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~~SEALED~~

NOTICE OF DETERMINATION

FILED  
KERN COUNTY  
110.2  
Notice of Determination  
JAN 22 2009

Ref SCH# 9611037

TO:  
County Clerk  
County of Kern  
1115 Truxtun Avenue, 1<sup>st</sup> floor  
Bakersfield, CA 93301-4639

FROM:  
Kern County Water Agency  
P.O. Box 58  
Bakersfield, CA 93302

ANN K. BARNETT  
AUDITOR CONTROLLER COUNTY CLERK  
BY [Signature] DEPUTY

**SUBJECT:** Filing of Notice of Determination regarding Addendum No. 2 to the Negative Declaration for the Pioneer Groundwater Recharge and Recovery Project

**PROJECT TITLE:** Pioneer Groundwater Recharge and Recovery Project - SCH#9611037

**PROJECT LOCATION:** Generally west of the City of Bakersfield between Stockdale Highway and Panama Lane

**PROJECT DESCRIPTION:** The Project was developed to recharge and store water in the groundwater basin and to recover water to meet shortages in surface water supplies. The proposed changes revise the Project Description to reflect the current status of the Project facilities, and add to the Project specified facilities.

This is to advise that the Kern County Water Agency has approved the above described changes to the project on January 21, 2009, and has made the following determinations regarding the above described project:

1. The project  will  will not have a significant effect on the environment.
2.  A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3.  An Addendum to the Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
4. Mitigation measures  were  were not made a condition of approval for this project.
5. A statement of Overriding Considerations  was  was not adopted for this project.

This is to certify that a copy of the Addendum No. 2 along with the Negative Declaration with comments and responses and record of project approval is available to the general public at:

Stuart T. Pyle Water Resources Center, Kern County Water Agency, 3200 Rio Mirada Drive, Bakersfield, CA 93308.

Date Received for Filing: Jan. 22, 2009

[Signature]  
James M. Beck  
General Manager

COPY

Notice of Environmental Document  
Posted by County Clerk on 01/22/09  
and for 30 days thereafter, Pursuant to  
Section 21152(C), Public Resources Code

#A047

ADDENDUM NO. 2 TO NEGATIVE DECLARATION  
(14 CCR 15164)  
Kern County Water Agency

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Project: Pioneer Groundwater Recharge and Recovery (SCH# 96111037)

Lead Agency: Kern County Water Agency

Location: Generally west of the City of Bakersfield between Stockdale highway and Panama Lane, including various Sections in T30S/R26E and T/30S/R25E, MDBM

Description: The Pioneer Groundwater Recharge and Recovery Project (Project) was developed to recharge and store water in the groundwater basin and to recover water to meet shortages in surface water supplies. A Negative Declaration for the Project was adopted by the Kern County Water Agency (Agency) Board of Directors on December 20, 1996. This addendum revises the Negative Declaration to reflect the current status of the Project recharge and recovery facilities.

The Negative Declaration for the Project analyzed the potential environmental impacts of recharging water on specified lands, including privately held lands in Section 4, Township 30 South, Range 36 East (Section 4). Use of these lands for recharge was made contingent upon agreement of the landowner(s). These lands were recently acquired by the Agency as part of the Land Exchange and Water Development Agreement between the Agency, Bolthouse Properties, LLC, Castle and Cooke California, Inc., and the City of Bakersfield (Land Exchange). The Land Exchange included, among other things, an exchange of 236 acres in Section 4 that were owned by Bolthouse Properties, LLC (Bolthouse) for 276 acres in Sections 10, 11 and 15, T30S/R26E (Sections 10, 11 and 15), that were owned by the Agency. Prior to the Land Exchange, the property granted to Bolthouse contained recharge facilities that were used for the Project. This property will not be available in the future for Project recharge activities unless arrangements are made with the landowner(s) and further CEQA analysis is performed if necessary. Through this addendum, the Agency is revising the Project Description to reflect the current status of the Project recharge facilities that are located on Project lands. This addendum describes the Project recharge facilities that will be constructed and used on the Section 4 property that was acquired by the Agency in the Land Exchange. It also describes a levee that may be constructed in order to recharge water on property in Sections 10 and 15 that continues to be owned by the Agency.

The Agency plans to construct approximately 10,000 feet of levees on the Section 4 property acquired by the Agency through the Land Exchange. These levees will create three recharge ponds. The total wetted area of the ponds will cover approximately 220 acres. The levees will be approximately 5-ft above existing ground with a 15-ft wide road at the top and 4:1 inboard slopes and 2:1 outboard slopes. Interbasin structures will be constructed between ponds to allow for gravity flow from east to west. Flow between ponds will be controlled by the use of weir boards. Water will be delivered to the ponds through a turnout from the Cross Valley Canal.

