



7995 Bruns Road  
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RICK GILMORE  
General Manager  
Secretary

## Byron Bethany Irrigation District

# NOTICE OF PREPARATION

May 1, 2019

To: Responsible Agencies  
Affected Local Agencies  
Interest Groups and Organizations  
Interested Citizens

From: Rick Gilmore, District Manager  
Byron Bethany Irrigation District

Subject: Notice of Preparation of a Proposed Mitigated  
Negative Declaration

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Project Title: Byron Bethany Irrigation District – The West Side  
Irrigation District Sphere of Influence Update

Project

Location: Portions of Alameda, Contra Costa and San  
Joaquin Counties (Refer to attached map)

Byron Bethany Irrigation District (BBID) is the Lead Agency and has prepared an Initial Study/Mitigated Negated Declaration (IS/MND) for the above named project. We need to know the views of your agency or organization with respect to the environmental aspects of the project. A copy of the environmental document is available for review on the BBID Website at: [www.bbid.org](http://www.bbid.org).

A project description and relevant maps are attached to this Notice.

The 30-day public review period runs from May 2, 2019 to June 3, 2019. Please submit your comment no later than 5:00 PM on Monday, June 3<sup>rd</sup>. Comments may be sent by US Mail to the address shown below, by FAX, or by e-mail to Kelley Geyer at [k.geyer@bbid.org](mailto:k.geyer@bbid.org).

Adoption of the IS/MND will be considered by the District Board of Directors at a Special Meeting beginning at 9:00 AM on Tuesday, June 4, 2019 at 7995 Bruns Road, Byron, California.

Byron-Bethany Irrigation District  
7995 Bruns Road • Byron, CA 94514-1625  
Telephone (209) 835-0375 • Fax (209) 835-2869

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**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

**Project Title:** Byron Bethany Irrigation District--The West Side Irrigation District Sphere of Influence Update

Lead Agency: Byron Bethany Irrigation District

Contact Person: Rick Gilmore r.gilmore@bbid.org

Mailing Address: 7995 Bruns Road

Phone: 209-835-0375

City: Byron

Zip: 94514

County: San Joaquin

**Project Location:** County: San Joaquin and two more City/Nearest Community: Tracy

Cross Streets: Interstate 205 and Byron Highway Zip Code: 95376

Longitude/Latitude (degrees, minutes and seconds): 121 ° 24 ' " N / 37 ° 46 ' " W Total Acres: 36,000

Assessor's Parcel No.: Various

Section: Various Twp.: 2S Range: 4E Base: MDB&M

Within 2 Miles: State Hwy #: I-205

Waterways: Old River

Airports: Tracy Municipal

Railways: Union Pacific

Schools: Various

**Document Type:**

CEQA: ☐ NOP  
☐ Early Cons  
☐ Neg Dec  
☒ Mit Neg Dec

☐ Draft EIR  
☐ Supplement/Subsequent EIR  
 (Prior SCH No.) \_\_\_\_\_  
 Other: \_\_\_\_\_

NEPA: ☐ NOI  
☐ EA  
☐ Draft EIS  
☐ FONSI

Other: ☐ Joint Document  
☐ Final Document  
☐ Other: \_\_\_\_\_

**Local Action Type:**

☐ General Plan Update  
☐ General Plan Amendment  
☐ General Plan Element  
☐ Community Plan

☐ Specific Plan  
☐ Master Plan  
☐ Planned Unit Development  
☐ Site Plan

☐ Rezone  
☐ Prezone  
☐ Use Permit  
☐ Land Division (Subdivision, etc.)

