

ORIGINAL  
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KINGS COUNTY CLERK

Appendix D

Notice of Determination

TO:

Office of Planning and Research  
For U.S. Mail: Street Address:  
P.O. Box 3044 1400 Tenth Street  
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
County of: Kings  
Address: 1400 W. Lacey Blvd.  
Hanford, CA 93230

County of: Kern  
Address: 1115 Truxton Avenue  
Bakersfield, CA 93301  
County of Orange  
Clerk-Recorder  
12 Civic Center Plaza, Room 101  
Santa Ana, CA 92701

FROM:

Public Agency: Irvine Ranch Water District

Address: 15600 Sand Canyon Avenue

Contact: Paul Weghorst

Phone: (949) 453-5632

Lead Agency (if different from above):

Address:

Contact:

Phone:

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2009111097

Project Title: IRWD - Jackson Ranch Water Allocation Project

Project Location (include county): unincorporated, southwestern Kings County

Project Description: Irvine Ranch Water District (IRWD) intends to adopt a Negative Declaration for the Jackson Ranch Water Allocation Project. The project is the acquisition of up to 884 acres of the Jackson Ranch property located within the Dudley Ridge Water District in unincorporated areas of Kings County. This property acquisition includes rights to use of State Water Project (SWP) water amounts, water banking participation rights, stored water and rights to other water from other sources that may be allocated to the land. IRWD intends to enter into and facilitate agreements with DRWD, the California Department of Water Resources (DWR), the Kern County Water Agency (KCWA), and a State Water Contractor (i.e. Metropolitan Water District of Southern California (Metropolitan)). The agreements will be implemented with the necessary approvals of DRWD and DWR and shall be consistent with DRWD's, KCWA's and Metropolitan's SWP contracts and pertinent policies, rules, and regulations to allow for the permanent transfer or two (2) for one (1) unbalanced exchanges or execution of other transactions approved by DWR that would enable the water allocated to the property to be delivered to the Strand Ranch Integrated Water Banking Project (Strand Ranch) currently operated by IRWD in Kern County. The water would ultimately be recovered and exchanged for delivery to the IRWD service area to enhance water supply reliability to its customers. The property to be acquired by IRWD is located in southwestern Kings County and consists of eight parcels that are bounded by the California Aqueduct on the west and Interstate 5 freeway on the east. The parcels and all adjacent parcels are used for agricultural purposes. The purchase of the property is contingent upon the satisfaction of all conditions to IRWD's obligation to complete the purchase including approval of all matters concerning the property that are required to be acceptable to IRWD.

This is to advise that the Irvine Ranch Water District has approved the above described project on  
( *Lead Agency* or  *Responsible Agency*)

\_\_\_\_\_ and has made the following determinations regarding the above described projects.

(Date)

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at:

Irvine Ranch Water District's website: www.irwd.com

Signature (Public Agency) \_\_\_\_\_

*Kelli Wilson*

Title: Water Resources Manager

Date: January 14, 2010

Date Received filing at OPR: \_\_\_\_\_

# IRWD / JACKSON RANCH WATER ALLOCATION PROJECT

Initial Study / Negative Declaration

Prepared for  
IRWD

January 2010



# IRWD / JACKSON RANCH WATER ALLOCATION PROJECT

Initial Study / Negative Declaration

Prepared for  
IRWD

January 2010



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P207346

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# SECTION 1

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## Project Description

### Introduction

Irvine Ranch Water District (IRWD) intends to adopt a Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for the acquisition of up to 884 acres of the Jackson Ranch, located within the Dudley Ridge Water District (DRWD) in unincorporated Kings County. DRWD is a State Water Project (SWP) contractor with a Water Supply Contract with the California Department of Water Resources (DWR). DRWD allocates their SWP water to certain properties within their service area. DRWD has allocated the 884 acres to be acquired by IRWD with up to 1,757 acre-feet per year of Table A amount. The acquisition of this property by IRWD includes any SWP water amounts and waters from other sources allocated to the land as well as the property's assigned portion of DRWD's participation rights in the Kern Water Bank (KWB).<sup>1</sup> The Jackson Ranch parcels proposed for acquisition are shown in **Figure 1**.

IRWD intends to enter into and facilitate agreements with DRWD, the California Department of Water Resources (DWR), the Kern County Water Agency (KCWA), and Metropolitan Water District of Southern California (Metropolitan) that are consistent with DRWD's, KCWA's and Metropolitan's SWP contracts and pertinent policies, rules, and regulations to allow for the permanent transfer, two-for-one unbalanced exchange or execution of other transactions approved by DWR that would enable the water allocated to the property to be delivered to the Strand Ranch Integrated Water Banking Project (Strand Ranch) currently operated by IRWD in Kern County. The water would ultimately be recovered subject to the operational requirements of the Strand Ranch and delivered to the IRWD service area to enhance water supply reliability to its customers. Water recovered from the KWB would be subject to DRWD's KWB Participation and Exchange Agreement including any consents obtained as provided for in the agreement.

This Initial Study evaluates the environmental impacts of the proposed project which includes the property acquisition, the assignment of KWB participation rights, the completion of an agreement between IRWD and DRWD outlining IRWD's intentions to transfer and/or exchange the water, and the ultimate approvals needed to complete the transfer, exchange, or execution of other approved transactions involving DRWD, DWR, KCWA, and Metropolitan that facilitate deliveries of water to the Strand Ranch.

---

<sup>1</sup> DRWD has an agreement with the Kern Water Bank Authority to participate in the KWB. DRWD has assigned portions of their participation rights in the KWB to property owners. Under this project, IRWD would become a property owner with assigned portions of DRWD's participation rights in the KWB.



SOURCE: GlobeXplorer; ESA, 2009

Jackson Ranch . 209247.02

**Figure 1**  
Parcel Map

IRWD is currently negotiating a Cooperative Operating and Exchange Agreement with Metropolitan that would facilitate recovery, exchange and delivery of the SWP water banked at the Strand Ranch facility to IRWD's service area during periods of drought or loss of supply. Metropolitan is currently developing associated policies that will be required to effectuate the agreement. It is anticipated that the IRWD and Metropolitan's Board will consider action on the agreement in early 2010. The agreement would provide the ability to establish Metropolitan as the transferee or exchangee of SWP water secured by IRWD as a result of the purchase by IRWD of portions of the Jackson Ranch.

## Project Location

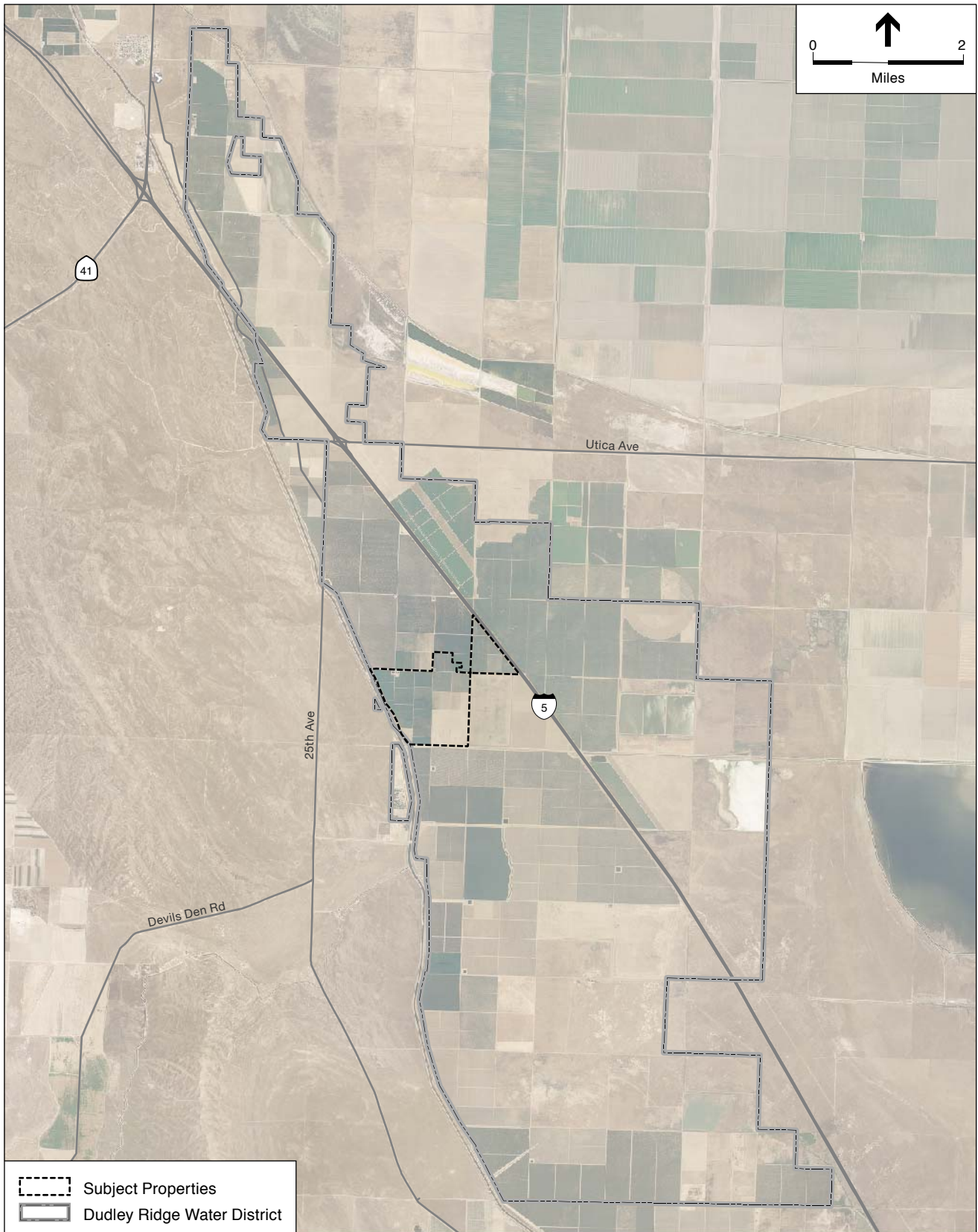
The property to be acquired by IRWD is located in southwestern Kings County, California, and consists of eight parcels located in an area bounded by the California Aqueduct on the west and Interstate 5 (I-5) on the east (see Figure 1), approximately 9.4 miles southeast of Kettleman City. All of the parcels are located within DRWD, in an agricultural area, in which the adjacent parcels are also used for agricultural purposes. **Figure 2** shows the DRWD service area.

