



Coachella Valley Water District

Initial Environmental Study

**Berrenda Mesa Water District State Water
Project Table A Water Transfer to CVWD
and Desert Water Agency**

August 2006



MWH

COACHELLA VALLEY WATER DISTRICT

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Prepared by:

MWH

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Section 1

Project and Agency Information

1.1 PROJECT TITLE AND LEAD AGENCY

Project Title: Transfer of State Water Project Table A Water from Berrenda Mesa Water District to Coachella Valley Water District and Desert Water Agency

Lead Agency Name: Coachella Valley Water District (CVWD)

Lead Agency Address: 85-995 Avenue 52, Coachella, CA 92236

Contact Persons: Mr. Zachary Ahinga, Mr. Luke Stowe

Contact Phone Number: (760) 398-2651

1.2 PROJECT BACKGROUND, OBJECTIVES, AND LEAD AGENCY

The Proposed Project evaluated in this Initial Environmental Study (IES) has been developed to meet the following objectives: the transfer of 16,000 acre-ft/yr of State Water Project (SWP) Annual Table A Water from Berrenda Mesa Water District (BMWD) and provisions for a permanent water supply to Coachella Valley Water District (CVWD) and Desert Water Agency (DWA).

CVWD is the Lead Agency under the California Environmental Quality Act (CEQA). Responsible agencies under CEQA are DWA, BMWD, Kern County Water Agency (KCWA), and the California Department of Water Resources (DWR). CVWD is the Lead Agency for the Proposed Project since CVWD has principal responsibility to approve and carry out the project and is the local agency undertaking the project.

1.3 PROJECT DESCRIPTION

The Proposed Project consists of the permanent sale, assignment and transfer of 16,000 acre-feet per year (acre-ft/yr) of SWP Annual Table A Water from BMWD through KCWA to CVWD and DWA. Each of the SWP contracts has a Table A exhibit, which lists the maximum annual delivery amount over the period of the contract. Table A is used to define each contractor's portion of the available SWP water supply that DWR will allocate and deliver to that contractor. CVWD, DWA and KCWA each have water supply contracts with the State of California for SWP water. BMWD has a contract with KCWA for SWP Annual Table A water. CVWD and DWA have entered into a purchase agreement with BMWD for 16,000 acre-ft/yr of SWP Annual Table A water.

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The Proposed Project would involve no construction or earth moving activities. The transfer of water from BMWD through KCWA to CVWD and DWA would be accomplished entirely in existing facilities owned by the State of California, the Metropolitan Water District of Southern California (Metropolitan), DWA and CVWD. The combined Maximum Annual Table A Amounts of all SWP contractors would be unchanged at 4,173,000 acre-ft/yr. The transfer would be accomplished downstream of the Sacramento-San Joaquin Delta, so there would be no alteration in the existing patterns of delivery from the Delta. The transferred water would have the same reliability as other SWP Delta export water service supplies.

Within BMWD, 11 landowners have agreed to transfer a portion of their Table A entitlements. The water to be transferred from BMWD is associated with land already taken out of production, or to be taken out of production, or that will be farmed without irrigation. For land already taken out of production, the water was primarily transferred by BMWD to other water districts or among BMWD landowners. Additionally, some water was delivered to groundwater recharge into the Berrenda Mesa Project, the Pioneer Groundwater Recharge and Recovery Project, and the Kern Water Bank. The uses and the amounts of water have varied each year. No one user is dependent on the availability of this water at any given time. All the transferring entities have indicated that this water is available for transfer.

Under the Proposed Project, CVWD's and DWA's Annual Table A Amount would be increased by 12,000 acre-ft/yr and 4,000 acre-ft/yr, respectively. CVWD and DWA would administer the transferred Table A Water, which, through an existing agreement, would exchange the transferred water with the Metropolitan Water District of Southern California (Metropolitan) for an equal amount of Colorado River water released in the Coachella Valley from Metropolitan's Colorado River Aqueduct (CRA).

Upon approval of the SWP water sale/transfer to CVWD and DWA, the BMWD contract with KCWA and the KCWA contract with DWR would be amended to reflect the reduction of up to 16,000 acre-ft/yr of Annual Table A Water. CVWD's SWP contracts with DWR would be amended to reflect the increase of 12,000 acre-ft/year of Annual Table A Water to CVWD. DWA's SWP contract with DWR would be amended to reflect the increase of 4,000 acre-ft/year of Annual Table A Water. Amendments of the BMWD contract with KCWA, KCWA's contract with DWR, and CVWD and DWA SWP contracts with DWR would follow the procedures outlined in the DWR Notice to State Water Contractors Numbers 03-09 and 03-10 and new policies, procedures and guidelines implemented by the settlement agreement dated May 5, 2003 (Planning and Conservation League, et al. v. DWR).

1.4 PROJECT LOCATION

BMWD, a member unit of KCWA, a SWP contractor, is located in the southern San Joaquin Valley in the northwest corner of Kern County, approximately 45 miles northwest of Bakersfield, adjacent to the San Luis Obispo County line (**Figure 1**). The BMWD service area comprises 80 square miles.

The service areas of the transferees, CVWD and DWA, are located in the Coachella Valley of central Riverside County (**Figure 2**). CVWD's service area also extends into the northern portions of San Diego and Imperial Counties adjacent to the Salton Sea.

Since there are no facilities for direct delivery of SWP water to the Coachella Valley, Metropolitan would take delivery of the transferred SWP water on behalf of CVWD and DWA from the East Branch at Devil's Canyon Afterbay. Metropolitan normally diverts Colorado River water at Lake Havasu into its CRA. The exchanged water would be conveyed in the CRA to the existing Whitewater Turnout, thence in the Whitewater River to the CVWD Whitewater Spreading Facility basins north of Palm Springs for groundwater replenishment (**Figure 2**), a beneficial use. Water could also be diverted from the CRA at the Mission Creek turnout for groundwater recharge at DWA's Mission Creek Spreading Facility near Desert Hot Springs. The amount and timing of the diversion depends on Metropolitan's operational requirements. No change in Metropolitan's total annual Colorado River water diversions would occur as a result of the exchange.

