Appendix A

Notice of Preparation (NOP), Scoping Materials and NOP Comments

ESA

NOTICE OF PREPARATION
AND
NOTICE OF PUBLIC SCOPING MEETING

Date October 28, 2016

To: Responsible and Trustee Agencies and Interested Parties

Subject: Notice of Preparation of a Program Environmental Impact Report

Project: Santa Ana River Conservation and Conjunctive Use Program

Lead Agency: Inland Empire Utilities Agency

Review Period: October 28, 2016 through December 12, 2016

This Notice of Preparation (NOP) has been prepared to notify agencies and interested parties that the Inland Empire Utilities Agency (IEUA) is preparing a Program Environmental Impact Report (PEIR) pursuant to the California Environmental Quality Act (CEQA) for the proposed Santa Ana River Conservation and Conjunctive Use Program (SARCCUP). SARCCUP is a watershed-scale collaborative program designed to improve the Santa Ana River watershed's water supply resiliency and reliability by increasing available dry-year yield (DYY) from local groundwater basins. SARCCUP also would conserve water, promote water use-efficiency, conduct invasive weed removal, and improve habitat for the Santa Ana sucker (*Catostomus santaanae*), a native, federally-threatened fish species. Five regional water agencies in the Santa Ana River watershed have partnered to develop this program under broad oversight by the Santa Ana Watershed Project Authority: IEUA, Eastern Municipal Water District (EMWD), Orange County Water District (OCWD), San Bernardino Valley Municipal Water District (SBVMWD), and Western Municipal Water District (WMWD) (see **Figure 1**). IEUA will serve as the CEQA Lead Agency for the PEIR. The other four agencies will act as Responsible Agencies under CEQA.

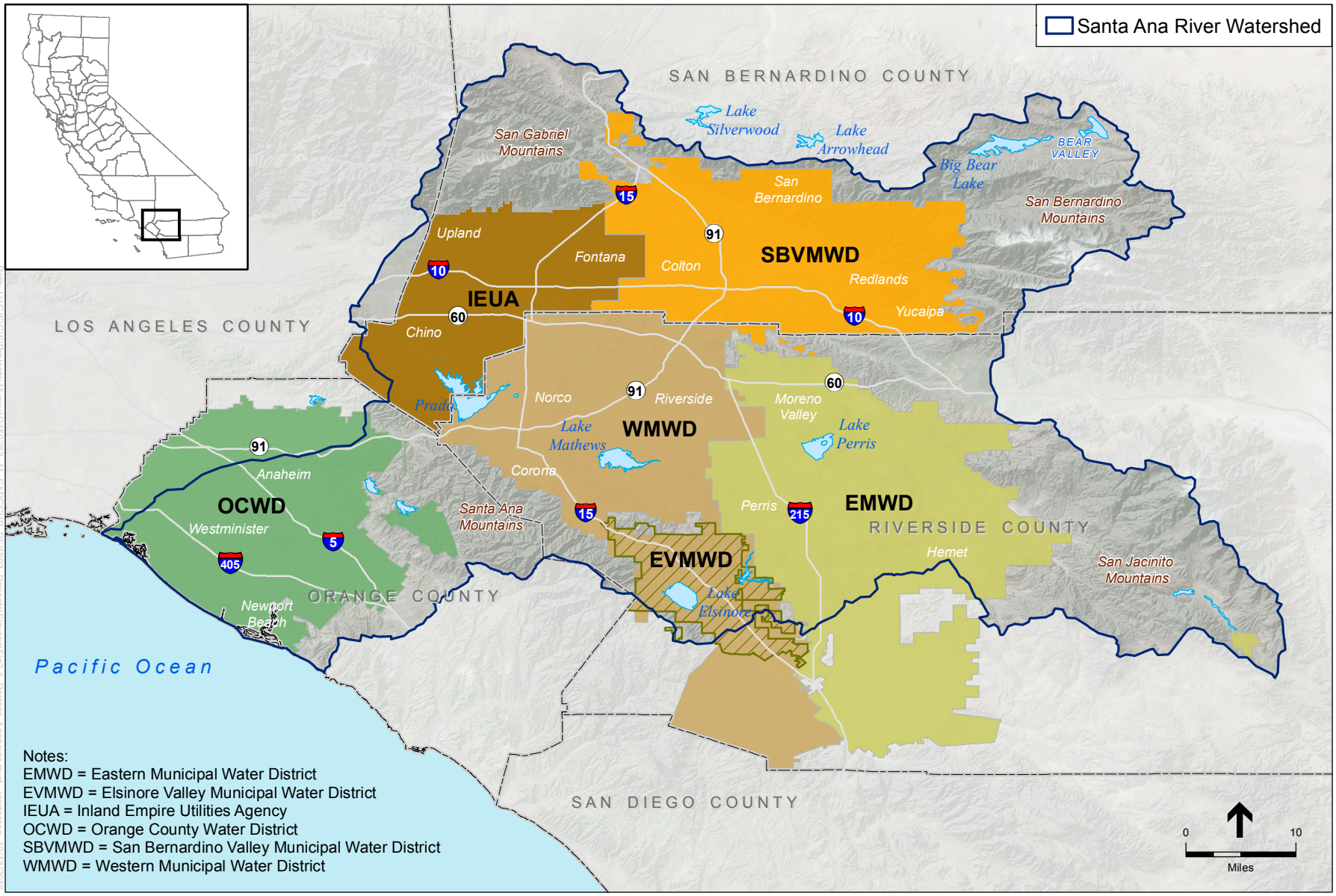
Public Comments: IEUA is soliciting the views of interested persons and agencies as to the scope and content of the environmental information to be evaluated in the PEIR. In accordance with CEQA, agencies are requested to review the project description provided in this NOP and provide comments on environmental issues related to the statutory responsibilities of the agency. The PEIR will be used by IEUA and the Responsible Agencies when considering approval of SARCCUP.

We request that comments be received no later than December 12, 2016. Please send your comments to the address shown below. Please include a return address or email address and contact name with your comments.

Ms. Sylvie Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 91708
Phone: (909) 993-1646 ; Email: slee@ieua.org

Scoping Meeting: One public meeting will be held to receive public comments regarding the scope and content of the PEIR. The meeting will include a brief presentation providing an overview of SARCCUP. After the presentation, oral comments will be accepted at the meeting. Written comment forms will be supplied for those who wish to submit comments in writing at the scoping meeting. Written comments also may be submitted anytime during the NOP review period. The scoping meeting will be held as follows:

DATE: **December 7, 2016**
TIME: **6:00 P.M.**
LOCATION: **Santa Ana Watershed Project Authority**
11615 Sterling Avenue
Riverside, CA 92503



SOURCE: ESRI

SARCCUP . 150283.11

Figure 1

Regional Location Map

1. Project Background

The Santa Ana River Conservation and Conjunctive Use Program (SARCCUP or proposed project) is a watershed-scale collaborative program designed to improve the Santa Ana River watershed's water supply resiliency and reliability by increasing available dry-year yield (DYY) from local groundwater basins. SARCCUP consists of multiple projects that address one or more of the following main program elements: 1) Conjunctive Use Program for the watershed; 2) Invasive weed removal and habitat creation/restoration; 3) Water use efficiency and water conservation measures. The proposed project would be implemented in two phases. Phase 1 consists of components and facilities described in this Notice of Preparation (NOP) per the California Environmental Quality Act (CEQA) to be implemented upon project approval. Phase 2 would include additional components to support local dry-year supply to be constructed at a later date.

The SARCCUP Conjunctive Use Program would include existing and new facilities that would allow for surface water to be recharged and stored in local groundwater basins during wet years and then pumped during dry periods, droughts or other emergency conditions. "Conjunctive use" refers to coordinating the management of surface water and groundwater to improve the overall reliability of water supply (Pacific Institute, 2011).

Five regional water agencies in the Santa Ana River watershed have partnered to develop this watershed-wide program ("partner agencies"): Eastern Municipal Water District (EMWD), Inland Empire Utilities Agency (IEUA), Orange County Water District (OCWD), San Bernardino Valley Municipal Water District (SBVMWD), and Western Municipal Water District (WMWD) (see **Figure 1**). In addition, Elsinore Valley Municipal Water District (EVMWD) would implement new facilities under the SARCCUP Conjunctive Use Program as a member agency of WMWD.

2. Project Goals and Objectives

The goal of SARCCUP is for the partner agencies to collaborate together and with other local agencies in maximizing the development and use of local and imported water supplies. Furthermore, the goal includes the conjunctive management of these local water supplies such that the aggregate yield and water supply reliability generated is greater than the independent management of these resources. The objectives of SARCCUP are as follows:

- Utilize available storage space in local groundwater basins to capture water during wet periods and improve water supply reliability during dry periods, drought, or other emergency conditions.
- Provide new local dry-year water supply to supplement and perhaps replace limited imported water during dry periods, drought, or other emergency conditions.
- Reduce water demand with non-invasive plants and implementation of water conservation measures.

- Enhance the watershed environment through restoration of riparian habitat and Santa Ana sucker habitat, *arundo donax* removal, endangered species habitat creation, and open space development.

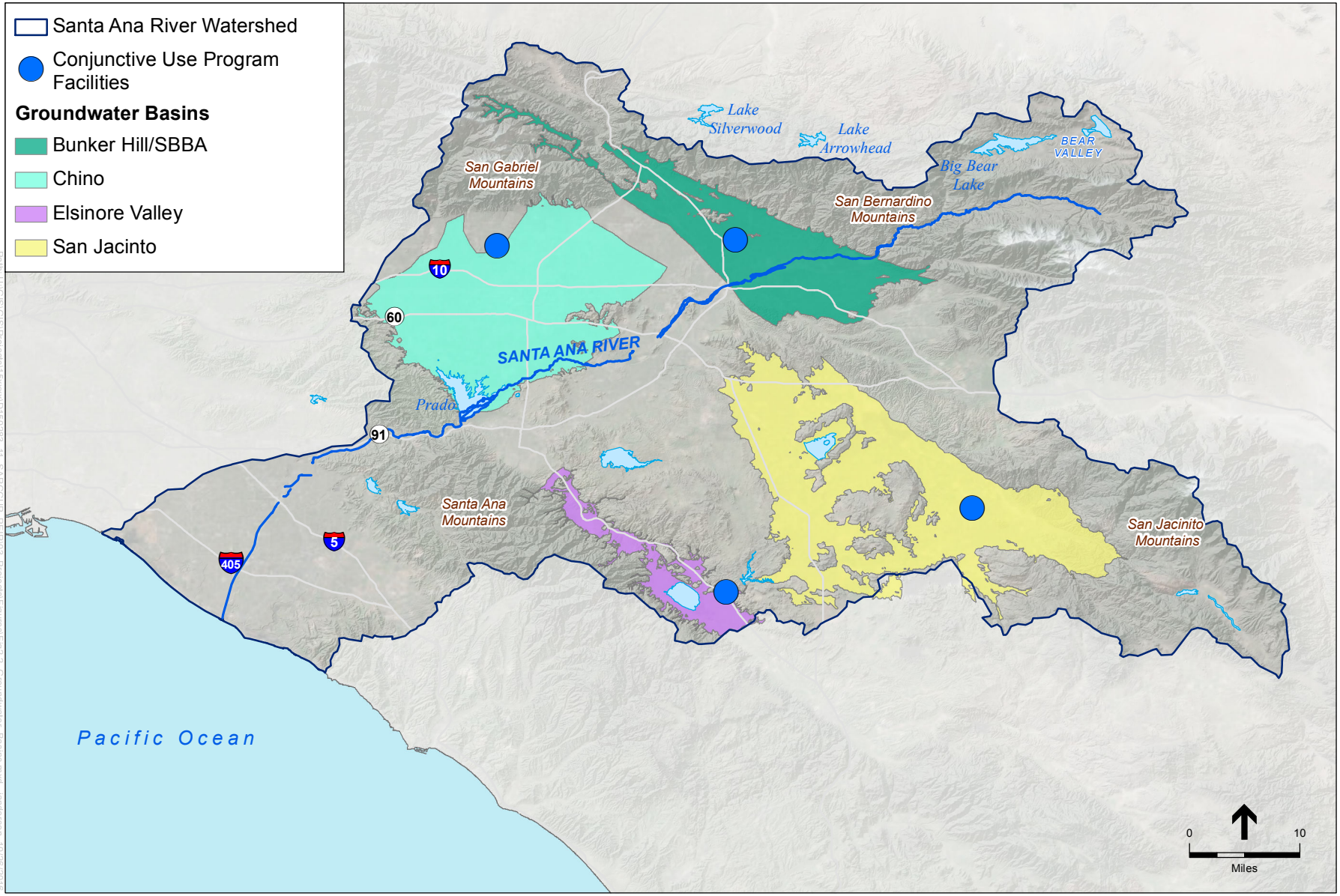
3. Purpose and Need for the Project

The partner agencies currently rely on water imported from the Sacramento-San Joaquin Bay Delta (Delta) and the Colorado River Aqueduct (CRA) to meet demands within their service areas. Currently, the agencies rely on imported water at the following percentages: IEUA – 25 percent; EMWD – up to 75 percent; SBVMWD – 25 percent; WMWD – 25 percent; OCWD – 15 to 30 percent. The curtailment of imported supplies from the Delta due to natural or manmade interruptions has the potential to impact water supply reliability in the Santa Ana River watershed. The snowpack in the Sierra Mountains, water levels in Lake Mead, and groundwater storage levels throughout California are at historic lows. SARCCUP would increase DYY from local groundwater basins in the watershed to offset future reductions in water supply, whether due to climate change or natural or manmade supply cutbacks.

The purpose of SARCCUP is to provide a collaborative program that improves the watershed's water supply resiliency and enhances the natural and built environment. SARCCUP would supply stored groundwater to offset limited imported water supplies from the Delta and CRA during dry years, droughts, or other emergency conditions. The groundwater basins within the Santa Ana River watershed have approximately 1,000,000 acre-feet of available storage space. Water recharged and stored in the groundwater basins during wet years could be recovered to serve operational needs and provide supplies as needed. The partner agencies would be collaborative, equal partners in the storage capacity created by all of the SARCCUP facilities, including the ability to store and recover water. SARCCUP would develop 70,439 AFY of DYY, which exceeds the Integrated Regional Watershed Management goal of 58,000 AFY.

4. Project Location

The projects associated with SARCCUP would be implemented within the Santa Ana River watershed and within the service areas of the five partner agencies. These service areas are located primarily in San Bernardino, Riverside and Orange Counties as shown in **Figure 1**. The groundwater basins located within the project area include Chino Basin, Bunker Hill Basin, San Jacinto Basin, and Elsinore Valley Basin as shown in **Figure 2**.



SOURCE: ESRI

SARCCUP . 150283.11

Figure 2

SARCCUP Groundwater Basins and Conjunctive Use Program Facilities

5. Project Description

SARCCUP would collectively provide up to 70,439 acre-feet per year (AFY) of new local dry-year water supply that would supplement imported water supplies during drought conditions or other emergencies. The Conjunctive Use Program element of SARCCUP is anticipated to recharge and store 60,000 AFY during each of three wet years in a decade. SARCCUP's other elements include development of 10,439 AFY of increased water supply by removing substantial areas of *arundo donax*, an invasive plant species, from the Santa Ana River channel; restoration of Santa Ana Sucker fish habitat; and implementation of economics-based water conservation measures. The five partner agencies are collaboratively responsible for all the component projects, which are described in detail below.

5.1 Santa Ana Sucker Habitat Restoration

The Santa Ana Sucker Habitat Restoration component meets the project objectives for enhancing watershed environment. This component would create 18,250 linear feet of new habitat for the Santa Ana sucker. This restoration would be undertaken by SBVMWD at locations throughout Riverside County along the Santa Ana River and its tributaries, including Hidden Valley Drain, Hole Creek, Anza Drain, and Old Farm Road, which are located along the Santa Ana River between the river crossings of Interstate 215 and State Route 60.

At each of the restoration locations, SBVMWD would start with site preparation, including non-native tree removal, clearing and grubbing, and hazardous soil removal. At each restoration location, the following would be installed as needed: infrastructure, seeding of native plants, irrigation systems, signage, and fencing. SBVMWD would oversee five years of plant establishment maintenance and performance monitoring to ensure habitat restoration is successful.

5.2 Arundo Removal

The *arundo donax* (arundo) removal component of SARCCUP meets the project objectives for reducing water demand with non-invasive plants and enhancing the watershed environment. Arundo is a genus of tall perennial grasses that includes six species native to the warmer regions of the Old World. It was purposely introduced to California in the 1820s when it was planted along the banks of drainage canals in the Los Angeles area for erosion control. Arundo stalks are heavy water consuming plants, which can break under high river flows and replant themselves downstream.

The SARCCUP arundo removal project would restore wetland habitat, primarily riparian habitat along the Santa Ana River, by eradicating invasive, exotic plants including arundo. A total of approximately 40 acres of habitat would be restored and 640 acres of arundo would be removed. The arundo removal project would occur at locations along the Santa Ana River between Prado Basin and the State Route 60 crossing in Riverside. Removal of arundo as part of this project would decrease evapotranspiration and retain more water in the watershed.

5.3 Water Use Efficiency and Conservation

The water use efficiency and conservation component does not involve construction or operation of physical features; it is included within SARCCUP as part of the larger objective to promote water use efficiency and conservation throughout the Santa Ana River Watershed. This component would result in expansion of the existing water use efficiency initiatives that received grant funding during the Integrated Regional Watershed Management 2014 Drought Round to provide support to up to five agencies in the Santa Ana River watershed for conservation initiatives. Workshops would be held to help agencies review and utilize tools available to adopt conservation-focused rates. The Smartscape Program would be implemented to provide education, outreach, training and communication services about drought tolerant design, installation, and maintenance to SARCCUP partner agencies, which would be extended to homeowners and the general public.

5.4 Conjunctive Use Program

SARCCUP's Conjunctive Use Program would include development of new infrastructure and incorporation of existing infrastructure to recharge and store up to 60,000 AFY during each of three wet years in a decade, for a total of up to 180,000 AF of groundwater storage to support the Program. SARCCUP also would develop extraction capacity to pump up to 60,000 AF in dry years or emergency conditions, anticipating such conditions would occur during three out of every 10 years. Construction of facilities for the Conjunctive Use Program would occur within property owned by at least one of the partner agencies, public right-of-ways, or property acquired by one of the five agencies.

Water purchased for storage in the SARCCUP facilities would include water purchased by the partner agencies collectively and individually, as well as transfers between the agencies. Sources of water for storage under SARCCUP include, but are not limited to:

- Imported water purchased from Metropolitan Water District of Southern California (Metropolitan).
- Extraordinary supply water purchased on the market and wheeled to the storage locations. Extraordinary supply is defined by Metropolitan as "extraordinary increases in local supplies in times of shortage above the base period, including such efforts as purchasing water transfers or overproducing groundwater yield." Wheeling is the conveying of water through the unused capacity in a pipeline or aqueduct by another water provider. Water wheeling is provided for under Section 1810 of the California Water Code.
- State Water Project water purchased from SBVMWD and wheeled to the storage locations.

Recharge and extraction facilities would be constructed in order to manage storage and DYY for the Conjunctive Use Program during Phase 1 (**Table 1**):

TABLE 1
CONJUNCTIVE USE PROGRAM BY GROUNDWATER BASIN

Groundwater Basin	Total Storage (AF)	Dry Year Yield (AFY)
Chino	96,000	32,000
Elsinore Valley	4,500	1,500
Bunker Hill	60,000	20,000
San Jacinto	19,500	6,500
TOTAL	**180,000**	**60,000**

San Bernardino Basin Area

The San Bernardino Basin Area includes the Bunker Hill Basin and Lytle Creek Subbasin. Although the Lytle Creek Subbasin is not mapped in the Department of Water Resources Bulletin 118-2003, it plays an integral role in recharge to the Bunker Hill Basin. SARCCUP considers the Bunker Hill Basin and Lytle Creek Subbasin as one basin: the San Bernardino Basin Area.

The SARCCUP facilities in the San Bernardino Basin Area would have a 60,000 AF storage capacity and facilitate average annual recharge and DYY of 20,000 AF. The SARCCUP facilities are part of SBVMWD's proposed San Bernardino Basin Area Comprehensive Conjunctive Use Program and Bunker Hill Conjunctive Use Program, for which SBVMWD as the lead agency has already initiated the CEQA process. The SARCCUP facilities would include up to five new production wells, connecting transmission pipelines, and improvements to the Redlands Pump Stations. SBVMWD would use existing recharge basins including Santa Ana Low, Cactus, Waterman/East Twin, Mill Creek, Devil Canyon/Sweetwater, and Badger to recharge 20,000 AFY and store 60,000 AF total in the San Bernardino Basin Area.

Specifically, five production wells would be constructed between Alabama Street, Interstate 210, and Orange Street in Redlands. The wells would be designed to produce approximately 2,400 to 3,650 gpm each and extract up to 20,000 AFY from the San Bernardino Basin Area. Transmission pipelines would be constructed to connect each well to the Metropolitan existing potable water distribution system. It is estimated that approximately 15,000 linear feet of 36-inch diameter pipeline would be required along with enlargement of a wet well. In addition, the Redlands Pump Station, located at 600 West San Bernardino Avenue in Redlands, would be expanded to convey pumped water though the new pipelines and existing distribution system. Three additional pumps, each with a capacity of 20 cubic feet per second (cfs), would be designed and installed, resulting in a 60-cfs increase in pumping capacity at Redlands Pump Station.