The KWB is located in unincorporated Kern County, west of Bakersfield, and flanks the intersection of I-5 and the Kern River, east of the California Aqueduct. The Strand Ranch banking facility is owned by IRWD and is located in southwestern Kern County within the Rosedale-Rio Bravo Water Storage District, east of the California Aqueduct and west of Bakersfield. **Figure 3** shows the location of the Strand Ranch in relation to DRWD and IRWD service areas.

## Purpose and Need

The acquisition of additional water supplies to be used in the IRWD service area is a component of IRWD's reliability program. All or a portion of the supplies would be conveyed either by exchange to IRWD or to the Strand Ranch banking facility in Kern County for later recovery, exchange and delivery to IRWD. IRWD has constructed the Strand Ranch banking facility to improve reliability and redundancy in its supplies during periods of drought or catastrophic supply interruption. It is expected that banked supplies would be conveyed to IRWD when needed, potentially during times when imported and/or local supplies are interrupted or curtailed. Operation of the Strand Ranch banking facility relies on the acquisition of water available to recharge at the Strand Ranch facility. The proposed project would provide a source of water to recharge into the Strand Ranch banking facility.

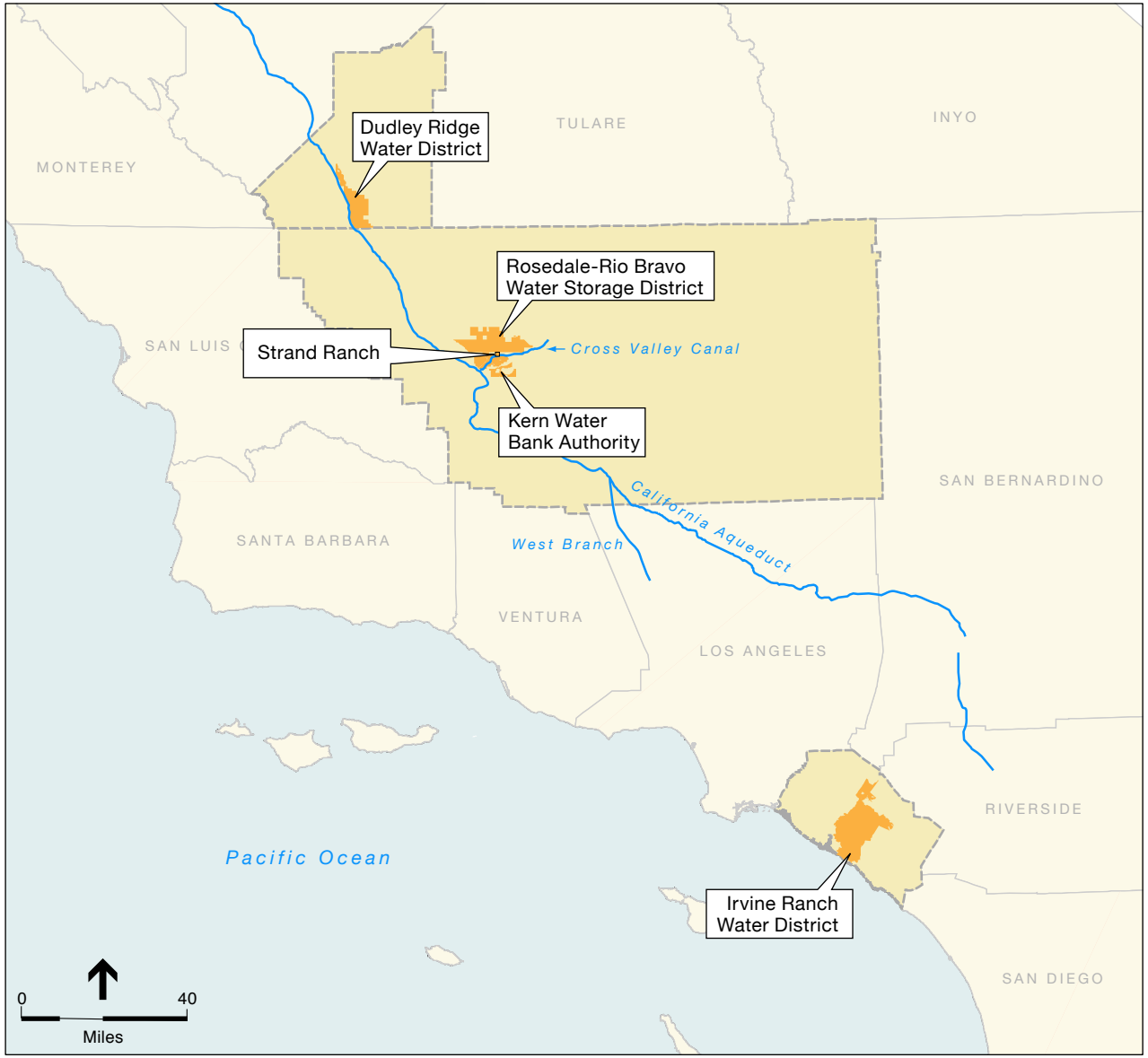




SOURCE: NAIP Imagery, 2005; ESA, 2009.

Jackson Ranch . 209247.02

**Figure 2**  
Dudley Ridge Service Area



SOURCE: ESRI, 2009

Jackson Ranch . 209247.02

**Figure 3**  
Regional Map

## Project Characteristics

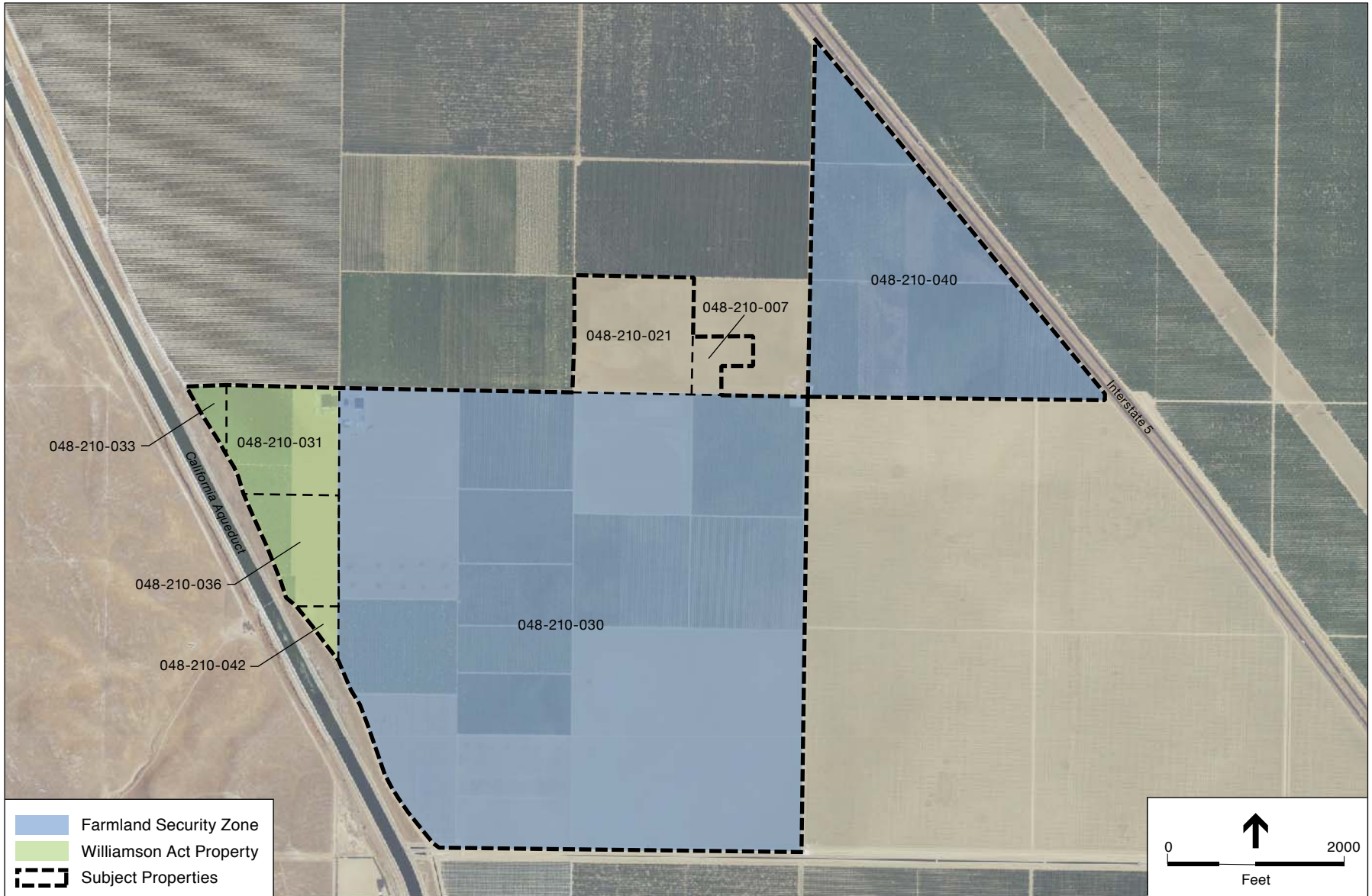
The proposed project's components consist of the acquisition of up to 884 acres of the Jackson Ranch by IRWD. **Figure 4** shows photographs of the project area. This land is located in unincorporated Kings County within the DRWD boundaries. The project includes the use of the KWB and the Strand Ranch banking facility, both of which are located in unincorporated Kern County. Water would be conveyed to either banking facility through existing canals that include the California Aqueduct, the Cross Valley Canal and/or the Kern Water Bank Canal.

