

October 25, 2022

Jon D. Rubin
Assistant General Manager & General Counsel
Westlands Water District
P.O. Box 6056
Fresno, CA 93703

Re: Executive Order N-7-22: Request for Proposed Activities to be Conducted Under Suspension

Dear Mr. Rubin,

I am responding to your letters dated October 20, 2022, in which you request my determination that activities described in that letter are eligible to be conducted under a suspension of laws provided in paragraph 5 of Executive Order N-7-22 (March 28, 2022). Among other things, Executive Order N-7-22 suspends Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division under specified circumstances. Specifically, projects may operate under that suspension where the Secretary of the Natural Resources Agency determines that the proposed activities are eligible to be conducted under this suspension, taking into account the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time protecting public health and the environment. In your letters, you describe certain activities that the Westlands Water District commits to undertaking to conserve water, including purchasing and permanently following certain land that currently contains permanent crops.

In particular, you describe purchasing a 158-acre parcel of land and, separately, a total of 2,430 acres of land within the district, most of which are planted in almond trees or grape vines and which contain wells with the potential to contribute to subsidence of lands along the California Aqueduct. In support of the Westside Subbasin Groundwater Sustainability Plan, Westlands proposes to buy the acreage, remove the trees, vines, and crops, and ban irrigation on the property. If the lands are sold, they would be sold with a non-irrigation covenant and the lands would be severed from any right to district water supplies or groundwater.

715 P Street, 20th Floor, Sacramento, CA 95814 Ph. 916.653.5656 <http://resources.ca.gov>

Because the activities described in your letter will reduce water demand through permanently following of the properties to be acquired, I find that these projects (as more fully described in your letters, which are attached here) are eligible to be conducted under Executive Order N-7-22. Please note that this suspension does not alter any other requirements imposed by any other law, and any material modification of or departure from the project described in your letter may independently trigger obligations under Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division.

Sincerely,

A handwritten signature in black ink that reads "Wade Crowfoot". The signature is written in a cursive, slightly slanted style.

Wade Crowfoot
Secretary for Natural Resources