San Jacinto Basin

EMWD would coordinate with the partner agencies to implement facilities for the Conjunctive Use Program in the southeastern portion of the EMWD service area. The proposed facilities would augment the San Jacinto Upper Pressure Sub-basin by approximately 19,500 AFY and allow for a DYY of 6,500 AFY. The proposed facilities include the 39-acre Mountain Avenue West recharge site, installation of three new production wells, and raw water connection

pipelines. The SARCCUP facilities are part of EMWD's proposed San Jacinto Valley Enhanced Recharge and Recovery Project, for which EMWD as the lead agency has already initiated the CEQA process.

The proposed Mountain Avenue West recharge site is located at Ramona Avenue Expressway and Esplanade Avenue in San Jacinto. It would include recharge ponds ranging in depth from 10 to 25 feet and berms approximately 3 to 6 feet above existing ground surface. The proposed project would require up to three new lateral pipelines to connect the Mountain Avenue West recharge site to an existing raw water transmission pipeline, to deliver imported water for recharge. Flow and pressure control facilities with a meter section would be included to regulate the flow of water into the recharge ponds. Additional amenities include a walking/jogging path with conservation targeted informational signage along the perimeter of the Mountain Avenue West recharge site. This would also include drought tolerant landscaping with drip irrigation. A monitoring well network would also be installed to track groundwater changes around the recharge site.

Three new extraction wells and associated distribution pipelines would be installed to allow for a DYY of about 6,500 AFY from the San Jacinto Groundwater Basin. The wells would be tied into EMWD's potable water distribution system. The estimated capacity of each well would be approximately 1,000 to 3,000 gallons per minute (gpm) and produce 1,600 to 4,800 AFY. Each proposed new groundwater production well would be located approximately 1,000 feet from current active production wells. Each production well facility would occupy an area of approximately one acre and would include a concrete-block wall pump building.

Pipelines would connect the groundwater wells to the existing potable water distribution system (one pipeline per well). The length of each well discharge pipeline would depend on the final locations of the wells and the distance to the distribution system.

Elsinore Valley Basin

The SARCCUP facilities in the Elsinore Valley Basin would have a 4,500 AF storage capacity and facilitate average annual recharge and DYY of 1,500 AF over three years. The SARCCUP facilities would be constructed within the WMWD general service area by Elsinore Valley Municipal Water District within its own retail water service area. The facilities would include two aquifer storage and recovery (ASR) wells with pipelines and appurtenances. The ASR wells are dual-purpose injection and extraction wells. The ASR wells would be an expansion of the existing conjunctive se program among EVMWD, WMWD and MWD. This current conjunctive use program is to store up to 12,000 AF in the Elsinore Valley Basin over wet periods when imported surplus water is available for storage. However the two new ASR wells would be dedicated to operation for SARCCUP only.

The ASR wells sites are close to the existing water distribution system. One well would be located in the northern portion of the Elsinore Valley Basin, and one would be located in the southern portion of the same basin referred to as the Back Basin. Each well is estimated to operate at an average flow rate of approximately 650 gpm and 1,000 gpm, respectively, in the northern and southern portion of the basin. The depth of the two ASR wells would ultimately

depend on the final locations selected. Similar wells in the area range from approximately 760 to 2,100 feet deep.

Each well would need a distribution pipeline to connect to the nearby water distribution system. Distribution pipelines would be constructed for each new ASR well to deliver recharge/extracted water to/from each well. The pipeline length would depend on final locations of the wells and the distance to the distribution system. The wells would be at least 1,500 feet away from current potable wells to avoid well interference issues.

Chino Basin

The SARCCUP facilities within Chino Basin would have a 96,000 AF storage capacity and facilitate an average recharge and DYY of 32,000 AF. The SARCCUP facilities include existing recharge basins, the Baseline Feeder extension and associated turnouts and interties, turnout on the Devil Canyon-Azusa pipeline, and groundwater production/extraction wells as described below. The proposed facilities would be located within IEUA's service area. IEUA would arrange with the retail water agencies in its service area and the Chino Basin Watermaster to facilitate wet-water recharge and in-lieu recharge. In-lieu recharge is the use of surface water (imported water) in lieu of pumping groundwater. Distribution of the DYY supply to SARCCUP agencies would be achieved by performing water transfers through pipelines or discharges to flood control channels/creeks.

Baseline Feeder Extension, Turnouts, Interties, and Diversions

The existing Baseline Feeder pipeline is a 48-inch transmission main with a capacity of 60 million gallons per day (mgd) designed to transport water (imported and groundwater) from the Bunker Hill basin west to the City of Rialto area. The Baseline Feeder extension would start at the current terminus of the existing Baseline Feeder pipeline and run for approximately 6.5 miles from Cactus Avenue in Rialto to San Sevaine Creek near the border of Rancho Cucamonga and Fontana. The extension would be a bidirectional pipeline and similar to the existing feeder, with a capacity of approximately 60 cubic feet per second (cfs) and pipeline diameter ranging from 48 inches to 60 inches. The length, dimension, alignment, and appurtenances of the extension would be determined during final design.

The project also includes several interties and turnouts to connect the Baseline Feeder extension to nearby municipalities and San Sevaine Creek. Capacities of the municipal interties are expected to be about 10 cfs to 15 cfs each and would depend on evaluation of the connecting systems, and the final design analysis. The interties would connect the Baseline Feeder extension to the Fontana Water Company and Cucamonga Valley Water District. These interties would support in-lieu recharge by using and treating more imported water instead of pumping groundwater. The turnout to San Sevaine Creek or tributary storm drain would allow discharge of water for groundwater recharge at basins downstream of the turnout. Its capacity is expected to be about 20 cfs and would depend on hydraulics analyses, supply water facilities, and the final design analysis.

San Sevaine Creek carries surface waters to Jurupa Basin, which is an existing 39-acre recharge basin located in Fontana and owned by San Bernardino County Flood Control District. Diversion capacity to Jurupa Basin from San Sevaine Creek downstream of the Baseline Feeder extension would be increased by constructing a new diversion gate. A new 4-foot sluice gate and piping would be cut into the flood control channel wall of Jurupa Basin to allow an increased rate of diversion of imported water to Jurupa Basin. The new structure is expected to duplicate the existing 4-foot sluice gate, piping, and controls. A rubber dam may also be installed along the flood control channel. Diversion would be of State Water Project water from Metropolitan or SBVMWD water from the Baseline Feeder extension. The new diversion should increase the existing capacity for imported water diversion; final capacities would be determined during the final design stages.

Turnout on Devil Canyon-Azusa Pipeline into San Antonio Creek

The Devil Canyon-Azusa Pipeline is located in Rancho Cucamonga adjacent to the proposed Baseline Feeder extension. As part of this component, IEUA would build a dual purpose turnout on the existing Devil Canyon-Azusa Pipeline for delivery of San Gabriel Valley Municipal Water District imported water for: 1) direct recharge in Chino or Orange County basins, and 2) delivery, treatment, and use as in-lieu recharge in Chino Basin. The turnout would allow the diversion of imported water into San Antonio Creek for recharge at downstream recharge basins including College Heights, Upland, Montclair and Brooks located in the Chino Basin, and/or flow-through into Orange County Basin for recharge, and would provide a point of connection for the Water Facilities Authority to receive water for treatment and delivery to Chino Basin. These turnouts and connections would support in-lieu recharge by using and treating more imported water instead of pumping groundwater. The turnout capacity is expected to be up to 40 cfs for recharge and up to 20 cfs for the Water Facilities Authority, but would depend on hydraulics analyses, supply water facilities, and the final design analysis.

Production Wells in Chino/IEUA South Zone

Production wells(s) would be constructed to withdraw stored groundwater from the southerly portion of the Chino Basin. The production wells(s) would be used to exchange recycled water for stored groundwater supply with OCWD. The production well(s) would eliminate the need to construct a pipeline, by utilizing existing flood control channels/creeks to deliver water from the Chino Basin to the Orange County Basin. For every acre-foot of stored groundwater pumped by the proposed production well(s), an equivalent amount of recycled water would be discharged from IEUA's treatment plants into flood control channels/creeks to flow downstream into the Orange County Basin. Existing production wells in the southern pressure zone of IEUA's recycled water distribution system would be screened and evaluated for rehabilitation. If determined acceptable for rehabilitation, existing well(s) would be plumbed to take groundwater into the recycled water system, to replace recycled water delivered to OCWD. If determined not suitable for rehabilitation, a new well would be designed and constructed. Target capacity for the production well(s) is approximately 3,000 gallon per minute. New pumping equipment and appurtenances would be added as required and based on regulations and final design criteria. Production well(s) would be plumbed into the IEUA's recycled water distribution system.

6. Potential Environmental Impacts

In accordance with Section 15126 of the CEQA Guidelines, the PEIR will assess the physical changes to the environment that would likely result from construction and operation of the proposed project, including direct, indirect and cumulative impacts and growth-inducing impacts. SARCCUP facilities are analyzed at a project-level (CEQA Guidelines Section 15161) or program-level (CEQA Guidelines Section 15168) according to the California Environmental Quality Act (CEQA) Guidelines, depending on the level of site-specific detail available at this time and separate CEQA process already underway for some component projects.

Potential impacts of the proposed project are summarized below. The PEIR will identify mitigation measures if necessary to reduce potentially significant impacts of the proposed project. The EIR also will discuss alternatives to the proposed project, including the no-project alternative.

Aesthetics Resources

The project area covers a vast area of inland southern California. The area is generally bounded by the San Gabriel and San Bernardino Mountains to the north, the San Jacinto Mountains to the east, the Temecula area to the south, and the Los Angeles Basin and Pacific Ocean to the west. The project would alter the visual character of surrounding communities through installation of a series of pipelines, pump stations, wells, and recharge basins as part of the Conjunctive Use Program, as well as conduct a large portion of invasive species removal along the Santa Ana River and habitat restoration in portions of Riverside County. The PEIR will evaluate the potential for the proposed project to impact aesthetic resources, including visual character, scenic vistas, and new sources of light and glare.

Agricultural Resources

The proposed project would develop new and modify existing infrastructure that would enable recharge and storage of large amounts of groundwater. The majority of the project components will be built in highly urbanized areas, yet there is the potential that farmland could be impacted in more rural areas of Riverside and San Bernardino Counties. The PEIR will determine if project components would be constructed or modified on lands designated by the state's Farmland Mapping and Monitoring Program as Prime, Unique, or Important Farmland.

Air Quality

The proposed project is within the South Coast Air Quality Management District (SCAQMD). Construction of the facilities needed to implement SARCCUP would generate emissions from construction equipment exhaust, earth movement, construction workers' commute, and material hauling. Operation of pipelines, pump stations, wells, and recharge basins would potentially generate emissions associated with energy use. The PEIR will evaluate the effects of construction and operational activities on air quality, and will analyze consistency with SCAQMD policies and attainment levels.

Biological Resources

The proposed project could result in construction of pipelines, pump stations, wells, and recharge basins in open space or natural areas, as well as in urbanized areas. In addition, the arundo removal would be located within the Santa Ana River, while the Santa Ana sucker habitat restoration would occur in creeks and storm drains in Riverside County. The PEIR will evaluate the potential for facilities and programs to impact biological resources, such as sensitive species and critical habitats, and will also discuss local ordinances and state and federal regulations governing biological resources. The PEIR will also account for potential benefits to biological resources from habitat restoration and invasive species removal.

Cultural Resources

SARCCUP would require construction of new facilities both above- and below-ground. As a result, previously unknown archaeological or paleontological resources could be encountered during ground disturbance and excavation. Furthermore, historic resources may exist near proposed infrastructure. The PEIR will assess the potential effects of the proposed project on cultural resources, including archaeological, paleontological, and Native American resources, including Tribal cultural resources identified during the consultation process required by Assembly Bill 52.

Geology, Soils, and Seismicity

The proposed project is located in a seismically active region. New SARCCUP facilities could be subject to potential seismic hazards including ground shaking. In addition, ground-disturbing construction activities could expose soils to storm water erosion. The PEIR will evaluate geologic hazards in the region associated with seismic activity near faults and fault zones; expansive soils; liquefaction; landslides; subsidence; and soil erosion.

Greenhouse Gas Emissions

Construction activities would require operation of equipment and vehicles that emit greenhouse gases (GHGs). SARCCUP facilities would be operated with electric power, the generation of which produces GHGs. The PEIR will quantify GHG emissions associated with project construction and operation in terms of carbon dioxide equivalent (CO2e) emissions and compare project emissions to regional thresholds of significance. The analysis will consider the collective size of SARCCUP facilities with respect to levels of CO2e emissions and the energy efficiency parameters of the project.

Hazards and Hazardous Materials

Construction of new SARCCUP facilities would require excavation of the existing ground surface, which could uncover contaminated soils or hazardous substances that pose a substantial hazard to human health or the environment. The PEIR will assess the potential for encountering hazardous materials and conditions and evaluate whether hazards encountered during construction would be handled in accordance with applicable regulations. The PEIR will also assess the potential for the public or the environment to be affected by accidental release of

hazardous materials due to project construction and operation. Operation of groundwater recharge basins could mobilize existing soil contamination.

Hydrology and Water Quality

Implementation of SARCCUP may change local drainage patterns at construction sites, which could affect the volume and quality of surface runoff that in turn could affect local surface water resources. The PEIR will identify storm water quality protection measures required during construction and operation of proposed facilities. The PEIR will describe the recharge, storage, and recovery capacities of the Chino, Elsinore Valley, Bunker Hill, and San Jacinto groundwater basins and describe potential impacts of recharge and extraction activities at the SARCCUP project locations. Cumulative impacts of operating the proposed project will include an assessment of incremental impacts to groundwater due to coordinated operation of the SARCCUP facilities associated with the Conjunctive Use Program, and any other neighboring groundwater recharge or recovery facilities. The PEIR will also provide existing groundwater quality data, analyze the differential project impacts to water quality based on source waters, and analyze the impact of project operations on any nearby groundwater contamination plumes.

Land Use and Planning

Implementation of the SARCCUP would include new, upgraded, and expanded water supply infrastructure throughout the partner agencies' service areas. The PEIR will evaluate the compatibility of the proposed facilities with existing and planned land uses within the service areas.

Mineral Resources

The SARCCUP projects would be located in Orange, San Bernardino, and Riverside Counties within a large geographic area, and would involve ground-disturbing activities that could impact the availability of known mineral resources. The PEIR will identify impacts to mineral resources that would result from implementation of the SARCCUP projects.

Noise

Implementation of SARCCUP would require construction of new facilities that would potentially generate noise and vibration. The PEIR will analyze potential noise sources and evaluate the proximity of sensitive receptors to project components to assess whether SARCCUP complies with local noise policies and ordinances.

Population and Housing

One of the primary goals of SARCCUP is to improve water supply reliability. The PEIR will describe the relationship of water supply to population growth in the service area. The PEIR will identify current population and employment projections and identify local planning jurisdictions with the authority to approve growth and mitigate secondary environmental effects of growth.

Public Services

Implementation of SARCCUP is unlikely to affect demand for public services, or, by itself, to require new or expanded facilities for public service providers. The PEIR will, however, assess the potential for the proposed project to affect police and fire protection services, schools, parks and recreational facilities, such that new or expanded buildings or structures may be required that would, in turn, affect the environment.

Recreation

SARCCUP could result in the construction of new facilities in open space or natural areas, as well as in urbanized areas and roadway rights-of way. In addition, the arundo removal would be located within the Santa Ana River, while the Santa Ana sucker habitat restoration would occur in creeks and storm drains in Riverside County. The PEIR will evaluate potential impacts to recreational facilities as a result of proposed project activities.

Transportation and Traffic

Construction of new facilities associated with SARCCUP could affect traffic on local and regional roadways due to vehicle trips associated with hauling of material and equipment and lane closures associated with installation of pipelines or wells within roadway rights-of-way. The PEIR will evaluate the potential for additional construction vehicles, lane closures, or road closures to impact traffic and circulation.

Utilities, Service Systems, and Energy

Construction and operation of the proposed project could affect public utilities in the partner agencies' service areas. Implementation of the proposed project would result in increased use of pump stations, injection wells and extraction wells, and conveyance facilities which would increase the amount of energy required locally to achieve regional water supply goals. However, the increased local energy use would offset energy requirements of importing water. The PEIR will evaluate energy consumption and compare the proposed energy use with existing imported water energy demands.

NOTICE OF PREPARATION

COMMENT PERIOD EXTENSION

Date December 9, 2016

To: Responsible and Trustee Agencies and Interested Parties

Subject: NOP Comment Period Extension

Project: Santa Ana River Conservation and Conjunctive Use Program

Lead Agency: Inland Empire Utilities Agency

Extended Review Period: October 28, 2016 through January 12, 2017

Inland Empire Utilities Agency (IEUA) is acting as the lead agency in preparing a Program Environmental Impact Report (PEIR) pursuant to the California Environmental Quality Act (CEQA) for the proposed Santa Ana River Conservation and Conjunctive Use Program (SARCCUP). SARCCUP is a watershed-scale collaborative program designed to improve the Santa Ana River watershed's water supply resiliency and reliability by increasing available dry-year yield (DYY) from local groundwater basins. SARCCUP also would conserve water, promote water use-efficiency, conduct invasive weed removal, and improve habitat for the Santa Ana sucker (*Catostomus santaanae*), a native, federally-threatened fish species. Five regional water agencies in the Santa Ana River watershed have partnered to develop this program under broad oversight by the Santa Ana Watershed Project Authority: IEUA, Eastern Municipal Water District (EMWD), Orange County Water District (OCWD), San Bernardino Valley Municipal Water District (SBVMWD), and Western Municipal Water District (WMWD).

IEUA has received a request to extend the comment period of the Notice of Preparation (NOP). In response to this request, IEUA is granting an extension of the comment period through Thursday, January 12, 2017.

In accordance with CEQA, agencies are requested to review the NOP and provide comments on environmental issues related to the statutory responsibilities of the agency. The PEIR will be used by IEUA and the Responsible Agencies when considering approval of SARCCUP.

We request that comments be received no later than Thursday, January 12, 2017. Please send your comments to the address shown below. Please include a return address or email address and contact name with your comments. For copies of the NOP, please contact Sylvie Lee at the phone number shown below.

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TABLE 1
SANTA ANA RIVER CONSERVATION AND CONJUNCTIVE USE PROJECT (SARCCUP) CEQA

ASSESSMENT OF NOP COMMENTS

Date	Commenter	Environmental Issues Raised in Comment Letter	Response	Applicable PEIR Section
Native American Heritage Commission (NAHC)				
11/8/16	Native American Heritage Commission (NAHC)	AB52: Tribal consultation requirements for CEQA and impacts to Tribal Cultural Resources	AB52 process in progress	3.5 Cultural Resources and Tribal Cultural Resources
		NAHC Recommendations for Cultural Resources Assessments	Recommendations to be implemented as part of process to evaluate impacts to cultural resources	3.5 Cultural Resources and Tribal Cultural Resources
South Coast Air Quality Management District (SCAQMD)				
11/9/16	South Coast Air Quality Management District (SCAQMD)	Requests receipt of EIR with Air Quality calculation spreadsheets, modeling files, and health risk assessment files; Recommends use of CalEEMod.	Air quality analysis will be conducted and documented accordingly and using CalEEMod	3.3 Air Quality
		Suggests a health risk assessment be prepared if the project generates or attracts vehicle trips	Not anticipated to be required and will be explained in PEIR	3.3 Air Quality
Riverside County Flood Control and Water Conservation District				
11/22/16	Riverside County Flood Control and Water Conservation District	District approvals may be required for any work within District rights of way or easements; if so, District will be responsible agency under CEQA.	For projects that affect District facilities, rights-of-way, or easements, the agencies will coordinate with the District, as necessary, to secure necessary permits and approvals. This will be acknowledged in the PEIR.	2.0 Project Description
		The PEIR should address impact to flood control facilities, changes in drainage patterns, and mapped floodplains.	For projects that affect District facilities, the PEIR will disclose potential impacts to flood control facilities, impacts to flow in rivers, creeks, and channels relative to existing capacity, impacts to drainage patterns and mapped flood plains.	3.9 Hydrology and Water Quality
		Any potential conflicts between the proposed habitat restoration activities and flood control maintenance should be addressed.	PEIR will discuss BMPs and scheduling of habitat restoration such that flood control maintenance will not be affected.	3.9 Hydrology and Water Quality; 3.4 Biological Resources
California Department of Fish and Wildlife (CDFW)				
11/29/16	California Department of Fish and Wildlife (CDFW)	The PEIR should include an assessment of habitat types, a general biological inventory of species present in the project areas (CNDDB search), and an inventory of rare, threatened, endangered species within the project footprint. Focused species-specific surveys are required.	The Environmental Setting of Section 3.4, Biological Resources of the PEIR will include an assessment of habitat types, a CNDDB search, and a listing of special-status species. Due to programmatic nature of the analysis, focused surveys will not be conducted. Mitigation measures will outline procedures to be followed when projects are implemented.	3.4 Biological Resources

Date	Commenter	Environmental Issues Raised in Comment Letter	Response	Applicable PEIR Section
			Mitigation measures will include performance criteria as necessary to ensure mitigation is not being deferred.	
		PEIR should include analysis of direct and indirect impacts (particularly wildlife movement corridors), open space, and cumulative impacts.	Wildlife movement corridors and open space/protected areas will be analyzed accordingly under Appendix G, CEQA Guidelines. All cumulative impacts pertaining to biological resources will be analyzed within the cumulative impacts section	3.4 Biological Resources; 5.0 Cumulative Impacts
		The CDFW suggests using specific mitigation measures.	Mitigation Measures for the programmatic analysis will outline procedures to be followed when projects are implemented, to avoid or lessen potentially significant impacts. Mitigation measures will include performance criteria as necessary to ensure mitigation is not being deferred.	3.4 Biological Resources
Monte Vista Water District (MVWD)				
12/7/16	Monte Vista Water District (Public Scoping Meeting Oral Comments)	MVWD requests extension of comment period by one to two weeks.	The NOP comment period was extended (one month) through January 12, 2017.	N/A
		MVWD stated that an upcoming comment letter will cover importing water to Chino Basin	Comment noted	N/A
		The proposed infrastructure may be different than currently planned, and the environmental document (PEIR) should note that further environmental review may be necessary.	If proposed facilities' locations or designs are undetermined or preliminary in nature, the PEIR will note that further environmental analysis may be required under CEQA.	N/A
		The upcoming comment letter will cover additional scoping/meeting to discuss with IEUA the Chino Basins specifically and environmental issues.	Comment noted	N/A
City of Chino				
12/9/16	City of Chino	The PEIR should thoroughly discuss/evaluate: All potential and anticipated impacts to the safe yields of the affected groundwater basins within the project area. Impacts and any proposed MMs should be described qualitatively and quantitatively.	The PEIR will describe the following for each groundwater basin affected by the project: the safe yield (and any constraints); the available storage (and any constraints); the existing operating criteria, adjudication, and agreements as applicable; the existing processes in place for approval of new facilities. The PEIR will explain how the proposed project will operate within these conditions, constraints, and processes. The PEIR will include mitigation measures outlining the	3.9 Hydrology and Water Quality
		The PEIR should thoroughly discuss/evaluate: Explanation and verification of basin storage capacities characterized as "available."		