The Agency may also construct approximately 3,000 feet of levees on property in Sections 10 and 15. These levees will provide for continued recharge activities on those lands. The levees will be similar in nature to those that will be constructed in Section 4. Deliveries to the ponds will not change from current (and historical) methods.

The Negative Declaration also described the Project as including the recovery of up to 341,000 acre feet of water annually. This recovery was to be accomplished through the use in varying degrees of the following facilities: 28 new and 9 existing wells on the Pioneer Property; 19 existing and 4 new wells in the City of Bakersfield's 2800-Acres (2800-Acres); 4 existing wells along the Agency's Cross Valley Canal; 6 existing and 2 new wells on Berrenda Mesa Water District property; 31 existing and 30 new wells on the Kern Water Bank property; and 25 privately owned wells in the Kern Fan area. Some of the wells that were contemplated in the Negative Declaration were not constructed in the precise locations shown in the Negative Declaration. Addendum No. 1 to the Negative Declaration, which was adopted on August 15, 2005, changed the location of up to ten well sites. The Agency also acquired two existing wells and three future well sites as part of the Land Exchange, and proposes to construct two wells on the land acquired by the Agency in Section 4. Through this addendum, the Agency is revising the Project description to reflect the current status of the Project recovery facilities.

Exhibit A to this addendum shows the current location of the Project recharge facilities, including facilities that currently exist as well as those facilities which will be constructed on Sections 4, 10 and 15.

Exhibit B to this addendum shows the current location of the Project recovery facilities, excluding the Kern Water Bank and privately owned wells. For ease of reference, Exhibit B does not reflect one existing Project well in the 2800-Acres (Olcese 08 - T30S/25E, Section 24) and two Project wells located along the Agency's Cross Valley Canal (KCWA 12 and 13 - T/30S/25E, Section 9). These three wells will continue to be used for Project purposes.

The Agency Board of Directors, having conducted a careful and independent review of the proposed changes to the Pioneer Groundwater Recharge and Recovery Project, described above, does hereby find and declare that said changes and additions are minor in nature and do not result in new significant environmental effects or substantially increase the severity of previously identified environmental effects, and do not call for the preparation of a subsequent negative declaration or environmental impact report pursuant to CEQA Guidelines §15162. A brief statement of the reasons supporting the Board's findings is as follows:

This addendum revises the Negative Declaration to accurately reflect the location and description of the Project facilities. The recharge and recovery activities described herein were contemplated by the Negative Declaration.

Impacts associated with recharge activities on the Section 4 property were analyzed in the Negative Declaration. The Section 4 land has consistently been used for farming operations since the inception of the Project. These lands are bordered on three sides by existing recharge ponds and on the north side by the Cross Valley Canal.

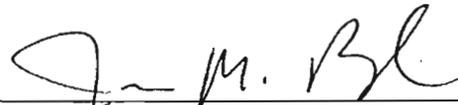
Use of the lands in Sections 10 and 15 will not change as a result of this addendum. The levees in Sections 10 and 15 will be constructed upon lands which were included in the original Project Description and which have been used for Project purposes.

Only two existing wells and five future well sites were not described in the Negative Declaration or Addendum No. 1 to the Negative Declaration. The remainder of the recovery facilities described herein were included in the Negative Declaration and Addendum No. 1 to the Negative Declaration; this addendum corrects the location of some of those facilities.