DRWD is a State Water Contractor. The SWP Table A amounts provided to DRWD pursuant to DRWD's water supply contract with the DWR is allocated to specific parcels within the DRWD service area. Each eligible acre of land in the DRWD's water service area is allocated the same quantity of Table A contract water such that the total is equal to DRWD's full Table A amount. Other SWP water supplies are available to the property through DRWD on a periodic basis and include SWP Article 21 and Turn-Back Pool waters. Participants in the KWB receive proportional shares of Friant-Kern 215 waters and Kern River flood waters when available to the Kern Water Bank Authority (KWBA). SWP waters are allocated on a pro-rata basis to DRWD lands in the DRWD water service area for the benefit of the land-owners. Other waters made available through the participation in the KWBA are allocated to participants based on each participants "Shared Capacity" in KWBA facilities.

## Property Acquisition and SWP Water Amounts

IRWD proposes to purchase up to 884 acres of a portion of Jackson Ranch (Sections 25, 26, 34, and 35 of T23S R19E) as shown on Figure 1. Table 1 identifies the individual parcels associated with the purchase. This land includes the associated rights for the following Table A amounts, other SWP water, participation rights in the KWB, and rights to water already stored in KWB. These associated rights are described as follows:

- The acquisition of rights to use of up to 1,757 AF of State Water Project (SWP) Table A amounts that are allocated to the land in accordance with DRWD rules and regulations (the current DRWD allocation will result in up to 1,757 AF of SWP Table A—the lands are subject to further reductions down to a final allocation of 1,738 AF);
- Allocation of other SWP water supplies secured by DRWD made available to the land from time-to-time including but not limited to SWP Article 21 water and Turn-Back Pool water.
- The assignment to IRWD of DRWD land owner's participation rights in the KWB associated with Parcels # 1, # 2, and #3 that would result in IRWD being assigned up to 6.58 percent of DRWD's 9.62 percent participation interest in the KWB. Use of additional recharge, storage, and recovery capacity is allowed by participants in accordance with the KWB Authority's Statement of Principles On Storage, Recovery, and Recharge by Participants as was adopted on October 16, 2006 or as may be amended or superseded in the future;



SOURCE: GlobeXplorer; ESA, 2009

Jackson Ranch . 209247.02

**Figure 4**  
Agricultural Preserve Contracts

- Access to other non-SWP waters as available to IRWD through the up to 6.58 percent participation in DRWD’s interest in the KWB including a proportionate share of Friant-Kern 215 waters and Kern River flood waters.
- The approximately 1,400 acre-feet of water already stored in KWB that is associated with the land acquired from Jackson Ranch to be used in accordance with DRWD’s KWB Participation and Exchange Agreement<sup>2</sup> and any consents obtained as provided for in the agreement.

In conjunction with IRWD’s purchase of the property and associated rights to water and banking participation, DRWD and IRWD propose to enter into an agreement providing for DRWD to cooperate in accordance with policies, rules and regulations generally applicable within DRWD, in taking such actions as are reasonably required to effect the execution of two (2) for one (1) unbalanced exchanges or a permanent transfer or other transfers, unbalanced exchanges or transactions approved by DWR of the Table A amounts from DRWD to another SWP Contractor, in order to implement the exchange and delivery all or a portion of the water to IRWD’s service area or bank the water in the KWB or the Strand Ranch banking facility for future recovery, exchange and delivery to IRWD.

**TABLE 1  
PARCELS TO BE PURCHASED BY IRWD**

Parcel #1	048-210-040	164.14 acres
Parcel #2	048-210-030	604.24 acres
Parcel #3	048-210-021	40.39 acres
Parcel #4	048-210-031	38.00 acres
Parcel #5	048-210-033	3.82 acres
Parcel #6	048-210-036	23.00 acres
Parcel #7	048-210-042	2.17 acres
Parcel #8	048-210-007	7.57 acres
<b>Total</b>		<b>883.33 acres</b>

## Banking of Water

IRWD would lease the acquired land to the Jacksons for up to four years and use the water allocated to the property or obtained or banked through participation in the KWB for agricultural purposes on the acquired land. Subsequent to the termination of the farm lease, IRWD would optionally pursue the execution of two-for-one unbalanced exchanges, a permanent transfer of the Table A amounts from DRWD to another SWP Contractor, or other transfers, exchanges or transactions approved by DWR to bank water to provide dry year reliability IRWD’s service area. Table 2 presents a summary of the options, necessary approvals that would be required, and the disposition of water associated with each. Impacts associated with the options are the same and are described in Section 2. The SWP Contractor acting as the exchangee or transferee would most likely be Metropolitan.

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<sup>2</sup> DRWD’s agreement with land owners assigning participation rights in the KWB.

**TABLE 2  
TRANSFER AND EXCHANGE OPTIONS FOR BANKING OF WATER**

<b>Option</b>	<b>Likely Exchangee or Transferee</b>	<b>Approving Agency</b>	<b>Disposition of Water</b>
Permanent Transfer	Metropolitan	DRWD, DWR, Metropolitan, KCWA (for Conveyance)	Table A amounts transferred into Metropolitan's control. Metropolitan could choose to bank the water in the Strand Ranch or deliver it to southern California. Banking in the KWB would occur consistent with DRWD's KWB Participation and Exchange Agreement and any consents obtained as provided for in the agreement.
2 for 1 Unbalanced Exchange	Metropolitan	DRWD, DWR, Metropolitan, KCWA (for Conveyance)	Metropolitan could choose to bank the Table A water in the Strand Ranch or deliver it to southern California for storage. Banking in the KWB would occur consistent with DRWD's KWB Participation and Exchange Agreement and any consents obtained as provided for in the agreement. Fifty Percent of the water would have to be returned to DRWD by Metropolitan for use on the Jackson Ranch within 10 years.
Other Transfers, Exchanges, or Transactions	Metropolitan	DRWD, DWR, Metropolitan, KCWA (for Conveyance)	Metropolitan could choose to bank the water in the Strand Ranch or deliver it to southern California. Banking in the KWB would occur consistent with DRWD's KWB Participation and Exchange Agreement and any consents obtained as provided for in the agreement. Other requirements may be required.

Metropolitan would have the option to either bank the permanently transferred water or unbalanced portions of exchanges in the KWB (up to IRWD's assigned participation share), the Strand Ranch banking facility or store the water within its own storage facilities in southern California. The water would be made available to IRWD by the SWP Contractor as required by IRWD to meet its future reliability needs. Banking of water in the KWB would occur consistent with DRWD's KWB Participation and Exchange Agreement and any consents obtained as provided for in the agreement.

The banking of water through the execution of unbalanced exchanges or other transactions approved by DWR would require the cooperation and agreement of DRWD, DWR, KCWA, and the exchangee SWP Contractor (most likely Metropolitan). A permanent transfer would require the cooperation and approval of DRWD, DWR and the transferee SWP contractor (most likely Metropolitan). The banking of water resulting from a permanent transfer in either the KWB or the Strand Ranch would require the approval of conveyance by KCWA. The actions would be subject to the rules, regulations, and policies of DRWD.

Unbalanced exchanges are permissible by DWR on a maximum unbalanced rate of two-for-one. Under an unbalanced exchange from DRWD to Metropolitan, as envisioned in this project description, it would be required that for every two acre-feet of water delivered to Metropolitan that one acre-foot would need to be returned to DRWD for agricultural use on the purchased portion of the Jackson Ranch within ten (10) years.

Banking of Article 21 water and Turn Back Pool water in the KWB under the options listed in Table 2 would be consistent with DRWD's KWB Participation and Exchange Agreement and any consents obtained as provided for in the agreement. Banking of Article 21 water in the Strand Ranch under the options listed in Table 2 would be subject to any necessary consents of DRWD, DWR, and KCWA.

## Water Conveyance

The project would include use of existing water conveyance facilities including the California Aqueduct and the Cross Valley Canal and/or the Kern Water Bank Canal to convey Table A water, Article 21 water, Turn-Back Pool water, or other water available to IRWD to the Strand Ranch Water Banking Facility or the KWB for recharge into the underlying groundwater aquifer. Such conveyance would be subject to the concurrence and/or approval as may be necessary of DWR, KCWA and other SWP contractors including Metropolitan. Conveyance would include use of the California Aqueduct, the Cross Valley Canal and/or Kern Water Bank Canal and would be subject to availability of capacity. Capacity availability would be determined by DWR for the California Aqueduct and the KCWA for the Cross Valley Canal, and the KWBA for the Kern Water Bank Canal.

## Status of Water Following Acquisition by IRWD

Water associated with the proposed acquisition, including water stored at the KWB banking facility would be for the sole use on the acquired property in DRWD under a farm lease arrangement until such time as IRWD has executed an two-for-one unbalanced exchange, permanent transfer of the Table A amounts to another SWP Contractor, or other transactions approved by DWR. Permanently transferred water or water available as the result of unbalanced exchanges would be banked and used as described above in Banking of Water.

## Status of the Property Following Acquisition by IRWD

Once the Jackson Ranch parcels are acquired by IRWD, these parcels would remain in agricultural use for up to four years through a farm lease and would remain subject to a Williamson Act contract and Farmland Security Zone requirements. Crops and parcel cultivation would continue to be rotated as a part of normal agricultural practices. Lands would be fallowed periodically according to current agricultural requirements. As water supplies are transferred or exchanged, as described above in Banking of Water, more land would be fallowed or converted to grazing land.

No construction of any facilities would occur as a result of the project. Following the transfer or exchange of water, the land would remain in agricultural uses either using water returned to the property from unbalanced exchanges, application of dry land farming techniques, or through conversion of the land to grazing uses.