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			procedures to be followed when projects are implemented to avoid or lessen potentially significant impacts. Mitigation measures will include performance criteria as necessary to ensure mitigation is not being deferred.	
		The PEIR should thoroughly discuss/evaluate: Potential competing interests (i.e. local native water, imported supplemental water) for basin storage capacity and associated institutional and/or physical hurdles to project implementation.	Operating criteria for the proposed project will be explained, relative to timing of water availability for this project versus other existing obligations, agreements, projects, competing interests.	3.9 Hydrology and Water Quality; 2.0 Project Description
		The PEIR should thoroughly discuss/evaluate: Potential competing interests for recycled water in-exchange for pumped groundwater and associated institutional and physical hurdles to project implementation.		
		The PEIR should thoroughly discuss/evaluate: All potential and anticipated impacts of the operations/obligations (current and planned) of retail water supplies, including (in the Chino Basin) all stakeholder water supply plans and Optimum Basin Management Program elements/activities, including but not limited to desalter operations, Basin recharge, and existing conjunctive use arrangements.		
		The PEIR should thoroughly discuss/evaluate: Discussion of Phase 2 implementation. To the extent possible afforded by program-level analysis, identify facilities that will be needed and how they will be used. Discuss likelihood of subsequent CEQA analyses (project level) that may be appropriate.	Future additional phases of SARCCUP have not yet been conceived but would result in an expansion of the proposed Conjunctive Use Program. Subsequent environmental analysis pursuant to CEQA would be required for modifications to the SARCCUP project description.	1.0 Introduction
		The PEIR should thoroughly discuss/evaluate: There is potential for increasing the yield of Chino Basin by 10,000 AFY by producing GW that enters the southern portion of the basin from the SAR but then exits the Basin before it can be produced by existing wells. The PEIR should examine the relationship between this water and the NOP-described project target production of 3,000 gpm from new and/or existing wells in exchange for recycled water delivered to Orange County.	The PEIR will describe the following for each groundwater basin affected by the project: the safe yield (and any constraints); the available storage (and any constraints); the existing operating criteria, adjudication, and agreements as applicable; the existing processes in place for approval of new facilities. The PEIR will explain how the proposed project will operate within these conditions, constraints, and processes. The PEIR will include mitigation measures outlining the procedures to be followed when projects are implemented to avoid or lessen potentially significant impacts. Mitigation measures will include performance criteria as	3.9 Hydrology and Water Quality

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			necessary to ensure mitigation is not being deferred.	
San Bernardino County Department of Public Works (SBC DPW)				
12/9/16		The PEIR should comprehensively identify any physical changes to the environment and include identification of all project-related impacts to DPW facilities.	The PEIR will identify all projects with potential to affect DPW facilities, and the potential impacts associated with such projects.	3.9 Hydrology and Water Quality; 3.4 Biological Resources
		The PEIR should identify alternative locations.	Feasible alternatives, including alternative locations for facilities, will be discussed in the PEIR as required by CEQA based on the determination of potentially significant project impacts and the need for alternatives to avoid or lessen such impacts.	7.0 Alternatives
		If projects would occur on District property, the PEIR should identify any benefits of mitigation credits that benefit the District.	Comment noted.	3.9 Hydrology and Water Quality
		The PEIR should identify encroachments on DPW rights-of-way, modifications or new structures that require a permit. The PIER should acknowledge that DPW facilities built by the USACE will require DPW to obtain approval (408 permit) from the USACE.	For projects that affect DPW facilities, rights-of-way, or easements, the agencies will coordinate with DPW, as necessary, to secure permits and approvals. This includes potential approvals required from the USACE, such as a Section 408 permit. This will be acknowledged in the PEIR.	2.0 Project Description; 3.9 Hydrology and Water Quality
		The PEIR should address water spreading agreements that may need to be modified.	The PEIR will include a description of existing operating criteria for each basin, existing agreements between the agencies and the DPW affected by the project, and the need for any modifications or amendments to such agreements in order to proceed with project implementation.	2.0 Project Description
		For projects proposed within DPW right-of-way, the PEIR should assess potential impacts to biological resources and develop appropriate mitigation measures if necessary.	Potential impacts to biological resources will be identified for all project components, including those within DPW's rights-of-way. If necessary, mitigation measures will be developed to identify the required steps to avoid or minimize potentially significant impacts. Mitigation measures will include performance criteria as necessary to ensure mitigation is not being deferred.	
		District land will not be used for mitigation associated with this project.	Comment noted.	N/A
Office of Planning & Research (OPR)				
12/12/16	Office of Planning & Research (OPR)	OPR received the extension notice.	Comment noted	N/A

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Orange County Public Works (OCPW)				
12/12/16	Orange County Public Works	OCPW would like to be advised of any further development and kept on distribution list.	OCPW will be notified of any future development under SARCCUP	N/A
Southern California Association of Governments (SCAG)				
12/12/16	Southern California Association of Governments (SCAG)	Request to send environmental documentation to SCAG's Los Angeles office.	SARCCUP environmental documentation will be sent to SCAG's LA Office	N/A
		Provides goals, regional growth forecasts and demographics; Suggested mitigation measures within the Final PEIR for the 2016 RTP/SCS.	Demographic and population data will be incorporated into the analysis of growth inducement to be included in the PEIR. Mitigation is not anticipated to be required and will be explained in PEIR	6.0 Growth Inducement
Orange County Fire Authority (OCFA)				
12/13/16	Orange County Fire Authority	Depending on the size of the facilities expansion, this project may be subject to a Secure Fire Protection Agreement with Orange County Fire Authority.	Comment noted. Agencies will coordinate with Fire Authority, if necessary.	3.14 Public Services
Running Springs Water District (RSWD)				
12/21/16	Running Springs Water District	RSWD would like credit for continuing 500 AFY of treated wastewater into the Bunker Hill Basin.	Comment noted.	N/A
San Antonio Water Company (SAWC)				
1/4/17	San Antonio Water Company	Implementation of SARCCUP could result in loss of hydraulic control (HC) in the Chino Basin. With HC there are no losses. With SARCCUP there is potential for losses. Who would absorb these losses?	The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control.	3.9 Hydrology and Water Quality
		Who is leading program and who will be paying for it?	Santa Ana Watershed Project Authority (SAWPA) will be leading the program. The operation of SARCCUP will be explained in the PEIR. Each member agency will fund proposed projects within their jurisdiction	2.0 Project Description
		Will all water producers in Chino Basin have water available to them for purchase? What will be the cost?	The distribution of water to Chino Basin water producers will be explained in the PEIR.	2.0 Project Description
		Who owns and operates new production wells in SBBA?	San Bernardino Valley Municipal Water District would own/operate new production wells in SBBA.	2.0 Project Description
		Please explain in-lieu recharge.	In-lieu recharge is the process of temporarily decreasing the amount of groundwater pumped from a basin, in combination with increasing surface water deliveries. Typically, the decrease in groundwater pumping occurs in wet years when surface water supplies can be delivered "in-lieu" of	2.0 Project Description

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			groundwater pumping. Decreasing pumping allows the natural recharge to accumulate in the groundwater basin for use during dry years.	
		Why are the interties in the Chino Basin the only ones proposed?	This will be explained in the project description.	2.0 Project Description
		Explain the reasoning for the amenities around the recharge basin in the San Jacinto Basin Area	EMWD has negotiated these recreation amenities with the City of San Jacinto. This will be explained in the project description.	2.0 Project Description
		Please explain relationship between SARCCUP and San Antonio Water Company's recharge in the San Antonio Channel. SAWCo's recharge is metered. How SARCCUP distinguish between local native water and imported water. Is the confluence of water recharge a problem?	SARCCUP's operational parameters will be explained in the project description.	2.0 Project Description
		What is being fixed with SARCCUP and how would it relate to safe yield?	SARCCUP is a water supply reliability project. The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control.	3.9 Hydrology and Water Quality
		Was there a Material Physical Injury Analysis done?	The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control in the Chino Basin. As such, a Material Physical Injury Analysis is not being prepared for the PEIR.	3.9 Hydrology and Water Quality
		How would SARCCUP relate to the utilization of available groundwater capacity by owners of rights in the basin with respect to priority and preference over storage for export as stated in the Judgment?	SARCCUP is a groundwater banking project that will supplement adjudicated water supplies. The operational criteria for SARCCUP will explain the priority for storage and extraction relative to existing groundwater rights.	2.0 Project Description
Water Facilities Authority (WFA)				
1/11/17	Water Facilities Authority (WFA)	WFA states that SARCCUP will require approval through the Watermaster process and could have significant operational impacts on the WFA and its member agencies.	Operational criteria for SARCCUP will be explained in the PEIR	2.0 Project Description
		The PEIR needs to address the uncertainty associated with the SARCCUP project components in the Chino Basin.	The PEIR will analyze impacts associated with project implementation within the Chino Basin in accordance with the information and level of detail available	2.0 Project Description
		Requests that additional scoping be added within the framework of the currently proposed CEQA outline.	Comment noted	N/A
		1. Describe qualitatively and quantitatively the	The PEIR will describe the how	2.0 Project

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		impacts to Chino Basin Safe Yield, Safe Storage Capacity, and HC. As part of the analysis, please provide a specific explanation and verification of the "available storage space" within Chino Basin to support project.	SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control.	Description; 3.9 Hydrology and Water Quality
		2. Describe qualitatively and quantitatively the impacts to Metropolitan's DYY Program. Analysis needs to evaluate the ability of DYY participants to perform under simultaneous implantation of Metropolitans' DYY Program and SARCCUP.	The PEIR project description will include operational criteria for SARCCUP and will explain the relationship of SARCCUP to Metropolitan's DYY Program.	2.0 Project Description; 3.9 Hydrology and Water Quality
		3. Describe qualitatively and quantitatively the impacts of any proposed redirection of imported water supplies during SARCCUP "storage calls" inclusive of location operational and water quality impacts.	The PEIR project description will include operational criteria for SARCCUP relative to existing operations of Chino Basin water agencies.	2.0 Project Description
		4. Describe qualitatively and quantitatively the impacts to approved and planned production, recharge, and basin management projects that may beneficially impact the Basin, including potential yield enhancement and production sustainability projects.	The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control.	3.9 Hydrology and Water Quality; X.X Cumulative Impacts
		5. Describe qualitatively and quantitatively the impacts to existing and future recycled water program development for direct use, groundwater recharge and groundwater exchange within the Chino Basin. Describe Analysis will need to evaluate all current and planned uses of recycled water supplies in Chino Basin to meet demand, and potential impacts the use of recycled supplies for SARCCUP deliveries might have on individual member agencies rights under the Chino Basin Regional Sewer Services Contract.	The operation of SARCCUP relative to existing and future recycled water programs in the Chino Basin will be explained in the PEIR.	2.0 Project Description; X.X Cumulative Impacts
		6. Identify institutional obstacles to project implementation, including consistency of SARCCUP with other programs in the Chino Basin, such as the Peace Agreement, which requires broad regional benefits and mitigation of Material Physical Injury as defined by the Agreement. .	The operation of SARCCUP relative to other Chino Basin programs and agreements will be explained in the PEIR project description.	2.0 Project Description
		The PEIR should provide more detailed identification of Phase 2 facilities and how they would be implemented.	Clarification regarding future phases will be explained in the PEIR.	2.0 Project Description
Metropolitan Water District of Southern California (MWD)				
1/11/17	Metropolitan Water District of Southern California (MWD)	MWD does not consent to its member agencies purchasing SWP supplies directly from SBVMWD (MWD's SWP contract Article 15d requires MWD's consent for any other SWP contractor to supply water within MWD's boundaries). As such, suggest deleting "State Water Project water purchased from SBVMWD and wheeled to the storage locations" from the sources of water listed on page 7 of NOP.	This statement will be not be included within the PEIR	2.0 Project Description
		The use of Devil Canyon-Azusa pipeline need to be coordinated with MWD staff.	Will coordinate with MWD	N/A
Fontana Water Company (FWC)				
1/11/17	Fontana Water Company	1. What will be the net effect of using additional storage in local groundwater basins on the basins' safe yield, HC, and water quality at the Desalter	The PEIR will describe the how SARCCUP will be operated within existing constraints and	3.9 Hydrology and Water

Date	Commenter	Environmental Issues Raised in Comment Letter	Response	Applicable PEIR Section
		treatment facility?	limitations on storage, safe yield and hydraulic control.	Quality
		2. Lytle Creek is governed separately from the Bunker Hill Basin and should be recognized as such – FWC and Fontana Union Water Company hold rights to surface and ground water resources in Lytle Creek.	Comment noted	N/A
		3. Will in-lieu water purposes under the terms of SARCCUP be subject to IEUA's readiness to serve charge? If in-lieu supplies can be wheeled through various water systems will wheeling fees be applied (who is responsible for fees)?	The operation of SARCCUP in the Chino Basin will be explained in the PEIR project description.	2.0 Project Description
		4. Will the source of water to be transported through proposed Baseline Feed Extension be raw untreated water intended solely for groundwater recharge or further treatment?	The operation of SARCCUP in the Chino Basin will be explained in the PEIR project description.	2.0 Project Description
		5. What role will IEUA have in habitat restoration and removal of arundo, and if IEUA does have a role then how will they fund it?	The PEIR project description will explain which agency will implement the SARCCUP habitat restoration components and the role of the other partner agencies.	2.0 Project Description
		6. Is IEUA the governing agency of the 5 SARCCUP agencies when determining where and when water will be recharged and extracted within its service area?	IEUA is the lead agencies for the SARCCUP CEQA document. The operational criteria for SARCCUP with respect to when and where water is recharged and extracted will be explained in the PEIR project description.	2.0 Project Description
Pechanga Band of Luiseno Indians [CONFIDENTIAL]				
1/12/17		The Tribe wants to be notified of all environmental review documents and processes associated with SARCCUP.	Will notify Tribe with all SARCCUP environmental documents	N/A
		The PEIR must document the Tribal values of the Santa Ana River, which is the northernmost extent of the Luiseno Traditional Territory and is aboriginal territory and a valuable and significant resource to the Tribe.	The Santa Ana River is a large area and component of the SARCCUP; Tribal values associated with the River will be included in the PEIR	3.5 Cultural Resources and Tribal Cultural Resources
		The Tribe formally requests to meet with IEUA and other appropriate agencies per AB 52. Letter described Ab 52 process.	AB52 process in progress	3.5 Cultural Resources and Tribal Cultural Resources
		The Tribe provides information about cultural resources: Although well documented, the most critical source of information used to define traditional territories are their songs, creation accounts, and oral traditions. The Tribe describes the creation story of their main deity, at Temecula, and ending at Lake Elsinore. The area involves an extensive trail network. The Tribe describes one of the Luiseño songs which recounts a large flood that forced people to spread out and details their settling in destinations, several of which are located near the project area. Specifically, one location is from Rawson Canyon to Lake Matthews, east towards Aguanga.	Comment noted; Supporting information of cultural resources will be included within the cultural and tribal cultural resources sections of the PEIR.	3.5 Cultural Resources and Tribal Cultural Resources

Date	Commenter	Environmental Issues Raised in Comment Letter	Response	Applicable PEIR Section
		The Tribe explains that Rock art and petroglyphs (San Luis Rey style) are an important territorial boundary: many exist in Riverside and San Diego Counties. The Tribe describes cupules or boulders in the shape of mushrooms or waves within the project boundaries. Lastly, the Tribe states that villages, material sites, natural resources, and sacred/ceremonial places exist within the project area.		
		The Tribe says that consultation is critical to determining potential impacts and how they can be avoided or mitigated.	AB52 process in progress	3.5 Cultural Resources and Tribal Cultural Resources
		The tribe may request a project-specific archaeological study with direct participation by a Pechanga Tribal member.	Comment noted. If impacts to archeological resources are potentially significant due to implementation of SARCCUP projects, then an archeological study will be conducted with a Pechanga Tribal member present.	3.5 Cultural Resources and Tribal Cultural Resources
		The Tribe provides steps for inadvertent discovery of resources and discovery of human remains.	Comment noted. This information will be incorporated into potential mitigation measures.	3.5 Cultural Resources and Tribal Cultural Resources
Chino Basin Watermaster (CBWM)				
1/12/17		The PEIR needs to explain agreement between IEUA, MWD, and CBWM that allows MWD to store water in Chino Basin for later extraction with the purpose of increasing DYY.	The PEIR project description will include operational criteria for SARCCUP and will explain the relationship of SARCCUP to Metropolitan's DYY Program.	2.0 Project Description; 3.9 Hydrology and Water Quality
		Would SARCCUP be in addition to or in place of this DYY Agreement?	The PEIR project description will include operational criteria for SARCCUP and will explain the relationship of SARCCUP to Metropolitan's DYY Program.	2.0 Project Description
		CBWM suggests clarification of project objectives that local storage space will be utilized within the parameters of local groundwater management schemes, respecting existing water rights.	Project objectives will support existing agreements, water rights, and current groundwater management documentation	2.0 Project Description
		CBWM states that the approximately 1,000,000 acre-feet of available storage space mentioned in the NOP may not be "usable" space. Storage estimates in the SARCCUP PEIR should be based on documented calculations that reflect individual basins' conditions and management schemes.	The amount of usable storage space will be documented in the PEIR.	2.0 Project Description; 3.9 Hydrology and Water Quality
		CBWM states that is unclear how Santa Ana sucker restoration relates to concurrent Santa Ana River Habitat Conservation Plan being prepared by SBVMWD – the nexus needs to be identified.	The relationship between the SARCCUP habitat restoration and the HCP will be explained in the PEIR	2.0 Project Description
		The PEIR should describe whether or not groundwater will be supplied to the Hidden Valley Drain project mentioned in the NOP. The PEIR should describe what the effects for hydraulic control and the Chino Basin Desalter Authority (CDA) operations will be.	The PEIR will disclose whether groundwater will be supplied to Hidden Valley Drain. The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on	2.0 Project Description; 3.9 Hydrology and Water Quality

Date	Commenter	Environmental Issues Raised in Comment Letter	Response	Applicable PEIR Section
			storage, safe yield and hydraulic control.	
		CBWM suggests including the statement that storage in Chino Basin is subject to rules and regulations regarding the adjudication process; that all storage and recovery applications are subject to MPIA and other rules.	The relationship of SARCCUP to the existing basin adjudication, agreements, rules, and regulations will be included in the PEIR. The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control.	2.0 Project Description; 3.9 Hydrology and Water Quality
		CBWM requests including more a precise definition of wet-year in the PEIR; How reasonable is it to have three wet years in a decade (also how reasonable is the 10-year cycle)?	An explanation of the wet year cycle that forms the basis of SARCCUP will be provided in the PEIR.	1.0 Introduction and Background; 2.0 Project Description
		The PEIR needs to identify the existing recharge basins and ASR wells to be used as part of SARCCUP; All recharge in the Chino Basin must be conducted only with the approval of CBWM.	Existing facilities to be used by SARCCUP will be documented in the PEIR. The PEIR will explain the approval process required by Watermasters in all affected groundwater basins, including CBWM, in order for SARCCUP to be implemented and operated.	2.0 Project Description
		CBWM provides this information regarding one-for-one exchange of groundwater for recycled water: 1. Water quality of groundwater pumped will likely be poorer than recycled water discharged to the River and regulatory implications of this discharge may not be consistent with the maximum benefit commitments in the Basin Plan; 2. One-for-one exchange might affect the Basin's Safe-Yield; 3. The amount of groundwater production could interfere with CDA production and operations.	The PEIR will include a description of existing water quality in the river and groundwater basins and an analysis of impacts to water quality and beneficial uses due to SARCCUP implementation, including the use of recycled water. The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control.	3.9 Hydrology and Water Quality
		CBWM states that the conjunctive use program in the Chino Basin will require analysis of: safe yield, land subsidence, maximum benefit commitments, and water quality. CBWM states that IEUA would need to apply on behalf of SARCCUP to CBWM for a Storage and Recovery Program, following which CBWM would conduct an analysis including MPI, HC, and water quality. The PEIR should include analyses that will facilitate CBWM's review of the application.	The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control. SARCCUP would not contribute to existing land subsidence because it is a groundwater banking project. Water is recharged before it is extracted. This will be explained in the PEIR.	3.9 Hydrology and Water Quality; 3.X Geology, Soils, and Seismicity
		The PEIR should include analysis of potential impacts on existing private agricultural wells in the Chino/IEUA south zone.	The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control. SARCCUP is not expected to affect existing wells because it	3.9 Hydrology and Water Quality