Water transferred from BMWD to CVWD and DWA would be conveyed in the California Aqueduct, through the East Branch to the Devil Canyon Afterbay, CVWD's and DWA's point of delivery. The transferred water would be exchanged with Metropolitan at that location and CVWD and DWA would have no further involvement in its subsequent distribution to Metropolitan's member agencies. Metropolitan has significant operational flexibility to move this water within its distribution system without affecting the SWP, a DWR facility.

1.5 THE AGENCIES AND THEIR ROLES

Descriptions of related entities and their respective roles follow.

Coachella Valley Water District

CVWD, the CEQA lead agency for the Proposed Project, is a local water agency in the Coachella Valley area of central Riverside County that is responsible for production and distribution of domestic water; wastewater collection, treatment, reclamation and redistribution; regional flood protection; importation and distribution of irrigation water; irrigation drainage collection and disposal; groundwater management; and water conservation. The CVWD service area includes the Coachella Valley floor in central Riverside County and portions of northern San Diego and Imperial Counties adjacent to the Salton Sea. The primary sources of water for the CVWD service area are Colorado River water, local groundwater and recycled water.

To address ongoing overdraft of the local groundwater basin, and to meet projected water demands, CVWD is seeking to increase the importation of water to its service area to offset a portion of the current groundwater production. In 2002, CVWD completed the comprehensive Coachella Valley Water Management Plan and State Water Project Entitlement Transfer (CVWMP) and associated Program Environmental Impact Report (EIR) that identified a suite of measures to address overall water management in the Coachella Valley including new sources, source substitution and water conservation. For example, CVWD is implementing an aggressive agricultural conservation program with the District farmers, an urban/resort conservation program in concert with the valley cities and county, and a recycled water use program for irrigation of golf courses and other green spaces in the valley. The District is also investigating the desalination of irrigation drainage to augment agricultural irrigation supply in the future.

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Desert Water Agency

The DWA is a non-profit special district created by an act of the California State Legislature on September 15, 1961. DWA serves a 325-sq-mi area in the upper Coachella Valley that includes the cities of Palm Springs and Desert Hot Springs, parts of Cathedral City and some adjacent unincorporated county areas. DWA was formed to qualify for participation in the SWP, in response to substantial decreases in water table elevation in the Upper Valley and concerns for future water supply. DWA obtains 5 percent of its drinking water supply from mountain stream sources and 95 percent from groundwater wells. Groundwater supplies are recharged at the CVWD Whitewater Spreading Facility with SWP exchange water from the Metropolitan CRA (DWA, 2002).

Under the Proposed Project, SWP Annual Table A Water transferred to DWA from BMWD would be exchanged in this same manner. Water could also be diverted from the CRA at the Mission Creek turnout for groundwater recharge in the Mission Creek Spreading Facility near Desert Hot Springs. The availability of water for recharge at this location (and at Whitewater) is a function of the operational needs of Metropolitan. DWA is a responsible agency for the Proposed Project under CEQA, as it is a public agency that would have jurisdiction over and responsibility for approving portions of the Proposed Project.

Kern County Water Agency

Under its enabling legislation, KCWA was granted the primary power to acquire and contract for water supplies for Kern County, control stormwater, reclaim wastewater, reclaim land, and protect groundwater quality in Kern County. The KCWA has a contract with the State of California for SWP water on behalf of 13 member agencies, including BMWD. KCWA would be a responsible agency under CEQA for the Proposed Project, as it is a public agency that would have jurisdiction over and responsibility for approving portions of the Proposed Project.

Berrenda Mesa Water District

BMWD was formed on September 3, 1963 as a California Water District. As a member agency of KCWA, BMWD has a contract with KCWA to supply SWP water to agricultural interests in its 55,440-acre district in the south San Joaquin Valley (**Figure 1**). A portion of BMWD's SWP Annual Table A Water under its contract with KCWA would be permanently transferred to CVWD and DWA under the Proposed Project. The BMWD would therefore be a responsible agency under CEQA for the Proposed Project, as it is a public agency that would have jurisdiction over and responsibility for approving portions of the Proposed Project.

California Department of Water Resources

As the administrator of the SWP and a responsible state agency pursuant to CEQA for the Proposed Project, DWR has the responsibility to approve transfers between SWP contractors. DWR approval would be required for the transfer of up to 16,000 acre-ft/yr of Annual Table A Water from BMWD to CVWD and DWA.

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It has been asserted previously that DWR should be the lead agency for the Proposed Project because it has the “statewide perspective and expertise” to address permanent transfers of Annual Table A Amounts. DWR is certainly a responsible agency, because it must approve the change in the place of use of SWP water delivered to another SWP Contractor and sign the appropriate SWP contract amendments. DWR cannot be the lead agency, however, merely because of the required approvals. A state agency that has a role in approving or carrying out a local agency project must act as a responsible agency (See *Bakman v. Department of Transportation* (1979) 99 Cal.A.pp.3d 665, 678-679¹). In addition, “DWR Guidelines for Review of Proposed Permanent Transfers of State Water Project Annual Table A Amounts” (Notice to SWP Contractors No. 03-09) describes the process for DWR’s review of proposed permanent transfers of SWP Annual Table A Amounts. The guidelines do not require that DWR be the lead agency for water transfers, but require that CVWD consult with DWR early in the project development process, which CVWD has done. In addition, as stated in the Water Transfer Guidelines, DWR, as a responsible agency, has discretion to approve or deny transfers and will implement feasible mitigation measures for any significant impacts if not addressed by other agencies and within DWR’s’ jurisdiction.

Metropolitan Water District of Southern California

The present transfer is considered to be an action covered by the existing exchange agreement (signed in 1972 and amended in 1983) between CVWD, DWA and Metropolitan. This agreement provides for CVWD to exchange its SWP water deliveries with Metropolitan for Colorado River water. No additional water would be diverted from the Colorado River as a result of this transfer and, consequently, there would be no change in Metropolitan’s diversion from the Colorado River.