☐ Annexation  
☐ Redevelopment  
☐ Coastal Permit  
☒ Other: SOI Update

**Development Type:**

☐ Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_  
☐ Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
☐ Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
☐ Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
☐ Educational: \_\_\_\_\_  
☐ Recreational: \_\_\_\_\_  
☐ Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_

☐ Transportation: Type \_\_\_\_\_  
☐ Mining: Mineral \_\_\_\_\_  
☐ Power: Type \_\_\_\_\_ MW \_\_\_\_\_  
☐ Waste Treatment: Type \_\_\_\_\_ MGD \_\_\_\_\_  
☐ Hazardous Waste: Type \_\_\_\_\_  
☒ Other: Commercial Agriculture

**Project Issues Discussed in Document:**

☐ Aesthetic/Visual  
☒ Agricultural Land  
☐ Air Quality  
☒ Archeological/Historical  
☐ Biological Resources  
☐ Coastal Zone  
☐ Drainage/Absorption  
☐ Economic/Jobs

☐ Fiscal  
☐ Flood Plain/Flooding  
☐ Forest Land/Fire Hazard  
☒ Geologic/Seismic  
☐ Minerals  
☐ Noise  
☐ Population/Housing Balance  
☐ Public Services/Facilities

☐ Recreation/Parks  
☐ Schools/Universities  
☐ Septic Systems  
☐ Sewer Capacity  
☒ Soil Erosion/Compaction/Grading  
☐ Solid Waste  
☐ Toxic/Hazardous  
☐ Traffic/Circulation

☐ Vegetation  
☐ Water Quality  
☐ Water Supply/Groundwater  
☐ Wetland/Riparian  
☐ Growth Inducement  
☒ Land Use  
☐ Cumulative Effects  
☐ Other: \_\_\_\_\_

**Present Land Use/Zoning/General Plan Designation:**

General Agriculture (AG)

**Project Description:** *(please use a separate page if necessary)*

To Update the Sphere of Influence for the Byron Bethany Irrigation District and the West Side Irrigation District.  
 Located in portions of Alameda, Contra Costa and San Joaquin Counties.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".  
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input checked="" type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input checked="" type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Fish & Game Region #2 _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	
<input checked="" type="checkbox"/> Native American Heritage Commission	

### Local Public Review Period (to be filled in by lead agency)

Starting Date May 2, 2019 Ending Date June 3, 2019 (30-days)

### Lead Agency (Complete if applicable):

Consulting Firm: Baracco and Associates

Address: 44 Eureka Street (PO Box 401)

City/State/Zip: Sutter Creek CA 95685

Contact: Bruce Baracco baraccoplanner@comcast.net

Phone: 209-304-0028

Applicant: Byron Bethany Irrigation District

Address: 7995 Bruns Road

City/State/Zip: Byron CA 94514

Phone: 209-835-0375

Signature of Lead Agency Representative: 

Date: 05-01-19

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

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## Project Description

### Environmental Considerations

The subject of this Initial Study/Proposed Mitigated Negative Declaration (IS/MND) is an Update to the Sphere of Influence (SOI) for the consolidated Byron Bethany Irrigation District (which will include The West Side Irrigation District territory). An SOI Update is characterized as a 'project' and is subject to environmental review under the California Environmental Quality Act (CEQA).

The underlying project is the consolidation of the BBID and TWSID). This action is categorically exempt from environmental review under Class 20 (Section 15320) – Change in Organization, of the California Environmental Quality Act (CEQA) Guidelines. This categorical exemption allows changes of organization involving the consolidation of two or more districts having identical powers.

Much of the analysis developed for the SOI Update is contained within a Municipal Service Review (MSR) prepared for the San Joaquin Local Agency Formation Commission (San Joaquin LAFCo) by SWALE, Inc, dated March 22, 2019, and incorporated herein by reference. The MSR is categorically exempt from environmental review under Class 6 (Section 153306) – Information Collection, of the CEQA Guidelines. This categorical exemption allows for the preparation of studies leading to an action which a public agency has not yet approved, adopted, or funded (e.g., adoption of an SOI Update by San Joaquin LAFCo).

### Overall Project Description

At the present time, the Spheres of Influence for the two districts (as separate and distinct districts) are Spheres which are 'coterminous' with each district's boundary; that is, the SOI boundary and the District boundary are one in the same.

Chapter 8 addresses Sphere of Influence considerations for both BBID and TWSID.

