NOTICE OF EXEMPTION

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

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

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

From:
Kern-Tulare Water District
5060 California Avenue, Suite 1020
Bakersfield, CA 93309

Project Title: Groundwater Extraction and Export Policy ("Project")

Project Location: Kern-Tulare Water District's Service Area

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: Under the Sustainable Groundwater Management Act the Kern-Tulare Water District ("District") serves as a Groundwater Sustainability Agency endowed with broad regulatory authority over groundwater extractions within its boundaries pursuant to California Water Code Sections 10725.2 and 10726.4. To maintain basin sustainability, prevent overdraft, avert undesirable results, and protect local groundwater-dependent users and infrastructure, the District must ensure that its groundwater supplies remain available to support the objectives established in its adopted Groundwater Sustainability Plan.

Groundwater extractions for transfer or use outside District boundaries directly jeopardize the District's water balance, minimum thresholds, and measurable sustainability targets. Consequently, the Project establishes an enforceable prohibition against exporting in-District groundwater to outside-District lands and provides administrative standards, exception procedures, and remedies.

Exempt Status:

__ Ministerial (Sec. 21080(b)(1); 15268)

__ Declared Emergency (Sec. 21080(b)(3); 15269(a))

X Categorical Exemptions: CEQA Guidelines Section 15307 (Class 7, Actions by Regulatory Agencies for Protection of Natural Resources) and CEQA Guidelines Section 15308 (Class 8, Actions by Regulatory Agencies for Protection of the Environment)

X 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 15307 (Class 7, Actions by Regulatory Agencies for Protection of Natural Resources) "consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the State Department of Fish and Game. Construction activities are not included in this exemption."

- CEQA Guidelines Section 15308 (Class 8, Actions by Regulatory Agencies for Protection of the Environment) "consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption."

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 15307 (Class 7, Actions by Regulatory Agencies for Protection of Natural Resources) and CEQA Guidelines Section 15308 (Class 8, Actions by Regulatory Agencies for Protection of the Environment) because the Project consists of actions taken by the District as authorized by the California Water Code to protect the District's groundwater supplies and consists of a non-exclusive array of administrative, fiscal, and judicial enforcement mechanisms to deter noncompliance.

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 because adopting measures to prohibit unsustainable groundwater exports will not cause a significant adverse effect on the environment.

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.
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> (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.
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> (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.
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> (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.
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> (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 15307 (Class 7, Actions by Regulatory Agencies for Protection of Natural Resources) or CEQA Guidelines Section 15308 (Class 8, Actions by Regulatory Agencies for Protection of the Environment) categorical exemptions set forth in CEQA Guidelines Section 15300.2 apply.

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11/17/26
Date