Imperial Irrigation District Equitable Distribution Plan

Addendum No. 2 to the 2006 Negative Declaration

(SCH #2006101155)

Date: June 21, 2022

I. INTRODUCTION

This environmental document is Addendum No. 2 to the Imperial Irrigation District ("IID") Equitable Distribution Plan ("Project") 2006 Negative Declaration, adopted on November 29, 2006, State Clearinghouse No. 2006101155, ("2006 Negative Declaration") and having a subsequent Addendum to the 2006 Negative Declaration of April 23, 2013 ("2013 Addendum"). After filing the 2013 Notice of Determination for the 2013 Addendum, substantive Project changes have been deemed necessary to the Project to address required changes associated with judicial determinations that became final in 2021, updating certain operational provisions for consistency, and to apportion water to water users to prevent cumulative demands from exceeding IID's available, authorized annual Colorado River water supply. As demonstrated in this Addendum No. 2, there are no additional impacts that result from the Project modifications and the 2006 Negative Declaration continues to serve as the appropriate document addressing the environmental Project impacts, inclusive of the proposed changes, pursuant to the California Environmental Quality Act (CEQA).

II. HISTORY

Approximately one quarter of Southern California's freshwater supply comes from the Colorado River for agricultural, urban and environmental purposes. Today, the Colorado River is under severe constraints due to an extended drought in its third decade and population growth in six of the seven states that draw upon its water, in addition to Mexico. In October 2003, IID signed the Quantification Settlement Agreement and related agreements (collective referred to herein as the "QSA"), becoming the nation's largest agricultural-to-urban water transfer. Under the QSA, IID agreed to limit its Priority 3 diversions of Colorado River water to 3.1 million acre-feet per year.

Water supply forecasts for the Colorado River system reflect an on-going drought and water supply shortages, which are foreseeable to continue for the near-term, including 2022 being the first-ever calendar year for which a "shortage" was declared by the U.S. Department of Interior. As a result of Colorado River conditions, it is critical that IID manage its water use within its 3.1 million acre-feet per year cap. Under normal conditions, there is some limited flexibility to inadvertently overrun, however the federal Inadvertent Overrun and Payback

Policy ("IOPP") providing for inadvertent overruns is suspended when the Colorado River is operating under shortage conditions. Therefore, it is imperative that all Lower Basin water users, including IID, live within their respective water entitlements.

IID determined that a plan must be put in place to equitably distribute the available water supplies amongst the users within the district. The equitable distribution of water is required pursuant to California Water Code section 22252 which states:

"When any charges for the use of water are fixed by a district the water from the use of which the charges have been fixed shall be distributed equitably as determined by the board among those offering to make the required payment."

In 2006, the IID Board of Directors ("Board") approved the development and implementation of an Equitable Distribution Plan ("EDP"), and in 2007 the board adopted an EDP that was subsequently modified five times, including three times in 2013 with the last version adopted on October 28, 2013. The approval to develop and implement an EDP in 2006 with certain parameters, which included apportioning, or allocating, water in any individual year where IID anticipated that the water demand from water users within the IID water service area was likely to exceed the water supply available to IID, a scenario also referred to as a "supply/demand imbalance" or SDI, was evaluated under a Negative Declaration. Revisions to the EDP in 2013 changed the SDI approach to an ongoing, annual implementation approach for annual apportionment or allocation of water, irrespective of whether an SDI is anticipated to occur. This Addendum No. 2 is necessary to assess proposed revisions to the EDP that have resulted from judicial determinations that became final in 2021, and other minor modifications made to the EDP for refinement and consistency with the court-ordered changes.

This Addendum No. 2 is prepared pursuant to CEQA, California Public Resources Code sections 21000, *et seq.*, and the State CEQA Guidelines ("CEQA Guidelines"), Title 14 of the California Code of Regulations, sections 15000, *et seq.*

III. PROJECT BACKGROUND

A. 2006 – Adoption of Equitable Distribution Plan and Final Negative Declaration

In 2006, IID launched an effort to evaluate the different methods for the equitable distribution of water within its water service area in times where water user demand could exceed supply. IID hired two consultants – Dr. Michael Hanemann, a professor at the University of California, Berkeley, and Bennett Brookes with CONCUR, Inc. (a consulting firm specializing in assistance to governmental agencies for resolution of environmental conflict). They were hired to undertake an analysis that assessed and ranked different methodologies for the equitable distribution of water. Their study process included a public stakeholder committee comprised of community representatives that involved public meetings and facilitated a meaningful discussion of the issues and analysis prior to completing their

equitable distribution recommendation. The meetings and analysis culminated in a Draft Final Report entitled "Equitable Distribution of Water" dated August 22, 2006, also referred to as the "Hanemann Report."

On November 28, 2006, the IID Board adopted Resolution No. 22-2006 approving the development and implementation of an Equitable Distribution Plan ("2006 EDP") to apportion agricultural water users using a straight-line methodology, with an intra-district water banking mechanism to facilitate the movement of water from land with low-water use demands to land with high-water use demands. As part of this Resolution, the Board directed the General Manager to prepare rules and regulations necessary, or appropriate, to implement the 2006 EDP within the district. Pursuant to this Resolution, the Board also approved the *Imperial Irrigation District Equitable Distribution Plan Negative Declaration* (SCH#2006101155) ("2006 Negative Declaration"), which was attached to the Resolution. As set forth in this Resolution No. 22-2006, the Board made certain findings pursuant to CEQA, including that: (1) the 2006 Negative Declaration provided a sufficient assessment of the environmental impacts of the 2006 EDP, pursuant to CEQA, and (2) there was no substantial evidence that the 2006 EDP will have a significant effect on the environment. See: https://www.iid.com/home/showpublisheddocument/3107/635757661194100000 and https://ceqanet.opr.ca.gov/2006101155.

B. 2007 – Adoption of Equitable Distribution Plan

Consistent with Board direction in 2006, rules and regulations necessary to implement the 2006 EDP were prepared in 2007. On December 18, 2007, the Board adopted Resolution No. 31-2007 approving *Regulations for Equitable Distribution Plan* ("2007 EDP") to serve as the foundational policy for implementation of the apportionment of water and the rules and procedures for implementation of the 2006 EDP. Pursuant to this Resolution, the Board approved and adopted the conclusions of an Environmental Compliance Report, dated December 11, 2007, prepared for the 2007 EDP, which was attached to the Resolution. The Board resolved that based upon the Environmental Compliance Report for the 2007 EDP, it was sufficiently assessed pursuant to the 2006 Negative Declaration adopted by the Board for the 2006 EDP and no further environmental assessment was required pursuant to CEQA and the CEQA Guidelines. When the 2007 EDP was adopted, it included and absorbed the original 2006 EDP regarding the straight-line method of apportionment and the establishment of a water bank. See: https://www.iid.com/home/showpublisheddocument/3045/635757662359630000.

C. 2008 – Adoption of Revised Equitable Distribution Plan

On November 18, 2008, the Board adopted Resolution No. 22-2008 approving revisions to the 2007 EDP ("2008 EDP"). Pursuant to Resolution No. 22-2008, the Board approved and adopted the conclusions of an Environmental Compliance Report, dated November 14, 2008, prepared for the 2008 EDP, which was attached to the Resolution. The Board resolved that based upon the Environmental Compliance report for the 2008 EDP, it was sufficiently

assessed pursuant to the 2006 Negative Declaration adopted by the Board for the 2006 EDP on November 28, 2006 and no further environmental assessment was required pursuant to CEQA and the CEQA Guidelines. See: https://www.iid.com/home/showpublisheddocument/2991/635757661790870000.

D. 2009 – Adoption of Revised Equitable Distribution Plan

On March 3, 2009 and March 17, 2009 the Board directed that further changes be made to the 2008 EDP: (1) Revise section 3.2c to state: "Feed Lots, Dairies, and Fish Farms," (2) Revise the definition of Farm Unit at section 2.11, (3) Remove the reference to Unused Water Charge at sections 2.21 and section 4.6, and (4) change the water exchange processing fee at section 4.5 to a qualitative description of a fee which will be determined by staff (at the same time staff sets the other data prior to December 1 preceding a Supply and Demand Imbalance year), such fee to be derived from the estimated cost of administration of the IID Water Exchange ("2009 EDP").

The 2009 EDP was approved on April 7, 2009 by Resolution No. 8-2009. Pursuant to Resolution No. 8-2009, the Board approved and adopted the conclusions of an Environmental Compliance Report, dated April 7, 2009, prepared for the 2009 EDP, which was attached to the Resolution. The Board resolved that based upon the Environmental Compliance report for the 2009 EDP, it was sufficiently assessed pursuant to the 2006 Negative Declaration adopted by the Board for the 2006 EDP on November 28, 2006 and no further environmental assessment was required pursuant to CEQA and the CEQA Guidelines. Moreover, to unequivocally state that the IID's intention to provide cattle feedlot operators with a sufficient and reliable water supply throughout a Supply and Demand Imbalance period and for the duration of the 2009 equitable distribution pilot program, the Board approved Resolution No. 7-2009 (also on April 7, 2009) documenting this commitment to the Imperial Valley cattle industry. See: https://www.iid.com/home/showpublisheddocument/1210/635757660593900000.

E. 2011, 2012 and 2013 – IID Overrun and Pay Back Under the IOPP

In 2011, IID diverted 93,190 acre-feet more than its approved order, and ended the year with an 82,662 acre-feet overrun account balance. In accordance with the IOPP, IID was required to pay back an estimated 62,000 acre-feet of this overrun in 2013, through the creation of conserved water, with the balance of 20,662 acre-feet due in 2014. IID submitted a payback plan for the 2011 overrun in accordance with the IOPP, outlining the manner in which IID would pay back the 62,000 acre-feet due in 2013.

For 2012, the U.S. Bureau of Reclamation's February 14, 2013 water use projection report indicated that IID overran its approved order by an estimated 161,973 acre-feet; due to the lower elevation of Lake Mead on January 1, 2013, the entire 2012 overrun was required to be paid back in 2014 under the IOPP. IID staff presented this information to the Board in late 2012, at a January 8, 2013 Board Meeting, at a series of stakeholder outreach public

workshops in March 2013 and at various IID and Agricultural Water Conservation Advisory board public meetings in 2013. Final water accounting numbers released by the U.S. Bureau of Reclamation documented an IID overrun of 134,076 acre-feet for 2012. IID had exceeded its approved water order in 2012 by a larger amount than the resulting 134,076 overrun (by 148,375 acre-feet); however, due to policy limitations in overrun years, 14,299 acre-feet created for storage as ICS was applied to reduce the 2012 overrun to the 134,076 acre-feet.

F. 2013 – Adoption of Revised Equitable Distribution Plans and Addendum

The Board, at its January 22, 2013 meeting, authorized the formation of a water user advisory committee, referred to as the "Water Conservation Committee," to recommend a solution that would minimize the possibility of IID water overruns and that would integrate with IID's water conservation programs already in place or being developed. This Water Conservation Committee was specifically tasked with addressing the near-term overrun paybacks, longer-term water supply cap management concerns, and the overlap of existing and proposed conservation programs, with a system of annual apportionment that would maximize IID's 3.1 million acre-feet annual Colorado River water entitlement while minimizing future overruns.

Using principles from the Farm Bureau Plan and soliciting comments from the public during multiple stakeholder meetings, staff and the Water Conservation Committee proposed minor revisions to the 2009 EDP ("April 2013 EDP"). The minor revisions included changing the approach of relying on the Board to forecast a Supply/Demand Imbalance for an upcoming year to apportion water to an approach where water is apportioned annually, unless and until such implementation is terminated, as well as revising definitions to effectuate the change in approach and minor revisions for implementation of the Clearinghouse.

The 2013 Addendum was prepared to address the minor revisions incorporated into the April 2013 EDP. The 2013 Addendum was prepared in compliance with the CEQA Guidelines, Title 14 of the California Code of Regulations, sections 15000, *et seq.* The Board made certain findings pursuant to CEQA, including that (1) the 2013 Addendum provided sufficient assessment of the environmental impacts of the April 2013 EDP and 2) there was no substantial evidence that the April 2013 EDP would have a significant effect on the environment. On April 23, 2013, pursuant to Resolution No. 13-2013, the Board adopted the 2013 Addendum and approved the April 2013 EDP. See: https://www.iid.com/home/showpublisheddocument/7743/635648001335730000.

On May 14, 2013, pursuant to Resolution No. 15-2013, the Board approved minor revisions to the April 2013 EDP ("May 2013 EDP"). The Board resolved that based upon the 2006 Negative Declaration and the 2013 Addendum, the May 2013 EDP was sufficiently assessed and no further environmental assessment was required pursuant to CEQA and the CEQA Guidelines. See: https://www.iid.com/home/showpublisheddocument/7857/635648001335730000.

On October 28, 2013, pursuant to Resolution No. 26-2013, the Board approved minor revisions to the May 2013 EDP ("October 2013 EDP"). The Board resolved that based upon the 2006 Negative Declaration and the 2013 Addendum, the October 2013 EDP was sufficiently assessed and no further environmental assessment was required pursuant to CEQA and the CEQA Guidelines. See: https://www.iid.com/home/showpublisheddocument/8319/635648001335730000.

G. 2013 – 2021 Litigation

On November 27, 2013, a lawsuit was filed in the Imperial County Superior Court challenging the October 2013 EDP (*Michael Abatti, et al. v. Imperial Irrigation District,* case No. ECU07980). The plaintiffs claimed that farmers held appropriated water rights and that IID abused its discretion in enacting the October 2013 EDP. On August 25 and September 19, 2017, the Superior Court issued a writ of mandate and a declaratory judgment, respectively, which directed IID to repeal the October 2013 EDP. IID filed a notice of appeal on September 26, 2017 and on February 6, 2018, after the appellate court denied IID's request for a stay of the August 25, 2017 superior court writ, the Board adopted Resolution No. 4-2018 repealing the October 2013 EDP. See: https://www.iid.com/home/showpublisheddocument/16827/636537027754970000.