CVWD contacted Metropolitan about this project, and Metropolitan agreed that this transfer is within the scope of the existing agreement. In addition, Metropolitan received all notices under CEQA related to previous SWP transfers and did not comment. Since there is no discretionary action required by it, Metropolitan is not a responsible agency and has no discretionary approval in this matter.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB) would be involved in the proposed transfer if the transfer involved a change in water rights. However, there would be no change in water rights associated with the proposed water transfer. The water would continue to be used within the service area of existing SWP Contractors. Transfer of Annual Table A Amounts are consistent with State policy of maximizing the beneficial use of water and the SWP contracts. Therefore, there would be no involvement by the SWRCB. The SWRCB has been and would continue to be notified of the proposed transfer.

¹ In *Bakman*, the local agency submitting an application for a permit to expand an airport was held to be the lead agency, and the California Department of Transportation (DOT) was held to be a responsible agency. The fact that the DOT had to consider the advantages and disadvantages to the public of the proposed expansion in acting to approve the airport did not make it the lead agency.

Imperial County and the Salton Sea Authority

It has been suggested that Imperial County and the Salton Sea Authority (SSA) should be responsible agencies because of potential impacts of the proposed SWP transfer on the Salton Sea and Imperial County. However, neither Imperial County nor the Salton Sea Authority has any discretionary approval authority relative to the transfer. Neither entity is a SWP contractor. Consequently, they are not responsible agencies under CEQA. CVWD has provided notice to these agencies of all past SWP transfers and is providing notice of this proposed transfer.

1.6 SURROUNDING LAND USES AND SETTING

1.6.1 Berrenda Mesa Water District

The area within and in the vicinity of BMWD is almost entirely in existing or former agriculture on the western edge of the San Joaquin Valley floor in northwestern Kern County, planted primarily with almonds, pistachios, pomegranates, vineyards and some row crops. Native valley floor habitat is lower Sonoran Grassland (Montgomery Watson, 1995). The water supply for BMWD is entirely SWP water. Local groundwater is considered to be unsuitable for agricultural irrigation because of high total dissolved solids (TDS, a measure of salinity), boron and sulfate concentrations (BMWD, 1996). Farming in BMWD declined in the 1990s because farming had become less economical and older, less productive trees and vineyards were being removed. Therefore, as farmed acreage decreased, SWP Annual Table A Water became surplus to existing demand and potentially available for transfer to other SWP users.

1.6.2 Coachella Valley Water District and Desert Water Agency

The Coachella Valley, located approximately 100 miles east of Los Angeles, trends northwest-southeast from the community of Whitewater to the Salton Sea. The Valley is divided geographically into an Upper Valley and a Lower Valley. In character, the Upper Valley consists of urban/resort development with vast, open space desert areas. The Upper Valley includes the cities of Palm Springs, Cathedral City, Rancho Mirage, Palm Desert, Desert Hot Springs and Indian Wells, and the unincorporated communities of Whitewater, Garnet, Thousand Palms and Bermuda Dunes. The Lower Valley immediately to the southeast consists chiefly of 78,600 irrigable acres and includes the cities of La Quinta, Indio and Coachella, and the unincorporated communities of Oasis, Thermal and Mecca (**Figure 2**). CVWD provides domestic water service to a population of approximately 264,900, sanitation service to a population of approximately 242,100, recycled (reclaimed) water for 16 customers, agricultural irrigation supply for 78,530 irrigable acres, and is also the regional flood control agency for the valley.

The underlying Coachella Valley groundwater basin is comprised of several aquifers separated by clay layers. These aquifers are most clearly defined in the Lower Valley where there are three principal aquifers separated by clay aquitards, the remnant beds of a series of ancient lakes. The Upper Valley has less clay and a more unconfined condition in the deeper zones. The Coachella Valley groundwater basin is currently in a state of overdraft; that is, more water is extracted than is returned, with a loss in freshwater storage. In 2005, the cumulative overdraft in the Upper Whitewater River Subbasin was reduced by 57,011 acre-ft. Without recharge of 165,554 acre-ft,

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the cumulative overdraft would have increased. In 2005, the cumulative overdraft in the Mission Creek Subbasin was reduced by 17,118 acre-ft. Without recharge of 24,723 acre-ft, the cumulative overdraft would have increased. Continued overdraft has serious consequences for the Coachella Valley: increased energy consumption and pumping costs, well modifications, water quality degradation from Salton Sea intrusion, downward percolation of poorer quality water, and land subsidence.

DWA manages the groundwater basin from which Mission Springs Water District pumps water and supplies it to customers in Desert Hot Springs and adjacent communities. Mission Springs Water District pays a groundwater replenishment assessment fee to DWA for SWP exchange water recharged in the Mission Creek subbasin.

CVWD and the DWA have contractual arrangements to purchase SWP water, which is exchanged with Metropolitan for Colorado River water, as described above. Although it is not directly delivered to water users, exchange water is an important supply source for the groundwater basin. By the end of 2005, CVWD and DWA will have recharged about 1.96 million acre-ft of exchange water at the Whitewater Spreading Facility in the Upper Valley since 1973 (CVWD, 2002; DWR, 2004; DWR, 2005).

1.7 PREVIOUS ENVIRONMENTAL DOCUMENTATION

Both CVWD and BMWD prepared Program EIRs that addressed the impacts of SWP water transfers. CEQA Guidelines provide that subsequent activities in a program must be examined in light of a Program EIR to determine whether an additional environmental document must be prepared (CEQA Guidelines, Section 15168). The Guidelines indicate that prior to the approval of activities within the program the agency should evaluate whether a subsequent EIR is required per Guidelines Section 15162.

The purpose of this IES is to evaluate the Proposed Project to determine whether a subsequent EIR is required. A subsequent EIR is not required unless:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, or
- Substantial changes occur with respect to the circumstances under which the project is undertaken which would require major revisions of the previous EIR, or
- New information of substantial importance which was not known and could not have been known shows that the project would have one or more significant effects not discussed in the prior EIR; significant effects previously examined would be substantially more severe, mitigation measures or alternatives previously found not to be feasible would in fact be feasible, or mitigation measures or alternatives which are considerably different would substantially reduce the significant effects of the project.