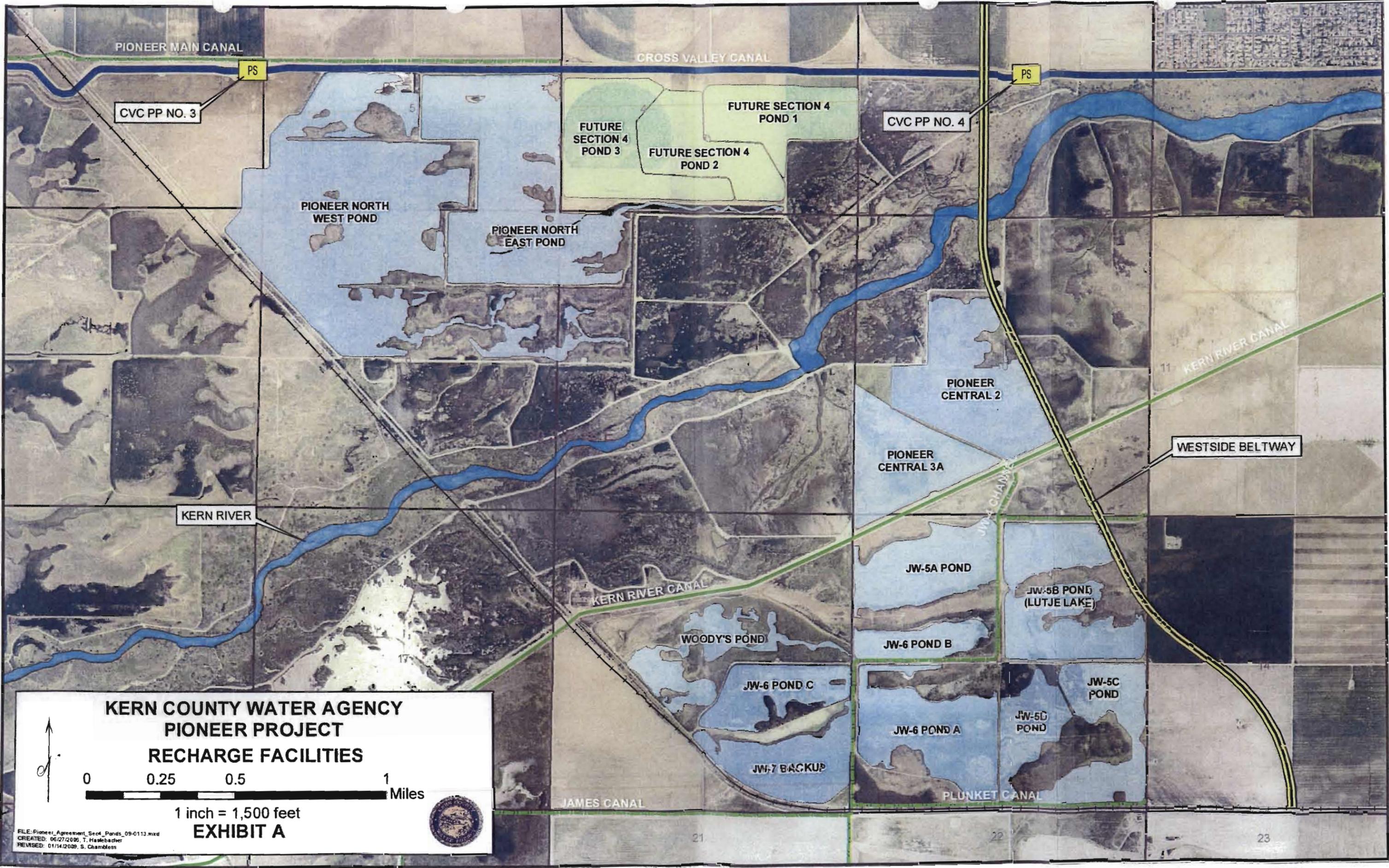
Use of the previously-undescribed wells and well sites will not result in an increase in the amount of recovery described in the Negative Declaration. Project recovery has consistently been significantly less than was described in the Negative Declaration. Assuming maximum recovery from the previously-undescribed wells, Project recovery will continue to remain significantly less than described in the Negative Declaration.

The Board of Directors hereby finds that this Addendum No. 2 to the Pioneer Groundwater and Recovery Project Negative Declaration reflects its independent judgment.