On July 16, 2020, the Fourth District Court of Appeal ("Court of Appeal") rendered a unanimous decision, affirmed the 2017 Superior Court ruling that IID "abused its discretion in how it prioritizes apportionment among categories of water users in the [October] 2013 EDP" (also affirming the dismissal of the breach of fiduciary duty and taking claims). The Court of Appeal otherwise reversed the Superior Court judgment and directed it "to enter a new and different judgment: (1) granting the petition on the sole ground that the District's failure to provide for the equitable apportionment among categories of water users constitutes an abuse of discretion; and (2) denying the petition on all other grounds, including as to declaratory relief." The California Supreme Court declined review of the case in 2020 and the U.S. Supreme Court denied the plaintiffs' petition for writ of certiorari, thereby making the Court of Appeal decision final in 2021.

H. 2021-2022 – Colorado River Conditions

On August 17, 2021, the United States Bureau of Reclamation effectively declared the first-ever shortage for the Colorado River basin. On September 9, 2021, Reclamation notified IID and other Colorado River users that the Colorado River Basin would be operating under shortage conditions in 2022. As such, certain operational flexibility would no longer be available to IID in 2022 and any other year operating under shortage conditions and IID would be limited to its annual 3.1 million acre-feet entitlement. Accordingly, water overruns are prohibited when the system is operating under shortage conditions. Well into the second quarter of calendar year 2022, IID was projected to have an overrun. An EDP allows for management of the available water supply so that the cumulative use of water within IID

does not exceed that available water supply. The Board directed staff to modify the repealed October 2013 EDP to meet the Court's ruling.

The IID Board initiated an accelerated process to revise the October 2013 EDP and pursue implementation in 2022, which included stakeholder engagement. Four public workshops were conducted from May 31, 2022 to June 2, 2022 to present and receive input on revisions to the October 2013 EDP and its implementation. Consistent with the Board's directive of May 17, 2022, via Resolution No. 27-2022, it was communicated to the public that the following elements would be incorporated into the revised EDP:

1) Be implemented on an annual, calendar year basis and, for 2022 purposes, apply customer water uses to annual apportionments retroactive to January 1, 2022; and
2) Equitably distribute the annual water supply available for distribution among all categories of water uses in the district; and
3) Consider certain health and safety needs and potential urban water conservation requirements that may be mandated by the state of California; and
4) Designate the default Method of Apportionment for Agricultural Water Users as the previously implemented hybrid methodology, comprised of both straight line and historical use (average of 2003-2012 less high/low years) components; and
5) Continue to interface with district conservation programs through the District Conservation Assignment; and
6) To the extent feasible, provide supplemental conserved water supplies, as authorized by IID, to water users from the district's conservation and storage portfolios to prevent any apportionment exceedance, with pricing that takes into consideration conservation/replacement water costs and current district conservation payment rates; and
7) Recognize efficient industrial water-uses that utilize conserved water, water reuse technologies or water developed through alternative energy systems; and
8) Require proactive water user compliance with EDP operating parameters, including the Agricultural Water Clearinghouse and take-or-pay provisions.

IV. PURPOSE OF PROJECT

IID is authorized by the Irrigation District Law, specifically California Water Code section 22252, to adopt rules and regulations for the equitable distribution of water within the district. The Board approved a plan for the equitable distribution of water in 2006, the 2006 EDP, which has been amended from time to time. The purpose of the EDP is for the management of the district's available water supply. The 2006 EDP, and all modifications that followed, strictly prohibit individual landowners or water users from transferring water outside of the IID water service area and district boundary.

V. THE PROJECT

The 2006 EDP, as subsequently revised, is the Project for purposes of the 2006 Negative Declaration and 2013 Addendum. This Addendum No. 2 analyzes the changes to the Project by the proposed revisions of the October 2013 EDP ("2022 EDP"). The proposed revisions incorporated into the 2022 EDP have resulted from judicial determinations that became final in 2021, and other minor modifications made to the EDP for refinement and consistency with the court-ordered changes. In order for IID to approve and implement an EDP, it must address the Court of Appeal decision to ensure that the water is equitably apportioned among the categories of water users and no longer prioritizes the apportionment of water in the same manner that was in the October 2013 EDP. The 2022 EDP provides for the same modified 10-year average (less the high and low years) of historical use method of apportionment among the categories of water users.

VI. PURPOSE OF ADDENDUM

When a project is changed or changes occur in the environmental conditions as analyzed in the previous environmental document, a determination must be made by the lead agency as to whether an Addendum, Subsequent, or Supplement document is to be prepared. In accordance with CEQA Guidelines section 15164(b), "an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred."

The 2006 Negative Declaration was reviewed and an Initial Study and Environmental Checklist were prepared to evaluate the revisions to the October 2013 EDP resulting in the 2022 EDP to determine whether potential impacts, changes, or conclusions associated with the proposed Project would meet any of the criteria for a subsequent negative declaration as set out in section 15162 of the CEQA Guidelines. A copy of the Initial Study and Environmental Checklist developed for the proposed Project is included in this Addendum No. 2.

1. CEQA REQUIREMENTS

Criteria for Subsequent Environmental Impact Report (EIR). Under section 15162(a) of the CEQA Guidelines, "when an EIR has been certified or a negative declaration adopted for a project," a subsequent EIR shall be prepared if one or more of the following conditions occur:

"(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternatives."

Section 15162(b) of the CEQA Guidelines provides that “If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.”

IID has determined that none of the conditions set forth in CEQA Guidelines section 15162(a) have occurred. Therefore, IID has determined that pursuant to CEQA Guidelines sections 15162 and 15164, this Addendum No. 2 is the appropriate document to adequately identify the changes and additions to the 2006 Negative Declaration for the environmental analysis of the 2022 EDP.

2. EVALUATION OF PROJECT CHANGES

2.1 Required Changes and/or Additions to the Project. Changes and additions to the October 2013 EDP that have been incorporated into the proposed 2022 EDP, as recommended by Water Department staff in coordination with the Legal Department, which are summarized as follows:

2.1.1 The proposed 2022 EDP further defines operational and system conservation water to include regulatory operational water, recreational water, and feedlots in addition to previously established operational water including small acreage, pipe service, system efficiency conservation, and water rights settlement water.

2.1.2 Instead of apportioning the available water supply among five user categories, the water is apportioned among three water user categories: 1) agricultural water users apportionment, 2) industrial and commercial water users apportionment, and 3) potable water users apportionment. Proportional distribution is approximately 97.8%, 0.9% and 1.3%, respectively.

2.1.3 Under the proposed 2022 EDP, the three categories of water users will be apportioned water using the same modified average historical use methodology over the 2003-2012 period (less the high/low years) calculated from the same data source. Individual water user apportionment will be prohibited from cumulatively exceeding the total apportionment for the respective water user category. Within each category of water users, water users are apportioned water using a methodology specific to that category. Agricultural water users will be apportioned water using a hybrid methodology comprised of historical use and straight-line components. Industrial/Commercial Water Users and Potable Water Users will be apportioned water using the most recent 3-year average of historical use.

2.1.4 The "Take-or-Pay" obligation applies to all water users (within all three user categories), not only agricultural water users, for all the apportionment accepted by the water user and not used during a calendar year and remaining in the water account at the end of the year.

2.1.5 The Clearinghouse will no longer be exclusively for use by agricultural water users for transfer of water among agricultural water users. The 2022 EDP allows the Clearinghouse to be available to all categories of water users receiving an apportionment.

2.1.6 Water offered to or requested from the Clearinghouse under the 2022 EDP will no longer be transferred proportionally by acreage, but rather will be transferred on a first-come, first-served basis to all water users within the three established water user categories

2.1.7 The proposed 2022 EDP eliminates the Agricultural Water Distribution Board.

2.2 Minor Edits. The proposed 2022 EDP includes minor word changes and/or clarifications and refinement of language as recommended by IID Water Department staff and/or the Legal Department, consisting of, but not limited to, the following:

2.2.1 New terms and definitions are incorporated: Category Apportionment, Water User Category(ies), Agricultural Water User Category, Industrial/Commercial Water User Category, Potable Water User Category, Industrial/Commercial Water User, Potable Water User, Hybrid Apportionment, and Three-Year Average Apportionment.

2.2.2 Terms and definitions are eliminated: Agricultural Water Distribution Board, Conserved Water Rate, Environmental Resources Water, Non-Agricultural Water, Non-Agricultural Water User, and Straight Line Apportionment.

2.2.3 Ten additional terms and definitions from the October 2013 EDP were refined for clarity and consistency with required changes.

3. EXPANDED EVALUATION RESULTING FROM CHANGES TO CEQA GUIDELINES

3.1 Changes and/or Additions to CEQA Guidelines. Updated CEQA Guidelines were issued on December 28, 2018 and became effective July 1, 2020. Numerous resource questions were consolidated or deleted from the Initial Study/Environmental Checklist Form that was used under the 2006 Negative Declaration and 2013 Addendum. This Addendum No. 2 uses the Initial Study Environmental Checklist sample from the most current CEQA Guidelines to complete the analysis.

3.2 Additional CEQA Resource Areas Requiring Analysis. CEQA resource areas requiring analysis have changed or expanded from the resource areas requiring analysis under the 2006 Negative Declaration and 2013 Addendum. Five new resource areas were added under the December 28, 2018 CEQA Guidelines update. This Addendum No. 2 includes analysis for the following new resources not evaluated under the 2006 Negative Declaration or 2013 Addendum: forestry resources, greenhouse gas emissions, tribal cultural resources, energy and wildfire.

4. EVALUATION OF CHANGED CIRCUMSTANCES AND NEW INFORMATION

This Addendum No. 2 addresses the environmental effects associated only with the aforementioned changes to the Project included in the 2022 EDP. IID has determined that none of the conditions set forth in CEQA Guidelines section 15162(a) have occurred. When considering the changes to the Project, IID determined that only minor modifications of the original environmental document would be necessary such that the 2006 Negative Declaration adequately addresses the revised Project. Therefore, IID has determined that pursuant to CEQA Guidelines sections 15162 and 15164, this Addendum No. 2 is the appropriate document to identify the necessary changes and additions to the 2006 Negative Declaration and 2013 Addendum for the environmental analysis of the 2022 EDP. The conclusions of the analysis in this Addendum No. 2 are not substantially different from those made in the 2006 Negative Declaration and/or 2013 Addendum. Project impacts remain negligible, thus less than significant without necessitating mitigation measures, consistent with the 2006 Negative Declaration and 2013

Addendum. No new significant impacts would result, and no substantial increase in severity of impacts would result from previous findings under the 2006 Negative Declaration. The 2006 Negative Declaration is included as Appendix A.

June 22, 2022

Date Addendum No. 2
filed with Negative Declaration

Justina Gamboa-Arce
Water Resources Planner

INITIAL STUDY

In Support of Addendum No. 2 to the
2006 Negative Declaration
State Clearinghouse # 2006101155

Imperial Irrigation District
Equitable Distribution Plan

June 21, 2022

ENVIRONMENTAL ANALYSIS

This Addendum No. 2 addresses the environmental effects associated with the proposed revisions to the October 2013 EDP in the 2022 EDP as recommended by IID Water Department staff in coordination with the IID Legal Department.

The most current CEQA Checklist (Appendix G) is utilized in this analysis as the criteria for determining the significance of environmental impacts. The threshold of significance for a given environmental effect is the level at which the IID finds a potential effect of the proposed Project to be significant. Thresholds of significance can be defined as "an identifiable quantitative, qualitative or performance level of a particular environmental effect, noncompliance with which means the effect will be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant" (CEQA Guidelines, section 15064.7(a)).

The scope of analysis contained within this Initial Study addresses the environmental resource areas that were previously analyzed in the 2006 Negative Declaration and new resource areas that were adopted under the CEQA Guidelines update of 2018. Numerous questions were consolidated or deleted. In addition, new resource questions were added for Forestry, Greenhouse Gas Emissions, Tribal Cultural Resources, Energy and Wildfire, all of which are addressed herein.

This Initial Study provides a comparative analysis for each technical area and evaluates the potential changes in the impacts that were previously described in the 2006 Negative Declaration and/or 2013 Addendum.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture/Forestry	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards/Hazardous Material
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

Environmental Determination

On the basis of this initial evaluation:

■ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVEDECLARATION will be prepared.

☐ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the Project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed 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 proposed 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 proposed Project, nothing further is required.

Environmental Checklist
IID Equitable Distribution Plan Negative Declaration Addendum No. 2

I. AESTHETICS

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
I. Aesthetics – Would the Project:				
a. Have a substantial adverse effect on a scenic vista?				**X**
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				**X**
c. In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			**X**	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				**X**

NOTE: Aesthetics question c. above has been modified and expanded in areas that were not applicable under the 2006 Negative Declaration and 2013 Addendum analysis question. Changes resulted from the 2018 CEQA Guidelines update, previously not containing "*quality of public views of the site and its surrounding*."

Aesthetics Discussion on Adopted 2006 IS/ND

Implementation of the 2006 EDP will have no effect on existing aesthetic resources in the IID water service area. Although there is the possibility that cropping patterns and/or locations of idled lands may change during a Supply/Demand Imbalance (SDI) under the EDP, any changes would be minor and fully within the existing fluctuation of cropping patterns in the district.

Aesthetics Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to aesthetics would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis for Aesthetics

The IID water service area contains approximately 450,000 acres of irrigated agricultural land. Therefore, a wide variety of agricultural lands and crops primarily contribute to the visual character of the Imperial Valley and the IID service area. Non-agricultural water users (Industrial/Commercial and Potable) receive less than 3% of the apportioned water delivered. The amount of agricultural acreage is not changed by the 2022 EDP. The amount of water apportioned is consistent with historical use and will not significantly change by the 2022 EDP. There may be no or negligible impacts to public views characteristic to the area.

Explanation for question c.: With the 2022 EDP in effect and the implementation of it, cropping patterns and/or locations of idled lands may change and be visible from public views. The IID's water use was previously capped at 3.1 million acre-feet annually. The 2022 EDP does not change this, but rather provides a tool to manage water use within this entitlement cap. However, consistent with the findings in the 2006 Negative Declaration, changes to cropping patterns and/or locations of idled lands would be minor as agricultural production would continue and such changes would be well within the current fluctuation of cropping patterns within the district, which several factors contribute to such decisions. The proposed Project impacts are consistent with the findings in the 2006 Negative Declaration and 2013 Addendum and would result in no or negligible impacts to aesthetics. Impacts to the visual character or quality of public view would be less than significant.

The conclusion from the 2006 Negative Declaration remains unchanged and no mitigation measures are required for Aesthetics.