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The IES evaluates potential changes in the project, its circumstances, potential effects and mitigation measures. Based upon the information contained in the CVWD PEIR, the BMWD EIR and EIR Addendum and in the following sections of this IES, a Subsequent EIR is required under CEQA Guidelines Section 15162 because substantial changes are proposed due to the involvement of new potentially significant impacts on agricultural resources and cumulative impacts.

1.7.1 CVWD Program EIR

Environmental impacts of SWP transfers to CVWD and DWA were evaluated in the Program EIR for the Coachella Valley Water Management Plan and State Water Project Entitlement Transfer, completed in September 2002 (SCH #2000031027 and SCH #1999041032) (CVWD, 2002). This document is hereby incorporated by reference and referred to as CVWD PEIR. The CVWD PEIR evaluated SWP Entitlement transfers to provide a long-term average delivery of 140,000 acre-ft/yr. Since publication of the CVWD PEIR, CVWD and DWA have acquired 100,000 acre-ft per year of additional SWP Table A from Metropolitan and CVWD acquired 9,900 acre-ft/yr of additional SWP Table A from Tulare Lake Basin Water Storage District.

Analysis of SWP reliability (DWR, 2005) and the callback terms of the Metropolitan transfer indicate that CVWD's and DWA's current total Table A entitlement of 171,100 acre-ft/yr would produce an average supply of about 98,400 acre-ft/yr. The present proposed entitlement transfer (up to 16,000 acre-ft/yr) would bring the total entitlement to 187,100 acre-ft/yr and would yield reliable deliveries of 110,200 acre-ft/yr. Therefore, the combined average supply would be less than the target long-term average delivery of 140,000 acre-ft/yr, the impacts of which were evaluated in the CVWD PEIR.

The PEIR identified potentially significant impacts of Colorado River water use for recharge of the Coachella Valley groundwater basin, since secondary (aesthetic or non-health-based) drinking water standards were exceeded in the water with respect to salinity and would change the quality of the groundwater. A Statement of Overriding Considerations was adopted for the project, even though mitigation measures were adopted and the Regional Water Quality Control Board concurred with the action as being "for the greater good of the people of California" (personal communication to CVWD, 2002). Because the volume of the present transfer is within the average quantities of recharge water previously evaluated, the transfer would have no additional impact on groundwater quality. Similarly, no construction would be required to effect the transfer—the transferred water would be delivered in existing conveyance and recharge facilities.

The present environmental document tiers off the CVWD PEIR. The IES has been prepared, in accordance with CEQA Guidelines Section 15162, to identify and evaluate potential significant impacts of the Proposed Project that were not addressed in the previous document. The topic by topic evaluations in the IES, based on CEQA Guidelines Appendix G, refer to specific sections in the CVWD PEIR. As required, this document is available for review at CVWD, DWA and BMWD headquarters during normal business hours.

1.7.2 BMWD EIR and EIR Addendum

Environmental impacts of SWP transfers from BMWD were evaluated in the Environmental Impact Report for Transfer of Water Entitlements from Berrenda Mesa Water District for Use in the Dougherty Valley Area, completed February 1996 (SCH #95033045) (BMWD, 1996), and the Addendum to the EIR for Transfer of Water Entitlements from Berrenda Mesa Water District for Use in the Dougherty Valley Area, completed in 2002 (BMWD, 2002). These documents are hereby incorporated by reference and referred to, respectively, as BMWD EIR and BMWD EIR Addendum. As required, these documents are available for review at CVWD headquarters and at BMWD headquarters during normal business hours.

The BMWD EIR evaluated the transfer of up to 75,000 acre-ft/yr of SWP Annual Table A Water from BMWD to other water agencies. BMWD originally contracted for 155,100 acre-ft/yr of SWP Annual Table A Water. BMWD subsequently transferred a total of 40,000 acre-ft of Table A to Mojave Water Agency (25,000 acre-ft), Dublin-San Ramon Services District (7,000 acre-ft), and KCWA (8,000 acre-ft).

The BMWD EIR Addendum was prepared to review and update the previous EIR and to consider whether the Findings of that EIR should be changed to evaluate a project to transfer up to 35,000 acre-ft of SWP Table A Amounts to other water agencies, including 6,500 acre-ft to West Kern Water District and 16,000 acre-ft to Castaic Lake Water Agency (the other potential transferees were not identified). The transfer of Table A contract amounts to Castaic Lake Water Agency did not proceed. The West Kern Water District transfer of 6,500 acre-ft/yr was completed.

The evaluation concluded that an Addendum to the Program EIR would be sufficient to approve SWP Annual Table A water transfers totaling no more than 75,000 acre-ft, provided that:

- Parties receiving Annual Table A water transfers from BMWD must prepare environmental documents to address potential local or statewide impacts associated with receiving the Annual Table A water not already covered in this or other environmental documents, and
- Parties outside Kern County receiving Annual Table A water transfers from BMWD must examine potential impacts to electricity use and infrastructure to determine if the transfer would increase energy use more than existing or previously planned capabilities, or in a wasteful manner.

Therefore, the IES addresses the bulleted items above—local and statewide impacts not previously covered by transferring and receiving parties, and impacts to electricity use and infrastructure by receiving parties outside Kern County.

An evaluation of energy use is not specifically identified in the CEQA Guidelines Appendix G. However, the energy required to pump up to 140,000 acre-ft/yr of SWP Annual Table A water over the Tehachapi Mountains was evaluated in the CVWD PEIR (2002), and found to be the same as future energy requirement in the absence of the Proposed Project. Therefore, the up to

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16,000 acre-ft/yr Table A transfer would not increase energy use more than existing or previously planned capabilities, or use energy in a wasteful manner.

Power costs are increasing, but such costs are not a CEQA issue, *per se*. Pumping during off-peak times could reduce energy use for water transportation. However, the schedule for water delivery is not within the authority of CVWD or DWA, nor of Metropolitan, but rather DWR as operator of the SWP.