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			is a groundwater banking project such that water is recharged before it is extracted.	
Chino Basin Desalter Authority (CDA)				
1/12/17	Chino Basin Desalter Authority (CDA)	The CDA requests that the potential and anticipated impacts to CDA wells in the Chino/IEUA South zone, and any proposed mitigation measures, be described both qualitatively and quantitatively in the PEIR. The CDA will be operating a total of thirty (30) wells in this zone within the next few years.	The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control. SARCCUP is not expected to affect existing wells because it is a groundwater banking project such that water is recharged before it is extracted. If needed, the PEIR will include mitigation measures outlining the procedures to be followed when projects are implemented to avoid or lessen potentially significant impacts. Mitigation measures will include performance criteria as necessary to ensure mitigation is not being deferred.	3.9 Hydrology and Water Quality
United States Department of the Interior, Fish and Wildlife Service (USFWS)				
1/12/17	United States Department of the Interior, Fish and Wildlife Service (USFWS)	USFWS suggests the PEIR be explicit about the use of local surface water, including recycled, or storm flows, as opposed to imported water, for recharge in the PEIR, and analyze impacts to downstream natural resources.	The PEIR will evaluate impacts associated with recharge of imported water and recycled water, including impacts to natural resources.	3.4 Biological Resources, 3.9 Hydrology and Water Quality
		The effects to water dependent resources at the imported water point of origin should also be disclosed and discussed in the PEIR.	Wildlife species dependent on Santa Ana River and supporting tributary flows will be discussed within the PEIR	3.4 Biological Resources
		USFWS requests that the PEIR provide mitigation measures for effects to natural resources, as appropriate.	Mitigation Measures will be provided to lessen potential impacts to biological resources	3.4 Biological Resources
		If use of local surface or recycled water is proposed, a regional hydrologic model should be created to simulate interactions between surface and groundwater supplies.	The PEIR will describe the how SARCCUP will be operated within existing constraints and limitations on storage, safe yield and hydraulic control. SARCCUP is not expected to affect HC or safe yield; SARCCUP is a groundwater banking project such that water will be recharge prior to extraction. SARCCUP will not result in the loss of surface water to groundwater. As such, SARCCUP is not expected to have adverse impacts to existing habitat and flow conditions. Therefore, a regional hydrological surface-groundwater interaction model is not necessary.	3.4 Biological Resources; 3.9 Hydrology and Water Quality
		The extraction of water that effects listed species or the function of their habitat must be analyzed to determine the impacts to those species and their habitats (positive or negative) and the potential for incidental take, whether it is surface or groundwater, and no matter the originating source (local or imported).		
		A regional, integrated surface-groundwater model would provide the means to make informed decisions on how these proposed projects could cumulatively affect listed species.		
		USFWS support the removal or arundo and measures	The PEIR will specifically	3.4 Biological

Date	Commenter	Environmental Issues Raised in Comment Letter	Response	Applicable PEIR Section
		to support the Santa Ana sucker. The PEIR should be clear on the relationship, if any, between those efforts and project-related impacts to the fish or other sensitive resources.	analyze impacts to the Santa Ana Sucker and other sensitive resources that may be impacted by project implementation.	Resources

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
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Phone (916) 373-3710
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November 8, 2016

Sylvie Lee
Inland Empire Utility Agency
6075 Kimball Avenue
Chino, CA 91710

sent via e-mail:
slee@ieua.org

RE: SCH# 2016101079; Santa Ana River Conservation and Conjunctive Use Program, Notice of Preparation for Draft Environmental Impact Report, Riverside County, California

Dear Ms. Lee:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate category of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
    a. A brief description of the project.
    b. The lead agency contact information.
    c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).

d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
   a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
   a. Alternatives to the project.
   b. Recommended mitigation measures.
   c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
   a. Type of environmental review necessary.
   b. Significance of the tribal cultural resources.
   c. Significance of the project's impacts on tribal cultural resources.
   d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
   a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
   b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
   a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
   b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:
    i. Planning and construction to avoid the resources and protect the cultural and natural context.
    ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    i. Protecting the cultural character and integrity of the resource.
    ii. Protecting the traditional use of the resource.
    iii. Protecting the confidentiality of the resource.
c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
    a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
    b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
    c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

    This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason,

we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have been already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
    a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
    b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
    a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
    b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
    c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

cc: State Clearinghouse

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

November 9, 2016

slee@ieua.org
Ms. Sylvie Lee
Inland Empire Utilities Agency
6075 Kimball Ave.,
Chino, CA 91708

Notice of Preparation of a CEQA Document for the
Santa Ana River Conservation and Conjunctive Use Program

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft EIR. Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the Draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. More recent guidance developed since this Handbook was published is also available on SCAQMD's website here: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD staff requests that the lead agency quantify criteria pollutant emissions and compare the results to the recommended regional significance thresholds found here: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf. In addition to analyzing regional air quality impacts, the SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a Draft EIR document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Perspective*, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Finally, should the proposed project include equipment that generates or controls air contaminants, a permit may be required and the SCAQMD should be listed as a responsible agency and consulted. The assumptions in the submitted Draft EIR would also be the basis for permit conditions and limits. Permit questions can be directed to the SCAQMD Permit Services staff at (909) 396-3385, who can provide further assistance.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Mitigation Measure resources are available on the SCAQMD CEQA Air Quality Handbook website: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's webpage (http://www.aqmd.gov).

The SCAQMD staff is available to work with the lead agency to ensure that project emissions are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact Jack Cheng, Air Quality Specialist by e-mail at jcheng@aqmd.gov or by phone at (909) 396-2448.

Sincerely,

Jillian Wong

Jillian Wong, Ph.D.
Planning and Rules Manager
Planning, Rule Development & Area Sources

JC:JW
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Control Number

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General Manager-Chief Engineer

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RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 22, 2016

Ms. Sylvia Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 91708

Dear Ms. Lee:

Re: Santa Ana River Conservation and Conjunctive Use Program

This letter is in response to the October 28, 2016 CEQA Notice of Preparation (NOP) for the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP). Based on the NOP, the Inland Empire Utilities Agency is preparing a Program Environmental Impact Report (PEIR) for the SARCCUP.

According to the NOP, the SARCCUP will include Santa Ana Sucker Habitat Restoration along the Santa Ana River and its tributaries in Riverside County. The SARCCUP will also include Arundo Removal along the Santa Ana River between Prado Basin and the State Highway 60 crossing in Riverside.

Please note that the Riverside County Flood Control and Water Conservation District (District) operates and maintains flood control facilities along the Santa Ana River, its tributaries and in other areas of Riverside County. District approvals (e.g., encroachment permits, agreements) may be required for any work within District rights of way and/or easements. Therefore, the District may be a CEQA responsible agency for the proposed project.

In addition, the PEIR should address any potential impacts to flood control facilities, changes in drainage patterns and mapped floodplains. Any potential conflicts between the proposed habitat restoration activities and flood control maintenance should also be addressed.

Please send the District the PEIR during the CEQA review period. Contact Randy Sheppeard at 951.955.1306 or me at 951.955.1233 if you have any questions.

Very truly yours,

Mike M. Wong

MIKE WONG
Engineering Project Manager

RS:mcv
P8\209138

State of California - Natural Resources Agency
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Inland Deserts Region
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EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director

November 29, 2016
Sent by email

Ms. Sylvie Lee
Inland Empire Utility Agency
6075 Kimball Avenue
Chino, CA 91710

Subject: Notice of Preparation of a Draft Program Environmental Impact Report
Santa Ana River Conservation and Conjunctive Use Program
State Clearinghouse No. 2016101079

Dear Ms. Lee:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (DPEIR) for the Santa Ana River Conservation and Conjunctive Use Program (project) [State Clearinghouse No. 2016101079]. Pursuant to The Guidelines for the Implementation of CEQA (Cal. Code Regs., tit. 14, § 15000 *et seq.*; hereafter CEQA Guidelines), the Department has reviewed the NOP and offers comments and recommendations on those activities involved in the project that are within the Department's area of expertise and germane to its statutory responsibilities, and/or which are required to be approved by the Department (CEQA Guidelines, §§ 15086, 15096 & 15204).

The project is being proposed by five regional water agencies in the Santa Ana River: Eastern Municipal Water District, Inland Empire Utilities Agency, Orange County Water District, San Bernardino Valley Municipal Water District, and Western Municipal Water District. The project proposes a watershed-scale collaborative program designed to improve the Santa Ana River watershed's water supply resiliency and reliability by increasing available dry-year yield from local groundwater basins. The project also proposes water conservation, the promotion of water efficiency, invasive plant removal, and habitat improvement for the Santa Ana sucker. Objectives of the project include:

- Utilization of available local groundwater basin storage space to capture water during wet periods and improve water supply reliability during dry periods, drought, or other emergency conditions.
- Provision of new local dry-year water supply to supplement/replace imported water during dry periods, drought, or other emergency conditions.
- Reduction of water demand through non-native invasive plant removal and other water conservation measures.
- Creation and enhancement of riparian and Santa Ana sucker habitat.

COMMENTS AND RECOMMENDATIONS

The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources); and administers the Natural Community Conservation Planning Program (NCCP Program). The Department offers the comments and recommendations presented below to assist Project Proponents in adequately identifying and/or mitigating the project's significant, or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable the Department to adequately review and comment on the proposed project with respect to impacts on biological resources and the project's consistency with adopted and/or approved Habitat Conservation Plans (HCPs), NCCPs, and/or other local, regional, or state habitat conservation plans.

To enable the Department to adequately review and comment on the proposed project, the Department encourages Project proponents to include as much detail as possible in the DPEIR regarding proposed project elements, and detailed and specific mitigation measures.

The Department recommends that the forthcoming DPEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable Department staff to adequately review and comment on the project, the CEQA document should include a complete assessment of the flora and fauna within and adjacent to the project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. The Department recommends that the DPEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. The Department recommends that floristic, alliance- and/or association based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;

2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. The Department's California Natural Diversity Database (CNDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDB@wildlife.ca.gov to obtain current

information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed project. The Department recommends that CNDDB Field Survey Forms be completed and submitted to CNDDB to document survey results. Online forms can be obtained and submitted at: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data

Please note that the Department's CNDDB is not exhaustive in terms of the data it houses, nor is it an absence database. The Department recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the project footprint and within offsite areas with the potential to be effected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service, where necessary. Note that the Department generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed project may warrant periodic updated surveys for certain sensitive taxa, particularly if the project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following the Department's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see https://www.wildlife.ca.gov/Conservation/Plants);

5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]);

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The Department recommends that the DPEIR provide a thorough discussion of the direct, indirect, and cumulative impacts expected to affect biological resources as a result of the project. The DPEIR should include a discussion of both temporary and

permanent impacts. To ensure that project impacts to biological resources are fully analyzed, the following information should be included in the DPEIR:

1. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address project-related changes on drainage patterns and water quality within, upstream, and downstream of the project site, including: volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site.

2. A discussion of potential indirect project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).

   Please note that the project area encompasses a large geographic area and supports significant biological resources and contains habitat connections, providing for wildlife movement across the broader landscape, sustaining both transitory and permanent wildlife populations. The Department encourages project design that avoids and preserves onsite features that contribute to habitat connectivity. The DPEIR should include a discussion of both direct and indirect impacts to wildlife movement and connectivity, including maintenance of wildlife corridor/movement areas to adjacent undisturbed habitats.

3. An evaluation of impacts to adjacent open space lands from both the construction of the project and any long-term operational and maintenance needs.

4. A cumulative effects analysis developed as described under CEQA Guidelines § 15130. Please include all potential direct and indirect project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

The Department recommends that the Project Proponents consider the use of existing infrastructure, where feasible, to reduce project impacts. Note that the DPEIR must describe and analyze a range of reasonable alternatives to the project that are potentially feasible, would "feasibly attain most of the basic objectives of the project,"

and would avoid or substantially lessen any of the project's significant effects (CEQA Guidelines § 15126.6[a]).

Mitigation Measures for Project Impacts to Biological Resources

The DPEIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the project. When proposing measures to avoid, minimize, or mitigate impacts, the Department recommends consideration of the following:

1. *Sensitive Plant Communities*: The Department considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DPEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts.

2. *Mitigation*: The Department considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DPEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

   The DPEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, including, but not limited to measures to ensure domestic animals (e.g., cats and dogs) cannot access mitigation areas, and removal procedures to implement if they do; proposed land dedications; long-term monitoring and management programs; control of illegal dumping; water pollution; and increased human intrusion, etc.

3. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and

seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

The Department recommends that local onsite propagules from the project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in the near future in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the project; examples could include retention of woody material, logs, snags, rocks, and brush piles.

4. *Nesting Birds and Migratory Bird Treaty Act:* Please note that it is the project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) also afford protective measures as follows: Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that is it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

   The Department recommends that the DPEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DPEIR should also include specific avoidance and minimization measures that will

be implemented should a nest be located within the project site. If pre-construction surveys are proposed, the Department recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

5. *Translocation of Species*: The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the California Endangered Species Act (CESA). The Department recommends that a CESA ITP be obtained if the project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

The Department encourages early consultation, as significant modification to the proposed project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. Please note that the proposed avoidance, minimization, and mitigation measures must be sufficient for the Department to conclude that the project's impacts are fully mitigated and the measures, when taken in aggregate, must meet the full mitigation standard. When the Department issues a CESA ITP, it is considered a discretionary action as defined in Title 14 of the California Code of Regulations, section 15357, under CEQA. Therefore, before the Department can issue the CESA ITP the CEQA Lead Agency must have completed the necessary steps under CEQA. If the project CEQA document fails to addresses all project impacts to listed species and does not include a mitigation monitoring and reporting program that will meet the requirements of a CESA ITP, the Department is required to prepare and issue a separate CEQA document prior to issuance of the CESA ITP.

Habitat Conservation Plans and Natural Community Conservation Plans

The project occurs within the following conservation plan areas: Western Riverside County Multiple Species Habitat Conservation Plan, the Riverside County Stephens' Kangaroo Rat Habitat Conservation Plan, and the proposed Upper Santa Ana River Habitat Conservation Plan. Compliance with approved habitat conservation plans is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed project and applicable general plans and regional plans, including habitat conservation plans and

natural community conservation plans. An assessment of the impacts to the conservation plans listed above as a result of this project is necessary to address CEQA requirements.

Regardless of whether take of threatened and/or endangered species is obtained through the conservation plans listed above or through a CESA ITP, the DPEIR needs to address how the proposed project will affect the policies and procedures of each conservation plan.

Lake and Streambed Alteration Program

Based on information contained in the NOP, the Project proponents will likely need to notify the Department per Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify the Department prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Upon receipt of a complete notification, the Department determines if the proposed project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your project that would eliminate or reduce harmful impacts to fish and wildlife resources.

The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to https://www.wildlife.ca.gov/Conservation/LSA/Forms.

Further Coordination

The Department appreciates the opportunity to comment on the NOP of a DPEIR for the Santa Ana River Conservation and Conjunctive Use Program (SCH No. 2016101079) and recommends that Project Proponents address the Department's comments and concerns in the forthcoming DPEIR. For questions pertaining to the

comments provided in this letter, please contact Joanna Gibson at (909) 987-7449 or joanna.gibson@wildlife.ca.gov.

Sincerely,

for

Leslie MacNair
Regional Manager

Cc: Heather Pert, California Department of Fish and Wildlife

Literature Cited

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California. http://vegetation.cnps.org/

SANTA ANA RIVER CONSERVATION AND CONJUNCTIVE USE PROJECT (SARCCUP)

CEQA Notice of Preparation (NOP)
Public Scoping Meeting
December 7, 2016

Public Oral Comments

Monte Vista Water District (MVWD):

MVWD is putting together a comment letter and requests additional time to prepare and submit the letter. MVWD requests an extension of the NOP public comment period by one to two weeks.

In general the upcoming letter will cover importing water to Chino Basin, infrastructure may be different than currently planned, and the environmental document should note that further environmental review may be necessary. Also, the letter will cover additional scoping/meeting to discuss with IEUA the Chino Basins specifically and environmental issues.

MVWD looks forward to working with IEUA and the other partner agencies.

CITY of CHINO

December 9, 2016

Ms. Sylvie Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 91708

RE: Notice of Preparation (NOP) of a Program Environmental Impact Report (PEIR) for Santa Ana River Conservation Conjunctive Use Program (SARRCCUP).

Dear Ms. Lee,

Thank you for the opportunity to review the proposed NOP PEIR for SARRCCUP. Based upon our review, the City of Chino's Water Division has the following comments:

Within the framework of the CEQA outline, the PEIR should thoroughly discuss/evaluate the following:

1) All potential and anticipated impacts to the safe yields of the affected groundwater basins (e.g. resulting from put, hold, and take of stored water) within the project area. Impacts and any proposed mitigation measures should be described qualitatively and quantitatively.

2) Explanation and verification of basin storage capacities characterized as "available".

3) Potential competing interests (e.g. local native water, imported supplemental water) for basin storage capacity and associated institutional and/or physical hurdles to project implementation.

4) Potential competing interests for recycled water in-exchange for pumped groundwater and associated institutional and physical hurdles to project implementation.

5) All potential and anticipated impacts to the operations/obligations (current and planned) of retail water suppliers, including (in the Chino Basin) all stakeholder water supply plans and Optimum Basin Management Program elements/activities, including but not limited to desalter operations, Basin recharge, and existing conjunctive use arrangements.

13220 Central Avenue, Chino, California 91710
Mailing Address: P.O. Box 667, Chino, California 91708-0667
(909) 334-3250 • (909) 334-3720 Fax
Web Site: www.cityofchino.org

6) Discussion pertaining to Phase 2 implementation. To the extent possible afforded by a program-level analysis, identify the facilities (existing and to-be-constructed) that will be needed and how they will be used to implement the project. Discuss the likelihood of subsequent CEQA analyses (i.e. project-level) that may be appropriate.

7) There is potential for increasing the yield of the Chino Basin by perhaps as much as 10,000 AFY by producing groundwater that enters (i.e. recharges) the southern portion of Basin from the Santa Ana River (inflow to the Basin from the River) but then exits the Basin before it can be produced by existing wells. The PEIR should thoroughly examine the relationship, if any, between this water and the NOP-described project target production of 3,000 gpm from new and/or existing wells in ex-change for recycled water delivered to Orange County.

Please let me know if you have any questions. I can be reached at (909) 334-3330 or via email at kle@cityofchino.org.

Sincerely,

Kim Le
Associate Planner

825 East Third Street, San Bernardino, CA 92415-0835 | Phone: 909.387.8109 Fax: 909.387.7876
www.SBCounty.gov

SAN BERNARDINO COUNTY

Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Surveyor
- Transportation

Gerry Newcombe
Director

December 9, 2016

Inland Empire Utilities Agency
Sylvie Lee
6075 Kimball Ave.
Chino, CA. 91708
slee@ieua.org

File: 10(ENV)-4.01

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SANTA ANA RIVER CONSERVATION AND CONJUNCTIVE USE PROGRAM FOR THE INLAND EMPIRE UTILITITES AGENCY

Dear Ms. Lee,

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on November 1, 2016** and pursuant to our review, the following comments are provided:

General Comment

1. It is difficult to properly ascertain the impacts this project will have on San Bernardino County Flood Control District (District) properties and/or facilities due to the lack of detail provided in the Notice of Preparation (NOP). The Draft Environmental Impact Report (DEIR) prepared must comprehensively identify any physical changes to the environment and include specific identification of all project related impacts to District facilities as they relate to the policies and guidelines contained in the Flood Control District Act, and County of San Bernardino General Plan/Development Code policies.

2. The NOP did not identify any alternatives to be discussed within the DEIR. The DEIR should clearly identify alternative locations that can achieve the Inland Empire Utility Agency Goals and Objectives and address any major environmental impacts to District facilities should these alternatives be chosen by the Lead Agency.

Operations

1. In the event of any enhancements or use of District property, the DEIR should address any benefit from the activity as well as all mitigation credits that will benefit the District. Additionally, the DEIR should acknowledge the District's need to reserve all rights for access and maintenance issues.

Flood Control

1. The DEIR should identify any encroachments on District right-of-way, modification of existing facilities, and installation of new structures that will require a permit from the District. Also, the DEIR should acknowledge that District facilities built by the U.S. Army Corps of Engineers (USACE) will require the District to obtain approval (408 permit) from the USACE.

2. The DEIR should discuss and analyze the existing water spreading agreements between the water agencies and the District that may need to be modified or amended as part of the proposed project implementation.

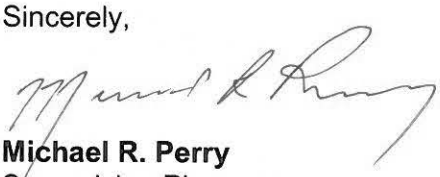
Biological Resources

1. Based upon the NOP map, it appears many of the proposed projects will occur within District right-of-way. The DEIR should identify these projects with sufficient detail to allow an assessment of potential impacts and development of appropriate mitigation measures if necessary.

2. Additionally, District property is not to be used as mitigation for projects, other than District projects.

We respectfully request to be included on the circulation list for all project notices and reviews. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact me and I will forward the request to the Division that provided the specific comment as listed above.