II. AGRICULTURAL AND FORESTRY RESOURCES

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
II. Agricultural and Forestry 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				**X**

California Resources Agency, to non-agricultural use?				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				**X**
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by PRC Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g)?				**X**
d. Result in the loss of forest land or conversion of forest land to non-forest use?				**X**
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				**X**

NOTE: Forestry related questions under c., d., and elaboration of e. above are an additional resource requiring analysis not originally subject under the 2006 Negative Declaration Initial Study and Environmental Checklist for Agricultural Resource analysis, which resulted from the 2018 CEQA Guidelines update.

Agricultural Resources Discussion on Adopted 2006 IS/ND

The predominant land use in the IID water service area is agriculture. Implementation of the 2006 EDP was intended to support the persistence of agricultural practices in the area by providing a method of water distribution under shortage conditions that is predictable, equitable and more flexible for agricultural resources than the statutory allocation method based on assessed value. The EDP would not result in any alterations to the existing environment that could result in conversion of farmland to non-agricultural use, compared to a scenario where an SDI occurs without an EDP in place to allocated available supplies.

The 2006 EDP expected to be beneficial to agriculture by providing farmers with predictability regarding the method of allocation of available of water supplies in years when demand exceeds supplies.

Agricultural and Forestry Resources Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to agricultural resources would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis for Agricultural and Forestry Resources

It is estimated that approximately 97.8% of the available water supply will be apportioned to agricultural water users under the 2022 EDP (approximately 0.9% for industrial/commercial water users and 1.3% for potable water users). The proposed revisions to the 2022 EDP are not expected to result in a change to the existing environment that could result in conversion of farmland to non-agricultural use, nor do they conflict with any zoning for agricultural use or Williamson Act contract, consistent with the findings of the 2006 Negative Declaration. The IID water service area does not have any land classified as forest land, therefore, the Project would not result in any impacts to forestry.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for Agricultural Resources or for Forestry Resources.

III. AIR QUALITY

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
III. Air Quality – Would the Project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?				**X**
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under applicable federal or state ambient air quality standard?				**X**
c. Expose sensitive receptors to substantial pollutant concentrations?				**X**

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				**X**

Air Quality Discussion on Adopted 2006 IS/ND

The 2006 EDP would not result in any impacts associated with air quality. Implementation of the EDP could result in minor changes in the amount of water applied to some lands and in the location and amount of idled lands as water is exchanged within the IID water service area. However, the amount of those lands irrigated less or idled is expected to be similar to or less than under the existing condition under an SDI situation without an EDP.

In addition, existing Imperial Air Pollution Control District air quality regulations (Rule 806 Conservation Management Practices) require application of best management practices on idled lands which would prevent, [reduce, or mitigate] *air quality impacts.*

Air Quality Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to air quality would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis on Air Quality

The proposed revisions in the 2022 EDP include a method for calculating apportionments for the water user categories using a 10-year modified average (less high and low years) historical water use. The 2022 EDP facilitates the continued delivery and use of water within IID's water service area. Implementation of the 2022 EDP could result in minor changes to cropping patterns and/or locations of idled lands. Nevertheless, limitations on the ability of IID's water use to exceed the 3.1 million acre-feet annual entitlement are set by federal laws, policies, and agreements. The 2022 EDP does not establish these limits, but rather provides a tool to manage water within and consistent with these limits. Therefore, the revisions in the 2022 EDP will not cause air quality impacts.

The proposed 2022 EDP continues the use of a Clearinghouse to transfer water, but is no longer limited only to agricultural water users, it is available for all water users. This movement of water is to support continued agricultural production, as well as water use by other water users, as needed and available.

Further, Imperial County Air Pollution Control District Rule 806 (Conservation Management Practices) requires application of best management practices on idled lands which would prevent, reduce, or mitigate air quality impacts. The APCD regulates all urban activities for dust

suppression compliance. The 2022 EDP will therefore not obstruct implementation of any ICAPCD plan or regulation.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for air quality.

IV. BIOLOGICAL RESOURCES

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
IV. Biological Resources – Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modification, 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 Wildlife or U.S. Fish and Wildlife Service?				**X**
b. Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				**X**
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?				**X**
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites?				**X**
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				**X**

f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plan?			**X**

Biological Resources Discussion on Adopted 2006 IS/ND

Implementation of the 2006 EDP would not have an effect on any biological resources within the IID water service area. The EDP could result in minor short-term changes in the location of water use and therefore the volume of flows in the drains. However, any changes in locations of flows are expected to be both short-term and negligible, and well within historic variations, and therefore not to result in any adverse effects on biological resources that rely on the drains for habitat.

State and federal refuges within the IID water service area and other environmental areas (i.e. managed marsh) dependent on water supplies will be allocated water on a per acre basis in the event of an SDI, using the SLM method. These areas typically grow vegetation that has low consumptive use and include lands that are fallowed on a rotational basis; therefore, it is expected that under an SDI they will have sufficient supplies to maintain current uses and operations and/or to fulfill obligations under environmental permits issued to IID. No impacts to these areas will occur under the EDP.

Biological Resource Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to biological resources.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis for Biological Resources

There are over 1,450 miles of irrigation drains in the Imperial Valley that may support some vegetation and suitable habitat. The proposed changes to the 2022 EDP do not change the IID's 3.1 million acre-feet entitlement or any laws, policies, or agreements applicable to it. Nevertheless, the 2022 EDP could result in short-term changes in the location of water use and the volume of flows into drains but only at a negligible level.

The adoption of the 2022 EDP would result in the calculation of apportionment for each water user category, in addition to calculating water for operational requirements and system conservation, which is not water available to be apportioned. Operational requirements include water needed for regulatory operational purposes, such as water needed to mitigate impacts

resulting from drain maintenance activities within the IID water service area. The Managed Marsh Complex (959 acres of aquatic habitat, including 341 acres of non-emergent vegetation and 618 acres of open water/emergent vegetation), fish farm and pupfish refugium are IID facilities necessary to serve such mitigation and operational needs.

The 2022 EDP would not interfere or conflict with any local ordinances, policies or Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plans. Under the proposed 2022 EDP, these operational requirements are expected to continue to be fulfilled, thus resulting in no impacts from the revisions in the 2022 EDP. These findings are consistent with the findings in the 2006 Negative Declaration.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for biological resources.

V. CULTURAL RESOURCES

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
V. Cultural Resources – Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				**X**
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				**X**
c. Disturb any human remains, including those interred outside of dedicated cemeteries?				**X**

Cultural Resources Discussion on Adopted 2006 IS/ND

No construction is anticipated to result from implementation of the 2006 EDP; therefore, no effects to cultural resources would occur.

Cultural Resources Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to cultural resources would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis for Cultural Resources

Implementation of the revisions in the 2022 EDP will not result in any construction or ground disturbing activities of any type; thus, there would be no change to historical or archaeological resources and no disturbance of human remains. The proposed changes under the 2022 EDP are consistent with the findings in the 2006 Negative Declaration; no impacts to cultural resources would occur.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for cultural resources.

VI. ENERGY

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
V. Energy – Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				**X**
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				**X**

NOTE: Energy Resource impacts were not previously analyzed under the 2006 Negative Declaration or the 2013 Addendum as Energy is a new resource area that was added during the 2018 CEQA Guidelines update.

Energy Discussion on Adopted 2006 IS/ND

Not applicable at the time.

Energy Discussion Findings Under 2013 Addendum

Not applicable at the time.

Mitigation Measures Previously Adopted

Not applicable.

Addendum No. 2 Analysis on Energy

Energy Resource is a new resource area designated for analysis after 2018 and thus applicable under this Addendum No. 2. The Project area for EDP implementation is located within the IID energy service area and the San Diego Gas & Electric (SDG&E) service area for natural gas. Approximately 35.75% of IID's electricity came from renewable sources as of the date of the 2022 EDP. Implementation of the 2022 EDP, does not involve any construction and will not result in any impacts to energy, renewable energy or energy efficiency. Existing energy generation facilities within the Industrial/Commercial Water User Category or the Potable Water User Category will continue to receive a water apportionment. The EDP will not conflict with or obstruct any state or local plan for renewable energy or energy efficiency.

No mitigation measures are required for energy.

VII. GEOLOGY AND SOILS

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
VII. Geology and Soils – Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				**X**
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.				**x**
ii) Strong seismic ground shaking?				**x**
iii) Seismic-related ground failure, including liquefaction?				**x**
iv) Landslides?				**x**
b. Result in substantial soil erosion or the loss of topsoil?				**X**

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?				**X**
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?				**X**
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				**X**
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				**X**

Geology and Soils Discussion on Adopted 2006 IS/ND

The 2006 EDP would not result in any impacts associated with geology and soils. In years when an SDI is declared, the EDP could result in a minor change in cropping patterns or the numbers of acres idled/fallowed compared to years when there is an SDI and no EDP is in place; however, any differences are expected to be negligible and well within the range of typical fluctuations within the District. With the EDP, some farmers may choose to fallow lands in years when an SDI has been declared or to minimize multiple croppings which, if not properly mitigated, could result in soil erosion or the loss of topsoil. However, without an adopted EDP including a water exchange program, the existing condition could result in greater numbers of acres idled or fallowed. Under the EDP, the amount of fallowed lands is expected to be within the current range of fallowed lands in the IID water service area.

Geology and Soils Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to geology and soils would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis for Geology and Soils

The proposed revisions in the 2022 EDP continue to make it a planning document addressing the equitable distribution of available water supplies; no actual development or re-designation of land will result from its implementation; thus no seismic or geologic condition risks would occur.

Paleontological or Unique Geologic Feature, Resource question f., was not previously analyzed under the 2006 Negative Declaration and 2013 Addendum as the question was added during the 2018 CEQA Guidelines update. The 2022 EDP would not result in any actual development, therefore, its adoption would not impact paleontological resources directly or indirectly. The proposed project impacts are consistent with the findings in the 2006 Negative Declaration and would not result in any impacts to geology and soils.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for geology and soils.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
VIII. Greenhouse Gas Emissions – Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				**X**
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				**X**

NOTE: Impacts to Greenhouse Gas Emissions were not previously analyzed under the 2006 Negative Declaration or the 2013 Addendum as greenhouse gas emissions is a new analysis area that was added during the 2018 CEQA Guidelines update.

Greenhouse Gas Emissions Discussion on Adopted IS/ND

Not applicable at the time.

Greenhouse Gas Findings Under 2013 Addendum

Not applicable at the time.

Mitigation Measures Previously Adopted

Not Applicable.

Addendum No. 2 Analysis on Greenhouse Gas Emissions

Greenhouse Gas Emissions is a new analysis area that was added during the 2018 CEQA Guidelines update. Greenhouse gases are global temperatures that are moderated by naturally occurring atmospheric gases because they function like a greenhouse, allowing solar radiation (sunlight) into the earth's atmosphere but prevent heat from escaping, thus warming the earth's atmosphere. GHGs are defined under California's Assembly Bill (AB) 32 and include carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF6). GHGs are emitted by natural processes and human (anthropogenic) activities. Anthropogenic GHG emissions are primarily associated with (1) the burning of fossil fuels during motorized transport, electricity generation, natural gas consumption, industrial activity, manufacturing, and other related activities; (2) deforestation; (3) agricultural activity; and (4) solid waste decomposition.

The 2022 EDP does not alter any naturally occurring process, nor does it involve any construction, or physical improvements nor will it generate any level of motorized transport. Implementation of the 2022 EDP will not result in deforestation nor will it induce or result in the burning of fossil fuels. The 2022 EDP is designed to sustain agricultural activity at its current levels and will therefore not result in any new impacts from greenhouse gas emissions.

No mitigation measures are required for greenhouse gas emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
IX. 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?				**X**
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions				**X**

involving the release of hazardous materials into the environment?				
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				**X**
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?				**X**
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 working in the Project area?				**X**
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				**X**
g. Expose people or structures, <u>either directly or indirectly</u>, to a significant risk of loss, injury or death involving wildland fires?				**X**

NOTE: "Indirect" wildfire risks under question g. above is a modified analysis inquiry not originally pertinent under the 2006 Negative Declaration or 2013 Addendum for hazards and hazardous materials, which resulted from the 2018 CEQA Guidelines update.

<u>Hazards and Hazardous Materials Discussion on Adopted 2006 IS/ND</u>

Implementation of the 2006 EDP would have no impacts associated with hazards and hazardous materials. There would be no activities associated with the EDP that would interfere with existing emergency plans or increase fire risk.

Hazards and Hazardous Material Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts from hazards and hazardous materials would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis of Hazards and Hazardous Materials

Potential "indirect" impacts to fire risks, question g., was not previously analyzed under the 2006 Negative Declaration as the question was elaborated upon during the 2018 CEQA Guidelines update. Implementation of the 2022 EDP, may result in changes to cropping patterns and/or locations of idled lands, which may result in minor changes to drain vegetation. However, such changes would be minor as agricultural production would continue and such changes would be well within the current fluctuation of cropping patterns within the district, which several factors contribute to such decisions. The IID's water use was previously capped at 3.1 million acre-feet annually. The 2022 EDP does not change this, but rather provides a tool to manage water use within this entitlement cap. Further, IID has a drain vegetation maintenance program. Therefore, a risk of fires within drains is not anticipated as a result of the 2022 EDP.

Additionally, the Imperial County Multi-Jurisdictional Hazard Mitigation Plan (MHMP) was developed in partnership with the County of Imperial, the City of Brawley, the City of Calexico, the City of Calipatria, the City of El Centro, the City of Holtville, the City of Imperial, the City of Westmorland, Imperial County Office of Education and the IID. The purpose of the MHMP is to reduce death, injury, and disaster losses from both natural and human-caused disasters in Imperial County through outlining goals, strategies, and actions regarding hazard mitigation (County of Imperial, 2015), including wildfires. Therefore, there are no direct or indirect impacts from wildfires as a result of the revisions in the 2022 EDP.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for hazards and hazardous materials.

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
X. Hydrology and Water Quality – Would the project:				
a. Violate any water quality standards or waste discharge requirements or				**X**

otherwise degrade surface or groundwater quality?				
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				**X**
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, through the addition of impervious surfaces in a manner which would:				**X**
i. result in substantial erosion or siltation on- or off-site;				**x**
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;				**x**
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				**x**
iv. impede or redirect flood flows?				**x**
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?				X
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

Hydrology and Water Quality Discussion on Adopted 2006 IS/ND

The 2006 EDP would not result in any impacts associated with hydrology and water quality. Implementation of the EDP and the associated water exchange program will not affect the total amount of water use in the district. Nonetheless, water exchanges between famers could result in short-term changes in the location of water use throughout the IID water service area, potentially causing changes in the volume of flows in drains throughout the district. However, due

to restrictions imposed in the water exchange program on the amount of water that can be transferred or acquired, the magnitude of any potential change is anticipated to be minimal and due to constant variation in cropping patterns and locations of idled lands, most likely to be undetectable when compared to the existing condition.