1.7.3 The Monterey Amendments

The Monterey Amendments were amendments to the long-term water supply contracts for the SWP executed by the DWR and most of the State Water contractors in 1995 and 1996. In 1996, the Planning and Conservation League (PCL) filed a lawsuit against DWR and Central Coast Water Authority challenging the adequacy of the 1995 Monterey Agreement EIR. In a 2000 ruling in this lawsuit, the Third District Court of Appeal in Sacramento held that the EIR for the Monterey Amendments did not comply with CEQA. DWR commenced preparing a new EIR and published the Notice of Preparation for the new EIR on January 24, 2003.

The Proposed Project does not rely on the decertified 1995 EIR for the Monterey Amendments as a basis for this transfer, but rather on its own CEQA process. The transferred water is not surplus SWP water as defined in Article 21 of the original SWP contract or by the Monterey Amendments. However, it is “excess” to the needs of BMWD and its landowners and therefore available for transfer. BMWD’s allocation of SWP water is contracted directly to landowners within the District. Each of the participating landowners is agreeing to permanently reduce the number of acres for which each are eligible to receive water. This same amount was offered for sale to other BMWD landowners and to other agencies with KCWA pursuant to a required 90-day right of first refusal. This 90-day period expired on January 18, 2006. No entity within BMWD or KCWA expressed interest in purchasing the water.

Section 2 Environmental Analysis

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project as indicated by the checklist on the following pages.

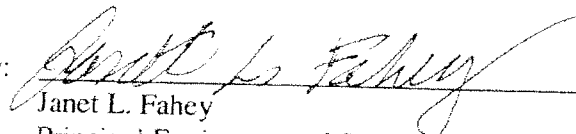
- | | | |
|--|--|--|
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| <input checked="" type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Transportation and Traffic |
| | | <input type="checkbox"/> Utilities and Service Systems |

AGENCY DETERMINATION

On the basis of this initial evaluation:


- I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the 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 applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the 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 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 project, nothing further is required.

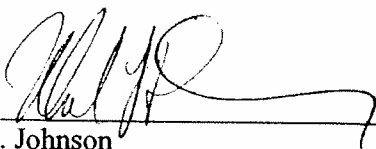
Prepared by:


Janet L. Fahey
Principal Environmental Scientist, MWH

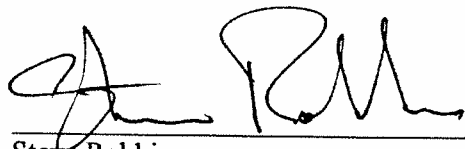
August 22, 2006

Section 2 – Environmental Analysis

Reviewed by:  8/25/06
Luke Stowe
Environmental Specialist, CVWD
Date

Submitted by:  8/29/06
Mark L. Johnson
Director of Engineering, CVWD
Date

General Manager Determination

Approved by:  9/11/06
Steve Robbins
General Manager-Chief Engineer, CVWD
Date

Section 2 – Environmental Analysis

ENVIRONMENTAL CHECKLIST

Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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2.1 Aesthetics

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a) through d). **No Impact.** Visual impacts of the Coachella Valley Water Management Plan and State Water Project (SWP) Entitlement Transfer were evaluated in Section 8.10 of the Program EIR (CVWD, 2002) and found to be less than significant. There have been no changes in the environmental setting or in the project since 2002 that would have a new or different aesthetic impact that would require additional environmental evaluation. Visual impacts of the Transfer of Water Entitlements from BMWD were evaluated in the BMWD EIR (BMWD, 1996) and BMWD EIR Addendum (BMWD, 2002). With the proposed water transfer, the visual character of the BMWD service area would remain agricultural. Therefore, there would be no substantial effect on visual resources. The Proposed Project involves no construction of facilities, only the use of existing water conveyance and recharge facilities. Therefore, there would be no additional impact on existing aesthetic resources.

2.2 Agricultural Resources

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

Impacts on agricultural resources in the Coachella Valley were fully evaluated in Section 8.3 of the CVWD PEIR (CVWD, 2002). The CVWD PEIR found no impacts on farmland conversion, no conflict with existing zoning and less than significant impacts on farming practices related to changes in delivered water quality. There have been no changes in the environmental setting or in the Proposed Project since 2002 that would require additional environmental evaluation.

Impacts on agricultural resources in the BMWD service area were evaluated in Section 3 of the BMWD EIR (BMWD, 1996) and on page 5 of the BMWD EIR Addendum (BMWD, 2002). That information and the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP, 2002) show that 90 percent of the

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Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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land in the BMWWD service area is considered to be Prime Farmland and Farmland of Statewide Importance.

a) **Potentially Significant.** The transfer of available Table A Water, per se, could result in the conversion of Farmland to non-agricultural use. There may be changes in agricultural practices or cropping patterns not previously considered in the previous documents related to designated farmland. Therefore, the impact of the Proposed Project is potentially significant and this effect will be evaluated in greater detail in the Subsequent EIR.

As discussed above, the Proposed Project would have no impact on agricultural resources in the Coachella Valley.

b) **No Impact.** There would be no conflict with existing zoning for agricultural use in the Coachella Valley, as the water received would be used for groundwater recharge to overcome overdraft and involves no construction. Similarly there would be no change in zoning in the BMWWD service area as a result of the transfer.

c) **Potentially Significant.** The water transfer project may cause long-term changes in the environment in the BMWWD service area that could ultimately result in conversion of Prime Farmland and Farmland of Statewide Importance to non-agricultural use through changes in cropping patterns and fallowing of land. Therefore, this effect will be evaluated in greater detail in the Subsequent EIR.

2.3 Air Quality

Would the project:

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 type="checkbox"/>	<input checked="" 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 emission which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Discussion:

a) through e). **No Impact.** Direct and secondary effects on Coachella Valley air quality were addressed in Section 4.4 of the CVWD PEIR (CVWD, 2002). There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation.