As proposed in Chapter 8, five options for updating the SOI are described as follows:

1. Retain the existing boundaries and SOI for BBID and TWSID as separate entities;
2. Consolidate the two districts without expanding either boundaries or SOI for either district;
3. Modify the SOI for BBID to reflect the addition three study areas, and reduce the SOI to reflect the Discovery Bay detachments approved in 2016;
4. Expand the SOI for TWSID to include the addition of two study areas along with two parcels for drainage purposes;
5. Consolidate both districts into one BBID successor district, add five study areas and two drainage parcels to the consolidated SOI, plus reduce the consolidated SOI in the Discovery Bay area to reflect detachments from BBID that took place in 2016. This option combines Options 2, 3 and 4, above.

Refer to Figure8-5 for locational details regarding these options.

**Option 1** would not change the current individual SOI for each district, and as such, would be characterized as a 'No Project' alternative under CEQA.

**Option 2** is similar to Option 1 and would also likely be considered a 'No Project' alternative since the two districts currently have a common boundary along portions of their respective district boundaries.

**Option 3** would treat BBID as a separate district, and would add three areas totaling 171 acres to the BBID SOI, as well as reduce the BBID by 480 acres to reflect detachment of territory from BBID in 2016 that overlapped with the Discovery Bay Community Services District.

**Option 4** would treat TWSID as a separate district, and would add two areas totaling 488 acres to the TWSID SOI, along with two drainage parcels totaling 174 acres.

**Option 5** is the most comprehensive of the five options and incorporates elements of Options 2, 3 and 4. For purposes of environmental review, this option will be analyzed under the Environmental Checklist items beginning on page 14.

#### **Detailed Project Description – Option 5**

As indicated in Options 3 and 4 above, 'study areas' located outside the existing boundaries and SOIs of BBID and TWSID have been identified for possible future annexation to the District(s). Each District has evaluated these study areas, and has determined that each District has the technical capacity to provide service (i.e., irrigation water) at some point in the future; or in the case of the drainage parcels, may require drainage management by the District.

Refer to Figure8-5 for locational details regarding these options.

#### **Study Areas within BBID:**

Study Area No. 1 is a 92.8 acre area in Contra Costa County, commonly referred to as the Lawrence Property. Annexation of this property has been initiated by the property owner who has an annexation agreement with the BBID Board of Directors which would allow the property to be entitled to water for agricultural, municipal and industrial purposes.

Study Area no. 2 is a 45.86 acre area in Contra Costa County consisting of two parcels and is being actively farmed.

Study Area No 3 is a 32-acre parcel located in San Joaquin County and is being actively farmed. This parcel is also within the Mountain House Planning Area with a General Plan Land Use designation of Open Space or Parks and Recreation (OS/PR).

**Study Areas and Drainage Parcels within TWSID:**

Study Area No. 4 is a 15.6 acre parcel located in San Joaquin County and is being actively farmed. The property is within the City of Tracy Planning Area with a General Plan Land Use designation of General Agriculture (A/G), and is zoned AG-40 (General Agriculture, 40-acre minimum parcel size).