## Background

### Irvine Ranch Water District

Established in 1961 as a California Water District pursuant to California Water District Law (California Water Code, Division 13), IRWD provides potable and recycled water, sewage collection and treatment, and urban runoff treatment services within a 114,450-acre service area in Orange County (see Figure 2). Approximately 60 percent of the water IRWD provides for its customers comes from local sources, including groundwater (produced from the groundwater basin managed by Orange County Water District), surface water, and reclaimed water. The remaining 40 percent of its water supply is imported by the Metropolitan Water District of Southern California (Metropolitan) and purchased by IRWD through the Municipal Water District of Orange County (MWDOC).

### Dudley Ridge Water District

DRWD is also a California Water District, formed in January 1963 under the California Water District Law, Division 13, of the California Water Code. DRWD is governed by a five-member Board of Directors whose members are DRWD landowners or their designees. DRWD's service area is located in southern Kings County, along both sides of Interstate 5 (I-5). DRWD does not encompass any towns or incorporated communities; virtually all property within DRWD is agricultural. Of DRWD's 37,000 acres, approximately 17,500 acres are currently cultivated. Nearly all of the remainder is used for grazing, is dry land farmed, or is open space. DRWD is one of the State of California's 29 State Water Project (SWP) water contractors.

### Jackson Ranch

The Jackson Ranch consists of 1,750 acres located within the DRWD in Kings County, California. The land has associated with it a total of 4,241 AF of SWP Table A entitlement, 9.84 percent share in DRWD's 9.62 percent interest in the KWBA, and currently has approximately 6,911 AF stored in the KWB. This project covers the purchase of approximately 884 acres of the Jackson Ranch (Figure 1), along with the property's portion of the overall Jackson Ranch SWP allocations and KWBA interests.



## Strand Ranch

The Strand Ranch Water Banking facility is owned by IRWD and located within the Rosedale-Rio Bravo Water Storage District (Rosedale). Rosedale and IRWD completed an Environmental Impact Report (EIR) for the Strand Ranch Integrated Banking Project in 2008. The Strand Ranch EIR was certified by Rosedale and the project approved by IRWD's Board on May 27, 2008. The EIR evaluated impacts of operating the facility as a water supply reliability program. The EIR included as part of the project that IRWD would access water from numerous potential sources including the SWP. The EIR also included delivery of water from the bank to IRWD. The banking of SWP water is consistent with the type of source water envisioned in the Strand Ranch EIR. Operation of the Strand Ranch banking facility would be subject to the operational parameters evaluated in the EIR. The Strand Ranch is operated by the Rosedale-Rio Bravo Water Storage District. IRWD has first priority rights to recharge water at the site except when high flow Kern River water is available, at which time Rosedale is able to use the facility for recharge.

## KCWA Memorandum of Understanding

Adjoining water banking projects in Kern County generally operate under a Memorandum of Understanding (MOU) executed among the entities operating banking facilities within the Kern Fan area and the neighboring entities to the banking facilities. The MOU that incorporates operation and monitoring of IRWD's Strand Ranch banking facilities was executed in 2008 by Rosedale-Rio Bravo Water Storage District, Semitropic Water Storage District, Buena Vista Water Storage District, Henry Miller Water District, Kern County Water Agency, Kern Water Bank Authority, Improvement District No 4 of the Kern County Water Agency, and West Kern Water District. The MOU provides guidelines for operation and monitoring of Conjunctive Use Programs on the Kern Fan. Water banking in the Strand Ranch banking facilities as described in the proposed project would be subject to and would be consistent with the conditions of the MOU.

The MOU allows for water banking facilities to maximize water storage and withdrawals, maintain water quality, control migration of poor quality water, and minimize impacts to neighboring groundwater users. The MOU also establishes a Monitoring Committee that is responsible for monitoring groundwater levels and water quality in the Kern Fan area and evaluating the impact of groundwater banking programs.

## DRWD's KWB Participation and Exchange Agreement

Pursuant to the Monterey Agreement executed on December 1, 1994, the DRWD was afforded the opportunity to participate in the acquisition and operation of the KWB by transferring a portion of DRWD's SWP Table A amount to DWR. Each land owner in the DRWD service area was given the opportunity to participate. The owners of the Jackson Ranch signed a Participation and Exchange Agreement with DRWD that outlined the relinquishment of a portion of their annual Table A amount allocated to the property in return for specific rights and obligations. The

assignment of the rights and obligations associated with the property proposed to be purchased by IRWD requires the consent of DRWD.

## State Water Project

The SWP began in 1960 with California voter approval for a statewide distribution system to meet growing water needs. The SWP is the nation's largest state-built water conveyance system, which includes reservoirs, lakes, and storage tanks; canals, tunnels and pipelines; and pumping and power plants. The system conveys water to 29 State Water Contractors (contractors), including DRWD, KCWA, and Metropolitan. The contractors then deliver water directly to agricultural and urban water users or to water wholesalers and retailers. For the contractors, the SWP serves as an additional source of water within their service areas that is supplemental to their local sources.

### Facilities

A significant portion of the SWP's water supply is obtained from Lake Oroville, located on the Feather River in Plumas County, which has a storage capacity of approximately 3.5 million acre feet (af). The lake stores winter runoff and spring snowmelt from the Feather River watershed. Releases from Lake Oroville flow down the Feather River then merge with the Sacramento River. The Sacramento River flows into the Sacramento-San Joaquin Delta. The SWP diverts water in the southern Delta to the California Aqueduct and from the northern Delta into the North Bay Aqueduct.

The 444 mile-long California Aqueduct winds along the west side of the San Joaquin Valley and transports water to agricultural lands in the Valley and the urban regions of the South San Francisco Bay Counties, the Central Coast, and Southern California. As water traverses the San Joaquin Valley, it is delivered to farmlands and to the Coastal Branch Aqueduct. The remainder is pumped to the foot of the Tehachapi Mountains where pumps lift the water 1,926 feet up and over the Tehachapi Mountains. As water reaches the southern base of the Tehachapis, the California Aqueduct splits into two branches (the East Branch and West Branch). The West Branch carries water to Pyramid Lake in Los Angeles County and from there to Castaic Lake, the western terminus of the SWP. The East Branch carries water to urban areas along the western edge of the Mojave Desert, and continues on into San Bernardino County.

### Allocations and Reliability

The amount of water available to the SWP fluctuates widely each year due to factors such as hydrologic conditions, flood management needs, the capacity of SWP storage and conveyance facilities, changing weather-temperature conditions, water quality, and environmental requirements. Water deliveries are based on the long-term water supply contracts that DWR has with each of the 29 contractors. The contractors include agricultural and municipal and industrial (M&I) water supply agencies.

Article 6 of each contract defines Table A amounts as the annual maximum amount of dependable SWP water DWR agrees to deliver each year the contract is in effect. Table A amounts are used in allocating among contractors the total SWP water supply that is determined to be available for delivery each year. Each year, each contractor may request an amount not to exceed its Table A amount.

Articles 18 and 21 specify how DWR should allocate water to contractors during a temporary shortage or surplus of water supply. Shortages and surpluses are required to be shared among all contractors in proportion to their Table A amounts. Article 21 allows for surplus water deliveries under certain real time conditions. Article 56(d) of the Monterey Agreement established a Turn-Back Pool for annual transfers of Table A among contractors. The Turn-Back Pool provides a mechanism for contractors that do not need all of their Table A allocation in the then-current year to turn that water back for sale to other contractors or DWR early enough in the year for it to be put to beneficial use.

In recent years, the SWP has been able to deliver full Table A amounts only in certain wet years. SWP deliveries can be substantially less than full Table A amounts during average and dry years. This reduction has been the result of a rise in contractors' demand levels, more stringent water quality requirements, and environmental constraints. DWR's most recent reliability estimates indicate the system will have a 63 percent reliability of delivering Table A amounts depending on hydrologic and environmental factors.<sup>3</sup> DWR currently estimates a 66-69 percent reliability in the year 2027, but future reliability may decrease from this estimate depending on operational constraints placed on the system.

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<sup>3</sup> California Department of Water Resources, *2007 State Water Project Delivery Reliability Report*, Table 6.5, 2007

## SECTION 2

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# Environmental Checklist

1. **Project Title:** IRWD South Jackson Ranch Purchase and Water Storage Project
2. **Lead Agency Name and Address:** Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618-3102
3. **Contact Person and Phone Number:** Paul Weghorst: (949) 453-5632
4. **Project Location:** Kings County and Kern County  
(see Project Description)
5. **Project Sponsor's Name and Address:** Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618-3102
6. **General Plan Designation(s):** General Agriculture (AG 40)
7. **Zoning Designation(s):** AG-40 (General Agricultural – 40 District)
8. **Description of Project:** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)  
See Project Description, in Section 1.
9. **Surrounding Land Uses and Setting.** (Briefly describe the project's surroundings.)  
See Project Description, in Section 1.
10. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement. Indicate whether another agency is a responsible or trustee agency.)
  - Dudley Ridge Water District (Responsible Agency):
    - Consent to the assignment of the Kern Water Bank Participation rights associated with the project to IRWD.
    - Approval of an agreement providing for DRWD to cooperate in taking such actions as are reasonably required to effect the execution of unbalanced exchanges or a permanent transfer or other transactions approved by DWR of the Table A amounts from DRWD to another SWP Contractor consistent with policies, rules and regulations generally applicable within DRWD.

- Approval of the permanent transfer, unbalanced exchange or other transactions approved by DWR of the Table A amounts from DRWD to another SWP Contractor.
- California Department of Water Resources (Responsible Agency):
  - Approval of the permanent transfer, unbalanced exchange or other transactions of the Table A amounts from DRWD to another SWP Contractor.
- Metropolitan Water District of Southern California (or other State Water Contractor as Responsible Agency)
  - Approval of the permanent transfer, unbalanced exchange or other transactions approved by DWR of the Table A amounts from DRWD.
  - Approval of a Cooperative Operating and Exchange Agreement with IRWD.
- Kern County Water Agency (Responsible Agency)
  - Approval as necessary for the conveyance of water for banking in the KWB or Strand Ranch banking facilities.