Direct and secondary effects on San Joaquin Valley air quality were addressed in the BMWWD EIR (BMWWD, 1996) and PEIR Amendment (BMWWD, 2002). Land that has already been fallowed would create no new air emissions. Fallowed land would become overgrown with nonagricultural plants, so this land would not contribute to air quality impacts.

The water transfer would involve no construction of facilities, only the use of existing water conveyance and recharge facilities. Therefore, the proposed transfer would create no additional air quality impacts in these service areas.

The CVWD PEIR analysis (Section 8.7) concluded that there would be no increase in power usage to pump Annual Table A water (140,000 acre-ft/yr) over the Tehachapi Mountains for the Proposed Project compared to future baseline in the absence of the Proposed Project. The transferred water would be within projected flows evaluated in that PEIR. Therefore, there would be no impact on air quality from energy generation for the proposed transfer.

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Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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2.4 Biological Resources

Would the project

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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands (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 type="checkbox"/>	<input checked="" 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 wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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) through f): **No Impact.** The Proposed Project would not require nor induce any construction that might affect vegetation and wildlife or their habitat, since existing facilities would be used for conveyance and recharge of the transferred water. Therefore, there would be no additional impacts on biological resources. The State of California's total existing contractual commitment for the delivery of water from the SWP would remain the same at 4.173 million acre-ft/yr, and the transfer would not entail the construction of new project facilities or alteration of existing patterns of delivery from the Sacramento-San Joaquin Delta. SWP deliveries are determined annually by DWR based on available supplies, reservoir storage, SWP operational constraints (including biological constraints), contractor demands, the Endangered Species Act (ESA) and water quality. SWP Annual Table A Water that would have been delivered through the California Aqueduct to BMWD for agricultural use through KCWA turnouts would instead be delivered downstream through existing Metropolitan turnouts on the Aqueduct. The delivered SWP water would be exchanged for Colorado River water. The exchanged Colorado River water would be delivered from the CRA to the Whitewater River, and thence to the existing Whitewater Spreading Facility. Water could also be diverted from the CRA at the Mission Creek turnout for groundwater recharge at the existing Mission Creek Spreading Facility near Desert Hot Springs. Impacts of variations in flow in the SWP, CRA, Delta and Whitewater River were evaluated in Section 7 of the CVWD PEIR (CVWD, 2002) and found to be less than significant. There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. Potential impacts on biological resources were evaluated in Section 3 of the BMWD Program EIR (BMWD, 1996) and on page 6 of the Addendum and appendix ("Biological Resources") (BMWD, 2002). No impact was identified. The changes in agricultural practice that could occur from the water transfer would have no additional impact on biological resources, as the farmlands were found to contain no significant habitat. There may be habitat around

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Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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the edges of fields, but this edge habitat would remain with the transfer, since the land could be used to grow non-irrigated crops.

2.5 Cultural Resources

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a) through d): **No Impact.** Direct and secondary effects on the Coachella Valley cultural resources were fully addressed in Section 8.8 of the CVWD PEIR (CVWD, 2002). There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation.

Direct and secondary effects on cultural resources were fully addressed in Section 3 of the BMWD EIR (BMWD, 1996) and in the BMWD EIR Addendum (BMWD, 2002); no impacts were identified. The Proposed Project involves no construction or expansion of facilities, only continued use of existing water conveyance and recharge facilities. Therefore, there would be no additional impact on cultural resources from the proposed transfer.

2.6 Geology and Soils

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |

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c) Be located on a 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"/>
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) through e). **No Impact.** The Proposed Project involves no construction of facilities, only the continued use of existing water conveyance and recharge facilities. The use of existing facilities would not expose people or structures to any new erosion, earthquake or landslide hazards. The Proposed Project would not result in any new facilities located on unstable or expansive soils, nor would it affect the use of septic tanks or other wastewater disposal systems. Recharge in the Upper Coachella Valley would reduce the potential for land subsidence, a beneficial impact. Direct and secondary effects on the Coachella Valley geology and soils were fully addressed in Sections 4.2 and 4.3 of the CVWD PEIR (CVWD, 2002). There would be no additional impact on geology or soils. There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation.

Direct and secondary effects on BMWD geology and soils were evaluated in the BMWD EIR (BMWD, 1996). No impacts were identified. The lands currently or formerly irrigated with the water to be transferred in would not be affected by geological hazards as the Proposed Project involves no construction. Therefore, there would be no additional impact in the BMWD service area or the CVWD or DWA service areas arising from the transfer.

2.7 Hazards and Hazardous Materials

Would the project:

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
working in the project area?				
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to the 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a) through h). **No Impact.** There would be no impact related to hazards or hazardous materials beyond those previously discussed and analyzed. The Proposed Project would not require the use, transport, or disposal of hazardous materials, nor would it expose people to hazardous materials. The Proposed Project does not create new activities or facilities in the vicinity of an airport, nor would it affect existing emergency response and evacuation plans, or increase exposure to wildland fires. Direct and secondary effects on the potential hazardous materials in the Coachella Valley were fully addressed in Sections 4.2, 8.4, and 8.11 of the CVWD PEIR (CVWD, 2002). There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. Direct and secondary effects on the potential hazardous materials in the BMWWD service area were fully addressed in the BMWWD EIR (BMWWD, 1996) and the BMWWD EIR Addendum (BMWWD, 2002). The Proposed Project involves no construction, only continued use of existing facilities. Therefore, there would be no additional impact with respect to hazards or hazardous materials resulting from this transfer.