Hydrology and Water Quality Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to hydrology and water quality would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis on Hydrology and Water Quality

No physical development or impervious surfaces would result from the proposed revisions in the 2022 EDP. No impacts to groundwater will result from implementation of the 2022 EDP. Groundwater underlying the Imperial Valley is generally of poor quality unsuitable for domestic or irrigation purposes and generally described as brackish (containing a high salt content). Implementation of the 2022 EDP will not affect the quality or total amount of water use in the district.

Nonetheless, water transferred through the Clearinghouse's increased flexibility could result in short-term changes in the location of water use throughout the IID water service area potentially causing changes in the volume of flows in drains throughout the district. Any changes to the drainage pattern of the area would continue to be minimal and not result in any hydrology or groundwater impacts.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for hydrology and water quality.

XI. LAND USE AND PLANNING

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XI. Land Use and Planning – Would the project:				
a. Physically divide an established community?				**X**
b. Cause a significant environmental impact due to a conflict with any land use plan,				**X**

policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				

Land Use and Planning Discussion on Adopted 2006 IS/ND

Implementation of the 2006 EDP would not result in any land use impacts. It would not physically divide an established community or conflict with any established land use plan or policy. Because there are no adverse biological effects of the EDP or changes to the natural environment resulting from the EDP, it would not conflict with the IID Water Conservation and Transfer Project Habitat Conservation Plan/ Natural Community Conservation Plan.

Land Use and Planning Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to land use and planning would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis on Land Use and Planning

The 2022 EDP will not result in the approval of any physical improvements or development that could physically divide a community. The proposed EDP changes will not entail any land use impacts nor does it conflict with any land use plan, policy or existing regulations adopted for the purpose of avoiding or mitigating environmental effects. The proposed 2022 EDP findings are consistent with the findings in the 2006 Negative Declaration and would not result in any impacts to land use and planning.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for land use and planning.

XII. MINERAL RESOURCES

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XII. 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?				**X**

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?				**X**

Mineral Resources Discussion on Adopted 2006 IS/ND

Implementation of the 2006 EDP would have no effect on mineral resources.

Mineral Resources Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to mineral resources would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis for Mineral Resources

A number of mineral resources in Imperial County are currently being extracted including gold, gypsum, sand, gravel, lime, clay, stone, kyanite, limestone, sericite, mica, tuff, salt, potash, and manganese. Any existing water users extracting mineral resources will be apportioned water in the Industrial/Commercial Water User Category or Potable Water User Category. Therefore, the proposed 2022 EDP changes will not entail mineral resources impacts. No portion of the irrigated acreage subject to the EDP is delineated as a mineral resource or mineral resource recovery site in the Imperial County General Plan or other applicable planning document or land use plan, with the exception of a handful of sand and gravel sites. The proposed Project findings are consistent with the findings in the 2006 Negative Declaration and would not result in any impacts to mineral resources that are of value to the region or California residents.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for mineral resources.

XIII. NOISE

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. Noise – Would the project:				
a. Generation of a substantial temporary or permanent increase in ambient noise				**X**

levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				
b. Generation of excessive groundborne vibration or groundborne noise levels?				**X**
c. For a Project located within the vicinity of a private airstrip or 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?				**X**

Noise Discussion on Adopted 2006 IS/ND

The 2006 EDP would not result in any generation of noise.

Noise Impact Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts from noise would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis on Noise

There are no components in the revisions in the 2022 EDP that would result in ambient noise. The proposed Project is therefore consistent with the findings in the 2006 Negative Declaration and would not result in any impacts resulting from noise.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for noise.

XIV. POPULATION AND HOUSING

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XIV. 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)?				**X**
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				**X**

Population and Housing Discussion on Adopted 2006 IS/ND

Implementation of the 2006 EDP would have no effect on population. In the event of an SDI, existing municipal water users receive an allotment of water that is equivalent to their current per capita usage. Future development will receive an allotment based on the valley-wide average per capita usage that assumes implementation of urban water conservation restrictions in water use in future developments in urban areas would likely occur in the absence of the EDP under an SDI; therefore, no impacts to population and housing are anticipated under the EDP.

Population and Housing Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to population and housing would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis for Population and Housing

Like the October 2013 EDP and the two before that, the proposed 2022 EDP would implement a system of annual apportionment that is in effect on January 1 of each year. Under the 2022 EDP, municipal water users are apportioned water within the Potable Water User Category. Their

apportionment is anticipated to be sufficient to meet their most recent 3-year average historical use due to changes in building codes, State regulations and other efforts that have been aimed at reducing urban water demands and use since the 2003-2012 historical use period used to calculate the apportionment for the Water User Categories. Therefore, there is no anticipated impact to population or housing.

Additionally, with the flexibility within the Clearinghouse, which is now available to non-agricultural users, there is an additional opportunity for Potable Water Users to obtain additional water if available. This flexibility, however, will not induce population growth nor will it result in the displacement of people or housing. Considering municipalities are subject to additional State laws and regulations imposed on urban water suppliers in response to ongoing drought, which do not take into account the uniqueness of IID and its water rights, the water demands of municipal water users is not anticipated to grow significantly, if at all. Therefore, water apportioned under the 2022 EDP will not induce growth. The proposed 2022 EDP findings are consistent with the findings of the 2006 Negative Declaration and would not result in any impacts.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for population and housing.

XV. PUBLIC SERVICES

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XV. Public Services – Would the project:				
a. 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:				**X**
i. Fire protection?				**X**
ii. Police protection?				**X**
iii. Schools?				**X**
iv. Parks?				**X**

v.	Other public facilities?			X

Public Services Discussion on Adopted 2006 IS/ND

The potential for an SDI situation was the same with or without the 2006 EDP. Impacts to fire protection are not anticipated as existing municipal users will receive a per capita allotment of water under the EDP that is sufficient for public health and safety purposes. A valley-wide standard will be applied to new development; however, it is anticipated that this standard will be sufficient to maintain acceptable service rations. The project will not result in an increased need for public services; therefore, no impacts to public services are anticipated.

Public Services Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to public services would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis for Public Services

Like the October 2013 EDP, the proposed 2022 EDP continues the implementation of an annual apportionment that is in effect on January 1 of each year. Administration of the 2022 EDP, consistent with the apportionment of water, would be carried out by IID staff. Under the methodology of apportionment within the Potable Water User Category, municipal water users will be apportioned water based on the most recent three years' historical use of water. Apportionment will no longer be calculated on a per-capita basis, nor will it apportion water based on projected per-capita demands. The 2022 EDP has instead allowed water in the Clearinghouse to be available for each water user category, including municipalities which in turn serve their constituents with fire protection needs and potable water services. This flexibility within the Clearinghouse is a new accommodation that would support continued and uninterrupted public services. Further, considering municipalities are subject to additional State laws and regulations imposed on urban water suppliers in response to ongoing drought, which do not take into account the uniqueness of IID and its water rights, the water demands of municipal water users is not anticipated to grow significantly, if at all. As a result, the 2022 EDP will not have impacts on public services.

The proposed revisions in the 2022 EDP will not entail impacts to IID services or any other public services that would, or could, result in physical impacts. The 2022 EDP is not anticipated to impact service ratios for fire protection, police protection, schools, parks or any other public service at a level that would necessitate physical alterations to facilities. The proposed project impacts are consistent with the findings in the 2006 Negative Declaration and would not result in any physical impacts to public services.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for public services.

XVI. RECREATION

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XVI. Recreation – Would the project:				
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?				**X**
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?				**X**

Recreation Discussion on Adopted 2006 IS/ND

Implementation of the 2006 EDP would not result in the increase of use of recreational facilities or include the construction of recreational facilities; therefore there would be no impacts to recreational resources.

Recreation Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to recreation would occur.

Mitigation Measures

None required.

Addendum No.2 Analysis for Recreation

The proposed revisions in the 2022 EDP do not entail any impacts to recreational facilities. The 2022 EDP does not affect the use of parks or facilities nor does the Project entail construction of any type. The finding that the revisions in the 2022 EDP have no impact to recreational resources is consistent with the findings in the 2006 Negative Declaration.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for recreation.

XVII. TRANSPORTATION

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XVII. Transportation – Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				**X**
b. Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b) (criteria for analyzing transportation impacts)?				**X**
c. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				**X**
d. Result in inadequate emergency access?				**X**

Transportation and Circulation Discussion on Adopted 2006 IS/ND

Implementation of the 2006 EDP will have no effect on Transportation and Circulation. No additional trips will be generated, and no roads will be affected.

Transportation and Circulation Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to transportation and circulation would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis for Transportation

The proposed revisions in the 2022 EDP will not result in any impacts to transportation. The 2022 EDP will not conflict with any program, plan or policy addressing circulation, nor does the implementation of the 2022 EDP result in the generation of new traffic or any physical improvements. The proposed revisions in the 2022 EDP are consistent with the "no impact" findings in the 2006 Negative Declaration for Transportation/Circulation.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for transportation.

XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XVIII. Tribal Cultural Resources – Would the project:				
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				**X**
vi. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined Public Resources Code Section 5020.1(K), or				**X**
vii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				**X**

NOTE: Impacts to Tribal Cultural Resources were not previously and specifically analyzed outside of cultural resources as a whole under the 2006 Negative Declaration and 2013 Addendum since tribal cultural resources is an independent analysis category that was added during the 2018 CEQA Guidelines update.

Tribal Cultural Resources Discussion on Adopted 2006 IS/ND

Not applicable at the time.

Tribal Cultural Resources Findings Under 2013 Addendum

Not applicable at the time.

Mitigation Measures Previously Adopted

Not Applicable.

Addendum No. 2 Analysis for Tribal and Cultural Resources

Impacts to Tribal Cultural Resources is a new, independent analysis area applicable under this Addendum No. 2. The Project does not involve any construction, physical improvements or ground disturbance activities at any level, therefore, no effects to cultural resources will occur nor any impacts to tribal cultural sites, features, places or cultural landscapes.

No mitigation measures are required for tribal cultural resources.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XIX. Utilities and Service Systems – Would the project:				
a. Require or result in the construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?				**X**
b. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?				**X**
c. Result in a determination by the wastewater treatment provider which				**X**

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?				
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of locate infrastructure, or otherwise impair the attainment of solid waste reduction goals?				**X**
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				**X**

NOTE: Areas of analysis under Utilities and Service Systems have been modified since the 2006 Negative Declaration and 2013 Addendum, during the 2018 CEQA Guidelines update. Specifically, slight modifications and changes to questions a., b., d., and e. resulted from the 2018 CEQA update.

Utilities and Service System Discussion on Adopted 2006 IS/ND

Under the 2006 EDP, in the event of an SDI, existing municipal users would be unaffected as they would receive the same amount of water that they have used historically on a per capita basis. All future development, regardless of city supply, would be subject to the same valley-wide use allotment as determined annually by the Board of Directors, based on the use of water conservation best management practices. The EDP will not result in the need for any additional wastewater, water, or solid waste facilities. Because of the allotment provided to existing municipal users is based on historic use it will not result in impacts to consider the valley-wide per capita use prior to construction and thus will incorporate best management practices to avoid impacts during an SDI.

Utilities and Service System Findings Under 2013 Addendum

Consistent with the 2006 IS/ND discussion; no impacts to utilities and service systems would occur.

Mitigation Measures Previously Adopted

None required.

Addendum No. 2 Analysis on Utilities and Service Systems

The proposed revisions in the 2022 EDP will not entail impacts to utilities and service systems. As in the previous analysis under the 2006 Negative Declaration, the 2022 EDP will not result in the need for any additional utilities or service facilities; the Project will not result in the need for any additional or expanded water, wastewater, stormwater drainage, electric power, natural gas, or telecommunication facilities and will not generate any solid waste.

The Project does not affect the available water supply to the region and service area. The 2022 EDP is a tool to manage water use within IID's available water supply. The implementation of the 2022 EDP will entail the equitable distribution of the available water supply among all categories of water users. The limitations on the ability of IID to exceed its 3.1 million acre-feet annual entitlement are set by federal laws, policies, and agreements. The 2022 EDP does not impose these limits, but rather provides a tool to manage water within and consistent with these limits.

The objective of the 2022 EDP is to apportion water equitably while accommodating the movement of water within the service area through the Clearinghouse. The 2022 EDP provides for predictable management of this limited resource. The proposed Project impacts are consistent with the findings in the 2006 Negative Declaration and would not result in any impacts.

The conclusion from the 2006 Negative Declaration remains unchanged. No mitigation measures are required for utilities and service systems.

XX. WILDFIRE

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XX. Wildfire – If located in or near state responsibility areas or land classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				*NA*
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				*NA*
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may				*NA*

exacerbate fire risks or that may result in temporary or ongoing impacts to the environment?				
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				*NA*

NOTE: Wildfire impacts were not previously analyzed under the 2006 Negative Declaration or 2013 Addendum as Wildfires is a new analysis area that was added during the 2018 CEQA Guidelines update.

Wildfire Discussion on Adopted 2006 IS/ND

Not applicable at the time.

Wildfire Findings Under 2013 Addendum

Not applicable at the time.

Mitigation Measures Previously Adopted

Not Applicable.

Addendum No. 2 Analysis on Wildfire

Wildfire is a new analysis area applicable to projects located in or near state responsibility areas or land classified as very high fire hazard severity zones. CAL FIRE adopted Fire Hazard Severity Zone maps for State Responsibility Areas in November 2007. According to the Fire Hazard Severity Zone Map for the Imperial County State Responsibility Area there are no zones within IID's water service area classified as Moderate, High or Very High fire hazard risks.