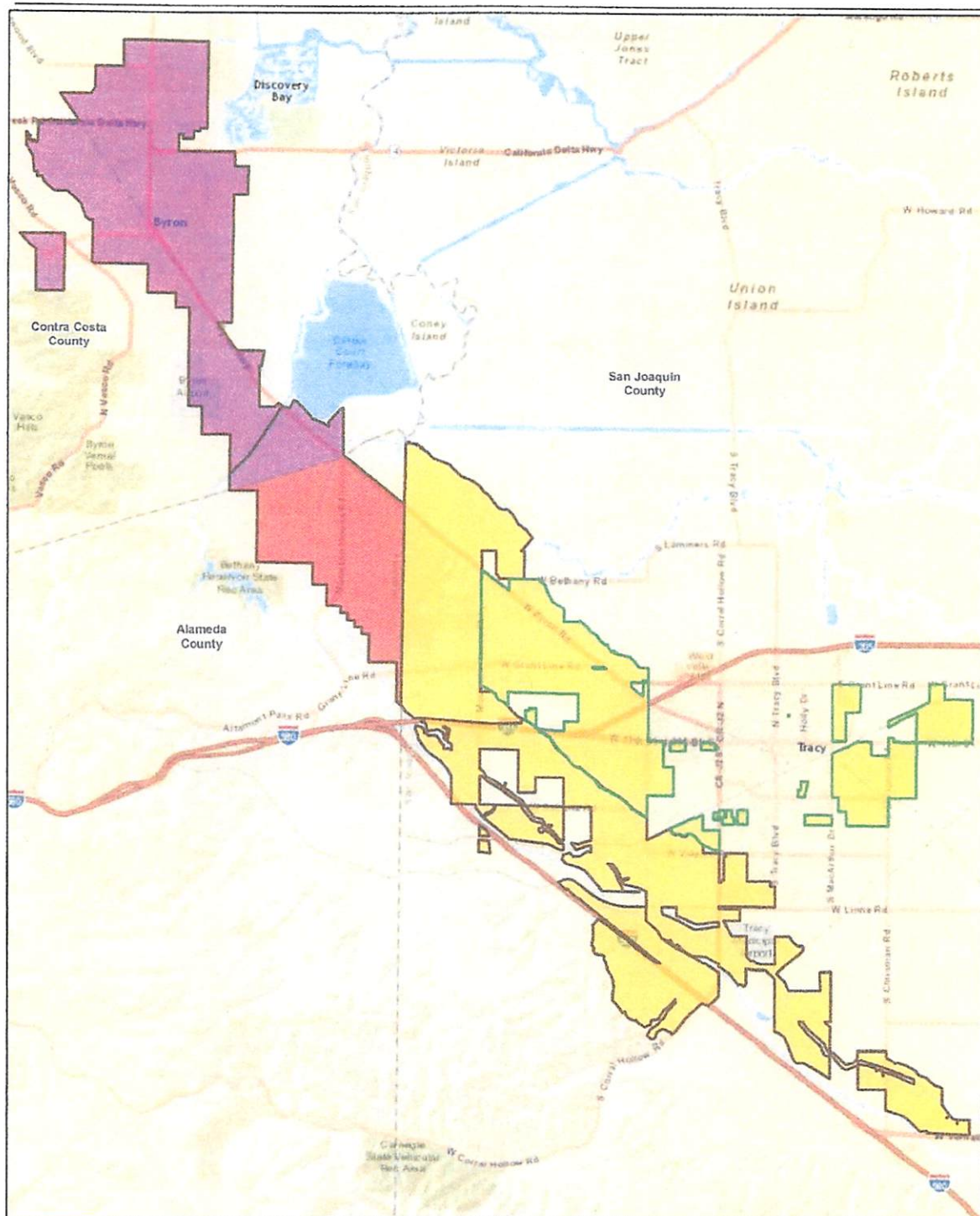
Study Area No. 5 consists of four parcels comprising 472-acres. These parcels currently receive irrigation water from the District and are being actively farmed.

Drainage Parcel No. 1 is a 40.24 acre parcel west of Tracy north of Interstate 205.






Drainage Parcel No. 2 is a 33.59 acre parcel on the east side of Tracy.

Overall, adding the Study Area Parcels and Drainage Parcels would add 732 acres to the consolidated BBID SOI, which is approximately 2.0 percent to the total SOI..