2.8 Hydrology and Water Quality

Would the project:

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 the site or area, including through the alteration of the course of a stream or river, in a manner which 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 the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
polluted runoff?				
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 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 which 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) and f) **No Impact.** The quality of the Colorado River water delivered to CVWD through the exchange with Metropolitan, ongoing since 1973, would not change as a result of the Proposed Project. The Colorado River water exchanged for SWP water in the transfer process would be used for groundwater recharge at the existing Whitewater and Mission Creek Spreading Facilities in the Upper Coachella Valley. This imported supply has a higher total dissolved solids (TDS) concentration than the native groundwater, and near the recharge area TDS concentrations in down-gradient wells have steadily increased since 1973 when recharge at this location began. The recharge of Colorado River water has also increased the salt loading to the Upper Valley Basin, while reducing overdraft and subsidence potential. The exchange water meets all primary (health-based) drinking water standards, but exceeds recommended salinity concentration in secondary (aesthetic) standards. This impact, together with the impact of ongoing recharge of exchange water under existing Annual Table A Amounts, was fully evaluated in Sections 5 and 6 the CVWD PEIR (CVWD, 2002). Mitigation measures were presented to reduce impacts to the extent feasible. A Statement of Overriding Considerations was prepared for the change in water quality, even though the Colorado River Basin Regional Water Quality Control Board had no opposition to the project, as they believed it was for greater good of the people of the State (Pers. comm. to CVWD, 2002) and did not submit a comment on the EIR. There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. No additional analysis is required in the present IES, which tiers off that document.

b) **No Impact.** The Proposed Project would increase groundwater recharge in the Coachella Valley to reduce overdraft consistent with the adopted CVWMP. The effect is beneficial and was fully evaluated in Sections 5 and 6 of the CVWD PEIR (CVWD, 2002). There would be no impact on water quality in the BMWWD service area, since the source of water would not be affected by the proposed transfer.

c), d) and e). **No Impact.** The Proposed Project involves no construction of facilities, only continued use of existing facilities. Therefore, there would be no impacts on runoff or drainage. For the Coachella Valley, these effects were fully evaluated in Sections 5 and 6 of the CVWD PEIR (CVWD, 2002).

g), h), i) and j).). **No Impact.** The Proposed Project does not involve construction; only continued use of existing structures for conveyance and recharge. The Annual Table A Water transfer amount would not significantly change the peak flow of water in any of these facilities. Therefore, there would be no impact on flooding, seiche, tsunami or mudflow.

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Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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2.9 Land Use and Planning

Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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:

For the Coachella Valley, land use effects and growth inducement were fully evaluated in Section 8.3 of the CVWD PEIR (CVWD, 2002). There have been no changes in the environmental setting or in the project since 2002 that would require additional evaluation of these issues.

For the BMWWD service area, land use effects and growth inducement were fully evaluated in Section 3 of the BMWWD EIR (BMWWD, 1996) and page 6 of the BMWWD EIR Addendum (BMWWD, 2002). Land use in BMWWD consists of agriculture, which is discussed in Section 2.2 of this IES, and would continue in agriculture with implementation of the transfer. Therefore, there would be no additional impact of the transfer on land use or planning.

- a) **No Impact.** The Proposed Project does not involve construction of any structures; only continued use of existing water conveyance structures. No impacts would occur on any established community.
- b) **No Impact.** The Proposed Project does not involve construction of any structures; only continued use of existing water conveyance structures. Therefore, there would be no conflict with any land use plan, policy or regulation and thus no impacts.
- c) **No Impact.** The Proposed Project does not involve construction of any structures; only continued use of existing water conveyance structures within historic flow ranges. There would be no conflict with any habitat conservation plan or natural community conservation plan. Therefore, no impacts would occur.

2.10 Mineral Resources

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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) and b): **No Impact.** The Proposed Project would not affect mineral resources. The transferred SWP Annual Table A water would be conveyed to Metropolitan through the California Aqueduct, and exchanged for Colorado River water from existing facilities. The Proposed Project would not require any construction. There would be no impact on regional or locally important mineral resources.

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For the Coachella Valley, these effects were fully evaluated in Section 8.7 of the CVWD PEIR (CVWD, 2002). There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. For BMWD, the impacts were evaluated in Section 3 of the BMWD EIR (BMWD, 1996). Therefore, there would be no additional impact of the transfer on mineral resources.

2.11 Noise

Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) 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) 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) 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"/> |
| d) 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 or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a) through f): **No Impact.** The Proposed Project does not involve construction or expansion of any structures, only continued use of existing water conveyance structures. The personnel and energy necessary to operate the facilities will not increase. No additional noise would be created. Therefore, there would be no impacts.

For the Coachella Valley, noise effects were fully evaluated in Section 8.1 of the CVWD PEIR (CVWD, 2002). There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. For BMWD, noise impacts were evaluated in the BMWD EIR (BMWD, 1996). No impacts were identified. Therefore, the transfer would have no noise impacts.

2.12 Population and Housing

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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b) Displace substantial numbers of existing housing, 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) **No Impact.** The Proposed Project does not involve construction of new homes or businesses and does not include construction of new, potentially growth-inducing/accommodating, infrastructure such as roads or wastewater systems. The Proposed Project does not include new water treatment capacity or installation of any new infrastructure to deliver additional water supplies. The transferred water would be used to offset existing groundwater overdraft in the Coachella Valley. Therefore, any additional water volume provided is not growth inducing. Within the CVWD service area, growth would occur with or without the project for the foreseeable future, therefore the project was found not to be growth inducing in the CVWD PEIR (CVWD, 2002). This issue was fully evaluated in Sections 8.2 and 11.3 of the CVWD PEIR. There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. Similarly, there would be no impact on population and housing in the BMWD service area, as the transferred water is related only to agricultural water and land use and would have no impact on population or housing. Secondary impacts of water transfers were addressed in Section 3 of the BMWD EIR (BMWD, 1996) and pages 7 and 8 of the BMWD EIR Addendum (BMWD, 2002).

b) **No Impact.** No housing would be displaced by the Proposed Project. Therefore, no impacts would occur.

c) **No Impact.** No individuals would be displaced by the Proposed Project. Therefore, no impacts would occur.

Although not required by CEQA, this IES considers environmental justice issues. Environmental justice means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. The proposed water transfer involves no construction of any kind, only continued use of existing water conveyance structures. The Proposed Project transfers surplus water from BMWD and provides water for recharge within the Coachella Valley without regard to races, culture or income level.

The proposed transfer does not raise any environmental justice issues.