No mitigation measures are required for wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
XXI. Mandatory Findings of Significance				
a. Does the Project have the potential to degrade the quality of the environment,				**X**

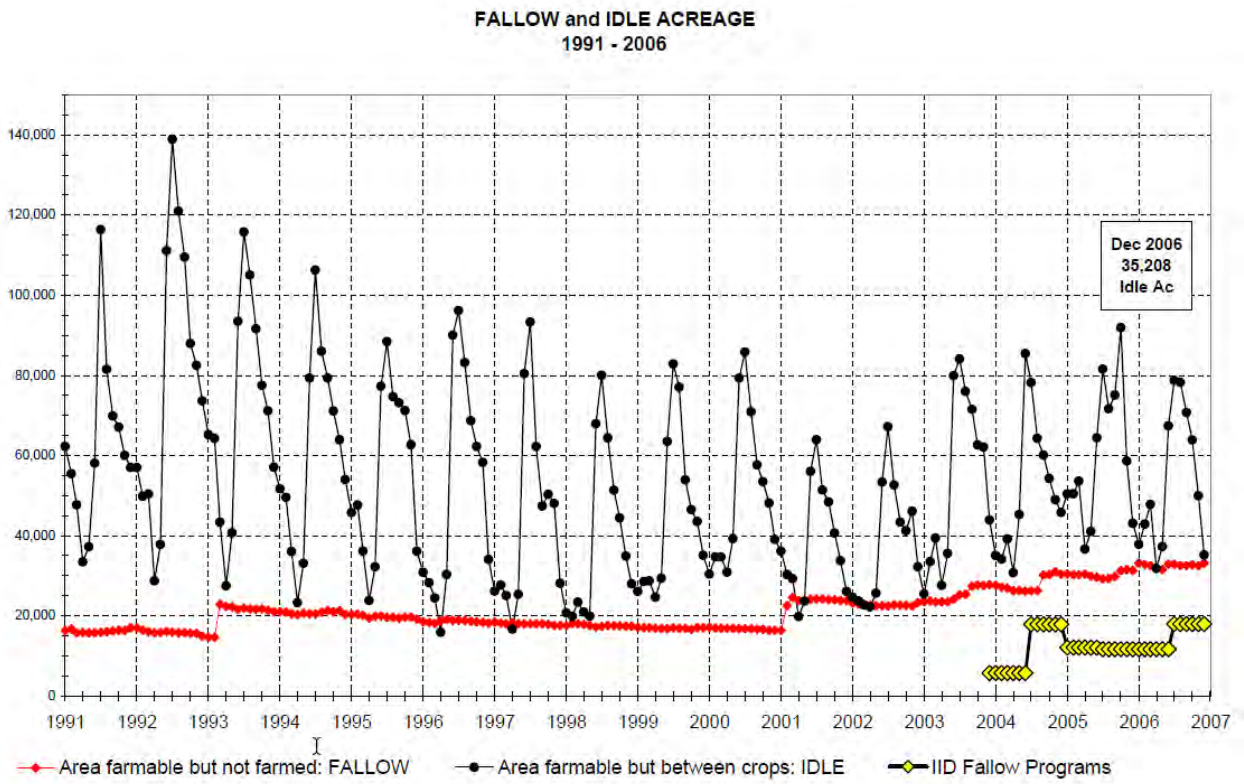
substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
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, the effects of other current Projects, and the effects of probable future Projects)?				**X**
c. Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				**X**

Mandatory Findings of Significance Discussion on Adopted 2006 IS/ND

Within IID, the number of acres fallowed/idled at any time fluctuates as shown on Figure 3 below. In 2003, IID implemented a rotational fallowing program to create conserved water to deliver to the Salton Sea, as mitigation water for the Transfer Project, and for other purposes related to the Transfer Project. Over the next 11 years [through 2017], under the approved QSA Delivery Schedule, fallowing would increase incrementally to a maximum of about 25,000 acres to provide conserved water for Transfer Project purposes. After 2017 (or sooner), it is anticipated that the use of fallowing as a conservation method will terminate and be replaced with efficiency conservation to implement the Transfer Project. The increment of fallowing for the Transfer Project is also shown on Figure 3. To protect ongoing agriculture in the IID service area, the existing fallowing program allows a field participating in the program to be fallowed for a maximum of only two of every four years. Under the existing condition if an SDI were to occur, it is anticipated that additional lands could be idled or fallowed but that the amount would be well within the existing fluctuation of idled or fallowed lands. With the EDP, if an SDI is declared, the

water exchange program would allow a redistribution of water that could reduce the amount of fields that would be fallowed.

Figure 3



a) Fish and Wildlife Species (2006 IS/ND):

Because implementation of the EDP would not result in any changes in the existing environment, no construction is proposed and no changes in drain flows beyond the existing fluctuation in drain flows would occur, the Project does not have the potential to substantially degrade the environment, reduce the habitat of a fish or wildlife species or cause a fish or wildlife population to drop below self-sustaining levels. In addition, for the same reasons, the project would not threaten to eliminate a plant or animal community or reduce the number or restrict the range of a rare or endangered plant or animal species. Similarly, the proposed Project would not eliminate important examples of the major periods of California history or prehistory.

b) ***Cumulative Impacts (2006 IS/ND):***

Because there are no environmental impacts associated with implementation of the EDP, there are no cumulative impacts to consider.

c) Humans (2006 IS/ND):

The proposed project would not have a substantial or adverse effect on human beings. Based on the above, IID determined that the adoption of the 2006 Equitable Distribution Plan would not have any significant adverse environmental effects.

Mandatory Findings of Significance Discussion on 2013 Addendum

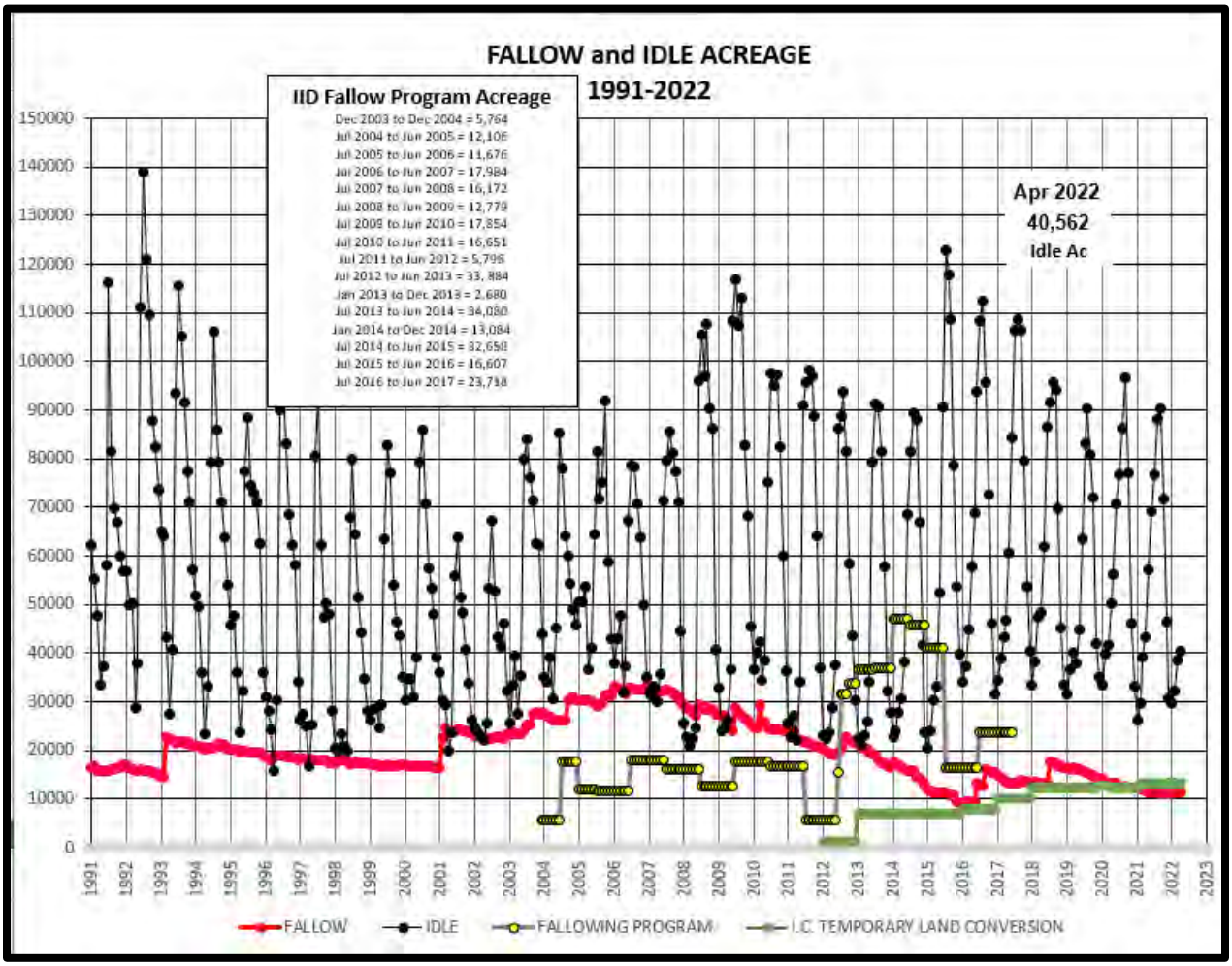
Consistent with the 2006 IS/ND discussion; no impacts under mandatory findings of significance were identified.

Addendum No. 2 to Mandatory Findings of Significance

The proposed revisions in the 2022 EDP continue to implement a system of annual apportionment that is in effect on January 1 of each year. The Clearinghouse will continue to be administered, and additional flexibility as it would now be open to all categories of water users.

Under the 2006 Negative Declaration it was estimated that as much as 25,000 acres may be fallowed at any given time, however, the peak reached 47,160 fallowed acres at any given time, prior to sunsetting in 2017. Since then, a new source of agricultural land fallowing has emerged from Imperial County's permitting of temporary land conversions for solar facilities which has reached 13,165 acres as of the end of 2021 and is projected to increase consistently and modestly increase over the years. Nevertheless, the Imperial County is the lead agency for such projects and IID has no control over the land use practices of Imperial County. However, impacts from those fallowed acres must be considered with the number of potential acres fallowed at any time as a result of the 2022 EDP implementation, cumulatively exceeding 25,000 acres as of the end of 2021. An updated Figure 3 is shown for informational purposes.

Updated Figure 3



The fallowing programs illustrated in the updated Figure 3 include the creation of conserved water for transfer, Salton Sea Mitigation deliveries through 2017 (Fallowed Program), and overrun payback purposes. The Imperial County's land use practices that approved projects accomplishing temporary land conversion fallowing began in 2012 and has steadily increased its acreage of the last ten years. Under the revised 2022 EDP, it is anticipated that additional lands could be idled or fallowed. The increase in fallowed and/or idled land would continue to be well within the existing fluctuation of idled or fallowed lands for cropping patterns in the district and not attributable to the revised 2022 EDP.

The Clearinghouse has expanded and would continue to allow for the intra-district transfer of water with increased flexibility that could reduce the number of fields that would be fallowed absent this intra-district transfer mechanism.

a) Fish and Wildlife Species:

Because implementation of the proposed changes in the 2022 EDP would result only in negligible changes, if any, in the existing environmental conditions, no construction is proposed and no material changes in drain flows beyond negligible changes or existing and continued fluctuations in drain flows, the 2022 EDP does not have the potential to substantially degrade the environment, reduce the habitat of a fish or wildlife species or cause a fish or wildlife population to drop below self-sustaining levels. In addition, for the same reasons stated in the 2006 Negative Declaration, the proposed Project revisions would not threaten or eliminate a plant or animal community, or reduce the number, or restrict the range of a rare or endangered plant or animal species. The proposed Project revisions would not eliminate important examples of the major periods of California history or prehistory as no ground disturbance or physical alterations to the environment would occur.

b) **Cumulative Impacts:**

There are potential negligible, indirect, environmental impacts associated with implementation of the proposed revisions in the 2022 EDP. Potential indirect impacts could result from the proposed revisions in the 2022 EDP due to the potential for additional lands to be idled or fallowed, which may result in a cumulative effect if other projects in Imperial County that directly convert, on a temporary, long-term basis, agricultural land to a different temporary use, or is fallowed, or idle land, such as those that support solar facilities, and those projects are not properly mitigated.

Imperial County began issuing solar facility conditional use permits in 2012 for the temporary conversion of agricultural land to solar facilities. The amount of acreage temporarily converted by Imperial County to non-agricultural uses increases nominally as new conditional use permits may or may not be issued by the County in each subsequent year. The table below identifies the cumulative trend for temporary converted fallowed land not previously accounted for under the 2006 Negative Declaration, as it is a changed condition, that has doubled since the preparation of the 2013 Addendum.

Imperial County Permitted Temporary Land Conversion Fallowing	
Year	Acres
2012	1,386
2013	6,859
2014	6,912
2015	7,104
2016	7,864
2017	10,146
2018	12,354
2019	12,404
2020	12,404
2021	13,165

Imperial County's temporary land conversion and fallowing of agricultural land is expected to continue on a modest annual increase of acreage. Imperial County prepares a CEQA analysis for all projects that fall under a temporary conditional use permit, therefore, any cumulative impacts that may result from additional fallowed and idle lands throughout the County would be mitigated to a less than significant level.

c) Humans:

The proposed revisions in the 2022 EDP would not have a substantial or adverse effect on human beings. The potential negligible increase in idled and/or fallowed lands may occur, but are anticipated to be well within typical fluctuations in cropping patterns in the district. The increased flexibility in the Clearinghouse could result in minor changes in the amount of water applied to some lands and in the location and amount of idled lands as water is exchanged within the IID water service area. However, changes to cropping patterns and/or locations of idled lands would be minor as agricultural production would continue and such changes would be well within the current fluctuation of cropping patterns within the district, which several factors contribute to such decisions. Therefore, the revisions in the 2022 EDP would not have any significant direct, or indirect, adverse effects to humans.

Appendix A

Imperial Irrigation District
Equitable Distribution Plan
Final Negative Declaration

State Clearinghouse # 2006101155

November 2006

Imperial Irrigation District
Equitable Distribution Plan
NEGATIVE DECLARATION

1. Introduction

This Negative Declaration is being prepared pursuant to the requirements of the California Environmental Quality Act (CEQA). It incorporates an Initial Study evaluating the potential for environmental impacts associated with the adoption and implementation of the proposed Equitable Distribution Plan in the Imperial Irrigation District (IID or District). Based upon the information contained in the Initial Study, this Negative Declaration concludes that the Equitable Distribution Plan will not have a significant effect on the environment. The Equitable Distribution Plan is not the assignment or conveyance of a water right but rather a process intended to provide a predictable method to apportion the available supply of water in years when IID determines that the demand exceeds supply.