Sincerely,



Michael R. Perry
Supervising Planner
Environmental Management

MPR:PE:sr

Sarah Spano

From: Jennifer Jacobus
Sent: Wednesday, December 14, 2016 11:26 AM
To: Sarah Spano
Subject: FW: Extension of NOP Santa Ana River Conservation and Conjunctive Use Program

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From: Sylvie Lee [mailto:slee@ieua.org]
Sent: Tuesday, December 13, 2016 1:59 AM
To: Jennifer Jacobus; Jason Pivovaroff; Tom Dodson; Tom Barnes
Subject: Fwd: Extension of NOP Santa Ana River Conservation and Conjunctive Use Program

Sent from my iPhone

Sylvie Lee P.E.
Manager of Planning & Environmental Resources

Inland Empire Utilities Agency
A MUNICIPAL WATER DISTRICT

"Water Smart - Thinking in Terms of Tomorrow"
6075 Kimball Ave / Chino, California 91708
Tel: 909-993-1646 / Fax:
EMail: slee@ieua.org Website: www.ieua.org

Connect with us

Begin forwarded message:

> **From:** Ellis Dang <Ellis.Dang@opr.ca.gov>
> **Date:** December 12, 2016 at 8:04:34 PM GMT+1
> **To:** "'slee@ieua.org'" <slee@ieua.org>
> **Subject: Extension of NOP Santa Ana River Conservation and Conjunctive Use Program**
>
> **Sylvie,**
>
> **We've received an extension for the project mentioned above. We can send it out for you this time. For future reference if you can send a memo on lead agency letterhead that'll be greatly appreciated.**

Ellis Dang
Office of Planning and Research (OPR)
State Clearinghouse
1400 10th Street, Room 113
Sacramento, CA 95814

OC Public Works
Integrity, Accountability, Service, Trust
Shane L. Silsby, Director

NCL 16-044

December 12, 2016

Ms. Sylvia Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, California 91708

SUBJECT: Notice of Scoping Meeting and Notice of Preparation of a Program Environmental Impact Report for the Santa Ana River Conservation and Conjunctive Use Program

Dear Ms.Lee:

The County of Orange has reviewed the Notice of Preparation of a Program Environmental Impact Report for the Santa Ana River Conservation and Conjunctive Use Program and has no comments at this time. We would like to be advised of any further developments on the project. Please continue to keep us on the distribution list for future notifications related to the project.

Sincerely,

Laree Alonso, Manager, Planning Division
OC Public Works Service Area/OC Development Services
300 North Flower Street
Santa Ana, California 92702-4048
Laree.alonso@ocpw.ocgov.com

SCAG
INNOVATING FOR A BETTER TOMORROW

SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
818 West 7th Street, 12th Floor
Los Angeles, CA 90017
T: (213) 236-1800
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www.scag.ca.gov

December 12, 2016

Ms. Sylvie Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, California 91708
Phone: (909) 993-1646
E-mail: slee@ieua.org

RE: SCAG Comments on the Notice of Preparation of a Draft Program Environmental Impact Report for the Santa Ana River Conservation and Conjunctive Use Program [SCAG NO. IGR9058]

Dear Ms. Lee,

Thank you for submitting the Notice of Preparation of a Program Draft Environmental Impact Report (PEIR) for the Santa Ana River Conservation and Conjunctive Use Program ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS) pursuant to Senate Bill (SB) 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.[1] Guidance provided by these reviews is intended to assist local agencies such as local jurisdictions and project proponents to take actions that help contribute to the attainment of the regional goals and policies in the RTP/SCS.

SCAG staff has reviewed the Notice of Preparation of a Draft PEIR for the Santa Ana River Conservation and Conjunctive Use Program in San Bernardino, Riverside and Orange Counties. The proposed project consists of a program designed to improve the Santa Ana watershed's resiliency and reliability and would conserve water, promote water use-efficiency, conduct invasive weed removal, and improve habitat for the Santa Ana sucker, a threatened fish species.

When available, please send environmental documentation to *SCAG's office in Los Angeles or by email to sunl@scag.ca.gov* providing, at a minimum, the full public comment period for review. If you have any questions regarding the attached comments, please contact the Inter-Governmental Review (IGR) Program, attn.: Lijin Sun, Senior Regional Planner, at (213) 236-1882 or sunl@scag.ca.gov. Thank you.

Sincerely,

Ping Chang

Ping Chang
Acting Manager, Compliance and Performance Monitoring

[1] Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2016 RTP/SCS for the purpose of determining consistency for CEQA. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a determination of consistency with the 2016 RTP/SCS for CEQA.

COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE SANTA ANA RIVER CONSERVATION AND CONJUNCTIVE USE PROGRAM [SCAG NO. IGR9058]

CONSISTENCY WITH RTP/SCS

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS. For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the RTP/SCS.

2016 RTP/SCS GOALS

The SCAG Regional Council adopted the 2016 RTP/SCS in April 2016. The 2016 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health (see http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx). The goals included in the 2016 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2016 RTP/SCS are the following:

SCAG 2016 RTP/SCS GOALS	
RTP/SCS G1:	*Align the plan investments and policies with improving regional economic development and competitiveness*
RTP/SCS G2:	*Maximize mobility and accessibility for all people and goods in the region*
RTP/SCS G3:	*Ensure travel safety and reliability for all people and goods in the region*
RTP/SCS G4:	*Preserve and ensure a sustainable regional transportation system*
RTP/SCS G5:	*Maximize the productivity of our transportation system*
RTP/SCS G6:	*Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking)*
RTP/SCS G7:	*Actively encourage and create incentives for energy efficiency, where possible*
RTP/SCS G8:	*Encourage land use and growth patterns that facilitate transit and active transportation*
RTP/SCS G9:	*Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies*.*
	**SCAG does not yet have an agreed-upon security performance measure.*

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG 2016 RTP/SCS GOALS		
Goal		Analysis
RTP/SCS G1:	*Align the plan investments and policies with improving regional economic development and competitiveness*	*Consistent: Statement as to why;* *Not-Consistent: Statement as to why;* *Or* *Not Applicable: Statement as to why;* *DEIR page number reference*
RTP/SCS G2:	*Maximize mobility and accessibility for all people and goods in the region*	*Consistent: Statement as to why;* *Not-Consistent: Statement as to why;* *Or* *Not Applicable: Statement as to why;* *DEIR page number reference*
etc.		etc.

2016 RTP/SCS STRATEGIES

To achieve the goals of the 2016 RTP/SCS, a wide range of land use and transportation strategies are included in the 2016 RTP/SCS. Technical appendances of the 2016 RTP/SCS provide additional supporting information in detail. To view the 2016 RTP/SCS, please visit: http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx. The 2016 RTP/SCS builds upon the progress from the 2012 RTP/SCS and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that the SCAG region strives toward a more sustainable region, while the region meets and exceeds in meeting all of applicable statutory requirements pertinent to the 2016 RTP/SCS. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

DEMOGRAPHICS AND GROWTH FORECASTS

Local input plays an important role in developing a reasonable growth forecast for the 2016 RTP/SCS. SCAG used a bottom-up local review and input process and engaged local jurisdictions in establishing the base geographic and socioeconomic projections including population, household and employment. At the time of this letter, the most recently adopted SCAG jurisdictional-level growth forecasts that were developed in accordance with the bottom-up local review and input process consist of the 2020, 2035, and 2040 population, households and employment forecasts. To view them, please visit http://www.scag.ca.gov/Documents/2016GrowthForecastByJurisdiction.pdf. The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts			Adopted Orange County Forecasts		
	Year 2020	Year 2035	Year 2040	Year 2020	Year 2035	Year 2040
Population	19,663,000	22,091,000	22,138,800	3,271,100	3,431,200	3,461,500
Households	6,458,000	7,325,000	7,412,300	1,074,700	1,135,300	1,152,300
Employment	8,414,000	9,441,000	9,871,500	1,730,400	1,870,500	1,898,900

	Adopted San Bernardino County Forecasts			Adopted Riverside County Forecasts		
	Year 2020	Year 2035	Year 2040	Year 2020	Year 2035	Year 2040
Population	2,197,400	2,637,400	2,731,300	2,479,800	3,055,100	3,183,700
Households	687,100	824,600	854,300	802,400	1,009,000	1,054,300
Employment	789,500	998,000	1,028,100	848,700	1,111,800	1,174,300

MITIGATION MEASURES

SCAG staff recommends that you review the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS for guidance, as appropriate. SCAG's Regional Council certified the Final PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on April 7, 2016 (please see: http://scagrtpscs.net/Pages/FINAL2016PEIR.aspx). The Final PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

Sarah Spano

From: Jennifer Jacobus
Sent: Monday, December 19, 2016 10:36 AM
To: Sarah Spano
Subject: FW: Notice of Preparation - Santa Ana River Conservation and Conjunctive Use Program

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From: Rivers, Tamy [mailto:TamyRivers@ocfa.org]
Sent: Tuesday, December 13, 2016 3:06 PM
To: Sylvie Lee <slee@ieua.org>
Subject: Notice of Preparation - Santa Ana River Conservation and Conjunctive Use Program

Thank you for the opportunity to comment on the above referenced document. We agree that this project is unlikely to affect demand for public service; however, we would like to state that depending on the size of the facilities expansion this project may subject to a Secure Fire Protection Agreement with Orange County Fire Authority. If you have any questions, please feel free to contact me.

Tamy Rivers
Management Analyst/Strategic Services

Orange **C**ounty **F**ire **A**uthority
1 Fire Authority Rd, Irvine, CA 92602

(714) 573-6199
tamyrivers@ocfa.org

Sarah Spano

From: Jennifer Jacobus
Sent: Tuesday, January 03, 2017 12:55 PM
To: Sarah Spano
Subject: FW: Running Springs Water District Comment on NOP for Santa Ana River Conservation and Conjunctive Use Program
Attachments: Running Springs Water District Disposal Ponds.kmz; RSWD Ponds.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

From: Ryan Gross [mailto:rgross@runningspringswd.com]
Sent: Wednesday, December 21, 2016 3:33 PM
To: Sylvie Lee <slee@ieua.org>
Subject: Running Springs Water District Comment on NOP for Santa Ana River Conservation and Conjunctive Use Program

Hi Sylvie,

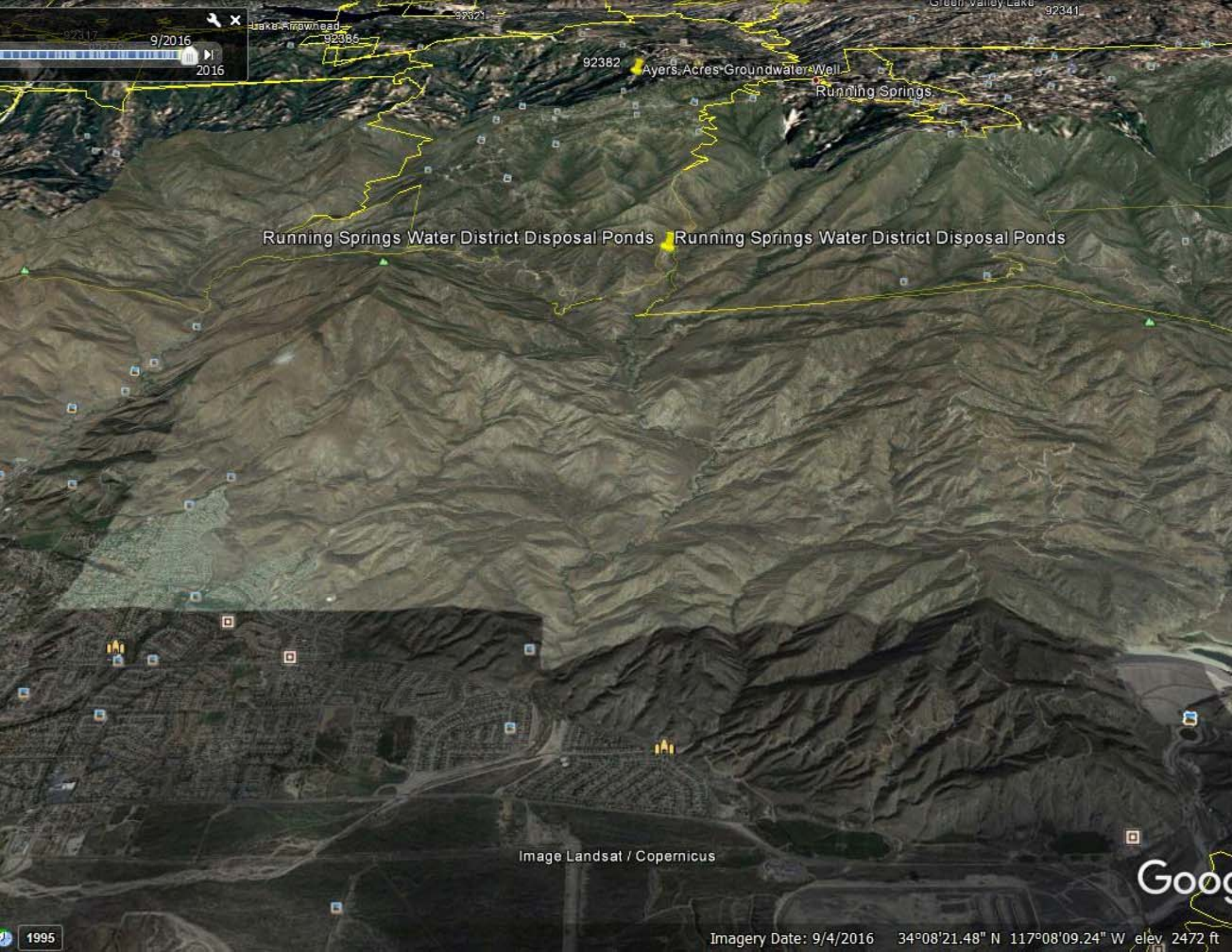
Thank you for sending us the Notice of Preparation Comment Period Extension for the Santa Ana River Conservation and Conjunctive Use Program. The Running Springs Water District discharges approximately 500 AFY of treated wastewater effluent (Title 22 recycled water) to our disposal ponds on USFS property which ends up in the Bunker Hill Basin. Attached is a Google Earth .kmz file and image showing the location of our disposal ponds. I am not sure if or how this fits into the Santa Ana River Conservation and Conjunctive Use Program but we sure would like to find a way to get some sort of credit for continuing this contribution to the Bunker Hill Basin groundwater supply. We have looked at the possibility of developing a recycled water program here in the Running Springs Water District service area and if that ever moves forward this water that currently goes to the Bunker Hill Basin would be kept in the Running Springs Water District and no longer contribute to the Bunker Hill Basin. Any thoughts or suggestions by the reviewers of these comments would be appreciated.

Thanks,
Ryan

Ryan Gross, P.E., BCEE, SDA
General Manager
Running Springs Water District
rgross@runningspringswd.com

Google earth

feet 3000
meters 900


9/2016
2016
92385
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Ayers Acres Groundwater Well
Running Springs
Running Springs Water District Disposal Ponds
Running Springs Water District Disposal Ponds
92341
Image Landsat / Copernicus
1995
Imagery Date: 9/4/2016 34°08'21.48" N 117°08'09.24" W elev 2472 ft

San Antonio Water Company
Incorporated October 25, 1882
Serving the original Ontario Colony lands

January 4, 2017

Ms. Sylvie Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 9170

Re: Notice of Preparation (NOP) Comment Period Extension – Santa Ana River Conservation and Conjunctive Use Program (SARCCUP)

Dear Ms. Lee:

We appreciate the opportunity to provide our comments on the referenced project. Our comments and concerns are listed below:

1. Hydraulic Control of the Chino Basin is to eliminate groundwater discharge from the Chino-North Management Zone to the Santa Ana River, or controlling the discharge to De Minimis levels. With SARCCUP adding water to the groundwater would we lose hydraulic control (HC)? With HC there are no losses. With SARCCUP there is potential for losses. Who would absorb these losses?

2. What entity will be controlling this program? Who will pay the cost?

3. Will all producers in the Chino Basin have this water available to them for purchase? What will be the cost?

4. In the San Bernardino Basin Area of the NOP it states; "The SARCCUP facilities would include up to five new production wells..." Who owns and operates these wells? Who pays for these wells to be drilled and equipped?

5. In the Chino Basin Area of the NOP it states; "In-lieu recharge is the use of surface water (imported water) in lieu of pumping groundwater." Please explain this concept?

6. In the Chino Basin Area of the NOP it states; "The interties would connect the Baseline Feeder extension to the Fontana Water Company and Cucamonga Valley Water District." Why are these the only interties offered?

7. In the San Jacinto Basin Area of the NOP it states; "Additional amenities include a walking/jogging path with conservation targeted informational signage alone

the perimeter of the Mountain Avenue West recharge site." Why is this the only area of the basins being considered?

8. San Antonio Water Company (SAWCo) recharges in the San Antonio Channel. How would recharge be handled with respect to local native water and import water if SARCCUP and SAWCo wanted to recharge at the same time? SAWCo's recharge is metered. Is the confluence of water recharge a problem?

9. What is being fixed with SARCCUP and how would it relate to Safe Yield?

10. Was there a Material Physical Injury Analysis done? How would SARCCUP relate to the utilization of available groundwater capacity by owners of rights in the basin with respect to priority and preference over storage for export as stated in the Judgment?

Sincerely,

Charles Moorrees
General Manager/CEO

Tl/cm

File: Chino Basin

WATER FACILITIES AUTHORITY
A Joint Powers Agency
1775 North Benson Avenue • Upland, CA 91784
Phone (909) 981-9454 • Fax (909) 981-6760

January 11, 2017
Ms. Sylvie Lee
INLAND EMPIRE UTILITIES AGENCY
6075 Kimball Avenue
Chino, California 91708

Notice of Preparation of a Program Environmental Impact Report:
Santa Ana River Conservation and Conjunctive Use Program

Dear ~~Ms. Lee~~ Sylvie,

The Water Facilities Authority (Authority) appreciates this opportunity to provide the following comments on the Notice of Preparation (NOP) of a Program Environmental Impact Report (PEIR) for the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP), in fulfilment of the California Environmental Quality Act (CEQA). We are very appreciative of the extension to the comment period, which provided us with adequate time to prepare the below comments.

The Authority's member agencies represent roughly half of the groundwater production and imported water treatment capacity in the Chino Basin. Our member agencies are also parties to the Chino Basin Judgment and a hold approximately one-half of the production rights allocated within the Judgments' Appropriative Pool. We actively participate in and contribute significant funding to the Chino Basin Watermaster process to manage local groundwater resources and the use of available Basin storage capacity under continuing court jurisdiction. SARCCUP will ultimately require approval through the Watermaster process and, as currently proposed, could potentially have significant operational impacts on the Authority and its member agencies, as well as to the Chino Basin generally.

At this time, Chino Basin parties are at the early stages of discussing how SARCCUP can best be accomplished in the Basin. Infrastructure improvements to facilitate program development have yet to be defined and may differ significantly from those outlined in the NOP. As such, the PEIR will need to reflect the uncertainty associated with the project's development and implementation in the Chino Basin, as well as the possibility that additional Phase 1 related environmental review will likely be required once the Chino Basin portion of the project is fully developed and defined.

In order to perform a comprehensive review of the proposed project, the Authority and its member agencies request that additional scoping be added within the framework of the currently proposed CEQA outline. We further request that the following potential and anticipated impacts and any proposed mitigation measures be described both qualitatively and quantitatively within the Draft PEIR:

1. Potential and anticipated impacts to Chino Basin Safe Yield, Safe Storage Capacity, and Hydraulic Control, as defined, authorized, and implemented consistent with the Chino Basin Judgment, Peace Agreements, and Optimum Basin Management Program. As part of this analysis, please provide a specific explanation and verification of the "available storage space" within the Chino Basin to support SARCCUP implementation. This analysis will need to be conducted in conjunction with Chino Basin Watermaster's prevailing evaluation of Basin storage availability supported by its environmental documentation and mitigation requirements.

2. Potential and anticipated impacts to the existing Metropolitan Water District's Chino Basin Dry Year Yield Program (DYY). This analysis will need to evaluate the ability of DYY participants to perform under simultaneous implementation of both DYY and SARCCUP. Current imported water deliveries are below DYY's minimum physical imported water delivery threshold of 40,000 AFY and imported water usage may need to increase significantly before joint DYY and SARCCUP performance is possible. By contract, the Authority's member agencies are DYY participants and are responsible for roughly 60 percent of the program's performance obligations. Any DYY program changes could have potential significant operational impacts and would require Authority member agency's approval.

3. Potential and anticipated impacts of any proposed redirection of imported water supplies during SARCCUP "storage calls", inclusive of local operational and water quality impacts. The Authority's member agencies rely on imported water not only as a supplemental water supply source but also for water quality blending purposes. Consideration should be given to include this analysis for the individual Chino Basin agencies that utilize imported water supplies for retail and/or wholesale water supply purposes. With additional system improvements and/or wellhead treatment facilities, these agencies may be able to facilitate the redirection of imported water supplies as envisioned under SARCCUP.

4. Identification of potential impacts to approved and planned production, recharge, and Basin management projects that may beneficially impact the Basin. Potential yield enhancement and production sustainability projects have been or are currently under preliminary development within the Chino Basin.

5. Potential and anticipated impacts to existing and future recycled water program development for direct use, groundwater recharge, and groundwater exchange within the Chino Basin. This analysis will need to evaluate all current and planned uses of recycled water supplies to meet local demands and the potential impacts the use of available recycled supplies for SARCCUP deliveries could have on individual member agency rights under the Chino Basin Regional Sewer Service Contract.

