

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: Contra Costa

555 Escobar Street

Martinez, CA 94553

From: (Public Agency): Byron-Bethany Irrigation District
7995 Bruns Road
Byron, CA 94514

(Address)

Project Title: Byron-Bethany Irrigation District Central Valley Project (CVP) Contract No. 14-06-200-785-LTR1-P

Project Applicant: Byron-Bethany Irrigation District

Project Location - Specific:

The BBID CVP Service Area, formerly organized under the Plain View Water District.

Project Location - City: Not applicable

Project Location - County: San Joaquin

Description of Nature, Purpose and Beneficiaries of Project:

See Attachment A.

Name of Public Agency Approving Project: Byron-Bethany Irrigation District

Name of Person or Agency Carrying Out Project: Byron-Bethany Irrigation District

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: Cal. Code Regs., tit. 14, § 15301(existing facilities)

Statutory Exemptions. State code number: Cal. Code Regs., tit. 14, § 15261, subd. (a) (on-going project);

Reasons why project is exempt:

See attachment A.

Lead Agency

Contact Person: Rick Gilmore

Area Code/Telephone/Extension: 209-835-0375

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:  Date: 11/12/2020 Title: General Manger

▪ 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: _____

Notice of Exemption: Attachment A

Byron-Bethany Irrigation District CVP Contract No. 14-06-200-785-LTR1-P

Description of Nature, Purpose, and Beneficiaries of Project:

The “Project” is Byron-Bethany Irrigation District’s (BBID) execution of the BBID Central Valley Project (CVP) Contract No. 14-06-200-785-LTR1-P (Repayment Contract), which will convert BBID’s existing Long-Term CVP water service contract with the U.S. Bureau of Reclamation (Reclamation) to a permanent repayment contract, pursuant to the Water Infrastructure Improvements for the Nation Act (Pub. L. 114-322, 130 Stat. 1628). The purpose of the Project is to continue the delivery of CVP water for use in BBID’s CVP Service Area, while also allowing BBID to prepay its debt obligation to Reclamation, rather than continuing to pay a portion of such obligation each year. The Project is, therefore, entirely administrative in scope, being only a legal and financial transaction.

The beneficiaries of the Project are BBID, BBID landowners, and BBID’s CVP water users.

Reasons Why Project Is Exempt:

Approval of the Repayment Contract is statutorily exempt from further environmental review under CEQA as an “on-going project,” as defined in California Code of Regulations, title 14, section, 15261, subdivision (a), because it is merely the continuation of a project approved, funded, and fully operated prior to November 23, 1970, and no modification or alteration in the facilities, or the amount of water entitled for delivery, is projected.

Approval of the Repayment Contract is categorically exempt from further environmental review under CEQA as “existing facilities,” as defined in California Code of Regulations, title 14, section, 15301, because it merely provides for the continued operations of existing facilities, involving no or negligible expansion of use.

Approval of the Repayment Contract is exempt from further environmental review under CEQA’s “common sense” exemption, pursuant to California Code of Regulations, title 14, section, 15061, subdivision (b)(3), because there is no possibility that executing the Repayment Contract may have a significant effect on the environment.

Approval of the Repayment Contract will not create any of the effects provided in California Code of Regulations, title 14, section 15300.2, regarding exceptions to CEQA exemptions.