In October 2003, IID signed the Quantification Settlement Agreement and related agreements (collectively referred to herein as the "QSA"). Pursuant to the QSA, IID agreed to limit its annual Priority 3 diversions of Colorado River water to 3.1 million acre-feet (MAF) per year. IID's obligations under the QSA have been assessed in the Final EIR/EIS for the IID Water Conservation and Transfer Project (Transfer Project), certified by the IID Board of Directors in June 2002, as supplemented by an Addendum thereto approved by the IID Board in October 2003. As a result of this cap on diversions, the demand for water by users within the District may exceed the supply available to the District, referred to herein as a "supply/demand imbalance" (SDI). IID has determined that a plan must be adopted to equitably distribute the available water supplies amongst the users in the event that IID determines that an SDI is likely to occur in any individual year. The equitable distribution of water is required pursuant to California Water Code Section 22252 which states:

> 22252. When any charges for the use of water are fixed by a district the water for the use of which the charges have been fixed shall be distributed equitably as determined by the board among those offering to make the required payment.

The Equitable Distribution Plan evaluated herein provides an approach for apportioning or allocating water in any individual year where the District anticipates that the demand for water by users within the District is likely to exceed the supply available to the District. This scenario, referred to as a "supply/demand imbalance" (SDI), will occur with or without an Equitable Distribution Plan.

This analysis does not consider the effects of the SDI itself, since the occurrence of an imbalance is outside the control of IID. Rather, this analysis considers the effects of implementing the Equitable Distribution Plan, in the event of an SDI. Recent

analyses of water demand in the District indicate that an SDI could occur in up to 52% of the years during the term of the Transfer Project. The Equitable Distribution Plan implements State law and also eases the burden on water users by providing agricultural users with more certainty regarding the method of water allocation in the event of an SDI, so they can plan appropriately and minimize economic effects of a reduction of their water supply.

An SDI situation could occur because either supply is low or demand is high. Demand could be high because of weather conditions (e.g., unusually high temperatures lead to higher rates of water application) or because of cropping and other management decisions by growers (e.g., unusually favorable market conditions lead to a larger acreage of higher water-using crops). If an SDI is anticipated to occur, for any reason, available supplies would be allocated in accordance with the procedures described in the proposed Equitable Distribution Plan as summarized below in the Project Description.

This Initial Study provides an analysis of the potential for environmental impacts resulting from the implementation of the Equitable Distribution Plan pursuant to the requirements of the CEQA Guidelines, Title 14, Articles 5 and 6.

2. Project Description

2.1 Project Location

Through its extensive system of more than 3,000 miles of canals and drains, IID currently provides up to 3.1 MAF of Colorado River water annually to nearly one-half million irrigated acres and several municipal areas within the IID water service area shown on Figure 1. Of the water IID delivers, approximately 97 percent is used for agricultural purposes. The remaining three percent of its water deliveries supplies seven municipalities, one private water company and two community water systems as well as a variety of industrial uses and rural homes or businesses (www.iid.com).

2.2 Need for Equitable Distribution

During the period 1994-2002, the District diverted an average of about 3.2 MAF annually from the Colorado River, including the amount of water transferred to the Metropolitan Water District (MWD) under the 1988 IID/MWD Water Transfer Agreement. Under the QSA, approved in October 2003, the District's total annual diversions of Colorado River water under Priority 3 are now capped at 3.1 MAF including the amount of water transferred pursuant to the 1988 IID/MWD Water Transfer Agreement and the amount of water transferred to San Diego County Water Authority, Coachella Valley Water District, and/or MWD under the QSA.

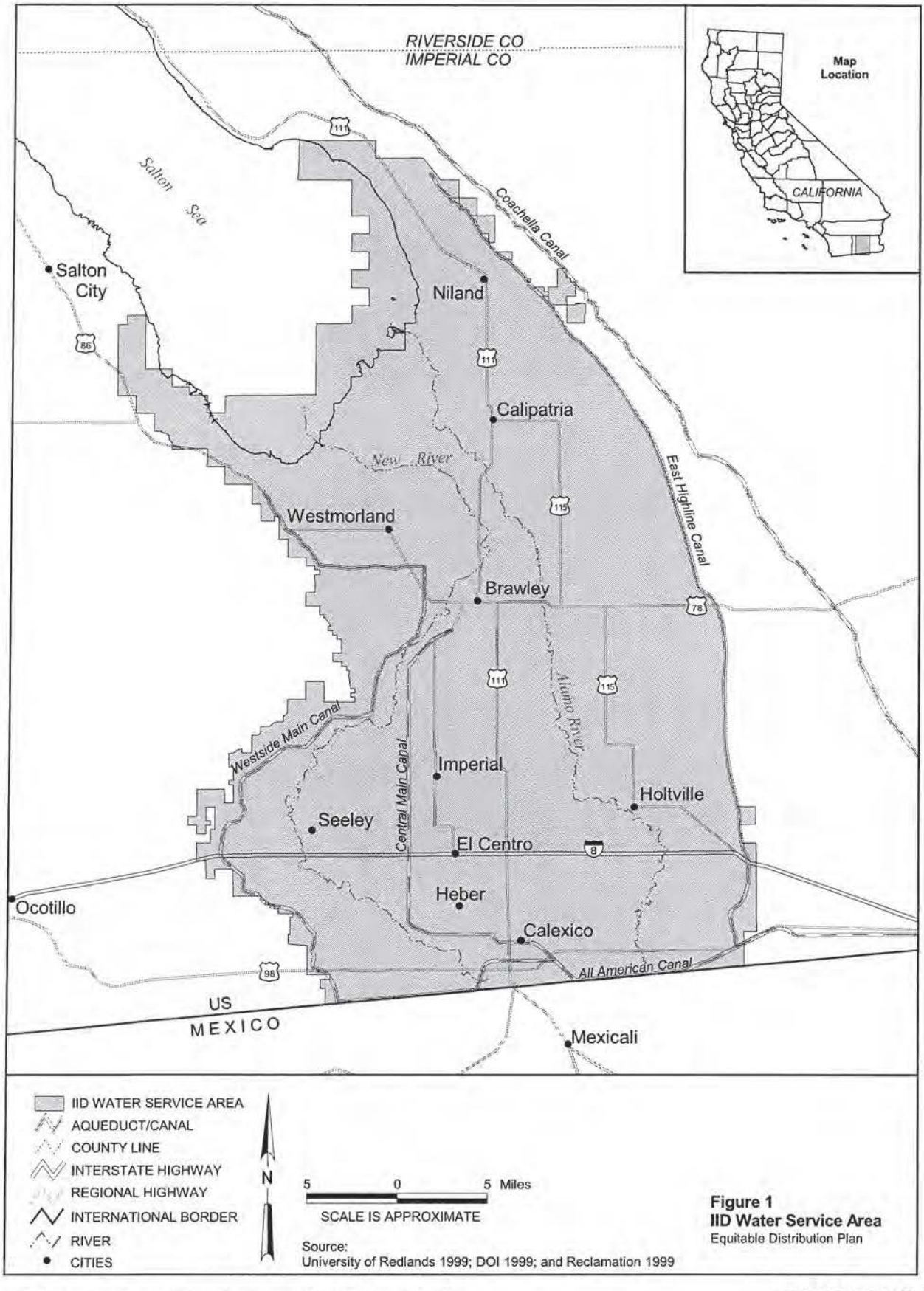


Figure 1
IID Water Service Area
Equitable Distribution Plan

Agricultural water use in Imperial Valley is inherently variable because of unpredictable variation in environmental factors such as rainfall, the salinity of Colorado River water at Imperial Dam, the incidence of pests, and economic factors such as commodity prices, production costs and changes in cropping patterns. In the past, there have been year-to-year swings in total agricultural water use on the order of 25,000-50,000 AF, and sometimes as much as 100,000 AF or more.

Municipal and industrial (M&I) water uses account for a very small proportion of total water use within the District (less than 3%), however there has been an increase in the rate of residential development in the last couple of years. Between 2004 and 2005, the Imperial Valley population grew by 3%, making it the sixth fastest growing county in the state during that period. The conversion of agricultural lands to urban uses could ultimately lead to a reduction in total water use depending on the types of developments and the implementation of urban water conservation best management practices. However, the increase in urbanized areas within the IID water service area could increase annual water demand within the District if the lands being developed have been idle and not actively farmed in the years prior to development.

If a very severe drought were to occur in the Colorado River Basin, existing statutes and anticipated shortage criteria would require a reduction in diversion of Colorado River water by permit holders with junior water rights and implementation of contractual shortage-sharing provisions of the QSA triggered by a reduced supply of Colorado River water. While IID's senior water rights minimize the likelihood of its entitlement being immediately affected, it is not unreasonable to assume that a shortage-sharing scenario could be proposed for California water users (including IID) under extreme or extended shortage conditions where diverters with junior water rights have already been reduced.

In addition, steady climate warming, earlier occurrences and shorter periods of snowmelt, and shrinking snow pack have contributed to reduced water runoff from the mountains in the Colorado River Basin. Coupled with a fully-allocated Colorado River system, increased water user demands, and historically low reservoir storage elevations, it is possible that a drought sufficient to trigger some reduction in the District's supply of Colorado River water could occur in the future.

A recent simulation analysis conducted for the District takes the actual levels of water use observed in the District over the period 1987-1998 and translates them to the 75-year period 1925-99 based on the weather conditions in those years compared to those in 1987-1998, assuming current cropping patterns and market conditions. Over the 75-year simulation period, in 52% of the years, demand is projected to exceed the 3.1 MAF cap. The overruns range from 44,000 to 212,800 AF, with an average of 114,000 AF. This could increase if market conditions favor crops with more intensive water needs. (Hanemann 2006)

Given all these factors, simulations predict that IID could face an SDI situation 4 or 5 times in the next 10 years. Moreover, it is also likely that SDI situations could occur back-to-back, resulting in a need to implement an Equitable Distribution Plan for two or more years in a row.

2.3 Equitable Distribution Plan

The four key objectives of the Equitable Distribution Plan proposed by IID are as follows:

- Ensure equity
- Provide certainty for water users
- Provide flexibility for water users
- Preserve the vitality of the local economy.

Under the proposed Equitable Distribution Plan, during, or not later than, October of each year, IID staff will forecast water demand and available supply for the following year and make a recommendation regarding the risk of water user demands exceeding available supply for the following calendar year. If the staff analysis concludes that forecasted water user demands will exceed the annual supply, then a Supply Demand Imbalance (SDI) will be recommended. Declaration of an SDI situation requires implementation of allocation of water pursuant to the Equitable Distribution Plan for the following year. If demand is not predicted to exceed supply, then Equitable Distribution is not needed for the following year. The SDI determination can be revisited at any time during the year to determine if Equitable Distribution should continue or be suspended for the remaining months of the year.

2.3.1 Apportionment by Water User Type

In the IID water service area, agricultural lands cultivating vegetables and field crops currently account for about 90% of the water use. Permanent crops account for an additional 6%. The remaining 4% is divided between municipal, industrial and miscellaneous uses. The Equitable Distribution Plan acknowledges that some groups may warrant lesser cutbacks than others. For some users, such as industrial users, permanent crops and dairies, a cutback in water deliveries has the potential to result in greater economic harm compared to other users. In addition, cutbacks to some user types such as municipal users, which account for only 3% of the total current water demand, may be costly to implement, but provide only a very minor contribution to reducing the overall water demand. In the event of an SDI, the proposed Equitable Distribution Plan would allocate the available water supply to water user accounts based on the following water use categories:

- System Losses – Annual Estimated Loss in AF
- Supply of Last Resort – Set Amount or percentage of total supply in AF
- Municipal Users – AF per Capita
- Industrial Users – Contracted Amount in AF
- Feed Lots – AF per animal
- Permanent Crops – Acre Feet based on Crop Needs
- Agricultural Lands per Acre – Straight Line Apportionment : Remaining Supply divided by authorized total acres

The amount or unit amounts for each of these water use categories will be set by the Board of Directors each year an SDI is declared.

Prior to allocating water to water users, under the Equitable Distribution Plan, water would be set aside from the total available supply to account for water attributed to system losses and the Supply of Last Resort as described below.

System Losses: Each year a quantity of water (on the order of 179,000 - 445,000 AF/year) is "lost" throughout the IID water delivery system and unavailable for use by water consumers in the District. System losses occur due to seepage, evaporation, and operational losses.

Supply of Last Resort: Under the Equitable Distribution Plan, if an SDI is declared, IID would set aside a specified volume of its annual entitlement as a Supply of Last Resort. The set aside amount would be determined each year based on the supply and demand conditions. If any water user is in desperate need of water, an application to an IID water user committee can be made and if determined to be a critical need, an allocation from the Supply of Last Resort will be approved by an IID water user committee. If approved, the amount of the approved request would be credited to the proper water account in the Water Order Entry System.

The various water user types and proposed method of allocation under the Equitable Distribution Plan are described below.

Municipal Users: Imperial Valley contains a large and growing urban population, most of which is served by retail water agencies who obtain their raw water supply from the District. The water agencies treat the water and distribute it to the population within their service areas for residential, commercial, industrial and public uses. For urban water agencies, the Equitable Distribution Plan assumes that the unit for apportionment is the number of people served by the agencies. The allotted per capita water use factor, in gallons per capita per day (gpcd), would be applied to the current service population based on the historic per capita amount. Currently, water use varies significantly among different urban agencies reflecting (1) differences in the balance of residential, commercial, industrial and public uses in each town and (2) differences in the residential density, lot size, building vintage and landscaping. For this reason, the same per capita water use factor will not currently be applied to each urban water agency. However, in order to be equitable, and to provide a level playing field for the location of future new urban developments in the Valley, it is important that new urban developments be held to equivalent water use standards that require implementation of urban water conservation best management practices by the appropriate entities. Therefore, when an SDI is declared, under the Equitable Distribution Plan, cities will receive a base amount that is calculated based on existing per capita use plus a per capita amount for new development that is based on a valley-wide average.

Industrial Users: Industrial users within the IID water service area include geothermal facilities, food processing facilities, manufacturing plants, etc. These users hold existing contracts within IID to receive a specified amount of water that is based on the requirements

specific to their industry and are based on reasonable use. In the event of an SDI, to avoid significant economic harm to these industries, the Equitable Distribution Plan includes continuing to provide these users with the contracted amount in acre feet.

