

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: CVWD Replenishment Facilities Curtailment Program

Project Location: Multiple Areas in Eastern Riverside County, CA

Description of Nature, Purpose, and Beneficiaries of Project:

The CVWD Replenishment Facilities Curtailment Program consists of CVWD entering an agreement with the U.S. Bureau of Reclamation (Reclamation), acting through the Department of Interior (DOI), for conservation of Colorado River water through replenishment curtailment in calendar years (CYs) 2023, through 2026; to conserve water of up to 35,000 acre-ft/year (taf/yr) at a fixed price of \$400/af. This program is temporary, and an extension of the Levy Facility replenishment curtailment program established in FY 2022. The temporary and compensated Colorado River water conservation proposals originally covered the three calendar years of 2023, 2024, and 2025, and is now extended through 2026.

Under the Agreement, CVWD will achieve the 35 taf/yr of conservation by limiting the maximum groundwater replenishment at the CVWD replenishment facilities in the Coachella Valley while enrolled in the Lower Colorado Conservation program. This volume was calculated by subtracting 35 taf from CVWD's most recent five-year average (37,076 af), excluding the December 2017 and January 2018 data as these months did not represent normal recharge conditions. The Replenishment Facilities Curtailment Program shall conserve a total of up to 105 taf of Colorado River water for the three-year term of the agreement.

CVWD operates the Levy Facility and Palm Desert Groundwater Replenishment Facility for groundwater management in the Coachella Valley. The Levy Facility benefits the East Whitewater River Subbasin Area of Benefit (East AOB) and has averaged an annual recharge of over 37 taf in recent years. Although delivering water to the recharge facilities is important for CVWD's groundwater management, it was decided that temporarily suspending delivery to Levy would allow CVWD to achieve the goal of contributing materially to the River with de minimis impacts to the region. This program will not result in expansion of use of CVWD's existing canal water distribution system or its replenishment facilities. Accordingly, the proposed program involves operation and implementation of CVWD's canal water distribution facilities and replenishment system facilities with no or negligible expansion of use.

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Lead Agency Approving Project and Contact:

Coachella Valley Water District; William Patterson, Environmental Supervisor
Phone: (760) 398-2651

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 §15268)
- 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 § 15277
- 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).

In addition, the recommended actions do not authorize or approve any actions by the agreement parties 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).

The actions are also 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.

Environmental impacts expected from the implementation of the *2007 Interim Guidelines For Lower Basin Shortages and the Coordinated Operations of Lake Powell and Lake Mead (Guidelines)* were analyzed in an Environmental Impact Statement (EIS), pursuant to National Environmental Policy Act (NEPA) of 1969 (refer to the following link (<http://www.usbr.gov/lc/region/programs/strategies/FEIS/index.html>)). In June 2022 Reclamation’s leadership appealed to all River water users to exercise all efforts necessary to achieve 2 to 4 million acre-feet per year (maf/yr) of water conservation required to stabilize the declining system reservoir levels. On November 18, 2022, Reclamation, under DOI’s direction, issued a Notice of Intent (NOI) to Prepare a Supplemental Environmental Impact Statement (SEIS) for the December 2007 Record of Decision Entitled Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated

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Operations for Lake Powell and Lake Mead. The proposed action of using conserved water from the proposed Conservation Program to assist in managing reservoir elevations is within the scope of analysis of actions that were previously analyzed in that EIS and in the SEIS currently underway. Thus, to the extent the proposed actions involve or may affect areas outside of California, such as at Lake Mead or on the portions of the Colorado River in Nevada or Arizona, they are exempt from CEQA under a Statutory Exemption State CEQA Guidelines Section 15277.

Date: January 14, 2025



Sylvia Bermudez
Clerk of the Board

Authority cited: Sections 21083 and 21110, Public Resources Code
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code

File No. 0332.1, 0332.2, 0645.6