## Environmental Factors Potentially Affected

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality                    |
| <input type="checkbox"/> Biological Resources            | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology, Soils and Seismicity  |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology and Water Quality        | <input type="checkbox"/> Land Use and Land Use Planning |
| <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population and Housing         |
| <input type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation and Traffic     |
| <input type="checkbox"/> Utilities and Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

### DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial study:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
For

# Environmental Checklist

## Aesthetics

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>1. AESTHETICS—Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway corridor?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a) The acquired lands are not located within a scenic corridor designated by the Kings County General Plan, nor is it considered a local scenic resource. However, the site is located along I-5, where fully cultivated agricultural operations may be considered scenic. Fallow land and grazing land resulting from the project would be consistent with surrounding land uses. The proposed land acquisition would have less than significant impacts on scenic resources in Kings County.
  
- b) The California Scenic Highways program is administered by the California Department of Transportation (Caltrans). The nearest scenic highway segment is located along State Route (SR) 41, which is parallel to the upper western boundary of DRWD, and which then veers westward. Views from SR 41 near DRWD would include views of the mountains and cultivated and uncultivated fields. As a discrete entity, the acquired parcels would be imperceptible from SR 41 and would blend in with views of cultivated and uncultivated farmland along AR 41. Because of normal agricultural practices in the area, views from the SR 41 scenic corridor would result in views of cultivated and uncultivated lands. The proposed land acquisition would have less than significant impacts on a scenic highway.
  
- c) The project would not impair or affect the existing visual character or quality of the site and its surroundings. Over time the project area may remain fallow or regain a more open space grass land condition, but this would not adversely affect the local visual character or quality of the surrounding area.

- d) The proposed land acquisition would not result in any changes to lighting or the addition of any new structures that would create glare, and therefore would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in or near the acquired parcels.

## References

Kings County, *Kings County General Plan Conservation Element*, February 19, 1998.

California Department of Transportation (Caltrans), *California Scenic Highway Program*, [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/scenic\\_hwy.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/scenic_hwy.htm), accessed November 2009.

## Agricultural Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>2. AGRICULTURAL RESOURCES</b>				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.				
<b>Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland of Statewide Importance to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

- a) The proposed project includes the acquisition by IRWD of up to 884 acres of agricultural land area located within DRWD boundaries within unincorporated Kings County. This land is currently used for agricultural purposes and undergoes regular operation and maintenance related to agricultural practices which would not be altered initially by the proposed project. Currently a substantial portion of the property is fallow because of a lack of water supply. Over time, as a result of the project, much of the property will be fallowed or converted to grazing land. No development is proposed on the property.



The entire property to be purchased by IRWD is designated by the California Department of Conservation as *Prime Farmland*.<sup>4</sup> According to the State of California's map of Kings County Important Farmland 2006, "this land has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season and moisture supply needed to produce sustained high yields." In addition, the land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. In 2006, Kings County had 138,519 acres of Prime Farmland and 235,156 acres of grazing land.

Currently in Kings County there are over 582,609 acres of farmland designated either Prime Farmland, Farmland of Statewide Importance or Unique Farmland.<sup>5</sup> There are 235,156 additional acres of grazing land and 8,852 acres of Confined Animal Agriculture. There are only 5,821 acres of non-agriculture and natural vegetation areas in the County. The 884 acres constitutes 0.1 percent of the productive agricultural land in the county.

Implementation of the proposed project may ultimately remove the property from Prime Farmland designation, since the designation requires active "irrigated agricultural production" within a four year period. However, the project would not convert the property to non-agricultural uses since portions or all of the land would be converted to grazing land. Some portions of the property may still be irrigated and farmed with water returned to the property as the result of unbalanced exchanges. The Kings County Uniform Rules for Agricultural Preserves states that grazing is a conforming "Commercial Agricultural Use" within Agricultural Preserve areas. Therefore, the project would not convert the property from Prime Farmland to non-agricultural uses. The project would result in a less than significant impact to agricultural resources.

- b) The land to be acquired is zoned by King County as AG-40 (General Agricultural – 40 District). Most of the property is subject to a Farmland Security Zone (FSZ) Contracts, though 67 acres are within Williamson Act Contracts. A Farmland Security Zone is a more restrictive easement provided in a 1998 amendment to the California Land Conservation Act of 1965 (Williamson Act). The period for non-renewal is 20 years for the FSZ contracts and 10 years for Williamson Act contracts. A total of 36 acres of the proposed project properties are within a Williamson Act contract and 768.38 acres are within a Farmland Security Zone Contract.<sup>6</sup> **Figure 5** identifies Agricultural Preserve Contracts within the subject property.

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<sup>4</sup> State of California Department of Conservation Prime Farmland Mapping Program, Kings County Important Farmland Map, 2006

<sup>6</sup> Kings County Community Development Agency, *Kings County Agricultural Preserves 2009 Williamson Act and Farmland Security Zone Properties Map*, October 22, 2009

<sup>6</sup> Kings County Community Development Agency, *Kings County Agricultural Preserves 2009 Williamson Act and Farmland Security Zone Properties Map*, October 22, 2009



View looking northeast on 25th Street.



View looking north at removed orchards.



View looking west



View looking west

- c) Within Kings County, properties with either type of contract are required to maintain a minimal amount of Commercial Agricultural Use to maintain conformity with the contracts. IRWD intends to keep the land in irrigated agricultural uses for a period of four years. Following this initial period, portions or all of the land would be converted to grazing land. Some portions of the property may still be irrigated and farmed with water returned to the property as the result of unbalanced exchanges. IRWD would be responsible for maintaining the minimum production value for the 884 acres with farming and grazing operations as required by the Kings County Implementation Procedures Appendix A. If IRWD elects to renew the FSZ and Williamson Act Contracts, they will be committed to maintaining grazing or farming activities. However, IRWD may elect to apply for non-renewal of the contracts. Over the 20-year non-renewal period for FSZ lands and 10 years for Williamson Act lands, IRWD would be committed to conducting a minimum amount of Commercial Agricultural Use on the properties. At the end of the 20 year non-renewal period, the properties would no longer be under an Agricultural Preserve Contract. Implementation of the non-renewal process outlined in the County of Kings Implementation Procedures would ensure that the project did not conflict with Williamson Act contracts.

IRWD may otherwise choose to cancel the Agricultural Preserve Contracts. This process is also outlined in the Implementation Procedures and is an allowed action of a contract holder so long as the appropriate fees are paid. The cancellation of a Contract would also require the approval of the Kings County Board of Supervisors. With County approval, cancellation of the Contracts following the appropriate Implementation Procedures would not conflict with a Williamson Act Contract, and would not be a significant impact of the project.

- d) The project would involve conveying water previously used for agriculture at the subject property to Kern County or to IRWD through either a permanent water transfer, an unbalanced exchange, or other transactions. If IRWD chose to permanently transfer the 1,757 af of Table A amount, the properties would be permanently severed from their SWP water source. Since there is not sufficient groundwater to productively use the land, the permanent transfer of SWP water would reduce the land owner's ability to irrigate the property for agricultural production. The property would be used as grazing land. If unbalanced exchanges are implemented then 50 percent of the water would be returned to DRWD where it could be used for farming. However, portions of the property would be used as grazing land.

As noted in the Project Description, the reliability of the SWP has declined in recent years due to a rise in contractors' demand levels, more stringent water quality requirements, and environmental constraints. DWR's recent reliability estimates indicate the system will have a reduced reliability of delivering Table A amounts depending on hydrologic and environmental factors. Over the last decade, the SWP has been able to deliver full Table A amounts only in wet years, delivering substantially less than full Table A amounts in dry years. DWR has indicated that without a major modification to

the system, the future reliability of the SWP could be reduced further. The reduced reliability of the property’s only water source has made farming on the property less predictable and more of a financial risk. If water reliability is reduced further, irrigated agriculture on the subject property would be constrained in the future even with no modification of the SWP contract. Currently a substantial portion of the property is fallow because of a lack of water supply.

The property would not be developed or converted to non-agricultural uses as a result of the project; nor would the project involve changes to the environment that could result in the conversion of the property to non-agricultural uses.

### References

California Department of Resources, *Farmland of Statewide Importance*, 2006.  
 Kings County Planning Agency, *Implementation Procedures for the California Land Conservation “Williamson” Act of 1965 Including Farmland Security Zones*, May 3, 2005  
 Kings County Community Development Agency, *Kings County Agricultural Preserves 2009 Williamson Act and Farmland Security Zone Properties Map*, October 22, 2009  
 Kings County, *Zoning Ordinance*, as amended to November 27, 2008.

### Air Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>3. AIR QUALITY</b>				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. <b>Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a) The proposed project would conform to all applicable air quality management plans. The proposed project would not affect existing land uses, population, or regional air quality. No new construction or new operations would result from any aspects of the proposed project, including the land acquisition or the water conveyance operations. The proposed project would not conflict with or obstruct implementation of any applicable air quality plan.

b-d) The proposed project would not result in any violation of any air quality standard or contribute substantially to an existing or projected air quality violation. The San Joaquin Valley Air Pollution Control District, in which the land acquisition is proposed, has determined that compliance with Regulation VIII (Fugitive Dust) and implementation of all other control measures of the *Guide for Assessing and Mitigating Air Quality Impacts* would constitute sufficient mitigation to reduce particulate matter impacts to less than significant, if this becomes an issue during normal agricultural operations. Conversion of property to grass lands for grazing would reduce dust emissions from the property in the long term.

