

**CITY OF FRESNO
STATUTORY EXEMPTION
ENVIRONMENTAL ASSESSMENT**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE STATUTORILY
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS
PURSUANT TO ARTICLE 18 OF THE STATE CEQA GUIDELINES.

CONTACT: Dejan Pavic, Licensed Engineer Manager
City of Fresno – Department of Public Utilities
747 R. Street, 2nd floor
Fresno, CA 93721
Phone: 559-621-1620
Email: Dejan.pavic@fresno.gov

PROJECT TITLE: Sales Agreement Between the United States and City of
Fresno for Sale of Unreleased Restoration Flows
(Project)

PROJECT LOCATIONS: Citywide (Unreleased Restoration Flows from Millerton
Lake)

PROJECT DESCRIPTION: The proposed project involves the execution of a sales
agreement between the United States Bureau of
Reclamation (Bureau) and City of Fresno (City) for the
sale of Unreleased Restoration Flows from Millerton
Lake.

Depending upon precipitation and hydrology, the
Bureau's San Joaquin River Restoration Program
(SJRRP) Administrator may announce the availability of
additional water supply from Millerton Lake through
Unreleased Restoration Flows (URFs). Each year the
SJRRP Administrator determines the water supply
required to accommodate SJRRP demands; and if all of
the water allocated to the SJRRP is not required to meet
the demands, then the SJRRP Administrator may issue
a declaration announcing that URFs may be released to
Friant Division Contractors from Millerton Lake. The URF
program is authorized through February 29, 2028, and
the Sales Agreement goes through that date. The City
has requested URFs in past Water Years and under the
Sales Agreement will request and purchase URFs if they
are needed and would be beneficial to the City. The
Bureau requires the City to authorize someone to
purchase and accept URFs.

The Project is exempt under Section 15282(u) of the California Environmental Quality Act (CEQA) Guidelines.

Staff has performed a preliminary environmental assessment of this project and has determined that it is statutorily exempt from further environmental review pursuant to CEQA Guidelines 15282(u). The provision exempts temporary changes in the point of diversion, place of use, or purpose of use associated with the transfer or exchange of water rights.

The City's acquisition of Unreleased Restoration Flows (URFs) qualifies for this exemption because the transaction involves a temporary change in the delivery and use of water originating from Millerton Lake, consistent with federal and state water-transfer regulations. URFs are made available only when the San Joaquin River Restoration Program Administrator determines that Restoration Flow obligations have been met and that additional water remains available for release to the Friant Division Contractors. Therefore, these flows represent surplus water beyond that needed to meet environmental restoration requirements. The proposed action consists solely of authorizing the City to purchase and take delivery of these temporary water supplies through its existing 9D Contract and does not involve any physical construction or modification of facilities.

Although the Project is statutorily exempt under CEQA Guidelines 15282(u), staff reviewed the potential environmental considerations related to the source area, conveyance system, and receiving area. URFs are only released when surplus water exists beyond the needs of the San Joaquin River Restoration Program. Water is conveyed through existing infrastructure and delivered to existing municipals systems without construction, land disturbance, or additional environmental impacts. The City already treats and distributes Central Valley Project (CVP) Class 1 water under its 9D Contract. Receiving URFs does not alter treatment process, does not require new facilities, and does not expand service areas.

Furthermore, the proposed project is not expected to have a significant effect on the environment. Accordingly, a Statutory Exemption, as noted above, has been prepared for the project.

Date: November 17, 2025

Prepared by: Debbie Khounsavath