6. Identification of institutional obstacles to project implementation. This evaluation will need to determine the consistency of SARCCUP's proposed PEIR with the PEIRs covering existing Basin management programs, as well as Storage and Recovery Program criteria established in the Chino Basin Peace Agreement requiring "broad regional benefits" and mitigation of Material Physical Injury (as defined by the Agreement) as a condition of approval.

Finally, the NOP under "Project Background" provides a brief discussion pertaining to a potential Phase 2 of SARCCUP. While the identified facilities may represent what ultimately becomes a part of any future program expansion, the reference to a subsequent phase seems somewhat speculative at this time. To the extent allowed by a program-level analysis, the PEIR should provide a more detailed identification of the facilities (existing and to-be-constructed) that would be needed and how they would be used to implement a second phase of the project should it occur in the future.

Once again, thank you for this opportunity to provide comment on the NOP for this proposed project. We look forward to actively engaging in the SARCCUP CEQA review process to help develop a program that ensures its objectives are met in a way that improves water supply reliability for the Authority's member agencies, the Chino Basin producing parties, and the watershed generally.

Sincerely,

Terry Catlin
General Manager

cc: Water Facilities Authority's Board of Directors
Water Facilities Authority's Technical Advisory Committee Members

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

January 11, 2017 VIA EMAIL & FEDERAL EXPRESS

Ms. Slyvie Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, California 91708
slee@ieua.org

Dear Ms. Lee:

Notice of Preparation Comment Period Extension for a Program Environmental Impact Report for the Santa Ana River Conservation and Conjunctive Use Program

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity to provide input to the scoping process for the expected Program Environmental Impact Statement (PEIR) for the proposed Santa Ana River Conservation and Conjunctive Use Program (SARCCUP). The proposed PEIR will analyze environmental effects resulting from a watershed-scale collaborative program designed to improve the Santa Ana River watershed's water supply resiliency and reliability by increasing available dry-year yield from local groundwater basins. SARCCUP also would conserve water, promote water use-efficiency, conduct invasive weed removal, and improve habitat for the Santa Ana sucker (*Catostomus santaanae*).

Metropolitan is a regional water wholesaler that delivers approximately two million acre-feet per year to 26 member public agencies who in turn provide water to nearly 19 million people. Metropolitan imports water from Northern California via the State Water Project and from the Colorado River via the Colorado River Aqueduct. About 45% of Southern California's water supply comes from these two sources.

Metropolitan is pleased to submit comments for consideration by the Inland Empire Utilities Agency (IEUA) during the scoping comment period for the PEIR. In sum, Metropolitan provides these comments to ensure that any potential impacts on its facilities in the vicinity of the SARCCUP and on the State Water Project water resources are adequately addressed.

Metropolitan anticipates selling imported water for storage as part of the SARCCUP; however, Metropolitan does not consent to its member agencies purchasing State Water Project supplies directly from San Bernardino Valley Municipal Water District (SBVMWD). Metropolitan's State Water Project contract Article 15(d) requires Metropolitan's consent for the State of

California to authorize any other State Water Project contractor to supply project water within Metropolitan's boundaries. .

For this reason, Metropolitan recommends IEUA delete the bullet describing State Water Project water purchased from SBVWMD and wheeled to the storage locations as a source of water for storage under the SARCCUP for the list of sources of water for storage under SARCCUP's Conjunctive Use Program described as 5.4 Conjunctive Use Program on page 7 of 15 in the Notice of Preparation.

In addition, the NOP public scoping meeting presentation mentioned the potential use of the Devil Canyon-Azusa Pipeline owned by the San Gabriel Valley Municipal Water District, a State Water Contractor. Metropolitan is party to an agreement that allows Metropolitan to utilize unused capacity in the Devil Canyon-Azusa Pipeline up to a capacity of 55 cubic feet per second. Any deliveries through this pipeline for the SARCCUP would need to be coordinated with Metropolitan's Water Resource Management and Water Systems Operations staff. Coordination can be arranged through contacting Mr. Keith Nobriga at (213) 217-6540 or Mr. Matt Hacker at (213) 217-6756.

We appreciate the opportunity to provide input to your planning process and look forward to receiving future environmental and related documentation on this Project. If we can be of further assistance, please contact Ms. Vikki Dee Bradshaw at (213) 217-6028.

Very truly yours,

Vikki Dee Bradshaw

for Deirdre West
Manager, Environmental Planning Team

VDB/vdb
(EPT Project No. 20170107EXT)

cc: J. Bodnar
J. Safely
K. Nobriga
M. Hacker

FONTANA WATER COMPANY
A DIVISION OF SAN GABRIEL VALLEY WATER COMPANY
15966 ARROW ROUTE • P.O. BOX 987, FONTANA, CALIFORNIA 92334 • (909) 822-2201

January 11, 2017

Ms. Sylvie Lee
Manager of Planning and Environmental Resources
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, California 91708

Subject: Notice of Preparation of Program Environmental Impact Report
Santa Ana River Conservation and Conjunctive Use Program

Dear Ms. Lee:

Thank you for the opportunity to comment on the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP) Environmental Impact Report (EIR) dated October 28, 2016. The proposed plan will incorporate all of Fontana Water Company's (FWC) service area that falls within the boundaries of Inland Empire Utilities Agency (IEUA) and San Bernardino Valley Municipal Water District.

The following are FWC's comments and questions relating to the EIR:

1. Page 3, 2. Projected Goals and Objectives

The first bullet point in this section identifies the goal of utilizing available storage space in local groundwater basins.

What will the net effect of this additional storage have on the basins' safe yield?

What effects will this additional water have on hydraulic control in the Chino Basin and water quality at the Desalter treatment facility?

2. Page 8, San Bernardino Basin Area

FWC and Fontana Union Water Company hold rights to surface water and groundwater resources in Lytle Creek that are governed exclusively by the 1924 Lytle Creek Judgement and the 1896 McKinely Decree, neither of which have been superseded. Lytle Creek is governed separately from the Bunker Hill Basin and should be recognized as such.

3. Page 10, Chino Basin

The paragraph states "IEUA would arrange with the retail water agencies in its service area and the Chino Basin Watermaster to facilitate wet-water recharge and in-lieu recharge" and "The interties would connect the Baseline Feeder extension to the Fontana Water Company and Cucamonga Valley Water District. These interties would support in-lieu recharge by using and treating more imported water instead of pumping."

Will in-lieu water purchases under the terms of SARCCUP be subject to IEUA's readiness to serve charge?

If in-lieu supplies can be wheeled through various water systems with existing infrastructure and interties, will wheeling fees be applied? If so, who is responsible for these fees?

4. Page 10, Baseline Feeder, Turnouts, Interties and Diversions

The first paragraph of this section references extending the 48-inch Baseline pipeline 6.5 miles to the border of Rancho Cucamonga and Fontana.

Will the source of water supplied by this pipeline be potable, or will it be raw untreated water intended solely for groundwater recharge or further treatment?

5. Page 5, Santa Ana Sucker Habitat Restoration and Arundo Removal

What role will IEUA take in habitat restoration and the removal of invasive Arundo? If IEUA does play a role how will IEUA fund these obligations?

6. Is IEUA the governing agency of the 5 SARCCUP agencies when determining when and where water will be recharged and extracted within its service area?

So we may remain informed regarding the progress of this EIR, all further notices, Draft EIRs and the Final EIR should be sent to me at the following address:

Josh Swift
General Manager
Fontana Water Company
15966 Arrow Route
Post Office Box 987
Fontana, California 92335

Very truly yours,

Josh Swift
General Manager

JMS:bf

ACKNOWLEDGEMENT
Receipt of this letter is
hereby acknowledged.

By:_____

Title:_____

Date:_____

PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office. Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

January 12, 2017

VIA E-MAIL and USPS

Ms. Sylvie Lee
Manager of Planning & Environmental Resources
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 91708

Re: Pechanga Tribe Comments on the Notice of Preparation for a Program Environmental Impact Report Prepared for the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP)

Dear Ms. Lee;

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government in response to the Notice of Preparation (NOP) for the above named Project dated October 28, 2016. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (Project or Program). If you have not done so already, please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval and project files as a confidential attachment for this Project.

The Tribe submits these comments concerning the Program's potential impacts to tribal cultural resources (TCRs) in conjunction with our AB 52 consultation and the environmental review of the Project and to assist the Inland Empire Utilities Agency (IEUA) in identifying impacts to and developing appropriate avoidance and preservation standards for direct, indirect and cumulative impacts to this traditional cultural landscape (TCL), which is a type of TCR. The Santa Ana River is the northernmost extent of the *'Atáaxum* (Luiseño) Traditional Territory and is a valuable and significant resources to the People. Furthermore, it's watersheds and many of the watersheds identified in the NOP letter substantially influence the landscape, the Tribe's belief system and the continuance of *'Atáaxum* culture. As such, the document must, under AB 52 (§21082.3(a); §21082.3(b)) include a discussion of the Tribal values of this area, discuss the

potential impacts to TCRs and include appropriate, tribally sensitive mitigation measures (Gatto 2014, Section 1(b)(2)).

Pechanga requests to meet with the IEUA and other appropriate agencies involved in the development of the PEIR throughout the CEQA process to discuss the cultural significance of the TCL, impacts to material sites on the landscape, culturally significant biological resource impacts, cumulative impacts to TCRs within the watersheds, and other impacts as may be identified during consultation.

THE IEUA MUST INCLUDE INVOLVEMENT OF AND CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL REVIEW PROCESS UNDER CEQA AMENDMENT AB 52

It has been the intent of the Federal Government[1] and the State of California[2] that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the IEUA and other involved agencies continue to consult with the Tribe in order to guarantee an adequate knowledge base for an appropriate evaluation of any immediate and long term effects, as well as generating adequate measures to mitigation impacts to the TCL.

On September 25, 2014, the Governor signed AB 52, legislation that amends the California Environmental Quality Act. *See* Public Resources Code §§ 5097.94, 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies to projects that have a notice of preparation for an environmental impact report, negative declaration or mitigated negative declaration filed on or after July 1, 2015. The law now requires tribal consultation by cities, counties, and other CEQA lead agencies and an evaluation of a new environmental category, "tribal cultural resources," which acknowledge and take into account the resources' *tribal values* rather than focusing purely on the scientific or academic value of the resources.

AB 52 establishes a government-to-government process between a tribe and a lead agency, including a specific consultation process with California Native American tribes concerning potential impacts to tribal cultural resources. AB 52 also recognizes that tribes may have expertise regarding their culture and history and requires the consideration of the tribal

[1]See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.
[2] See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

values inherent in cultural resources to provide a complete understanding of their nature and the significance of the potential impacts. The law further added new substantive considerations concerning significant impacts, when a CEQA document may be certified or adopted, what findings/elements are to be included in a CEQA document concerning tribal cultural resources, and appropriate mitigation for impacts to tribal cultural resources.

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe asserts that much of the Project area is part of *'Atáaxum* (Luiseño), and therefore the Tribe's, aboriginal territory as evidenced by the existence of *'Atáaxum* place names, *tóota yixélval* (rock art, pictographs, petroglyphs), village complexes, trail and trade route systems, TCRs, TCLs, biological resources and material sites located in and within the vicinity of the Program boundaries.

The Pechanga Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Of the many anthropologists and historians who have presented boundaries of the *'Atáaxum* traditional territory, few have excluded the Project area in their descriptions (Drucker 1937; Heiser and Whipple 1957; Kroeber 1925; Smith and Freers 1994), and such territory descriptions correspond with what was communicated to the Pechanga people by our elders. While we agree that anthropological and linguistic theories as well as historic accounts are important in determining traditional Luiseño territory, the most critical sources of information used to define our traditional territories are our songs, creation accounts and oral traditions.

'Atáaxum history originates with the creation of all things at *'éxva Teméeku*, in the present day City of Temecula, and dispersing out to all corners of creation (what is today known as Luiseño territory). It was at Temecula that the Luiseño deity *Wuyóot* lived and taught the people, and here that he became sick, finally expiring at Lake Elsinore. Many of our songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs in the area where he instructed the First People how to live and give them knowledge, and finally to the hot springs at Elsinore, where he died (DuBois 1908). He was cremated at *'éxva Teméeku*. Thus, it is the Luiseño creation account that connects Elsinore to Temecula; however, because of his influence within the Traditional Territory, all areas are significant and important to the *'Atáaxum*. Through a web of trail systems that can still be identified today, the people spread out, establishing villages and marking their territories. These first people also became the mountains, plants, animals and heavenly bodies.

Many traditions and stories are passed from generation to generation by songs. One of the Luiseño songs recounts the travels of the people to Elsinore after a great flood (DuBois 1908). From here, they again spread out to the north, south, east and west. Three songs, called *Monívol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors,

several of which are located near the Project area. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110). For example, Pechanga elders state that the Temecula/Pechanga people had usage/gathering rights to an area extending from Rawson Canyon on the east, over to Lake Mathews on the northwest, down Temescal Canyon to Temecula, eastward to Aguanga, and then along the crest of the Cahuilla range back to Rawson Canyon. The Native American Heritage Commission (NAHC) Most Likely Descendent (MLD) files substantiate this habitation and migration record from oral tradition. These examples illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

Tóota yixélval (rock art) is also an important element in the determination of Luiseño territorial boundaries. *Tóota yixélval* can consist of petroglyphs (incised) elements, or pictographs (painted) elements. The science of archaeology tells us that places can be described through these elements. Riverside and Northern San Diego Counties are home to red-pigmented pictograph panels. Archaeologists have adopted the name for these pictograph-versions, as defined by Ken Hedges of the Museum of Man, as the San Luis Rey style. The San Luis Rey style incorporates elements which include chevrons, zig-zags, dot patterns, sunbursts, handprints, net/chain, anthropomorphic (human-like) and zoomorphic (animal-like) designs. Tribal historians and photographs inform us that some design elements are reminiscent of Luiseño ground paintings. A few of these design elements, particularly the flower motifs, the net/chain and zig-zags, were sometimes depicted in Luiseño basket designs and can be observed in remaining baskets and textiles today.

An additional type of *tóota yixélval*, identified by archaeologists also as rock art or petroglyphs, are cupules. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small pecked and ground indentations, or cupules. Many of these cupule boulders have been identified within the Program boundaries. Additionally, according to historian Constance DuBois:

> When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (1908:158).

Incorporated within the Program area are numerous *'Atáaxum* villages, material sites, natural resources and sacred/ceremonial places and items. Pechanga has specific concerns regarding not only proposed physical impacts such as development of new facilities, but potential cumulative impacts to cultural, water and floral resources within the watersheds. It is imperative

that the IEUA, in consultation, determine what the potential impacts are and how these impacts can be avoided or mitigated.

The Tribe welcomes the opportunity to meet with the IEUA to further explain and provide documentation concerning our specific cultural affiliation to lands associated with the Program area.

PROJECT IMPACTS TO CULTURAL RESOURCES AND TRIBAL INVOLVEMENT

The proposed Project covers much of the northern and western extent of the Traditional Territory and the Tribe is concerned with impacts to sensitive and important cultural resources. The Tribe has over thirty-five (35) years of experience in working with various types of projects throughout its territory, including program-level planning documents.

The Pechanga Tribe is not opposed to this Project; however, we are opposed to any impacts this Project may have to tribal cultural resources. The Tribe's primary concerns stem from the Project's proposed impacts on Native American cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Luiseño village sites, sacred sites and archaeological items which would be displaced by ground disturbing work on the Project, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work. The Tribe requests to be involved and participate with the IEUA in assuring that an adequate environmental assessment is completed, including all archaeological studies and analysis, and in developing all preservation, avoidance, monitoring and mitigation plans and measures for the duration of the Project. If appropriate as determined in our AB 52 consultation, the Tribe may request an updated, project-specific archaeological study which should be completed for this Project with direct participation by a Pechanga Tribe monitor.

The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines §15064.5). The Tribe believes that adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §15065.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5- 10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Project area, it is not unreasonable to expect to find vestiges of that presence. Such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner.

Therefore, as noted previously, it is crucial to adequately address the potential for inadvertent discoveries.

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures for the permit must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a "most likely descendant," who shall be consulted as to the appropriate disposition of the remains. Given the Project's location in Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this Project.

As stated above, Pechanga requests to meet with the IEUA to discuss further the proposed Program, the PEIR and its concerns regarding TCRs and the Landscape in which it is included. The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts.

The Pechanga Tribe looks forward to working together with the IEUA in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahoover@pechanga-nsn.gov so we can begin formal AB 52 consultation. Thank you.

Sincerely,

Anna Hoover
Deputy THPO
Cultural Analyst

Cc Pechanga Office of the General Counsel

CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

PETER KAVOUNAS, P.E.
General Manager

January 12, 2017

Inland Empire Utilities Agency
Attn.: Ms. Sylvie Lee
Manager of Planning and Environmental Resources
6075 Kimball Avenue
Chino, CA 91708

Subject: Notice of Preparation and Notice of Public Scoping Meeting – Santa Ana River Conservation and Conjunctive Use Program

Dear Ms. Lee,

Chino Basin Watermaster appreciates the opportunity to offer comments on the Notice of Preparation (NOP) of a Program Environmental Impact Report (PEIR) for the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP). Watermaster is the arm of the San Bernardino County Superior Court that oversees implementation of the 1978 Judgment, which adjudicated the groundwater rights to the Chino Groundwater Basin ("Chino Basin" or the "Basin"). One of the key features of the 1978 Judgment is that the court retains continuing jurisdiction to ensure that the water resources of the Chino Basin –including its storage space – are utilized in a manner consistent with Article X, Section 2 of the California Constitution.

One of the central tasks given to Watermaster under the 1978 Judgment is the development of a physical solution for the Chino Basin. This physical solution takes the form of a comprehensive and integrated groundwater management plan called the Optimum Basin Management Program ("OBMP"). As part of the OBMP, Watermaster operates a comprehensive recharge program to maintain the health of the Basin. Watermaster additionally is responsible for the oversight and management of the Basin's storage space. It is in its role of implementing the 1978 Judgment and maximizing the beneficial use of the Basin's resources, that Watermaster provides these comments.

Section 1 Project Background

As you are aware, the Inland Empire Utilities Agency (IEUA), Metropolitan Water District (MWD), and Chino Basin Watermaster (CBWM) have a present agreement that allows MWD to store water in Chino Basin for later extraction, with the purpose of increasing dry year yield (DYY Agreement). The Background section and other references in the NOP are unclear as to the relationship between the proposed SARCCUP and the DYY Agreement – that is, whether the SARCCUP would be in addition to, or in place of the DYY Agreement. CBWM asks that this relationship is clarified since in the case the SARCCUP is additive to the DYY Agreement there will need to be additional evaluation of storage in Chino Basin, and in the case the SARCCUP is meant to replace the DYY Agreement, there would have to be communication and agreement with MWD to terminate the DYY Agreement.

Section 2 Project Goals and Objectives

The NOP lists the objectives of the SARCCUP. CBWM recommends that the SARCCUP PEIR, in describing the project objectives should clarify that local storage space will be utilized within the parameters of local groundwater management schemes, respecting existing water rights.

Section 3 Purpose and Need for the Project

The approximately 1,000,000 acre-feet of available storage space mentioned in the NOP may not be "usable" space. Storage estimates in the SARCCUP PEIR should be based on documented calculations that reflect individual basins' conditions and management schemes.

Section 4 No comment.

Section 5

Section 5.1 Santa Ana Sucker Habitat Restoration

It is unclear how this restoration effort relates to the concurrent Santa Ana River Habitat Conservation Plan being prepared by San Bernardino Valley Municipal Water District. The nexus between the two efforts should be identified.

CBWM requests that the SARCCUP PEIR describes whether or not groundwater will be supplied to the Hidden Valley Drain project mentioned in this section of the NOP, and what will be the effects for hydraulic control and the Chino Basin Desalter Authority (CDA) operations.

Section 5.2 Arundo Removal - No comment.

Section 5.3 Water Use Efficiency and Conservation - No comment.

Section 5.4 Conjunctive Use Program

Introductory Section

This section of the NOP refers to storage in Chino Basin. CBWM believes that it is necessary for the SARCCUP PEIR to include a paragraph that acknowledges that storage in Chino Basin is subject to rules and regulations as part of the adjudication process; that all storage and recovery applications are subject to Material Physical Injury analysis; and other rules, such as "leave-behind" provisions, which may apply.

CBWM recommends that the SARCCUP PEIR includes a more precise definition of "wet-year" than that mentioned in this section of the NOP and how the determination was made about having three "wet years" in a decade. And, to be more precise, how reasonable the 10-year cycle is in relation to historical hydrology and that expected under climate change.

Chino Basin - Introductory Section

The section states "The SARCCUP facilities include existing recharge basins...". CBWM recommends that the SARCCUP PEIR identifies that existing recharge basins are owned by the San Bernardino County Flood Control District, the Chino Basin Water Conservation District, and IEUA; and ASR wells are owned by the Monte Vista Water District. Arrangements would have to be made for the facilities to be used for the SARCCUP.

The section states "IEUA would arrange with the retail water agencies in its service area and the Chino Basin Watermaster to facilitate wet-water recharge and in-lieu recharge." All recharge in the Chino Basin must be conducted only with the approval of CBWM; the SARCCUP PEIR should acknowledge that IEUA must obtain approval from CBWM to recharge water in the Chino Basin.