The proposed project would utilize the California Aqueduct to convey water from DRWD to Strand Ranch and KWB. The conveyance of up to 1,757 afy of water would represent a small fraction of the water conveyed through the system, and would not increase pumping requirements significantly. Furthermore, water can be conveyed to KWB for storage under the existing land owner water supply contracts. The proposed project would be consistent with this existing condition and would not significantly increase pumping requirements or air emissions associated with pumps.

e) The proposed project would not result in substantial odors. Overall, the proposed project would not result in odorous emissions to levels that would affect sensitive receptors within DRWD.

f) The Global Warming Solutions Act of 2006, otherwise referred to as Assembly Bill 32 (AB 32), requires the California Air Resource Board to establish a statewide greenhouse gas (GHG) emissions cap for 2020 based on 1990 emission levels, and to adopt mandatory reporting rules for significant sources of GHGs. AB 32 requires major producers of GHG emissions to reduce emissions to 1990 levels by 2020, which is a 30 percent reduction. The proposed project would utilize the California Aqueduct to convey water from DRWD to Strand Ranch and/or KWB and from Strand Ranch and/or

KWB to Metropolitan for delivery to IRWD. Conveyance of water from Strand Ranch to IRWD is evaluated in a separate EIR certified by IRWD in 2008. GHG emissions generated during water conveyance would be similar to existing conditions since water from the DRWD may already be banked at KWB. As a result, GHG emissions, would not conflict with AB 32 or other initiatives to reduce GHG emissions. Impacts would be less than significant.

**References**

California Code of Regulation, Chapter 488, *Global Warming Solutions Act of 2006*, September 27, 2006.

**Biological Resources**

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>4. BIOLOGICAL RESOURCES— Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a) A review of the California Natural Diversity Database (CNDDDB) identified 11 special-status and/or listed wildlife species with the possibility of occurrence within the Los Viejos and Dudley Ridge Quadrangle, which encompasses the Jackson Ranch properties and adjacent areas, including western snowy plover (*Charadrius alexandrinus nivosus*) burrowing owl (*Athene cunicularia*), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), San Joaquin kit fox (*Vulpes macrotis mutica*), blunt-nosed leopard lizard (*Gambelia sila*) and the American badger (*Taxidea taxus*). The CNDDDB also listed one special-status/listed plant species, the San Joaquin woollythreads (*Monolopia congdonii*).

The federal Migratory Bird Treaty Act (MBTA) (16 USC, Section 703, Supp. I, 1989) prohibits killing, possessing, or trading migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. The proposed project parcels are adjacent to the California Aqueduct (east) and I-5 (west), and agricultural land to the north and south. Special-status species and/or migratory bird species could potentially stop on the property to forage and smaller bird species could potentially nest on the orchard trees, though existing operational and maintenance activities associated with farming probably discourage such behavior. It is unlikely that raptors would utilize the orchard for nesting due to the disturbance from farming operations.

Initially, the proposed project would not require any disturbance to the land or substantive changes to current agricultural operation/maintenance. After the initial four year lease period, land not already fallowed would be fallowed in accordance with typical agricultural operations. Removal of orchard trees would reduce perching and nesting habitat for smaller birds. However, removal of orchards would occur similar to typical agricultural operations and would not result in adverse affects to sensitive wildlife. Fallowing the land or converting it to grazing land may increase suitability of habitat to some local sensitive species that could use the area for foraging.

Since the orchards use drip lines, no tail water currently is collected at the property. The reduction in water applied to the site would not affect wetland vegetation or sensitive species that utilize tail water wetlands such as the snowy plover. Once the fields are fallowed, the project would not develop or conduct activities on the site that could adversely affect other groundwelling species such as rodents, lizards, or burrowing mammals. Impacts to special-status or listed species would be less than significant and no mitigation is required.

- b,c) The proposed project includes approximately 884 acres of existing and currently active agricultural land. The parcels proposed for acquisition by IRWD do not support any riparian habitat, sensitive natural communities or wetlands. Based on the site's present and past agricultural use and the lack of disturbance planned for the proposed project, impacts to riparian habitat, sensitive natural communities or wetlands would be considered less than significant, and no mitigation is required.

- d) Wildlife species that utilize the open space area to the west of the proposed project area could potentially forage in the parcels proposed for acquisition. These parcels are bordered on the north and south by agricultural land uses and would not be used by wildlife as a corridor linkage to other open space areas. Based on the proposed project's lack of disturbance to the proposed project site, its existing operation/maintenance and the lack of apparent linkage between the open space area to the west and any other open space, impacts to wildlife movement would be considered less than significant and no mitigation is required.
- e) The property would remain in agricultural use and would not conflict with local policies and ordinance protecting biological resources. Impacts would be considered less than significant and no mitigation is required.
- f) The proposed project area does not fall within the jurisdiction of an adopted Habitat Conservation Plans, Natural Community Conservation Plan, or any local, regional or state habitat conservation plan. Therefore there is no impact and no mitigation is required.

## References

California Department of Fish and Game (CNDDDB), *California Natural Diversity Database*  
Wildlife Habitat Data Analysis Branch, Habitat Conservation Division, 2009.

## Cultural Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>5. CULTURAL RESOURCES— Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

- a–d) The proposed project includes the acquisition by IRWD of approximately 884 acres of land located within DRWD, which is located in unincorporated Kings County. Nearly all



of the historic resources identified by the Kings County General Plan are located in northern and eastern Kings County, north of the communities of Stratford and Kettleman City, and east of SR-43. Most are located in the Lemoore and Hanford areas. Of the 16 historical sites identified in the General Plan, six are cemeteries, one consists of fossil beds, two are schools, and two are churches. One historic resource—the Avenal Ranch (adobe barn and house)—is located in southwestern Kings County, well outside of DRWD, and away from the Jackson Ranch parcels.

The proposed project would not involve any construction or new development. If a cultural resource is discovered, including but not limited to archaeological or paleontological resources, IRWD would be required to conform to all state laws regarding the accidental discovery of unique archaeological resources, paleontological resources, or human remains. The proposed project would therefore not result in significant impacts to cultural resources.

## References

Kings County, *Kings County General Plan Open Space Element*, as amended to February 19, 1998.

## Geology, Soils, and Seismicity

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
<b>6. GEOLOGY, SOILS, AND SEISMICITY—</b>				
<b>Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

a.i)-e) The land to be acquired by IRWD is located in Kings County in an area subject to strong seismic ground shaking and is located in or near a secondary hazard zone within the Valley Floor Seismic Zone that is subject to subsidence. Water conveyance, for example, could be disrupted by strong earthquakes. However, the proposed project would result in no new risk associated with geological hazards. No new structures or other facilities within DRWD or specifically on the parcels to be acquired. The parcels are located on relatively flat land, eliminating the potential for landslides. Because the parcels are used for agricultural operations, expansive soils would not be at issue. Erosion and the loss of topsoil would be reduced by continued active cultivation. Continued agricultural production or conversion to grazing land would not result in the need for septic tanks or other alternative systems.

## References

Kings County, *Kings County General Plan Safety Element*, as amended to 2004.

San Joaquin Valley Air Pollution Control District, *Current District Rules and Regulations*, <http://www.valleyair.org/rules/1ruleslist.htm#reg8>, accessed November 10, 2009.

## Hazards and Hazardous Materials

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>7. HAZARDS AND HAZARDOUS MATERIALS</b> <b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a-h) The proposed land acquisition would result in continued agricultural operations on the acquired parcels. These operations could include the continued use of pesticides as needed, as well as the transport of small amounts of hazardous materials, including fuels and other related products. However, use and storage of these hazardous materials are subject to existing federal and state regulations and would not pose a substantial hazard. Wildland fires are a minimal risk in the Valley portions of Kings County.

The Kings County General Plan designates I-5 as a Primary Evacuation Route. The proposed land acquisition would not interfere with the use of this route in emergencies. In addition, the Agricultural operations in Kings County sometimes make use of crop dusting. However, this activity would occur less that under existing conditions and may be eliminated altogether with the increase in grazing lands.

There are over 19 private airstrips throughout Kings County, mostly associated with agricultural operations. One private airstrip appears to be located southwest of DRWD in the lower foothills. This existing airstrip would not pose a new hazard to the acquired parcels, which are already under cultivation. As a result, the private airstrip would result in a less than significant impact to the acquired parcels. The proposed project would have a less than significant impact on hazard and hazardous materials.

## References

Kings County, *Kings County General Plan Safety Element*, as amended to 2004.

## Hydrology and Water Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>8. HYDROLOGY AND WATER QUALITY— Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river or, by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a-j) The acquired parcels would remain under cultivation initially in conformance with rotational agricultural practices. Once irrigation ceased, the parcels would convert to a more open grassland. Under current agricultural operations, no agricultural runoff or tail water is generated. Irrigation water is applied to the needs of the crops. No groundwater is currently designated with beneficial uses below the subject property. Therefore, reduction in irrigation would not affect local surface water or groundwater beneficial uses. The area experiences 9.5 inches of rainfall on average each year. Stormwater would continue to drain via sheet flow into local drainages.

A portion of the acquired parcels may be in close proximity to land subject to flooding, primarily as a result of its proximity to the historic shores of the old Tulare Lake Basin bed. However, there are no homes or other structures (other than canals and water-related structures) in or near the flood way. The acquired parcels would not be affected by the failure of Terminus Dam or the failure of Pine Flat Dam. Because the acquired parcels are located inland, these parcels would not be exposed to a potential seiche or tsunami. Although located near a foothill area, mudflows would not be likely to reach the project site.

Utilizing the Strand Ranch for groundwater recharge would comply with the Strand Ranch MOU covering effects to groundwater quality and neighboring users. Since the Strand Ranch envisioned using SWP water, the proposed project would be consistent with the existing banking project and would not result in any new water quality or groundwater impacts. The operation of the Strand Ranch was assessed in an EIR certified by IRWD and Rosedale in 2008.

## References

Kings County, *Kings County General Plan Safety Element*, as amended to 2004.

## Land Use and Land Use Planning

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>9. LAND USE AND LAND USE PLANNING— Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Issues (and Supporting Information Sources):</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a,b) The *Kings County General Plan*, as amended in 2004, designates the parcels to be acquired as General Agriculture (AG 40). According to the General Plan, the agricultural districts are intended “to preserve land best suited for agriculture from the encroachment of incompatible uses in order that commercial agricultural operations may continue in a manner customary in the agricultural industry.” The General Agriculture (AG 40) land use classification permits a wide range of uses including hydroponics, livestock grazing, the raising of field crops, fruit and nut trees, vines, vegetables, horticultural specialties, livestock and timber, fish farming, poultry raising or keeping, not to exceed five hundred (500) chickens and fifty (50) turkeys; raising of other small animals, including birds, mammals, and reptiles for non-commercial purposes . . . , etc. Other permitted uses include one family dwelling per legal parcel; gas and oil wells; roadside stands for the sale of seasonal produce; public and public service structures; etc. Further uses are permitted with site plan review or a conditional use permit. The proposed project would conform to the Kings County General Plan land use designation.