Dated: January 22, 2009



James M. Beck, General Manager



**KERN COUNTY WATER AGENCY  
PIONEER PROJECT  
RECHARGE FACILITIES**

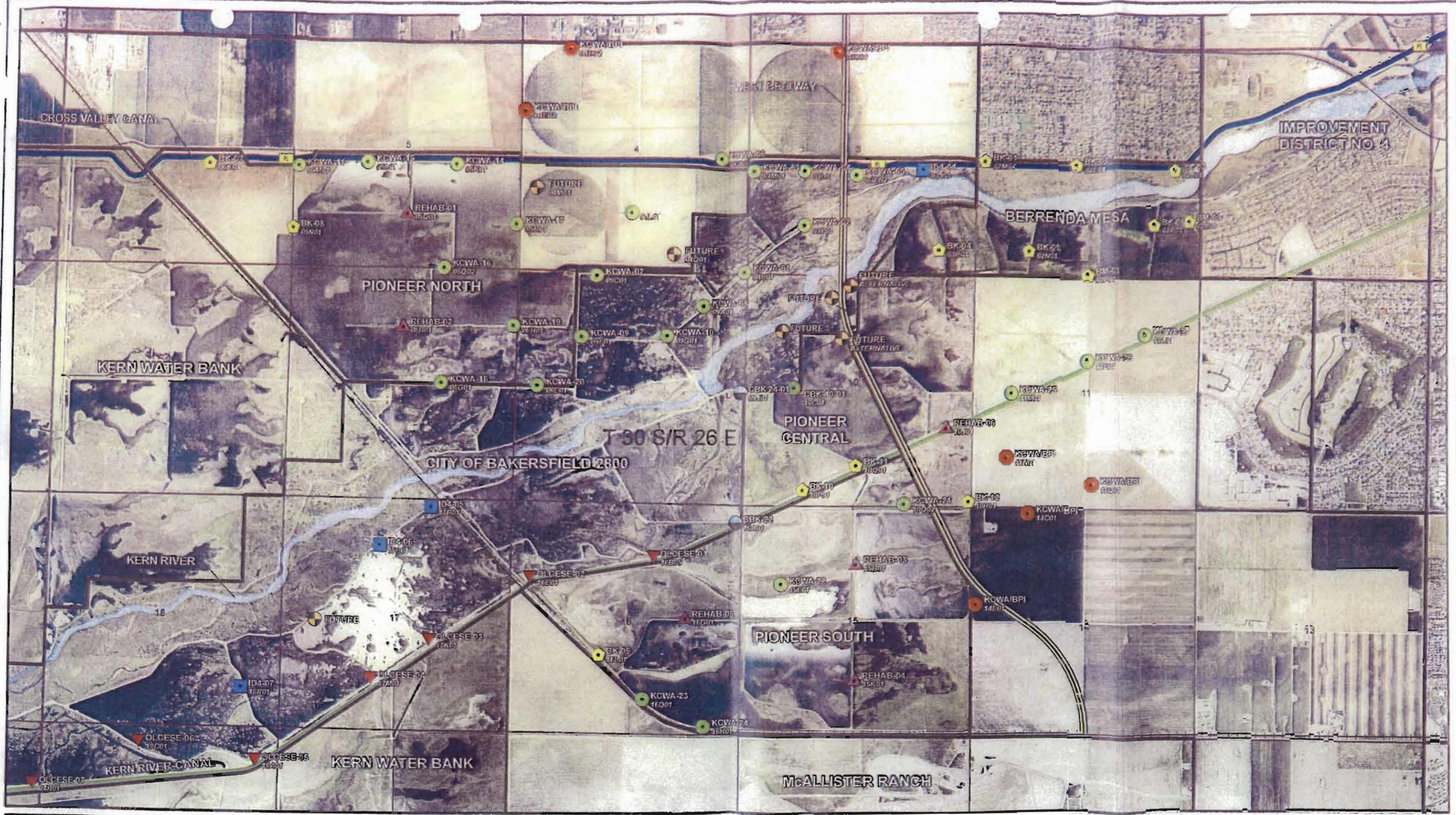
0 0.25 0.5 1 Miles

1 inch = 1,500 feet

**EXHIBIT A**

FILE: Pioneer\_Agreement\_Sect\_Ponds\_09-0113.mxd  
 CREATED: 06/27/2009, T. Hasebader  
 REVISED: 01/14/2009, S. Chambless





**LEGEND**

CITY OF BAKERSFIELD	IMPROVEMENT DISTRICT NO. 4
REHAB WELLS	BERRENDA MESA
KERN COUNTY WATER AGENCY	OLCSE
KCWA, FUTURE	10 WELL PROJECT (LAND EXCHANGE)

KERN COUNTY WATER AGENCY - KERN COUNTY, CALIFORNIA

## PIONEER PROJECT WELLSITE LOCATION MAP - 2009

### ADDENDUM 2 TO NEGATIVE DECLARATION

#### EXHIBIT B

N

0 0.125 0.25 0.5 0.75 1 Miles

1 inch = 1,000 feet

CREATED: 2009-08-23, 3:00 PM  
 REVISION: 2009-01-12, 2:00 PM  
 FILE: km\_well\_09\_CEOA\_08\_01\_09.dwg

STATE OF CALIFORNIA-THE RESOURCES AGENCY

DEPARTMENT OF FISH AND GAME

00580

ENVIRONMENTAL DOCUMENT APPLICATION/FILING FEE

CASH RECEIPT

Lead Agency: KC Water Agency

Date: 11/15/96

County/State Agency: KC Water Agency

Document No. \_\_\_\_\_

Project Title: Pioneer Ground Water Recharge & Recovery Project

Project Applicant: KC Water Agency

CHECK ONE:

<input type="checkbox"/>	Environmental Impact Report	\$850.00	\$ _____
<input checked="" type="checkbox"/>	Negative Declaration	\$1,250.00	\$ <u>1250 -</u>
<input type="checkbox"/>	Application Fee Water Diversion (Water Resources Control Board Only)	\$850.00	\$ _____
<input type="checkbox"/>	Projects Subject to Certified Regulatory Programs (DFG & CDF Only)	\$850.00	\$ _____
<input type="checkbox"/>	County Administrative Fee	\$25.00	\$ _____
<b>TOTAL RECEIVED</b>			\$ <u>1250 -</u>

Signature of person receiving payment RJ Gattien

KERN COUNTY  
CLERKS OFFICE  
1115 TRUXTON AVE.

YOUR RECEIPT  
THANK YOU

# 0047  
CEQA-CC Fee 50.00

# ITEMS 1  
TOTAL \$50.00  
CASH 50.00

004 BRENDA 2170-004  
2629 3:46PM 1/22/09