Feed Lots: Within the IID water service area, there are approximately 35 feed lots with approximately 600,000 head of cattle and sheep combined. In the event that an SDI is declared, feed lots would be apportioned an amount of water based on the specific requirements of the animals on an acre feet per animal basis to avoid any economic harm.

Agricultural Lands. Total agricultural water use accounts for about 96% of all water use in the Imperial Valley. The District divides agricultural uses into three broad categories: field crops, vegetables, and permanent crops. Permanent crops account for about 6% of the water use in the District. Field crops and vegetables together account for about 90% of total water use. In 2005 there were 366,963 acres devoted to field crops, 94,751 acres devoted to vegetables.

- **Permanent Crops:** Because of the potential for economic harm if a permanent crop does not receive adequate water, under an SDI situation this water use type would be allocated water on a crop water need basis. This approach allocates water to a field based on the reasonable water requirements for the specific crops and field conditions.

- **Other Agricultural Lands:** All other agricultural lands (90% of total water use) that have been paying the water availability fee would be allocated water based on Straight Line Method (SLM) of apportionment. Under SLM, the remaining water supply after all other users (above) have been allocated their allotment would be divided among these agricultural lands in an equal per-acre amount. In addition, these agricultural users would be eligible to participate in an internal water exchange program as described below. State and federal refuges within the IID water service area that currently receive water from IID are included in this water use category and would receive water in an SDI based on the SLM. In addition, any areas within the IID water service area that receive water to support resources required under environmental permits issued to IID are also included in this category.

2.3.2 Internal Exchange Program for Agricultural Water Users

Most water districts in California allow users to exchange water within the district subject to the district's approval. This strategy is referred to as an internal water exchange. Districts that allow internal water exchanges do so for two reasons: it provides flexibility for their water users, and it simplifies the administration of water allocation for the district. Further, internal water exchanges are more common among water districts, such as IID, which have little or no storage for banking water. Under the Equitable Distribution Plan, internal exchanges will be permitted for agricultural purposes within the District with the same reasonable and beneficial use restrictions currently in effect.

The proposed Equitable Distribution Plan for IID includes an internal water exchange program with the following general requirements:

- Parties wanting to exchange water must submit an application to IID for approval.
- Based on exchange criteria (maximum, minimum and beneficial use) IID approves or denies application.
- If application is approved, the volume of the approved exchange is credited and/or debited to the proper water accounts in IID's accounting system.
- There will be a limit on the maximum amount of water per acre that can be transferred off a field.
- There will be a limit on the maximum amount of water per acre that can be acquired.
- There may be restrictions on the timing and frequency of transfers.
- Urban and industrial users will not be participants in the water exchange program but are eligible to acquire water from the Supply of Last Resort.

2.3.4 Flexibility of the Equitable Distribution Plan

The Equitable Distribution Plan is designed to be flexible in order to meet the changing circumstances in supply and demand. In years when an SDI is declared, the Equitable Distribution Plan will be defined by applying the methodology described above based on the extent to which demand exceeds supply in each particular year. Each year that an SDI is declared, allotments will be reviewed and revised if necessary and the following set points will be determined:

1) Amount of total supply to be set aside for the Supply of Last Resort
2) Maximum amount that can be transferred from an account under the exchange program and restrictions on the timing and frequency of transfers
3) Minimum amount that must be retained by an account under the exchange program
4) Maximum amount that can be acquired by an account for beneficial use
5) System Loss Amount

The methodology described in the sections above is what is currently recommended based on existing knowledge of the District. However, as implementation proceeds, the Equitable Distribution Plan could be revisited and adjusted as needed.

2.3.5 Development of Equitable Distribution Plan

The proposed approach to the equitable distribution of water within the IID water service area was developed over the course of nearly one year of public meetings and facilitated discussions with local stakeholders. This stakeholder group referred to as the ED Work Group, was comprised of local agricultural, business and government leaders. The process also included a rigorous analysis of District records by the ED consultant in consultation with the ED Work Group and targeted stakeholder meetings with representatives from local public water systems, labor representatives, and agricultural advocacy organizations. Eight public workshops were held – two at the project outset, three to summarize draft findings, and three to present draft recommendations. More than 90 people attended the workshops, which were held in Brawley, El Centro and Calexico. Finally, the ED consultant has also presented his findings from Phases I and II of the ED project to the IID Board of Directors at regularly scheduled Board meetings, which are open to the public.

3. Existing Setting

3.1 Existing Delivery System

Up to now, IID has operated a demand-based water delivery system; water users have been able to place orders for the delivery of water and have these orders honored without limit and within canal capacity limitations as long as they are in good standing with respect to their payments to the District and as long as use is limited to that being necessary for reasonable and beneficial purposes. The District is rather unique in California in not previously allocating water in the sense of imposing a specific quantitative limit on the total amount of water available to individual water users over the course of a season. Most other water districts in California and in Colorado River Basin states do allocate water in this sense – that is, they do not have a purely demand-based delivery system. The main reason for the District's distinctive water supply is the unique nature of its water rights as holder of one of the oldest and largest rights to water from the Colorado River. This is a very important economic asset which benefits landowners and water users throughout the District.

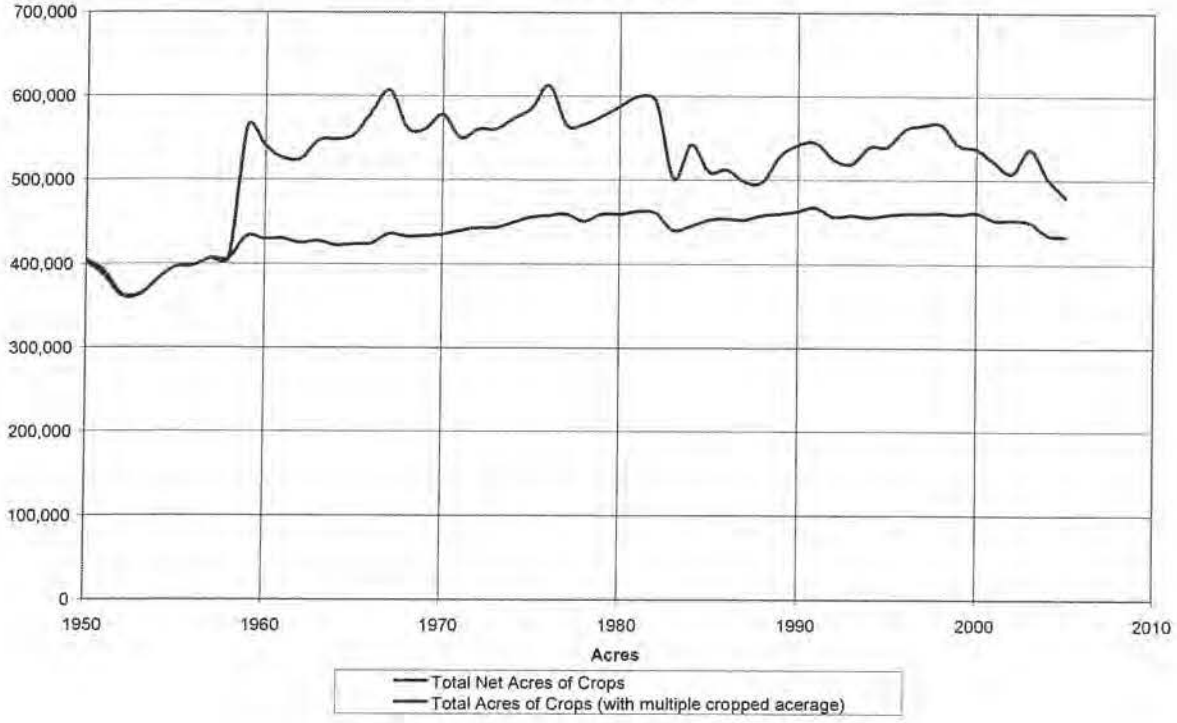
Under the demand-based water delivery system, as described above, during the period 1994-2002, the District consumed an average of about 3.2 MAF from the Colorado River, including the amount of water transferred to MWD under the 1988 MWD Water Transfer Agreement. Under the QSA, approved in October 2003, the District's total consumption of Colorado River water under Priority 3 is now capped at 3.1 MAF. Therefore, in years when the projected water demand exceeds the available supply capped at 3.1 MAF, under the existing condition, there is currently no Board-approved approach to equitably distribute the available water supply. Section 22250 of the California Water Code requires districts to use the assessed value of their land as a percentage of the total assessed valuation of all lands served by the district as an apportionment method if no other method of apportionment is used.

Since adoption of the QSA in 2003 and imposition of the 3.1 cap on Priority 3 diversions of Colorado River water, water demand has not exceeded supply; therefore, the method of equitable distribution of available supplies without an adopted Equitable Distribution Plan has not been tested. The Board wishes to adopt an Equitable Distribution Plan in order to replace the statutory allocation method based on assessed value and to avoid uncertainty among users regarding the method of allocation.

3.2 Agricultural Water Use

As an irrigation district authorized under state law, IID delivers water for irrigation and domestic purposes within a service area consisting of about 500,000 acres in Imperial County. Historic trends of agricultural use in the region from 1950 through 2005 are shown on Figure 2. This figure shows both Total Net Acres of crops and Total Acres of crops, which includes multiple-cropped acreage. Because many of the fields within IID are double- and triple-cropped due to the year-round growing season, the Total Acres of Crops figure is higher.

Figure 2
TOTAL NET ACRES AND TOTAL ACRES OF CROPS



Within IID, the number of acres fallowed/idled at any time fluctuates as shown on Figure 3 below. In 2003, IID implemented a rotational fallowing program to create conserved water to deliver to the Salton Sea, as mitigation water for the Transfer Project, and for other purposes related to the Transfer Project. Over the next 11 years, under the approved QSA Delivery Schedule, fallowing will increase incrementally to a maximum of about 25,000 acres to provide conserved water for Transfer Project purposes. After 2017 (or sooner), it is anticipated that the use of fallowing as a conservation method will terminate and be

replaced with efficiency conservation to implement the Transfer Project. The increment of fallowing for the Transfer Project is also shown on Figure 3. To protect ongoing agriculture in the IID service area, the existing fallowing program allows a field participating in the program to be fallowed for a maximum of only 2 of every 4 years. Under the existing condition if an SDI were to occur, it is anticipated that additional lands could be idled or fallowed but that the amount would be well within the existing fluctuation of idled and fallowed lands. With the Equitable Distribution Plan, if an SDI is declared, the water exchange program would allow a redistribution of water that could reduce the amount of fields that would be fallowed.

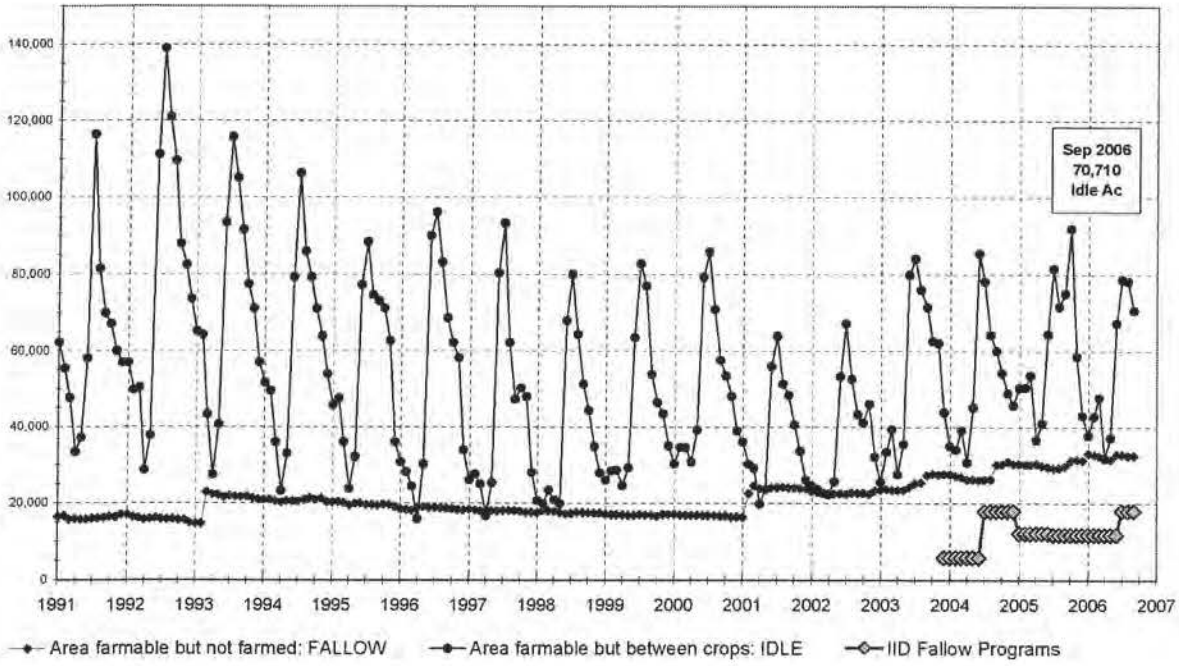
3.3 Other Water Use

3.3.1 Municipal and Industrial Water Use

Currently, municipal water use accounts for about 3 percent of the total water use in the District. Municipal water use has been about 60,000 AF per year. Seven municipalities, one private water company and two community water systems treat the water and distribute it to the population within their service areas for residential, commercial, industrial and public uses. Water use varies significantly among different urban agencies reflecting differences in the balance of residential, commercial, industrial and public uses in each town and differences in the residential density, lot size, building vintage and landscaping. For example, in 2005, total urban use averaged about 201 gallons per capita per day (gpcd) in El Centro, 202 gpcd in Imperial, and 463 gpcd in Brawley. Part, but not all, of the difference may be due to the larger component of industrial water use in Brawley. Per capita residential water use is higher in Brawley than in the other two cities; Brawley has more trees and more outdoor landscaping than the other two cities. Another factor may be that Brawley does not have residential metering, although this is now being introduced.

Under the existing condition, in the event of an SDI, it is expected that municipal water users would be reduced in some pro rata manner consistent with the assessed value method provided for under State law.

Figure 3
FALLOW and IDLE ACREAGE
1991-2006



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7 Crop Chart 10

4. Initial Study of Environmental Impacts

The environmental factors checked below could be potentially affected by this project. See the checklist on the following pages for more details.