Chino Basin - Production Wells in the Chino/IEUA South Zone

CBWM notes the following concerns regarding the one-for-one exchange of groundwater for recycled water mentioned in this section of the NOP:

1. Water quality of groundwater pumped will likely be poorer than recycled water discharged to the River and regulatory implications of this discharge may not be consistent with the maximum benefit commitments in the Basin Plan.
2. One-for-one exchange might affect the Basin's Safe-Yield.
3. The amount of groundwater production could interfere with CDA production and operations.

CBWM suggests these issues be addressed explicitly in the SARCCUP PEIR.

Section 6 Potential Environmental Impacts

Geology, Soils and Seismicity
The SARCCUP CEQA analysis should include an analysis of the impacts of a conjunctive-use program on land subsidence in Chino Basin. See comment on Hydrology and Water Quality.

Hydrology and Water Quality
A conjunctive-use program in the Chino Basin will require analysis of impacts in the following areas:

- Safe Yield
- Land Subsidence
- Maximum Benefit commitments
- Water Quality

CBWM recommends that IEUA should allow adequate time in the preparation of the SARCCUP PEIR for the analysis to be conducted by CBWM. A lead agency, perhaps IEUA, would have to make an application on behalf of SARCCUP to CBWM for a Storage and Recovery Program. Following such an application CBWM would conduct an analysis including MPI, hydraulic control, and water quality. The PEIR should include analyses that will facilitate CBWM's review of the application.

Utilities, Service Systems and Energy
According to the NOP the SARCCUP scope includes consideration of new production well(s) in Chino/IEUA South Zone. The SARCCUP CEQA documentation should include analysis of potential impacts on existing private agricultural wells in the area.

Thank you for the opportunity to review the NOP. Please do not hesitate to contact me or Mr. Tellez Foster if you have any questions or need further clarification on the above comments.

Sincerely,

P. Kavounas

Peter Kavounas, P.E.
General Manager

CHINO BASIN DESALTER AUTHORITY

2151 S. Haven Avenue, Suite 202 • Ontario, CA 91761 • (909) 218-3230

January 12, 2017

Ms. Sylvie Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 91708

NOTICE OF PREPARATION (SANTA ANA RIVER CONSERVATION AND CONJUNCTIVE USE PROGRAM)

Dear Ms. Lee,

The Chino Basin Desalter Authority (CDA) appreciates the opportunity to comment on the Notice of Preparation for the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP).

We request that the potential and anticipated impact and any proposed mitigation measures be described both qualitatively and quantitatively with the Draft Program Environmental Impact Report for the production well(s) in the Chino/IEUA South Zone. As you are aware, CDA operates twenty-six (26) wells in this zone, and will be operating a total of thirty (30) wells in this zone within the next few years.

Please contact me at (909) 218-3729 or via email at cpaxton@chinodesalter.org if you have any questions or need any additional information.

Sincerely,

Curtis D. Paxton
General Manager/CEO

United States Department of the Interior
FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262

In Reply Refer To:
FWS-SB-17B0073-17CPA0061

January 12, 2017
Sent by Email

Ms. Sylvie Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, California 91708

Subject: Comments to the Notice of Preparation for a Program Environmental Impact Report (PEIR) for the Santa Ana River Conservation and Conjunctive Use Program

Dear Ms. Lee:

The U.S. Fish and Wildlife Service (Service) has reviewed the Notice of Preparation for the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP) and information about the proposed project on the Inland Empire Utilities Agency (IEUA) website and other information available on the internet. The intent of the SARCCUP is to create a watershed-wide collaborative program designed to improve the water supply resiliency and reliability in the Santa Ana River watershed by increasing available dry-year yield (DYY) from local groundwater basins. During dry years, imported water from the Bay-Delta would be supplemented or replaced by local groundwater stored or banked in the Chino, Elsinore Valley, San Bernardino Area, or San Jacinto Groundwater Basins by recharging surplus imported water during wet years. Agencies partnering in the SARCCUP are IEUA, Orange County Water District (OCWD), San Bernardino Valley Municipal Water District (SBVMWD), Western Municipal Water District (WMWD) and Elsinore Valley Municipal Water District (EVMWD).

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq*.). We are providing the following comments related to the SARCCUP's effects to endangered species and natural resources associated with streams and waterbodies in the project area.

Sections 1 and 2 of the NOP describe the capture and recharge of local and surface water. The more detailed information which follows in section 5.3 describes the facilities required to recharge imported water. Please be explicit about the use of local surface water, including recycled, or storm flows, as opposed to imported water, for recharge in the PEIR. When surface, storm or recycled water is going to be captured for recharge, please analyze and discuss the effects to downstream natural resources. Effects to water dependent resources at the imported water point of origin should also be disclosed and discussed. Please provide mitigation measures for effects to natural resources as appropriate.

If use of local surface or recycled water is proposed, a regional hydrologic model should be created to simulate interactions between surface and groundwater supplies. This model would help assess the cumulative effects of water capture and reuse projects on surface water flow and groundwater supply on listed species and their associated habitats. Current conditions may or may not represent baseline conditions. A discussion of current water capture and reuse projects in the affected groundwater basins should provide the basis for assessing the effects of additional proposed projects in the future and help identify baseline conditions.

Of primary concern to the Service are areas where project effects (direct or indirect) may impact federally listed species. These areas may include, but are not limited to, the length of the Santa Ana River, its major tributaries, Prado Basin, and any designated critical habitats that may be affected by the infrastructure needed to support the SARCCUP. The extraction of water that effects listed species or the function of their habitat must be analyzed to determine the impacts to those species and their habitats (positive or negative) and the potential for incidental take, whether it is surface or groundwater, and no matter the originating source (local or imported). A regional, integrated surface-groundwater model would provide the means to make informed decisions on how these proposed projects could cumulatively affect listed species.

The PEIR describes the removal of giant reed (*Arundo donax*) and measures to be undertaken for the benefit of the Santa Ana sucker. The Service supports such efforts and requests that the PEIR be clear on the relationship, if any, between those efforts and project-related impacts to the fish or other sensitive resources.

We appreciate the early coordination and the opportunity to comment on the Notice of Preparation. If you have questions regarding this letter, please contact Kai Palenscar of this office at 760-322-2070, extension 408.

Sincerely,

for Kennon A. Corey
Assistant Field Supervisor

Sign-in Sheet

Santa Ana Watershed Project Authority
11615 Sterling Avenue, Riverside CA
Wednesday December 7, 2016 | 6:00pm

The signing, registering, or completion of this document is voluntary. All persons may attend this meeting regardless of whether they sign, register, or complete this document.

JUSTIN SCOTT-COE
Name: Justin Scott-Coe
Company/Affiliation: Monte Vista Water District
Address: 10575 Central Ave
Montclair, CA 91763
Email: jscottcoe@mvwd.org
Do you want future notices regarding this project? ☒ yes ☐ no

Name: SCOTT GOLDMAN
Company/Affiliation: RMC
Address: 15510-C, SUITE 200
ROCKFIELD BLVD. IRVINE 92618
Email: SGOLDMAN@WOODARDCURRAN.COM
Do you want future notices regarding this project? ☐ yes ☐ no

Name: Edgar Tellez Foster
Company/Affiliation: CBWM
Address: 9641 San Bernardino Road
Rancho Cucamonga, CA 91730
Email: etellezfoster@cbwm.org
Do you want future notices regarding this project? ☒ yes ☐ no

Name: Karly Gaynor
Company/Affiliation: WMWD
Address: 14205 Meridian Parkway
Riverside, CA 92518
Email: kgaynor@wmwd.com
Do you want future notices regarding this project? ☐ yes ☒ no

Name: Helen Stratton
Company/Affiliation: EMWD
Address: 2270 Trumble Rd.
Perris, CA
Email: strattoh@emwd.org
Do you want future notices regarding this project? ☐ yes ☐ no

Name: JASON PIVONAROFF
Company/Affiliation: IEUA
Address: 4075 KIMBALL AVE
CHINO CA
Email: JPIVONAROFF@IEUA.ORG
Do you want future notices regarding this project? ☒ yes ☐ no

Name: Brian Dietrick
Company/Affiliation: RMC
Address: 888 S. Figueroa St. #1700
LA, CA 90017
Email: bdietrick@woodardcurran.com
Do you want future notices regarding this project? ☐ yes ☐ no

Name: BRIAN POWELL
Company/Affiliation: EMWD
Address: 2270 TRUMBLE RD
PERRIS, CA 92572-8300
Email: POWELLB@EMWD.ORG
Do you want future notices regarding this project? ☒ yes ☐ no

Sign-in Sheet

Santa Ana Watershed Project Authority
11615 Sterling Avenue, Riverside CA
Wednesday December 7, 2016 | 6:00pm

The signing, registering, or completion of this document is voluntary. All persons may attend this meeting regardless of whether they sign, register, or complete this document.

Name: MARK NORTON P.E
Company/Affiliation: SAWPA
Address: 11615 Sterling Ave
Riverside, CA 92503
Email: mnorton@sawpa.org
Do you want future notices regarding this project? ☑ yes ☐ no

Name:
Company/Affiliation:
Address:
Email:
Do you want future notices regarding this project? ☐ yes ☐ no

Name: DAVID CROSLEY
Company/Affiliation: CITY OF CHINO
Address: (909) 334-3404
Email: dcrosley@cityofchino.org
Do you want future notices regarding this project? ☒ yes ☐ no

Name:
Company/Affiliation:
Address:
Email:
Do you want future notices regarding this project? ☐ yes ☐ no

Name:
Company/Affiliation:
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Do you want future notices regarding this project? ☐ yes ☐ no

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Do you want future notices regarding this project? ☐ yes ☐ no

Name:
Company/Affiliation:
Address:
Email:
Do you want future notices regarding this project? ☐ yes ☐ no

Santa Ana River Conservation and Conjunctive Use Program

California Environmental Quality Act
EIR Scoping Meeting

December 7, 2016

ESA

Meeting Agenda

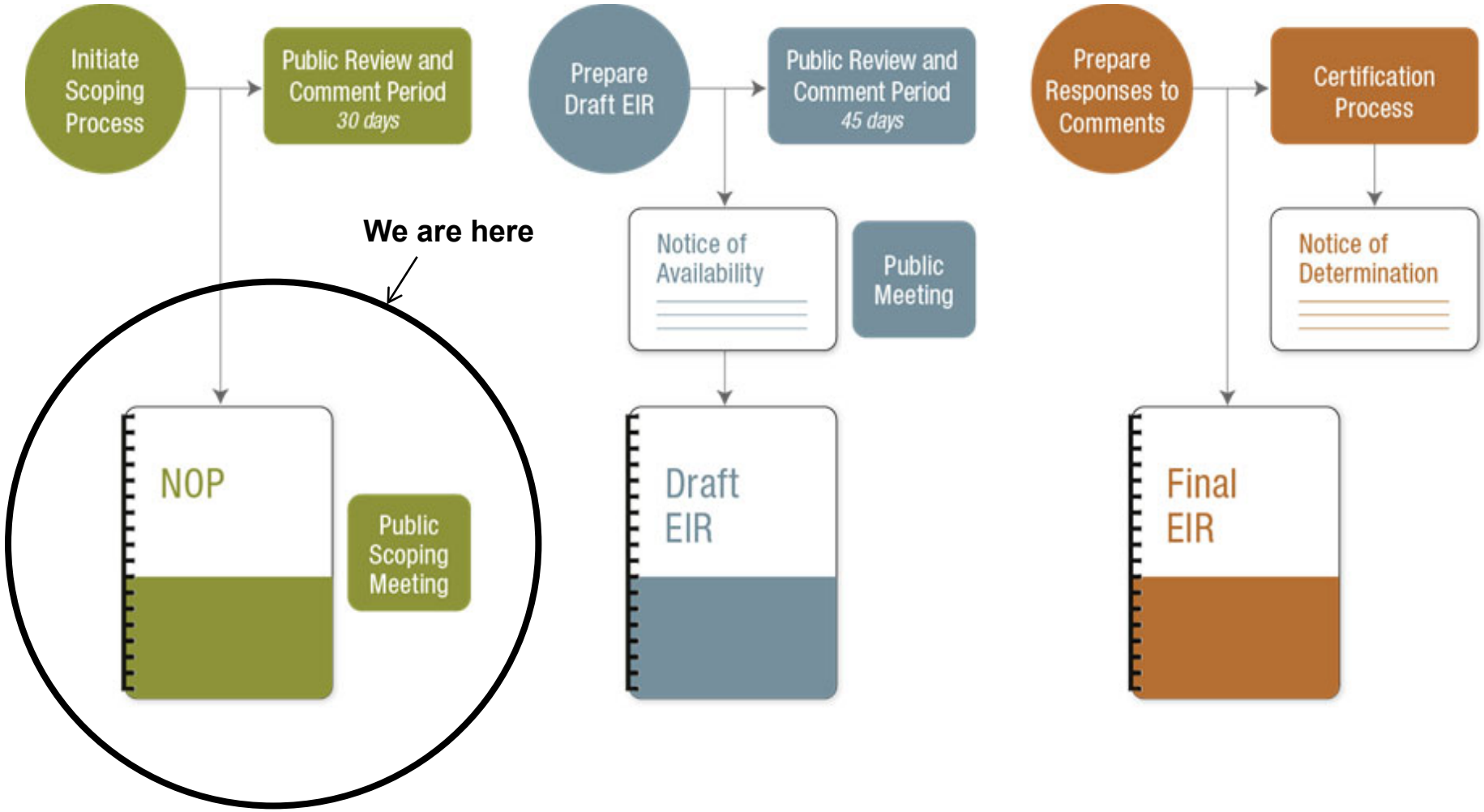
- Purpose of Meeting
- CEQA Overview
- SARCCUP Description
- CEQA Environmental Topics
- CEQA Schedule
- Public Comments

Purpose of Meeting

- **Public Scoping**
  - This is a Scoping Meeting compliant with the California Environmental Quality Act (CEQA).
- **Initiate CEQA Process**
  - Notify public that an Environmental Impact Report (EIR) is being prepared for the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP).
- **Describe Project**
  - SARCCUP will provide a program that improves the watershed's water supply resiliency and enhances the natural and built environment.

California Environmental Quality Act (CEQA)

CEQA Process for an EIR



Notice of Preparation (NOP)

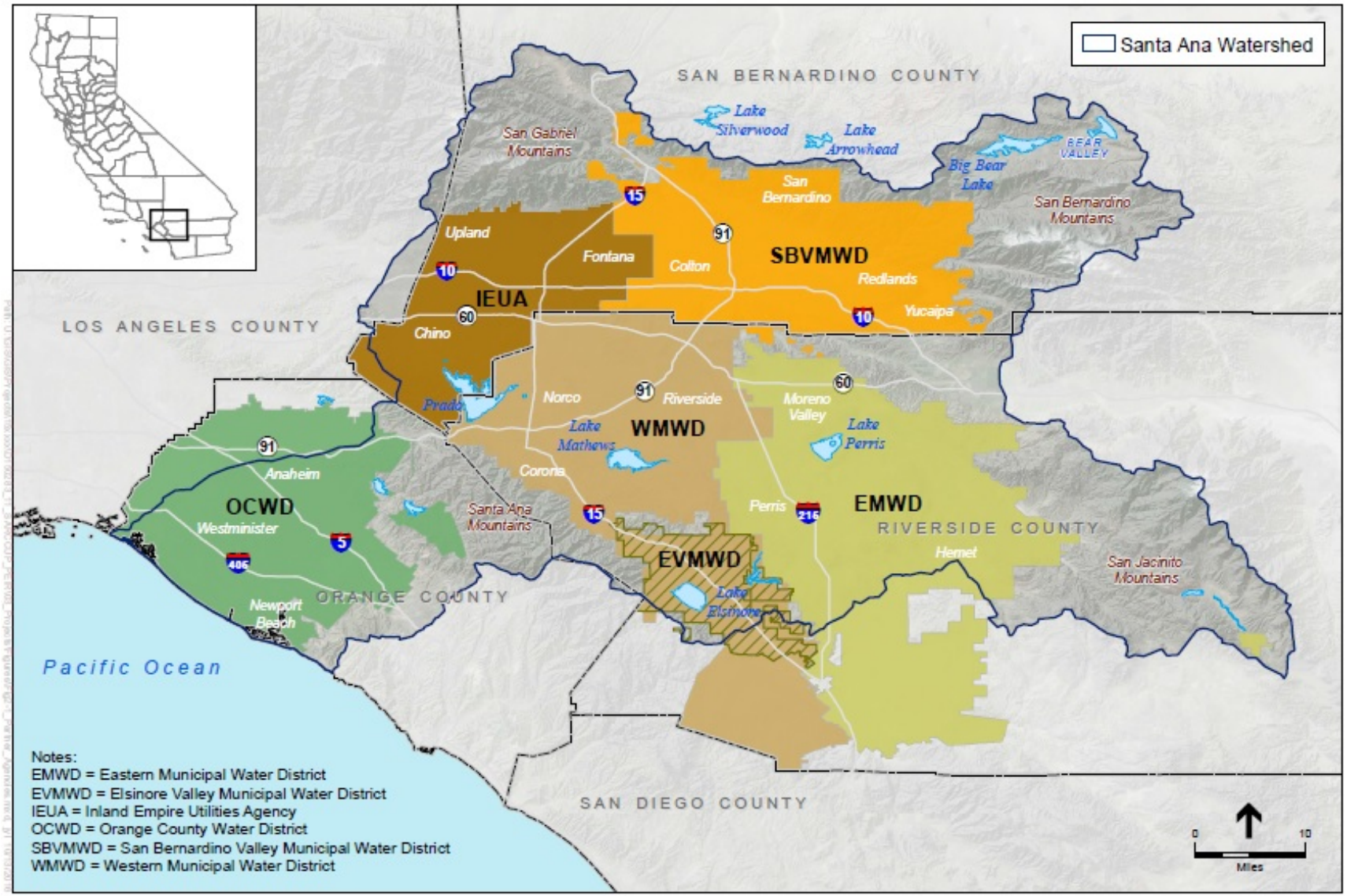
(CEQA Guidelines 15082)

- An NOP is required by CEQA to announce that a lead agency is preparing an **EIR** for a project.
- The NOP facilitates a **scoping process** to gather **stakeholder input** on what potential impacts the EIR should consider.
- Comments from stakeholders help to focus the EIR analysis on **stakeholder concerns**.

SARCCUP Overview

- Watershed-scale collaborative program
- Improve water supply resiliency and reliability
- Increase available dry-year yield from local groundwater basins
- Multi-agency water management plan
  - Inland Empire Utilities Agency
  - Eastern Municipal Water District
  - Orange County Water District
  - San Bernardino Valley Municipal Water District
  - Western Municipal Water District
  - Elsinore Valley Municipal Water District

Regional Location

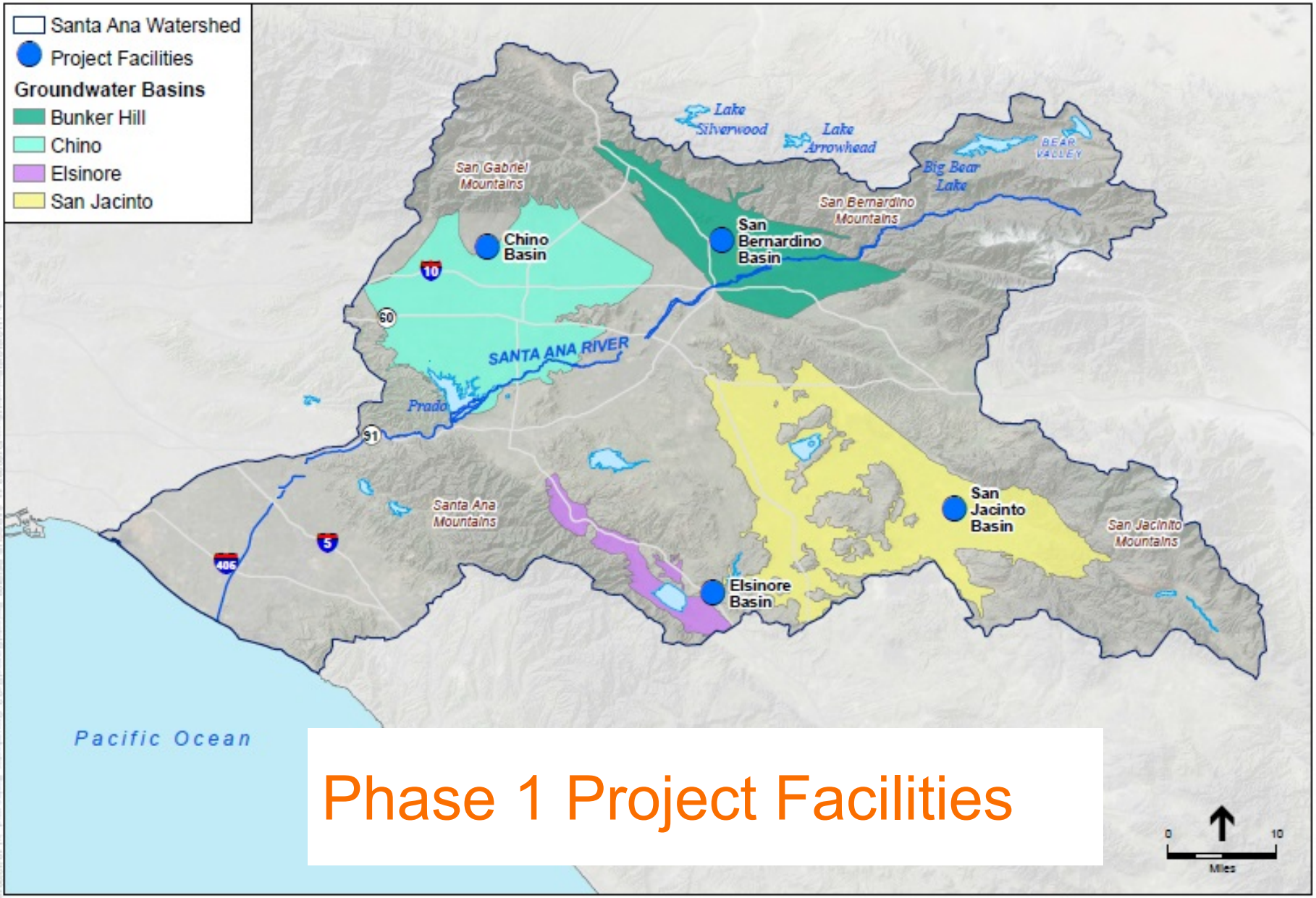


SARCCUP Objectives

- Utilize available storage space in local groundwater basins and capture water during wet periods
- Provide new local dry-year water supply to supplement imported water during dry periods, drought, or other emergency conditions
- Reduce water demand with removal of non-native plants and implementation of water conservation measures
- Enhance the watershed environment through restoration of riparian and Santa Ana sucker habitat, and *arundo donax* removal