**LEGEND**

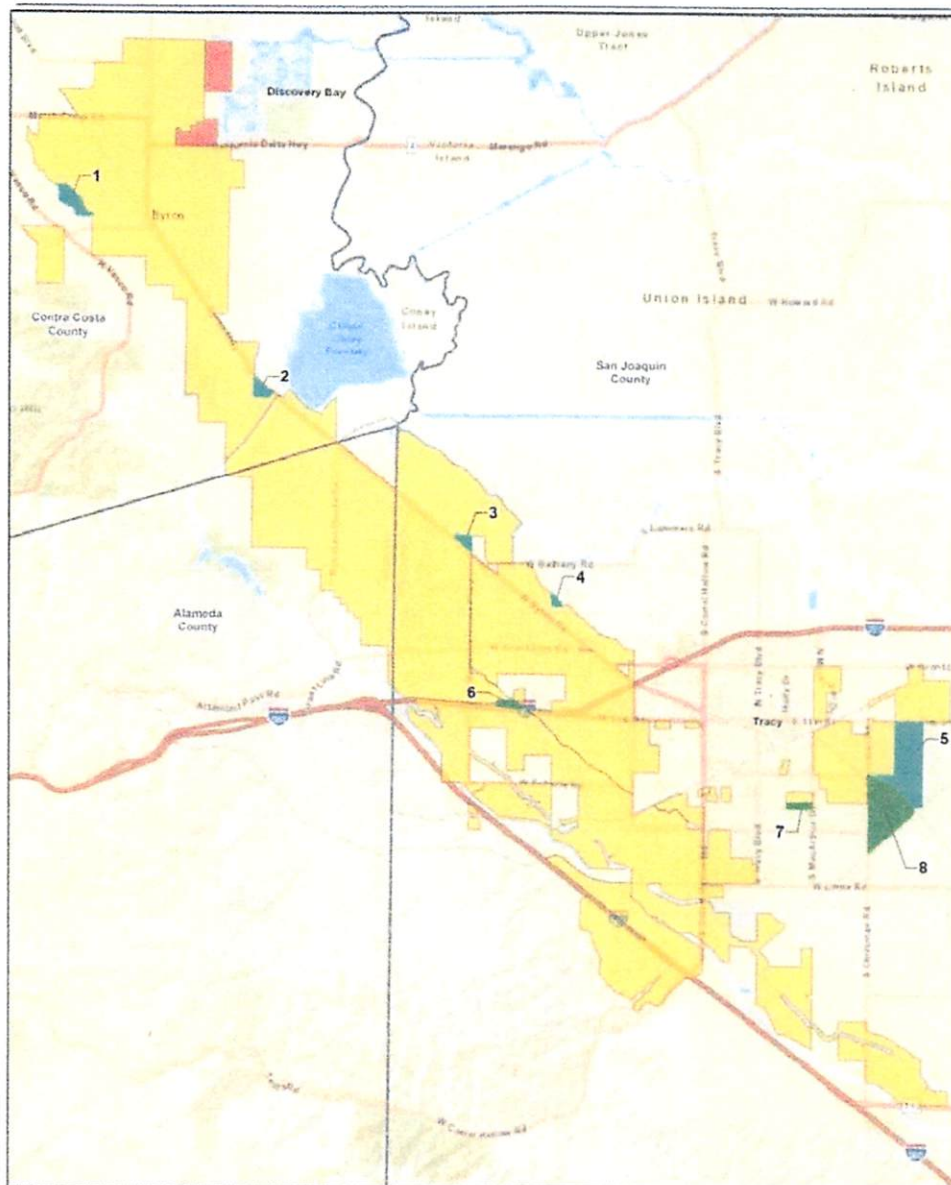
	Byron Bethany Irrigation District
	The West Side Irrigation District
	Alameda County
	Contra Costa County
	San Joaquin County

**Figure 3-2: Relation of Three Counties to District Boundaries**

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, IPC, TomTom  
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

Byron Bethany Irrigation District, California

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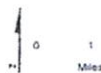
#### LEGEND

- Byron Bethany Irrigation District and The West Side Irrigation District
- Proposed Sphere of Influence for Consolidated District
- Discovery Bay Area to be removed from SOI
- Drainage Parcels - Additions to SOI

Figure 8-5: Proposed SOI for Consolidated District

Note. Proposed consolidated District of BBID and TWSID shown in yellow

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, IPC, TomTom  
Sources: Esri, HERE, DeLorme, USGS, Imagery, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Mapbox, Swisstopo, O. OpenStreetMap contributors, and the GIS User Community



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