Land uses in the vicinity of the parcels to be acquired are agricultural or support agricultural uses. IRWD intends to continue agricultural uses on these parcels as either farmland or grazing land. As a result, the acquisition of these parcels by IRWD would not physically divide an established agricultural “community.”

- c) None of the parcels to be acquired nor the immediate vicinity of these parcels fall within the jurisdiction of an adopted Habitat Conservation Plans, Natural Community Conservation Plan, or any local, regional or state habitat conservation plan. Therefore there is no impact and no mitigation is required.

## References

Kings County, *Kings County General Plan Open Space Element*, as amended to February 19, 1998.

## Mineral Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>10. MINERAL RESOURCES—Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a)-b) There are no known mineral extraction activities in operation in Kings County. Although the Kings County General Plan Conservation Element encourages the development of mining and mineral extraction (Objective 21.2, p. RC-8), there are no known sources of aggregate or other minerals identified by the State of California’s Department of Conservation in Kings County.

## References

Kings County, *Kings County General Plan Land Use Element*, as amended to 2004.

Kings County, *Notice of Preparation (NOP) & Notice of Scoping Meeting for the Draft Program Environmental Impact Report for the 2035 Kings County General Plan*, November 26, 2008.

## Noise

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>11. NOISE—Would the project:</b>				
a) Result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

- a–e) Under the Kings County General Plan Noise Element, agricultural and intensive agricultural uses are acceptable at less than 70 Ldn (Ldn is the Day and Night Average Sound Level (nighttime noise levels are weighted) and conditionally acceptable at 75 Ldn. Noise levels that exceed 75 Ldn are considered unacceptable. Because there are no sensitive receptors within a one-half mile radius of the land to be acquired, noise levels would be attenuated to well under 70 Ldn by the time sound from the acquired parcels reached sensitive receptors.

The parcels are not located in close proximity to sensitive noise receptors. Noise at the project site is dominated by proximity to the traffic along I-5, which is east of the parcels. No noise generating activities would occur at the project site as a result of the project. The land acquisition would not result in any noise or groundborne vibration.

- f) There are over 19 private airstrips throughout Kings County, mostly associated with agricultural operations. One private airstrip appears to be located southwest of DRWD in the lower foothills. This existing airstrip would not pose a new hazard to the acquired parcels, which are already under cultivation. The proposed project would result in no change in operations at the acquired parcels. As a result, the private airstrip would result in a less than significant impact to the acquired parcels.

## References

Kings County, *Airport Land Use Compatibility Plan*, July 1994.

Kings County, *Kings County General Plan Noise Element*, as amended to 2004.



## Population and Housing

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>12. POPULATION AND HOUSING— Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a)-c) The acquisition by IRWD of land for banking water is consistent with the approved 2005 *Urban Water Management Plan (UWMP)*. The UWMP discussed the IRWD’s need to purchase lands for water banking so that during wet years excess water could be banked for dry years.

The water from the Jackson Ranch properties in DRWD is currently allowed to be banked at the KWB. The project would provide for use of the Strand Ranch in addition to KWB. Delivery of water to the banking facilities would be subject to the Strand Ranch and KWB MOUs that have been previously approved. The proposed project would be consistent with the existing operational requirements of these banking facilities. The Strand Ranch is operated by IRWD as a water supply reliability program. IRWD’s projected water demand would not change as a result of this transfer. The operation of the Strand Ranch was assessed in an EIR certified in 2008 by IRWD and Rosedale. The Strand Ranch EIR concluded that enhancing the reliability of IRWD’s water supplies through banking water at the Strand Ranch would neither support nor encourage growth within the IRWD service area to a greater degree than presently estimated by the agencies with land use jurisdiction within the IRWD service area. The EIR concluded that the Strand Ranch project is not inherently growth-inducing. The EIR envisioned obtaining SWP water for use at the Strand Ranch banking facility when available. The proposed project would be consistent with the conclusions in Strand Ranch EIR. As a result, the proposed project would have a less than significant impact on population growth within the IRWD service area. In addition, the project would have a less than significant impact on population growth within the DRWD, where its water does not support municipal water demand, but is used to irrigate agricultural land.

No housing would be displaced as a result of the proposed project in either DRWD or within the IRWD service area, and no persons would be displaced from housing as a result of the proposed project.

## References

Irvine Ranch Water District, *2005 Urban Water Management Plan*, November 2005.

Irvine Ranch Water District, *Strand Ranch Banking Project Final EIR*, May 2008.

## Public Services

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>13. PUBLIC SERVICES— Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

a.i)-a.v) Demand for public services such as police and fire protection services (provided by the Kings County Sheriff's Office and the Kings County Fire Department) would remain unchanged. Because the site is unpopulated, the acquisition would not affect local schools. As a result, the proposed land acquisition would not affect public services or public facilities.

## References

Kings County, *Kings County General Plan Safety Element*, as amended to 2004.

## Recreation

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>14. RECREATION—Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a,b) Because the land acquisition involves agriculture that is privately owned, there is no direct or indirect connection with recreational uses. The proposed project would result in no increase use, beyond existing use of recreational facilities, nor would the project result in the need for new or expanded recreational facilities.

## Transportation and Traffic

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>15. TRANSPORTATION AND TRAFFIC—Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., conflict with policies promoting bus turnouts, bicycle racks, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a–g) The proposed land acquisition would result in continued agricultural operations on the acquired parcels initially. As agricultural land is fallowed, less traffic would be generated at the site. The project would not affect level of service directly or cumulatively. The project would not affect air traffic patterns or increase hazards. The acquisition of the property would not affect emergency access or parking. Finally, the project would be consistent with adopted plans and polices supporting alternative transportation. There would be no impact to transportation or traffic.

## Utilities and Service Systems

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>16. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
a) Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a–g) The proposed project would not result in the need for new water entitlements or supplies. The project would continue the use of existing facilities, including water conveyance facilities. The project would not result in any new solid waste disposal needs and would conform to all regulations related to solid waste. The project would not require new wastewater treatment facilities or storm drain facilities. The project would have no impacts on utilities and utility service systems.

## Mandatory Findings of Significance

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>17. MANDATORY FINDINGS OF SIGNIFICANCE—</b>				
<b>Would the project:</b>				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

- a) As described in Section 4, Biological Resources, above, the project would result in less than significant impacts to biological resources. The project would result in continued agricultural use of the property. Agriculture remains the predominant land use in Kings County, which is a mostly rural county. Because of the rural nature of the site, the lack of nearby sensitive receptors, and the low intensity traffic associated with agricultural operations, impacts related to air quality, noise and traffic would be less than significant. Cultural resources would not likely be encountered during normal agricultural operations, and the site would not be subject to hazards or hazardous materials. The land use for the acquired parcels would conform to all applicable land use plans, and would not, by itself, or in combination with other agricultural operations induce population growth.

- b) Since the land would remain an agricultural land use either as active farmland, fallowed land, or grazing land, the project would not add to a cumulative loss of agricultural land in Kings County. The 884 acres associated with the project constitutes 0.1 percent of the available agricultural land in the County. Under existing conditions, the reduced reliability of the property's only water source has made farming on the property less predictable and more of a financial risk. Irrigated agriculture on the subject property would be constrained even with no modification of the SWP contract. If reliability of the SWP is reduced further, constraints on future farming would increase. Currently a substantial portion of the property is fallow because of a lack of water supply. Even if the project were not implemented, agricultural productivity on the property would decrease in the future.

The project would reduce the overall water supply available to the DRWD service area. If the water is permanently transferred, DRWD's total SWP Table A amount would be reduced by up to 1,757 afy. This represents approximately three percent of DRWD's previous Table A amount (57,343 af). DRWD has recently approved an additional transfer of 14,000 afy to the Mojave Water Agency. No significant impacts to the environment are identified for either water transfer. The reduction in DRWD's SWP Table A amount would reduce irrigated agriculture in the service area but would not change the land use from agricultural uses. The reduction in irrigated agriculture would not result in significant adverse impacts to the environment either directly or cumulatively. There would be no cumulatively considerable impact associated with the project.

- c) As discussed throughout the Initial Study the project would not cause substantial adverse effects on human beings either directly or indirectly.
-

## **SECTION 3**

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# Comment Letters and Responses

# DUDLEY RIDGE WATER DISTRICT

DIRECTORS  
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ENGINEERING AND PLANNING

DEC 30 2009

IRVINE RANCH  
WATER DISTRICT

December 23, 2009

Paul Weghorst  
Irvine Ranch Water District  
15600 Sand Canyon Ave.  
Irvine, CA 92618

Re: IRWD-Jackson Ranch Property Water Acquisition Project

Dear Paul:

This letter is in response to IRWD's Notice of Intention to Adopt a Negative Declaration for the reference project. Although as a Responsible Agency, DRWD had reviewed an administrative draft of the CEQA documents that were circulated, we consider it important for the record to make the following clarifications.

1. Paragraph 1 of page 1-4 (and other locations with similar statements): Not all of the transactions referred to in this paragraph are covered by existing DRWD policies, rules, and regulations. As mentioned in discussions with IRWD, specific DRWD board approval will be needed for these transactions. 1
2. Table 2 on page 1-5: In the "Disposition of Water" column for 2 for 1 unbalanced exchanges, the words "on the Jackson Ranch" should be replaced with "within DRWD". 2
3. Paragraph 1 of page 1-6: The words "on the purchased portion of the Jackson Ranch" should be replaced with "in DRWD". 3
4. Paragraph 1 of "Status of the Property Following Acquisition by IRWD" on page 1-6: Note that the existing orchard crops are not conducive to "rotating" or "periodic fallowing". 4
5. Paragraph 1 of "Jackson Ranch" on page 1-7: the word "entitlement" should be replaced with "amounts". 5

Thank you for the opportunity to provide these clarifications.

