

NOTICE OF EXEMPTION
Coachella Valley Water District
Post Office Box 1058
Coachella, California 92236

County Clerk
County of Riverside
Post Office Box 751
Riverside, CA 92502

County of Imperial
Imperial County Clerk/Recorder
940 West Main Street, Suite 202
El Centro, CA 92243

State Clearinghouse
Office of Planning and Research
Post Office Box 3044, Room 113
Sacramento, CA 95812-3044

County of San Diego
Recorder/County Clerk's Office
1600 Pacific Highway, Suite 260
Post Office Box 121750
San Diego, CA 92112-1750

Project Title: Delta Conveyance Project Agreement

Project Location:

No specific physical location. The Coachella Valley Water District (CVWD) is a State Water Project Contractor and its service area includes portions of Riverside, Imperial and San Diego counties.

Description of Nature, Purpose and Beneficiaries of Project:

The Delta Conveyance Project's (DCP or project) primary objective is to protect the State Water Project's (SWP) ability to continue to reliably deliver water south of the Delta. CVWD is a member agency of the SWP contractors. Additional objectives include making the SWP more resilient to the impacts of climate change and extreme weather events, minimize the impacts from earthquakes (delivery quantity and quality), and providing SWP operational flexibility to improve aquatic conditions and better manage risks of additional future regulatory constraints on project operations

In order to help improve the reliability of its imported water supply, CVWD agreed to participate with the State Department of Water Resources (DWR) development of the Delta Conveyance Project in 2020. CVWD proposes to continue funding to complete the last two years (CY 2023 and 2024) of the planning phase. Specifically, CVWD has additionally agreed to:

- 1) Approve funding request for Coachella Valley Water District's (CVWD) share of preliminary design, environmental planning, and pre-construction costs for the Delta Conveyance Project (Conveyance Project) for calendar years (CY) 2023 and 2024, in an amount not to exceed \$7,365,119 and,
- 2) Approve Amendment to the Class 8 Member Agencies Election Procedures for Delta Conveyance Authority Board of Directors

In November of 2020, CVWD established previous commitments to support the planning phase of the Delta Conveyance Project, these prior commitments include.

1. A participation level of 3.78% share associated with the Delta Conveyance Project;

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2. Authorize the General Manager to execute the Agreement for the Advance or Contribution of Money to the California Department of Water Resources for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project (funding agreement);
3. Authorize funding for CVWD's share of the environmental planning and preliminary design, and pre-constructions costs for 2021 and 2022, not to exceed \$4,261,248;
4. Authorized the remaining unspent funds collected per the 2018 Gap Funding Agreement for the California WaterFix (WaterFix Project) (~\$1,239,092) to be applied as a credit for CVWD's share of to the Delta Conveyance Project
5. Authorize the General Manager to execute amendments to the Delta Conveyance Design and Construction Authority (DCA) Joint Powers Agreement; and
6. Authorize the General Manager to enter into the Memorandum of Understanding for Class 8 Member Agencies Election Procedures for the DCA Board of Directors.

Name of Public Agency Approving Project: CVWD; Robert Cheng, Assistant General Manager

Exempt Status:

- Not a project: State CEQA Guidelines §15378
- Review for Exemption "Common Sense" Exemption: State CEQA Guideline §15061(b)(3)
- Ministerial (Pub. Res. Code §21080(b)(1)) State CEQA Guideline §15262
- Declared Emergency (Pub. Res. Code §21080(b)(3); State CEQA Guideline §15269(a))
- Emergency Project (Pub. Res. Code §21080(b)(4); State CEQA Guideline §15269(b)(c))
- Statutory Exempt: State CEQA Guidelines § _____
- Categorically Exempt: State CEQA Guidelines § _____

Reasons why project is exempt:

Approval of these actions are not subject to CEQA for multiple reasons. These actions do not qualify as a "project" subject to CEQA because the actions constitute: (1) continuing administrative or maintenance activities, such as general policy and procedure making; (2) government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment; and (3) organizational or administrative activities of a public agency that will not result in direct or indirect physical changes in the environment (State CEQA Guidelines §15378).

The recommended actions do not constitute project approval by CVWD of the DCP, nor do the actions authorize or approve construction of the DCP. The recommended actions do not authorize or commit the CVWD or DWR to expenditure of the funding on any site-specific project. In addition, the recommended actions do not authorize or approve any actions by the DCA or DWR that may cause direct or reasonably foreseeable indirect environmental impacts. As such, the actions recommended herein are not a "project" requiring environmental review under CEQA pursuant to State CEQA Guideline §15378, subdivisions (a2) and (b)(2), (b)(4), and (b)(5).

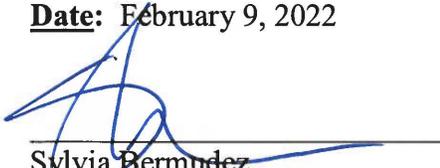
Second, even were the actions to be considered a CEQA "project," these actions would be statutorily exempt from environmental review pursuant to State CEQA Guideline §15262 because the actions merely call for the funding and completion of feasibility and planning studies, not including the completion of CEQA review itself.

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Third, the actions are exempt under the “common sense” exemption in State CEQA Guidelines §15061, subdivision (b)(3) because it can be seen with certainty that there is no possibility that the actions may have a significant effect on the environment. None of the exceptions to the use of the “common sense” exemption as identified in State CEQA Guidelines §15300.2 exist with the recommended actions

Contact Person: William Patterson, CVWD Environmental Supervisor, Phone (760) 398-2651

Date: February 9, 2022



Sylvia Bermudez
Clerk of the Board

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