

Notice of Availability of a Draft Environmental Impact Report for the Kern Water Bank Authority Conservation and Storage Project

Summary

Notice is hereby given by the Kern Water Bank Authority (KWBA), as the lead agency pursuant to the California Environmental Quality Act (CEQA), that the above-named draft Environmental Impact Report (EIR) is available for public review and comment. This EIR addresses the Kern Water Bank Authority Conservation and Storage Project, which proposes to directly divert up to 500,000 AF per year (AFY) of high flow Kern River water for recharge and storage within the Kern Water Bank (KWB) through existing diversion works and recharge facilities located on the KWB lands, and/or to deliver water directly to KWBA participating members' service areas via the KWB Canal or Cross Valley Canal.

Comments on the EIR will be received for a 45-day period, commencing on January 12, 2018 and ending at 5:00 p.m. on February 26, 2018, after which a final EIR will be prepared containing comments and responses to comments that, together with the draft EIR, will form the final EIR. The only permit required for the project would be a permit from the State Water Resources Control Board (State Water Board) to allow for the appropriation of unappropriated high flows from surface water sources, granting approval to divert water for direct diversion to storage for municipal, industrial, and irrigation uses. The final EIR will therefore be used by the KWBA and the State Water Board in its consideration of approval of the requested permit.

Project Location

The project would be located in Kern County, within the existing 20,000-acre KWB facility. The KWB is located at the downstream reach of the Kern River, about 12 miles southwest of the City of Bakersfield in Kern County and east of the California Aqueduct in the southern San Joaquin Valley. The KWB is generally located at the western limit of Bakersfield and midway between the cities of Shafter and Taft, between Taft Highway (State Route 119) to the south, Stockdale Highway to the north, Tupman Road and the California Aqueduct to the west, and Heath Road to the east. Interstate Highway 5 (I-5) bisects the KWB in a northwest to southeast direction.

Project Description

The Kern Water Bank Authority (KWBA) Conservation and Storage Project is to directly divert up to 500,000 AF per year (AFY) of high flow Kern River water for recharge and storage within the Kern Water Bank (KWB) through existing diversion works and recharge facilities located on the KWB lands, and/or to deliver water directly to KWBA participating members' service areas via the KWB

Canal or Cross Valley Canal. KWBA is seeking to secure a permit and then a license from the State Water Resources Control Board (State Water Board) for the full amount requested in Water Right Application 31676, which consists of high flow Kern River water that otherwise would have: (1) been diverted to the Intertie, (2) flooded farmlands, or (3) left Kern County. The stored water would ultimately serve to provide greater certainty and reliability for irrigation, municipal, and industrial uses in multi-year droughts. The project water stored within the KWB would ultimately be recovered using existing electric pumps and put to reasonable and beneficial uses—including primarily agricultural uses—by KWBA participating members.

Application 31676 proposes to divert up to a maximum of 500,000 AFY to storage or directly at a rate of 10 cubic feet per second (cfs) for a total of 5,000 AFY for municipal use, 750 cfs for a total of 490,000 AFY for irrigation use, and 15 cfs for a total of 5,000 AFY for industrial use. Any water diverted directly would reduce the amount diverted to storage by the same amount. If approved this would allow for the appropriation of up to 500,000 AFY of water from the Kern River for municipal, industrial and irrigation uses and wildlife enhancement, and for groundwater storage and recovery for municipal, industrial, irrigation and water quality uses within the participating members' service areas.

The specific quantity of water available for diversion to the KWB in any given year would depend on annual and seasonal hydrologic and climatologic conditions, and would supplement water already received by KWBA participating members from the State Water Project (SWP) and the Central Valley Project (CVP) via the California Aqueduct, the CVP via the Friant-Kern Canal, and directly from the Kern River through purchases or transfers. The appropriation of water under this application would also supplement and permit water historically diverted from the Kern River to the KWB in above-normal water years when excess water has been made available for diversion to avoid additional flood risks downstream. If the State Water Board grants KWBA a water right permit to appropriate the requested amount, this water would remain in the Kern River channel for instream beneficial purposes until diverted generally west and downstream of the greater Bakersfield area.

The diversion of 500,000 AFY is considered an upper limit assuming Kern River water is available for a full year at sufficient flow rates. Because the hydrologic conditions conducive to diversion of Kern River floodwater are expected to occur only rarely, even in wet years, water diversions under the project would be much less, even in wet years, and unlikely to occur in normal and dry years.

Anticipated Environmental Effects

The EIR discusses the project's potential environmental effects. The analysis of project impacts indicates that the project would not have significant, or significant and unavoidable, impacts on any resources. The analysis of project impacts indicates that the project would have less-than-significant impacts on the following air quality, biological resources, geology and soils, and hydrology and water quality considerations.

Public Review Process

One of the purposes of CEQA is to inform the public of the likely environmental consequences of public and private projects such as the proposed Kern Water Bank Authority Conservation and Storage Project. The purpose of this Notice, consistent with Sections 15086 and 15087 of the State CEQA Guidelines is to consult with and request comments on the DEIR's environmental analyses from responsible agencies, organizations, Native American tribes, and interested parties.

Although CEQA does not require formal hearings at any stage of the environmental review process (State CEQA Guidelines § 15202[a]), it does encourage "wide public involvement, formal and informal...in order to receive and evaluate public reactions to environmental issues" (State CEQA Guidelines § 15201) and requires the lead agency to afford the public the opportunity to provide comments. In February 2012, KWBA issued a Notice of Preparation (NOP) of an EIR, informing agencies and the general public that an EIR was being prepared and inviting comments on the scope and content of the document during the 30-day public review period. The NOP also requested participation at a public scoping meeting held on February 28, 2012, to solicit input on the scope and focus of the EIR.

KWBA has prepared an EIR incorporating public and agency responses to the NOP. Like the NOP, the draft EIR is being circulated for review and comment by appropriate agencies, as well as organizations and individuals who have requested notification. In accordance with Section 15205(d) of the CEQA Guidelines, KWBA has scheduled a 45-day public review period for the draft EIR, ending on February 26, 2018, at 5:00 p.m. Within that 45-day period, KWBA will hold one public meeting to request comments on the draft EIR, at the following time and place:

January 31, 2018
2:00 p.m.

Kern Water Bank Authority
1620 Mill Rock Way, Suite 500
Bakersfield, CA 93311

This EIR is available for review at the KWBA website (<http://www.kwb.org/>). Copies will also be available for viewing during normal business hours (8:30 a.m. to 5:00 p.m.), Monday through Friday, at the Kern Water Bank Authority office, 1620 Mill Rock Way, Suite 500, Bakersfield, California. Comments on the EIR may be submitted to KWBA in writing at Kern Water Bank Authority, 1620 Mill Rock Way, Suite 500 Bakersfield, CA 93311, to the attention of Jon Parker, or electronically at jparker@kwb.org.

Following the close of the public review period for the draft EIR, KWBA will consider the comments it receives. KWBA will prepare a final EIR, incorporating all comments received during the public comment period. As required by CEQA (§ 21092.5), the final EIR, including written responses to the comments submitted by public agencies, will be available at least 10 days prior to certification. KWBA will consider the EIR and the project, as well as the entire administrative record, in making its decision on the project.