2.13 Public Services

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 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"/>

Section 2 – Environmental Analysis

Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

a)-i), -ii), -iii), -iv), and v): **No Impact.** The Proposed Project does not involve construction of any structures that would result in any increase in the need for fire protection, emergency medical services, police protection, schools, parks, or other public services. No new or physically altered facilities for these public services would be required. No impacts would occur from the proposed transfer.

Within the CVWD service area, growth and associated impacts on public services would occur with or without the project for the foreseeable future (Section 8.6 of the CVWD PEIR). The project was found not to be growth inducing, as discussed in Section 11.3 of the CVWD PEIR (CVWD, 2002). This issue was fully evaluated in the PEIR. There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. Within the BMWD service area, the transfer of water would not change the agricultural character of the BMWD service area and therefore would have no impact on existing or future demand, for the provision of any public services. In addition, impacts on public services and utilities were evaluated in Section 3 of the BMWD EIR (BMWD, 1996). There would be no additional impact on public services from the proposed transfer.

2.14 Recreation

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a) and b): **No Impact.** The Proposed Project does not involve construction of housing or other structures that would result in an increase in the use of existing parks or other recreational facilities. Similarly, since the Proposed Project involves no construction and only the use of existing water conveyance and recharge facilities, no impacts on existing recreational resources would occur.

For the Coachella Valley, effects on recreation were fully evaluated in Section 8.9 of the CVWD PEIR (CVWD, 2002). There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. For BMWD, effects on recreation were fully addressed in Section 3 of the BMWD EIR (BMWD, 1996). There are no recreational facilities in the BMWD service area that would be affected by the water transfer. Therefore, there would be no additional impacts on recreation from the proposed transfer.

2.15 Transportation and Traffic

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |

Section 2 – Environmental Analysis

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

Discussion:

a) through g). **No Impact.** The Proposed Project involves no construction or expansion, only the continued use of existing water conveyance facilities. Therefore, there would be no impacts on transportation. For the Coachella Valley, effects on transportation were fully evaluated in Section 8.5 of the CVWD PEIR (CVWD PEIR 2002). There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. For the BMWD service area, effects on transportation (Circulation) were fully evaluated in the BMWD EIR (BMWD, 1996). Therefore, no additional impacts would occur on transportation from the proposed transfer.

2.16 Utilities and Service Systems

Would the project:

a) Exceed 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 stormwater 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) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may 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"/>

Section 2 – Environmental Analysis

Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 statues and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

For the Coachella Valley, these effects were fully evaluated in Section 8.6 of the CVWD PEIR (CVWD, 2002). There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. For BMWD, these effects were fully evaluated in Section 3 of the BMWD EIR (BMWD, 1996). Therefore, there would be no additional impacts to service systems from the proposed transfer.

a) **No Impact.** The Proposed Project does not involve construction of any structures; only continued use of existing water conveyance structures. It would not require any new connections to the existing sewer system and would have no impact on existing wastewater treatment systems. Therefore, no impacts would occur.

b) **No Impact.** The Proposed Project does not involve construction or expansion of any structures; only continued use of existing water conveyance and recharge facilities. Flows would be within historical ranges. The project would not require any new connections to the existing sewer system and would have no impact on existing wastewater treatment systems. Therefore, no impacts would occur.

c) **No Impact.** The Proposed Project involves no construction and therefore would not generate additional runoff or require or result in construction of new stormwater drainage facilities or expansion of existing facilities. Therefore, no impacts would occur.

d) **No Impact.** The Proposed Project would not generate any new demand for water supplies. Therefore, no impacts would occur.

e) **No Impact.** The Proposed Project would not require any construction, including new connections to the existing sewer system, and therefore would not generate any new demand for wastewater treatment services. Therefore, no impacts on wastewater treatment capacity would occur.

f) and g) **No Impact.** Proposed Project construction would generate no solid waste, as there would be no construction. Therefore, no impacts would occur.

2.17 Mandatory Findings of Significance

a) Does the project 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are 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, effects of other current projects, and the effects of probable future projects.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Section 2 – Environmental Analysis

Issues and Supporting Information Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Discussion:				
<p>The IES tiers off the CVWD PEIR (CVWD, 2002). The CVWD has reviewed that document and subsequently found that there are no impacts of the proposed transfer on the Sacramento–San Joaquin Delta, the State Water Project, the Colorado River Aqueduct or the Coachella Valley or CVWD that were not fully addressed in the earlier document. There have been no changes in the environmental setting or in the project since 2002 that would require additional environmental evaluation. The water to be transferred would already be south of the Delta, so there would be no change in the amount of diversions from the Delta as a result of the project. This IES incorporates by reference the BMWWD EIR (BMWWD, 1996) and the BMWWD EIR Addendum (BMWWD, 2002). The CVWD has reviewed the BMWWD EIR and the BMWWD EIR Addendum and determined that the environmental setting in the BMWWD service area has not changed significantly since those documents were published.</p> <p>a) No Impact. There would be no significant impact on the quality of the environment, or on biological or cultural resources.</p> <p>b) Potentially Significant. The Proposed Project has no impacts that are individually limited but cumulatively considerable within the Coachella Valley. Cumulative effects of land use decisions on water, air and biological resources were discussed in Section 11.3, Growth-Inducing Impact.</p> <p>Cumulative impacts were also addressed in the BMWWD EIR (BMWWD, 1996) in Section 5, incorporated by reference. The BMWWD EIR (BMWWD, 1996) concluded that if future SWP Annual Table A water transfers did not change the pattern of Delta diversions (as the Proposed Project does not), then SWP operations should not be impacted. However, the proposed transfer could have cumulatively considerable impacts with other water transfers within BMWWD and KCWA.</p> <p>c) Less Than Significant. The Proposed Project would have less than significant adverse effects on human beings. The effect of the project on human beings in the Coachella Valley would be beneficial since it improves the reliability of a potable water supply system, reduces groundwater overdraft and land subsidence, and protects water quality in the Coachella Valley. The effect on human beings in the BMWWD service area will be site-specific, depending on the effect of the water transfer on the BMWWD area and individual farmers.</p>				

Section 3

References, Contacts and Preparers of the Initial Environmental Study

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