SARCCUP Components – Phase I

- Conjunctive Use Program:
  - Bunker Hill Basin/San Bernardino Basin Area
  - San Jacinto Basin
  - Elsinore Valley Basin
  - Chino Basin
- Santa Ana Sucker Habitat Restoration
- Invasive Arundo Removal
- Water Use Efficiency and Conservation

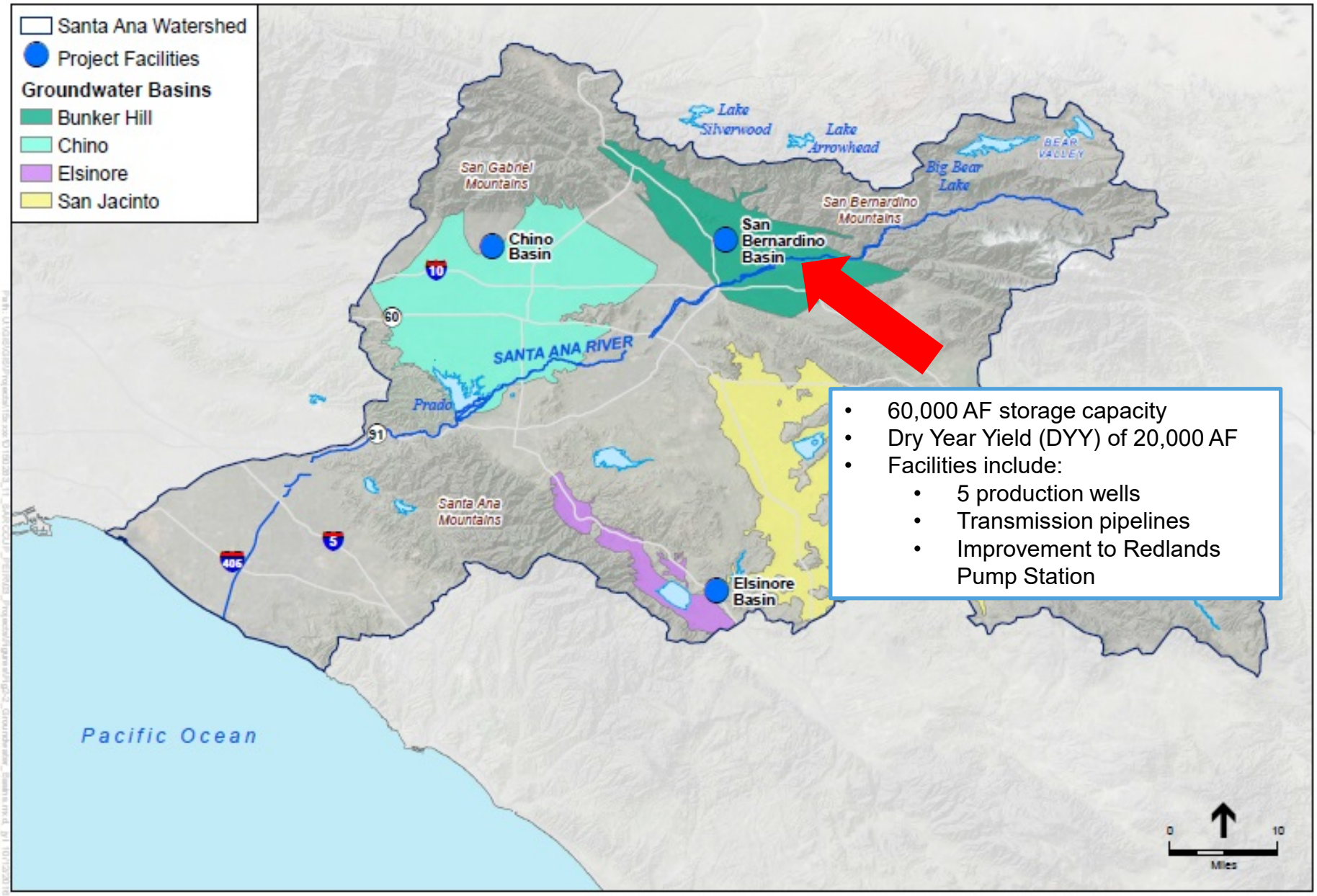


Phase 1 Project Facilities

Conjunctive Use Program – Phase I

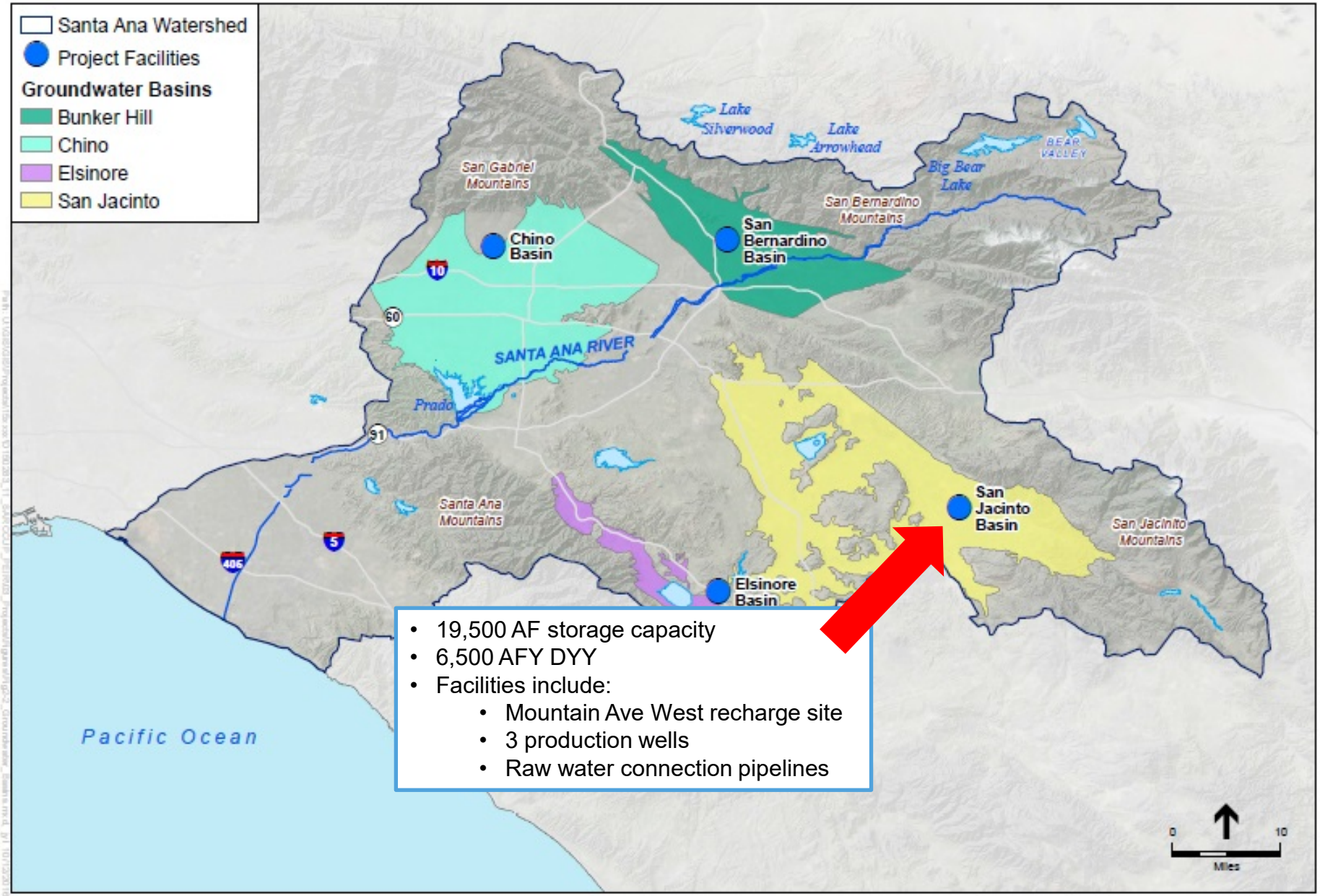
Groundwater Basin / Bank	Total Storage (AF)	Dry Year Yield (AFY)
Chino	96,000	32,000
Elsinore Valley	4,500	1,500
Bunker Hill/SBBA	60,000	20,000
San Jacinto	19,500	6,500
TOTAL	180,000	60,000

Bunker Hill / SBBA Bank



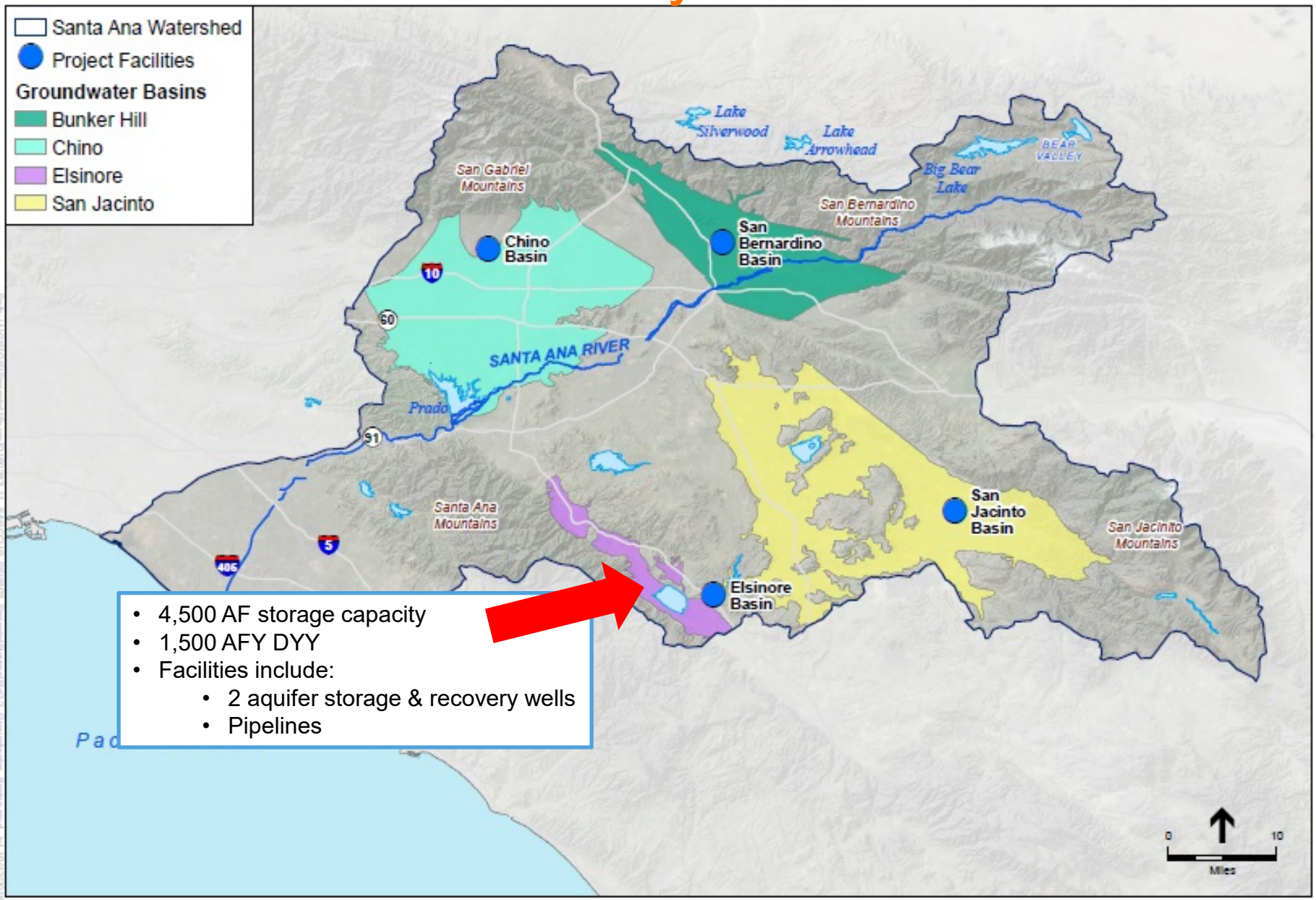
- 60,000 AF storage capacity
- Dry Year Yield (DYY) of 20,000 AF
- Facilities include:
  - 5 production wells
  - Transmission pipelines
  - Improvement to Redlands Pump Station

San Jacinto Basin Bank



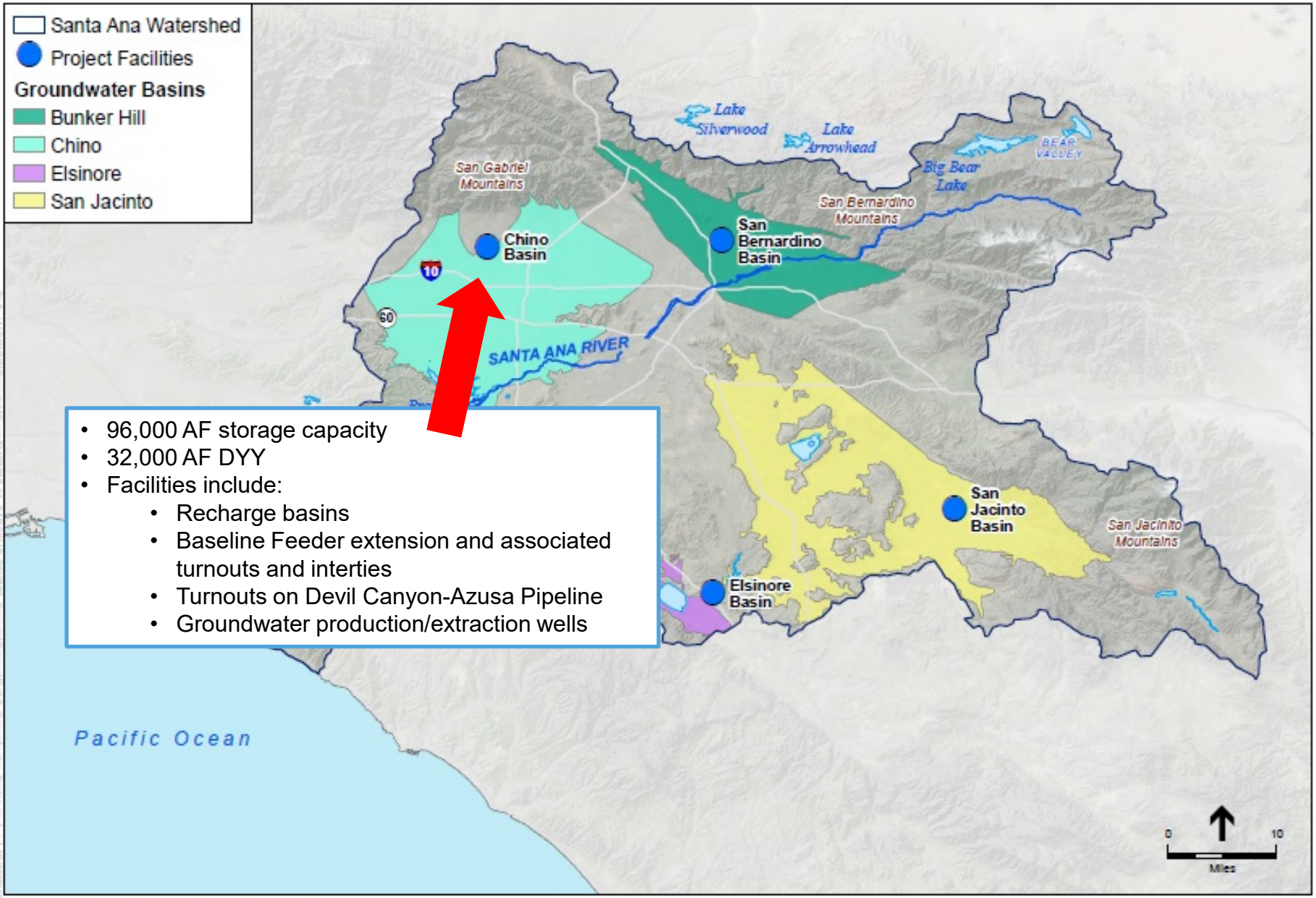
- 19,500 AF storage capacity
- 6,500 AFY DYY
- Facilities include:
  - Mountain Ave West recharge site
  - 3 production wells
  - Raw water connection pipelines

Elsinore Valley Basin Bank



- 4,500 AF storage capacity
- 1,500 AFY DYY
- Facilities include:
  - 2 aquifer storage & recovery wells
  - Pipelines

Chino Basin Bank



- 96,000 AF storage capacity
- 32,000 AF DYY
- Facilities include:
  - Recharge basins
  - Baseline Feeder extension and associated turnouts and interties
  - Turnouts on Devil Canyon-Azusa Pipeline
  - Groundwater production/extraction wells

Santa Ana Sucker Habitat Restoration

- Responsible Agency: SBVMWD
- Location: Riverside County along Santa Ana River

- Create 18,250 linear-feet new Santa Ana sucker habitat
- Install infrastructure, native plants seeding, irrigation systems, signage, fencing

Invasive Arundo Removal

- Responsible Agency: OCWD
- Location: Riverside County along Santa Ana River between Prado Basin and I-215 and 91 Freeway

- Eradicate 640 acres of invasive, exotic plant *arundo donax*
- Restore wetland habitat, specifically riparian habitat

Water Use Efficiency and Conservation

- No physical features
- Expand existing water use efficiency initiatives that received grant funding:
  - Conservation-Based Water Rates
  - Smartscape Program

Topics to be Analyzed in EIR

Direct, Indirect and Cumulative impacts to:

- Aesthetics
- Air Quality
- Agriculture & Forestry
- Biological Resources
- Cultural Resources
- Geology, Soils & Seismicity
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Land Use & Planning
- Noise
- Population & Housing
- Public Services
- Traffic & Transportation
- Utilities & Energy

Topics to be Analyzed in EIR

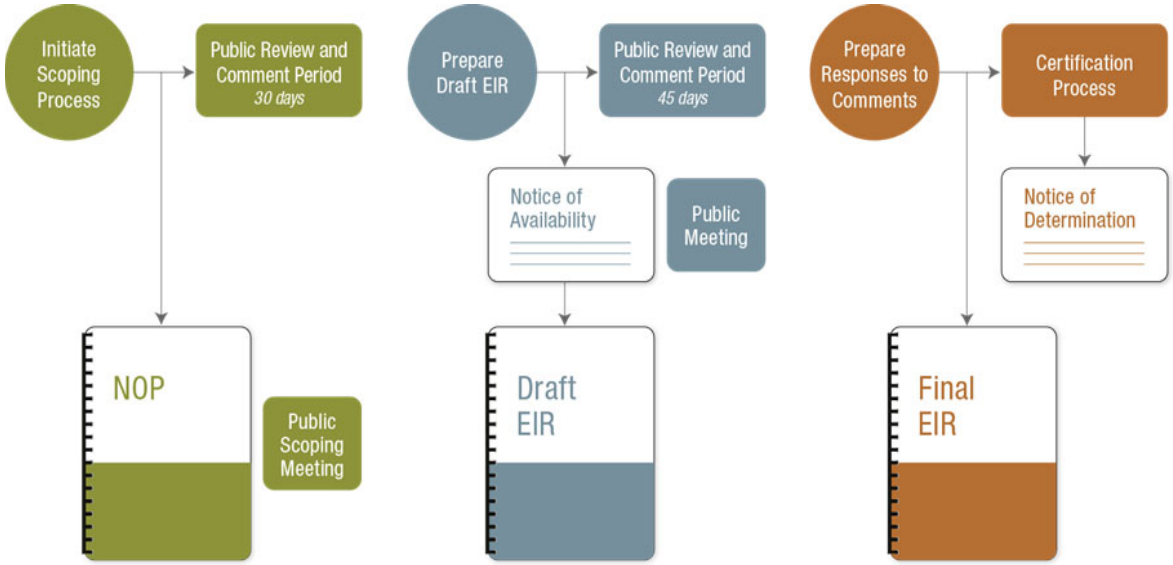
- Growth Inducement
- Alternatives
  - No Project Alternative
  - Alternatives that lessen significant impacts while still meeting Project Objectives

CEQA Schedule – Next Steps

Scoping Period Ends
Dec. 12, 2016

Draft EIR Publication
Spring 2017

Final EIR Publication
Summer 2017



NOP Comments

- Comment period closes December 12, 2016
- Submit comments tonight or…

Email or Mail comments to:

Ms. Sylvie Lee
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 91708
Phone: (909) 993-1646
Email: slee@ieua.org