Respectfully,

Dale K. Melville  
Manager-Engineer

Copy: DRWD Board of Directors  
Gary Sawyers, Esq.





# KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY

Gregory R. Gatzka, Director

## PLANNING DIVISION

Web Site: <http://www.countyofkings.com/planning/index.html>

December 28, 2009

Paul Weghorst  
Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618

RE: Irvine Ranch Water District – Jackson Ranch Property Water Allocation Project  
Initial Study/Negative Declaration

Dear Mr. Weghorst;

We have received a copy of the Notice of Intent to Adopt a Negative Declaration for the above referenced project posted on November 30, 2009. The proposed project includes the sale and transfer of 884 acres within the Dudley Ridge Water District from Jackson family members to the Irvin Ranch Water District, and includes a permanent transfer of up to 1,757 acre-feet of surface water per year. This will also entail the intended fallowing and/or non-irrigated grazing use of the acquired land after four years. In review of this project, our Agency provides the following comments.

Our Agency recognizes the dire struggle that the agricultural community as well as municipalities face in coping with the continuing natural and man-made regulatory drought facing most of the State. In these tough times, farmers as well as water districts must make tough choices to ensure their very own survival. As Kings County has adopted local emergency declarations for both drought and the economic and fiscal crisis, projects that may have an impact in these arenas should address related impacts to communities within Kings County. Although the California Environmental Quality Act (CEQA) does not directly address impacts to the local agricultural economy, the resultant impacts are worthy of acknowledgement as the San Joaquin Valley continues to be placed under significant economic strain resulting from continual surface water loss and depressed local economies.

In 2008, Kings County generated approximately \$1.76 billion in gross value of agricultural crops and products, and was ranked 8<sup>th</sup> in the State for 2006-2007 Gross Value of Agricultural Production. In order to better understand where these values are generated throughout the County, a Priority Agricultural Land Model was developed for the 2035 Kings County General Plan which was approved by the Kings County Planning Commission on December 14, 2009 for formal adoption by the Board of Supervisors in late January 2009 (for more detail please refer to the Resource Conservation Element, Section B. Agricultural Resources). This model analyzes a more diverse set of criteria that evaluates the County's highest priority agricultural land resources based on prime soils, water availability, agricultural production value and other factors. Although this model was primarily intended for analysis of agricultural land resources in relation to urban growth and potential encroachment, it provides an analysis tool to evaluate potential agricultural value loss resulting from permanent surface water transfer out of the County. Within Kings County's 1,391 square miles of territory, approximately 561,241 acres are identified as used for agricultural production. Of this amount, 29,151 acres are designated "Highest Priority" and 124,897 acres are "Medium High Priority". Other totals include 234,602 acres "Medium Priority", 115,132 acres "Low Medium Priority", 51,735 acres "Low Priority", and 5,724 acres "Very Low Priority."

Review of the proposed project in relation to the County's Priority Agricultural Land reveals that the site includes 501 acres of Highest Priority Agricultural Land and 113 acres of Medium High Agricultural Land. An additional 257 acres are identified as Low Medium Priority. The intended fallowing of land will result in approximately 614 acres of some of the County's highest priority agricultural land being diminished to significantly lower production values. In addition, the project could result in potential gross agricultural production loss of approximately \$3.76 Million annually based upon the Kings County Department of Agriculture Measurement Standards' 5-year average annual crop values applied to these acreages by crop type. In a predominantly agricultural based economy such as Kings County, the resulting loss in the agricultural economy will further multiply the impacts to local communities, residents, businesses and associated production industries.

The project Initial Study/Negative Declaration discussions on environmental impacts related to "Agricultural Resources" relied primarily upon the 1993 Kings County General Plan and Department of Conservation Important Farmland Mapping and Monitoring Program information. Discussion in this section should be expanded to include the updated and relevant information noted above that is derived from the 2035 Kings County General Plan Update. Surface water supply availability is critical to Kings County's aim of increasing the sustainability of local agriculture. Yet due to the economies of scale between municipal and agricultural interests, the sale of agricultural water to municipal water suppliers is likely to continue. As competing interests continue to propose shifts in surface water rights, discussion on impacts should take into account the greater context of potential economic impacts relative to distressed communities. Although impacts to the agricultural economy of this region are not considered environmental impacts under CEQA, the resulting loss of approximately \$3.76 Million in gross agricultural value annually compounds the drastic impacts to families, businesses and secondary markets reliant upon this region's agricultural economy.

Thank you for the opportunity to comment on this project. The Draft 2035 Kings County General Plan can be found on our County and department website at [www.countyofkings.com/planning/index.html](http://www.countyofkings.com/planning/index.html). If you have any questions, please feel free to contact me at (559) 582-3211, Extension 2682.

Sincerely,  
KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY



Gregory R. Gatzka, Director

Cc: County Administration  
County Counsel  
Kings County Water Commission  
Supervisor Richard Valle, District 2  
Dudley Ridge Water District

## Response to Comments

### Dudley Ridge Water District

#### Comment 1

The comment states that the DRWD Board approval will be required to enter into some of the transactions listed in the proposed project.

#### **Response**

IRWD acknowledges in Section 2 on pages 2-1 and 2-2 DRWD's obligation to approve transactions associated with this project as a Responsible Agency.

#### Comment 2

The comment suggests modification to language in Table 2 on page 1-5 for the option of "2 for 1 Unbalanced Exchanges".

#### **Response**

In response to this comment the second row of the fourth column of Table 2 is revised as follows:

Metropolitan could choose to bank Table A water in the Strand Ranch or deliver it to southern California for storage. Banking in the KWB would occur consistent with DRWD's KWB Participation and Exchange Agreement and any consents obtained as provided for in the agreement. Fifty percent of the water would have to be returned to DRWD by Metropolitan for use ~~on the Jackson Ranch~~ within DWRD within 10 years.

#### Comment 3

The comment suggests modification to language in Section 1 on page 1-6.

#### **Response**

In response to the comment the following modification is made to the first full paragraph of page 1-6:

Unbalanced exchanges are permissible by DWR on a maximum unbalanced rate of two-for-one. Under an unbalanced exchange from DRWD to Metropolitan, as envisioned in this project description, it would be required that for every two acre-feet of water delivered to Metropolitan that one acre-foot would need to be returned to DRWD for agricultural use in DRWD ~~on the purchased portion of the Jackson Ranch~~ within ten (10) years.

## **Comment 4**

The comment states that portions of the subject property currently supporting orchards would not be conducive to rotating or periodic fallowing.

### ***Response***

The IS/ND acknowledges on page 1-6 that as water supplies are transferred, more land would be fallowed or converted to grazing land. Areas not currently planted with orchards could be rotated or periodically fallowed in the first four years, prior to fallowing.

## **Comment 5**

The comment suggests modification to language in Section 1 on page 1-7.

### ***Response***

In response to the comment, the following modification is made to the IS/ND on page 1-7:

### **Jackson Ranch**

The Jackson Ranch consists of 1,750 acres located within the DRWD in Kings County, California. The land has associated with it a total of 4,241 AF of SWP Table A entitlement amounts, 9.84 percent share in DRWD's 9.62 percent interest in the KWBA, and currently has approximately 6,911 AF stored in the KWB. This project covers the purchase of approximately 884 acres of the Jackson Ranch (Figure 1), along with the property's portion of the overall Jackson Ranch SWP allocations and KWBA interests.

## **Kings County Community Development Agency**

### **Comment 1**

The comment identifies the value of agricultural production in the county and notes that the proposed 2035 Kings County General Plan refines agricultural land use designations that affect the project area. The comment suggests that the project would result in a loss of \$3.76 million per year in agricultural gross revenue that would result in economic impacts to the community that should be acknowledged in the IS/ND.

### ***Response***

The IS/ND acknowledges on page 2-6 that the agricultural lands affected by the project are designated Prime Farmland under Williamson Act or Farmland Security Zone contracts. The 2035 Kings County General Plan alluded to in the comment is not yet adopted by the County. The updated land use designations proposed in the 2035 Kings County General Plan would not change the conclusions in the IS/ND. The IS/ND acknowledges that the Prime Farmland status of the subject property would be affected when the lands are fallowed, but the project would be

compatible with the overlying AG-40 land use designation. As stated on page 2-7, IRWD would be responsible for maintaining the minimum production value for the 884 acres with farming and grazing operations, or cancel the overlying Williamson Act or Farmland Security Zone contracts in accordance with cancellation requirements.

The IS/ND acknowledges on page 2-6 that the project would reduce the agricultural productivity of the subject property, but would constitute a reduction of 0.1 percent of the productive agricultural land in the county. The IS/ND concludes that this 0.1 percent reduction in productivity would not be a significant impact on the overall economic health of the county.

The comment notes that the project would result in a reduction of 0.2 percent of the agricultural gross production value in the county (\$3.76 million reduction out of \$1.76 billion total). As acknowledged in the comment, CEQA does not require an assessment of a project's economic impacts except when the impact results in changes to the environment. The IS/ND concludes that the reduced production value of the 884 acres of Prime Farmland would not result in appreciable impacts to the county that would result in changes to the environment.

## SECTION 4

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### Errata

The first paragraph of the subsection titled “Facilities” on page 1-9 is corrected as follows:

#### ***Facilities***

A significant portion of the SWP’s water supply is obtained from Lake Oroville, located on the Feather River in ~~Plumas County~~ Butte County, which has a storage capacity of approximately 3.5 million acre-feet (af). The lake stores winter runoff and spring snowmelt from the Feather River watershed. Releases from Lake Oroville flow down the Feather River then merge with the Sacramento River. The Sacramento River flows into the Sacramento-San Joaquin Delta. The SWP diverts water in the southern Delta to the California Aqueduct and from the northern Delta into the North Bay Aqueduct.