infrastructure to maintain operational reliability, improve energy efficiency, and prevent service disruptions during peak irrigation periods. All activities will be confined to previously disturbed District property, existing concrete pads and structures, and established utility easements; no work will expand the existing purpose or diversion capacity of the affected facilities.

Activities primarily consist of mechanical servicing and capital rehabilitation at existing pumping facilities. This includes annual maintenance and overhauls of pump and motor assemblies at the Avenue 24, Avenue 36, and Cecil pumping plants. At the Shafter Check

structure, the District will design and rebuild a failed pump housing to restore mechanical function; this discrete repair is necessary to maintain essential water service and prevent or mitigate an emergency. At the Woollomes Pumping Plant, the Woollomes Pump Station Efficiency Increase Project will remove, rebuild, and reinstall worn pumps and motors to restore operating efficiency from approximately 60 percent to 76 percent without increasing diversion capacity, and will include hydrovac suction cleanout of accumulated sediment within the enclosed pump intake vault. Additional structural preservation includes surface preparation and repainting of exposed piping and infrastructure at the Twin Pipes and Quinn pumping plants. At Cameo #4, Guzman Reservoir, other District-operated regulating reservoirs, and the identified mainline, lateral, and turnout locations, activities will be limited to routine inspection and maintenance, repair, sediment removal, and in-kind replacement or rehabilitation of existing components within the previously disturbed areas described above.

Exempt Status:

- ☐ Ministerial (Sec. 21080(b)(1); 15268)
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a))
☒ Emergency Project (Sec. 21080(b)(4); 15269(b) & (c))—limited to the failed pump-housing repair at Shafter Check
☒ Categorical Exemptions: CEQA Guidelines Section 15301 (Class 1 Existing Facilities), CEQA Guidelines Section 15304 (Class 4 Minor Alterations to Land), and CEQA Guidelines Section 15302 (Class 2 Replacement or Reconstruction)
☒ Common Sense Exemption: CEQA Guidelines Section 15061(b)(3)
☐ Statutory Exemption: _____

Reasons Why Project is Exempt:

The District reviewed the provisions of the California Environmental Quality Act (“CEQA”) (Pub. Resources Code, § 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.).

The following categorical exemptions are applicable to the Project:

- CEQA Guidelines Section 15301 (Class 1 Existing Facilities) provides in part that the exemption “consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.” The key consideration is whether the project involves negligible or no expansion of use.
- The CEQA Guidelines Section 15304 (Class 4 Minor Alterations to Land) categorical exemption provides in part that it “consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.”
- CEQA Guidelines Section 15302 (Class 2 Replacement or Reconstruction) provides in part that the exemption “consists of replacement or reconstruction of

existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.” The key consideration is whether the replacement or reconstruction will remain on the same site and have substantially the same purpose and capacity.

CEQA also provides, in CEQA Guidelines Section 15061(b)(3), that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is exempt from CEQA.

The District reviewed the Project and determined that the Project is categorically exempt from further CEQA review pursuant to CEQA Guidelines Section 15301 (Class 1 Existing Facilities), CEQA Guidelines Section 15304 (Class 4 Minor Alterations to Land), and CEQA Guidelines Section 15302 (Class 2 Replacement or Reconstruction) because the Project consists of: (1) operation, repair, maintenance, and minor alteration of existing District facilities and mechanical equipment involving negligible or no expansion of existing or former use; (2) minor alterations in the condition of land and water that do not involve removal of healthy, mature, scenic trees; and (3) replacement or reconstruction of existing structures and facilities on the same sites with substantially the same purposes and capacities, in accordance with the District’s powers set forth in Water Code Section 35401.

The District reviewed the Project and determined that the Project is also exempt pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the Project may have a significant effect on the environment.

The District further determined that the failed pump-housing repair at the Shafter Check structure is exempt pursuant to Public Resources Code Section 21080(b)(4) and CEQA Guidelines Section 15269(b) and (c) because that discrete repair is necessary to maintain water service essential to the public health, safety, or welfare and constitutes a specific action necessary to prevent or mitigate an emergency. This emergency exemption applies only to that repair and not to the Project’s other scheduled maintenance or capital activities.

CEQA Guidelines Section 15300.2 sets forth the following exceptions to categorical exemptions:

“(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located--a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.”

The District reviewed the Project and determined that none of the exceptions to the CEQA Guidelines Section 15301 (Class 1 Existing Facilities), CEQA Guidelines Section 15304 (Class 4 Minor Alterations to Land) or CEQA Guidelines Section 15302 (Class 2 Replacement or Reconstruction) categorical exemptions set forth in CEQA Guidelines Section 15300.2 apply.

Lead Agency Contact Person: Skye Grass
General Manager
Telephone: (661) 327-3132
Email: skye@kern-tulare.com


Skye Grass
General Manager
Kern-Tulare Water District

10/16/24
Date