

DEPARTMENT OF WATER RESOURCES

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2/28/2022

Mr. Benjamin Fenters
Central California Irrigation District
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Governor's Office of Planning & Research

Mar 01 2022

STATE CLEARINGHOUSE

RE: SCH# 2022010548, Orestimba Creek Recharge and Recovery Expansion Project
Joint Draft Environmental Assessment/Initial Study and Mitigated
Negative Declaration (EA/IS)

Dear Mr. Fenters:

The California Department of Water Resources (DWR) Division of Operation and Maintenance has reviewed the Orestimba Creek Recharge and Recovery Expansion project. DWR has the following comments.

Project Description

The Proposed Action/Project would recharge groundwater supplies for future extraction with a 10 percent leave behind that would also help to prevent subsidence and reduce groundwater basin overdraft.

The Central California Irrigation District (CCID), in conjunction with the other members of the Exchange Contractors, would generate up to 16,500 AFY for recharge when supplies are available. The 16,500 AFY is comprised of existing water rights and the potential water right being pursued as part of the Proposed Action/Project. Supplies would consist of a combination of water from various sources such as conserved water, storm water and flood flows from adjoining watersheds for placement in the recharge ponds. Diversion of up to 35 cfs of Orestimba Creek storm flows is a potential source of water to be captured and delivered into the recharge ponds, as well as flood flows. The Proposed Action/Project is located adjacent to DWR property which is a proposed DWR habitat mitigation site for DWR.

General Comments

Orestimba Creek flows from southwest to northeast, draining the foothills along the western edge of the Central Valley. The proposed diversion is located downstream and downgradient of DWR's Orestimba Property. While it is unlikely that downgradient

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groundwater recharge would impact biological resources or restoration opportunities at the Orestimba Property, there is not enough detail in the project description or analysis to determine how the project may impact DWR's property. Depending upon where extraction wells are located and how they are operated, there could be significant adverse effects to the DWR site. The EA/IS needs to analyze whether the proposed placement of the extraction wells and the pumping regime and potential steepening of the downstream groundwater gradient would impact adjacent landowners' land, specifically groundwater or surface water that is connected to the groundwater table on DWR's property

Specific Comments

Project Description

The EA/IS's project description does not include adequate details. We request the following information be added to the description:

- A definition of high flood flow events where water would be diverted is not identified the document specifies diversion of up to 35cfs and an average of 560 AFY during wet years, but not what flow condition would trigger that level of diversion or how diversion levels below that maximum level would be determined. The project description needs to include an explanation of what flow conditions would trigger that level of diversion and/or how diversion levels below that maximum level would be determined.
- Section 3.2.4.2, Biological Resources Environmental Consequences, describes the bypass of the first 100 cfs of flows and other details relevant to the project description, but this is not included in the project description nor mentioned anywhere else in the document. Please include this information in the project description and analysis in other areas of the document where the first 100 cfs flows may impact resources.
- The document mentions a five-year temporary diversion permit and permanent water right permit, but no expected project lifetime. The EA/IS needs to include the project duration, and an analysis of the diversion permits, and water rights needed for the project lifetime.

Groundwater

While this project is a groundwater recharge project, the document includes no description or modeling of existing groundwater conditions. A description and modeling of existing groundwater conditions need to be included in the document. Specifically:

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- What are the limitations/rules for project extraction beyond what is described in the document? Demand for groundwater from all extractors would be highest during dry periods, and this needs to be incorporated into the groundwater analysis.
- The document needs additional information from the Groundwater Sustainability Plan (GSP) including the “undesirable results” in the Basin including land subsidence, groundwater dependent ecosystems and water quality that may result from the proposed project.

Proposed Action

Water Rights

There is no description of existing water rights or analysis of impacts to the existing water rights in the document.

- The document needs to include information on other existing water rights on Orestimba Creek including the seniority of those rights, location of those water rights, quantity of water allocated, and the timing of existing diversions under those water rights.
- The document needs additional details on the location of existing non-project wells in the project vicinity including use (e.g., agriculture, household, water service provider), historical extractions and rates to evaluate properly potential well interference. Once the additional information is included in the document, an updated potential well interference evaluation needs to be included in the document.

Baseline

The document does not include all necessary baseline information and/or includes potentially flawed baseline information.

- The document lacks a full description of the hydrology of Orestimba Creek and what the ultimate fate of water in the creek is. To be complete, this baseline description would include how much flows to other water bodies and the identity of those water bodies, how much is diverted and at what locations, and how much recharges to the groundwater basin in typical years, under drought conditions, and in wet years.

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- Baseline conditions presented in the analysis are likely flawed due to consideration of current drought conditions and groundwater overdraft as “normal”. The baseline conditions cannot include the current drought conditions and groundwater overdraft as normal. We recommend evaluation of long-term conditions, including either average values or a range of values for stream flows and groundwater conditions. Regardless of the approach, the baseline conditions should describe both drought and non-drought years.

3.2 Other Resources

This section of the EA/IS includes the NEPA and CEQA analysis portion of the potentially affected environment and the environmental consequences involved with the Proposed Action/Project. The analysis in this section is inadequate in the following areas and appears to include a deferral of analysis to the permitting process.

Section 3.2.4.2, Biological Resources Environmental Consequences.

This section does not analyze the project diversion impacts to upstream Sycamore riparian woodland or other sensitive habitats within Orestimba Creek. This impact analysis needs to be included in the document.

Section 3.2.19 Utilities and Service Systems.

This section does not analyze whether the project’s proposed impacts other water rights holders’ diversion and if so, what those impacts are. This impact analysis needs to be included.

Encroachment Permit Process

This project will need an encroachment permit from DWR due to the proposed project facility located on DWR property. For information related to the encroachment permit process, please visit <https://water.ca.gov/Work-With-Us/Real-Estate/Encroachment-Permits>.

For questions or additional information related to the encroachment permit process, please contact:

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If you have any questions or need additional information, please contact

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Sincerely,

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Nancy Finch
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