

**DEPARTMENT OF WATER RESOURCES**

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**VIA-EMAIL**

8/9/2022

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Governor's Office of Planning & Research

**Aug 10 2022**

**STATE CLEARINGHOUSE**

Subject: The El Dorado Irrigation District Temporary Conserved Water Transfer Project Initial Study/Negative Declaration State Clearinghouse #2022070161

Dear Mr. Deason:

The California Department of Water Resources (DWR) has reviewed the Initial Study/Negative Declaration (IS/ND) for El Dorado Irrigation District's (District) proposed Temporary Conserved Water Transfer Project for 2022/2023 (Proposed Project). DWR has the following comments.

**Project Description**

In the spring of 2022 the District completed the Upper Main Ditch Piping Project (State Clearinghouse #2015062049). The piping project involved converting an earthen unlined ditch that delivered water from El Dorado Forebay to the Reservoir 1 Water Treatment Plant to a piped conveyance in order to conserve water and improve water quality. Under the Proposed Project, District's diversions from the South Fork American River (SFAR) at the El Dorado Diversion Dam will not change. The same amount of water will be diverted into the El Dorado Canal and conveyed to the Forebay.

The District estimates a conservation of up to 1,800 acre-feet (AF) annually that would have been lost through seepage and evapotranspiration from the Main Ditch. The District is proposing to transfer this conserved water of up to 1,800 AF to Westlands Water District (WWD) during the 2022/23 irrigation season (Proposed Project). Under the Proposed Project, the District will not change the total diversion amount from the South Fork of American River into the El Dorado Forebay. However, the conserved water will be returned into the South Fork of American River through its powerhouse and be stored in the Folsom Lake to be transferred to WWD's by the U.S Bureau of Reclamation.

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## Comments

### General Comments

1. The IS/MND needs to provide adequate data and analysis to conclude the projected water conserved and available for transfer is projected to be up to 1,800 AF per year.

The amount of water available for transfer is limited by the water right holder's *consumptive use*. Water code section 1725 defines consumptive use as "the amount of water which has been consumed through use by evapotranspiration, has percolated underground, or has been otherwise removed from use in the downstream water supply as a result of direct diversion." It is important to distinguish conservation saving through reduced conveyance loss from consumptive use reduction. The District estimates up to 1,800 AF of annual conservation saving from seepage and evapotranspiration losses. Note that seepage could (1) be consumed by plants through evapotranspiration, (2) percolate to deep groundwater aquifer, and/or (3) return to the river system as runoff. Losses through evapotranspiration and groundwater percolation are considered consumptive use that are removed from use in the downstream water supply. However, the portion of seepage returning to downstream water system is not because it was available to other water users or the environment absent the District's conservation efforts. As such, including the amount of the seepage return flow in the transfer amount will not be appropriate and will likely injure downstream legal water users and should not be approved pursuant to water code section 1706. DWR requests that the District provide data, measurements, and/or analysis regarding the amount of seepage losses consumed by plants through evapotranspiration, percolating groundwater system, and/or returning to the river system as runoff be provided. Such information is critical to quantify the reduction in consumptive use from the pipeline project that is available for transfer and needs to be provided.

2. The IS/ND needs to provide data on potential leakage from the new pipeline.

All pipelines have the potential to leak. The IS/ND estimates the amount of conserved water under the assumption of no loss from the new pipeline. Such assumption needs to be verified by actual flow measurements at the inflow and outflow of the new pipeline. The actual amount of consumptive loss from the new pipeline is critical to quantify the reduction in consumptive use from the pipeline project.

In addition, to accurately analyze the environmental impacts resulting from this proposed transfer, DWR requests that the District provide (1) analysis to quantify and compare the consumptive loss from Main Ditch and the consumptive loss from the new pipeline based on the transfer year hydrology and diversion from the South Fork of American River, (2) all the reports, data, and measurements with acceptable accuracy used in the analysis, (3) flow measurements prior to and after the completion of pipeline project at key locations: the outflow of forebay into the Main pipe and the inflow to the Reservoir 1 Water Treatment Plant inlet.

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## Specific Comments

### 1. Biological Resources and Mandatory Findings of Significance

The lack of data to support the projected water conservation eligible for transfer in the IS/ND may result in over-accounting of the water available for transfer and the actual transfer of water which is intended for downstream users, including biological resources and human consumption. Without the necessary data, an impact analysis for these potential impacts cannot be completed.

Biological resources that may be impacted include riparian habitat, sensitive natural communities, and habitat conservation plan areas. Without data to support the accuracy of the water eligible for transfer to support the estimated conserved water available for transfer impacts downstream biological resources by potentially transferring water that would otherwise have been available to benefited downstream biological resources.

CEQA requires a mandatory finding of significance when a project has environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. As with biological resources, without data to support the accuracy of the water eligible for transfer to support the estimated conserved water available for transfer, impacts to downstream human consumption cannot be determined.

### 2. Hydrology / Water Quality

The Proposed Project may have a potentially significant impact to hydrology and water quality if the project substantially degrades water quality. Such potential impacts cannot be evaluated without first confirming the methodology used in determining the amount of water available for transfer is accurate. Please provide the data and methodology used or necessary to undertake the impact evaluation.

Thank you for this opportunity to comment on the IS/ND for this Proposed Project.

Sincerely,

*nancy finch*

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