☐ Land Use and Planning	☐ Transportation/Circulation	☐ Public Services
☐ Population and Housing	☐ Biological Resources	☐ Utilities and Service Systems
☐ Geological Problems /Soils	☐ Energy and Mineral Resources	☐ Aesthetics
☐ Hydrology/Water Quality	☐ Hazards	☐ Cultural Resources
☐ Air Quality	☐ Noise	☐ Recreation
☐ Agriculture Resources	☐ Mandatory Findings of Significance	

1. GEOLOGY AND SOILS. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	X
i) Rupture of a known earthquake fault, as delineated in 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 & Geology Special Publication 42.	☐	☐	☐	X
ii) Strong seismic ground shaking?	☐	☐	☐	X
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	X
iv) Landslides?	☐	☐	☐	X
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	X
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?	☐	☐	☐	X
d) Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	X
e) Have soils incapable of adequately supporting the use of septic tanks or alternate wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	X

Discussion

The proposed Equitable Distribution Plan (EDP) would not result in any impacts associated with geology and soils.

In years when an SDI is declared, the EDP could result in a minor change in cropping patterns or the numbers of acres idled/fallowed compared to years when there is an SDI and no EDP is in place; however, any differences are expected to be negligible and well within the range of typical fluctuations within the District. With the EDP, some farmers may choose to fallow lands in years when an SDI has been declared or to minimize multiple croppings which, if not properly mitigated, could result in soil erosion or the loss of topsoil. However, without an adopted EDP including a water exchange program, the existing condition could result in greater numbers of acres idled or fallowed. Under the EDP, the amount of fallowed lands is expected to be within the current range of fallowed lands in the IID water service area.

Mitigation Measures

None required.

2. AIR QUALITY. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	X
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	X
d) 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 emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	X
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	X

Discussion

The proposed EDP would not result in any impacts associated with air quality.

Implementation of the EDP could result in minor changes in the amount of water applied to some lands and in the location and amount of idled lands as water is exchanged within the IID water service area. However, the amount of those lands irrigated less or idled is expected to be similar to or less than under the existing condition under an SDI situation without an EDP. In addition, existing Imperial Air Pollution Control District air quality regulations (Rule 806 Conservation Management Practices) require application of best management practices on idled lands which would prevent air quality impacts.

Mitigation Measures

None required.

3. HYDROLOGY AND WATER QUALITY. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	X
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)?	☐	☐	☐	X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site, including through alteration of the course of a stream or river, or substantially increase the rate or volume of surface runoff in a manner that would:				
i) result in flooding on- or off-site	☐	☐	☐	X
ii) create or contribute runoff water that would exceed the capacity of existing or planned stormwater discharge	☐	☐	☐	X
iii) provide substantial additional sources of polluted runoff	☐	☐	☐	X
iv) result in substantial erosion or siltation on- or off-site?	☐	☐	☐	X
d) Otherwise substantially degrade water quality?	☐	☐	☐	X
e) Place housing or other structures which would impede or re-direct flood flows within a 100-yr. flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	X
f) Expose people or structures to a significant risk of loss, injury, or death involving flooding:				
i) as a result of the failure of a dam or levee?	☐	☐	☐	X
ii) from inundation by seiche, tsunami, or mudflow?	☐	☐	☐	X
g) Would the change in the water volume and/or the pattern of seasonal flows in the affected watercourse result in:				
i) a significant cumulative reduction in the water supply downstream of the diversion?	☐	☐	☐	X
ii) a significant reduction in water supply, either on an annual or seasonal basis, to senior water right holders downstream of the diversion?	☐	☐	☐	X
iii) a significant reduction in the available aquatic habitat or riparian habitat for native species of plants and animals?	☐	☐	☐	X
iv) a significant change in seasonal water temperatures due to changes in the patterns of water flow in the stream?	☐	☐	☐	X
v) a substantial increase or threat from invasive, non-native plants and wildlife	☐	☐	☐	X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	X
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?	☐	☐	☐	X
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	X

Discussion

The proposed EDP would not result in any impacts associated with hydrology and water quality.

Implementation of the EDP and the associated water exchange program will not affect the total amount of water use in the District. Nonetheless, water exchanges between farmers could result in short-term changes in the location of water use throughout the IID water service area, potentially causing changes in the volume of flows in drains throughout the District. However, due to restrictions imposed in the water exchange program on the amount of water that can be transferred or acquired, the magnitude of any potential change is anticipated to be minimal and, due to constant variation in cropping patterns and locations of idled lands, most likely to be undetectable when compared to the existing condition.

Mitigation Measures

None required.

4. BIOLOGICAL RESOURCES. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 DFG or USFWS?	☐	☐	☐	X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the DFG or USFWS?	☐	☐	☐	X
c) Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the federal Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?	☐	☐	☐	X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	X
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?	☐	☐	☐	X

Discussion

Implementation of the EDP would not have an effect on any biological resources within the IID water service area. The EDP could result in minor short-term changes in the location of water use and therefore the volume of flows in the drains. However, any changes in locations of flows are expected to be both short-term and negligible, and well within historic variations, and therefore not to result in any adverse effects on biological resources that rely on the drains for habitat.

State and federal refuges within the IID water service area and other environmental areas (i.e. managed marsh) dependent on water supplies will be allocated water on a per acre basis in the event of an SDI, using the SLM method. These areas typically grow vegetation that has low consumptive use and include lands that are fallowed on a rotational basis; therefore, it is expected that under an SDI they will have sufficient supplies to maintain current uses and operations and/or to fulfill obligations under environmental permits issued to IID. No impacts to these areas will occur under the EDP.

Mitigation Measures

None required.

5. AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental impacts, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping & Monitoring Program of the California Resources Agency, to non-agricultural uses?	☐	☐	☐	X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	X
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?	☐	☐	☐	X

Discussion

The predominant land use in the IID water service area is agriculture. Implementation of the EDP is intended to support the persistence of agricultural practices in the area by providing a method of water distribution under shortage conditions that is predictable, equitable and more flexible for agricultural resources than the statutory allocation method based on assessed value. The EDP would not result in any alterations to the existing environment

that could result in conversion of farmland to non-agricultural use, compared to a scenario where an SDI occurs without an EDP in place to allocate available supplies.

The EDP is expected to be beneficial to agriculture by providing farmers with predictability regarding the method of allocation of available of water supplies in years when demand exceeds supplies.

Mitigation Measures

None required.

6. NOISE. Would the project result in:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	X
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	X
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 in or working in the project area to excessive noise levels?	☐	☐	☐	X
f) For a project within the vicinity of a private airstrip, would the project expose people residing in or working in the project area to excessive noise levels?	☐	☐	☐	X

Discussion

The EDP would not result in any generation of noise.

Mitigation Measures

None required.

7. LAND USE AND PLANNING. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	X

Discussion

Implementation of the EDP would not result in any land use impacts. It would not physically divide an established community or conflict with any established land use plan or policy. Because there are no adverse biological effects of the EDP or changes to the natural environment resulting from the EDP, it would not conflict with the IID Water Conservation and Transfer Project HCP/NCCP.

Mitigation Measures

None required.

8. MINERAL RESOURCES. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	☐	☐	☐	X
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?	☐	☐	☐	X

Discussion

Implementation of the EDP would have no effect on mineral resources.

Mitigation Measures

None required.

9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	☐	X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or to the environment?	☐	☐	☐	X
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 a public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	X
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?	☐	☐	☐	X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	X
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	X

Discussion

Implementation of the EDP would have no impacts associated with hazards and hazardous materials. There would be no activities associated with the EDP that would interfere with existing emergency plans or increase fire risk.

Mitigation Measures

None required.

10. POPULATION AND HOUSING. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	X

Discussion

Implementation of the EDP will have no effect on population. In the event of an SDI, existing municipal water users will receive an allotment of water that is equivalent to their current per capita usage. Future development will receive an allotment based on the valley-wide average per capita usage that assumes implementation of urban water conservation best management practices as required by the Urban Water Management Act. These restrictions in water use in future developments in urban areas would likely occur in the absence of the EDP under an SDI; therefore, no impacts to population and housing are anticipated under the EDP.

Mitigation Measures

None required.

11. TRANSPORTATION/CIRCULATION. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic that 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)?	☐	☐	☐	X
b) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	X
c) Result in inadequate emergency access?	☐	☐	☐	X
d) Result in inadequate parking capacity?	☐	☐	☐	X
e) Exceed, either individually or cumulatively, a level-of-service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	X
f) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	X
g) 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?	☐	☐	☐	X

Discussion

Implementation of the EDP will have no effect on Transportation and Circulation. No additional trips will be generated, and no roads will be affected.

Mitigation Measures

None required.

12. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	☐	☐	☐	X
b) Police protection?	☐	☐	☐	X
c) Schools?	☐	☐	☐	X
d) Parks?	☐	☐	☐	X
e) Other public facilities?	☐	☐	☐	X

Discussion

The potential for an SDI situation is the same with or without the EDP. Impacts to fire protection are not anticipated as existing municipal users will receive a per capita allotment of water under the EDP that is sufficient for public health and safety purposes. A valley-wide standard will be applied to new development; however, it is anticipated that this standard will be sufficient to maintain acceptable service rations. The project will not result in an increased need for public services; therefore, no impacts to public services are anticipated.

Mitigation Measures

None required.

13. UTILITIES AND SERVICE SYSTEMS. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 impacts?	☐	☐	☐	X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?	☐	☐	☐	X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	X
e) Result in a determination by the wastewater treatment provider that 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?	☐	☐	☐	X
f) Be served by a landfill with sufficient Permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	X
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	X

Discussion

Under the EDP, in the event of an SDI, existing municipal users would be unaffected as they would receive the same amount of water that they have used historically on a per capita basis. All future development, regardless of city supply, would be subject to the same valley-wide use allotment as determined annually by the Board of Directors, based on the use of water conservation best management practices. The EDP will not result in the need for any additional wastewater, water or solid waste facilities. Because the allotment provided to existing municipal users is based on historic use it will not result in impacts to public utilities or services to existing development. Future developments will be required to consider the valley-wide per capita use prior to construction and thus will incorporate best management practices to avoid impacts during an SDI.

Mitigation Measures

None required.

14. AESTHETICS. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	X
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☐	X

Discussion

Implementation of the EDP will have no effect on existing aesthetic resources in the IID water service area. Although there is the possibility that cropping patterns and/or locations of idled lands may change during an SDI under the EDP, any changes would be minor and fully within the existing fluctuation of cropping patterns in the District.

Mitigation Measures

None required.

15. CULTURAL RESOURCES. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	X
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☐	☐	X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	X
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	X

Discussion

No construction is anticipated to result from implementation of the EDP; therefore, no effects to cultural resources will occur.

Mitigation Measures

None required.

16. RECREATION. Would the project:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?	☐	☐	☐	X
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	X

Discussion

Implementation of the EDP will not result in the increase of use of recreational facilities or include the construction of recreational facilities; therefore there are no impacts to recreational resources.

Mitigation Measures

None required.

17. MANDATORY FINDINGS OF SIGNIFICANCE.

Issues (and Supporting Information Sources)	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	X
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, the effects of other current projects, and the effects of probable future projects)	☐	☐	☐	X
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	X

Within IID, the number of acres fallowed/idled at any time fluctuates as shown on Figure 3 below. In 2003, IID implemented a rotational fallowing program to create conserved water to deliver to the Salton Sea, as mitigation water for the Transfer Project, and for other purposes related to the Transfer Project. Over the next 11 years, under the approved QSA Delivery Schedule, fallowing will increase incrementally to a maximum of about 25,000 acres to provide conserved water for Transfer Project purposes. After 2017 (or sooner), it is anticipated that the use of fallowing as a conservation method will terminate and be replaced with efficiency conservation to implement the Transfer Project. The increment of fallowing for the Transfer Project is also shown on Figure 3. To protect ongoing agriculture in the IID service area, the existing fallowing program allows a field participating in the program to be fallowed for a maximum of only 2 of every 4 years. Under the existing condition if an SDI were to occur, it is anticipated that additional lands could be idled or fallowed but that the amount would be well within the existing fluctuation of idled and fallowed lands. With the Equitable Distribution Plan, if an SDI is declared, the water exchange program would allow a redistribution of water that could reduce the amount of fields that would be fallowed.

Discussion

a) Fish and Wildlife Species:

Because implementation of the EDP would not result in any changes in the existing environment, no construction is proposed and no changes in drain flows beyond the existing fluctuation in drain flows would occur, the project does not have the potential to substantially degrade the environment, reduce the habitat of a fish or wildlife species or cause a fish or wildlife population to drop below self-sustaining levels. In addition, for the same reasons, the project would not threaten to eliminate a plant or animal community or reduce the number or restrict the range of a rare or endangered plant or animal species. Similarly, the proposed project would not eliminate important examples of the major periods of California history or prehistory.

b) Cumulative Impacts: Because there are no environmental impacts associated with implementation of the EDP, there are no cumulative impacts to consider.

c) Humans: The proposed project would not have a substantial or adverse effect on human beings.

Based on the above, IID has determined that the adoption of the Equitable Distribution Plan will not have any significant adverse environmental effects.

5. Determination

On the basis of this initial evaluation,

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed 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 project proponent (see Appendix A). A NEGATIVE DECLARATION will be prepared.	☐
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	☐
I find that the proposed 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 proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	☐

Prepared By:

Laura Harnish 11/20/06

Ms. Laura Harnish/Project Manager/CH2M HILL — Date

Reviewed By: Lead Agency Representative

for Jina Shields 11/20/06

John Eckhardt, PhD. — Date

_____ Date

_____ Date

Authority: Public Resources Code Sections 21083, 21084, 21084.1, and 21087.

Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.1 through 21083.3, 21083.5 through 21083.9, 21084.1, 21093, 21094, 21151; *Sundstrom v. County of Mendocino*, 202 Cal. App. 3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 Cal. App. 3d 1337 (1990).

(Form updated 4/12/2005)

6. Information Sources

Hanneman 2006. Regarding the Equitable Distribution of Water in the Imperial Irrigation District, Draft Final Report. Prepared for the Imperial Irrigation District, by Dr. Michael Hanneman, UC Berkeley and Mr. Bennett Brooks, CONCUR, Inc. August 22.

7. List of Preparers

CH2M HILL project personnel included the following:

- Laura Harnish, Project Manager
- Alan Highstreet, Senior Reviewer