SECTION 10.4

# Comments and Responses for Local Agencies

# 10.4 Comments and Responses for Local Agencies

# PLANNING/BUILDING DEPARTMENT
IMPERIAL COUNTY

PLANNING / BUILDING INSPECTION / PLANNING COMMISSION / A.L.U.C.

JURG HEUBERGER, AICP CEP
PLANNING/BUILDING DIRECTOR

**CERTIFIED MAIL**

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RESOURCES PLANNING & MANAGEMENT DEPARTMENT

April 25, 2002

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Subject: Response to the "Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS)" for Imperial Irrigation District Water Conservation and Transfer Project and Draft Habitat Conservation Plan

Dear Sirs:

The Planning/Building Department received the Draft EIR/EIS on Thursday, January 24, 2002, for review and comment. The "Abstract" indicates that there is a public review period and a deadline for response of **April 26, 2002**. The County previously submitted comments on the Imperial Irrigation District (IID) and Department of Interior/Bureau of Reclamation (BOR) Notice of Preparation (NOP) and Notice of Intent (NOI) in October 1999.

## *INTRODUCTION*

L1-1

(1) The County of Imperial provides these comments on the proposed IID/SDCWA (San Diego County Water Authority) water transfer and the Draft EIR/EIS to assist both IID and BOR in meeting their obligation to protect the economy and the environment of Imperial Valley. We appreciate the tremendous pressure that is being exerted upon the IID, BOR and the Imperial County residents to transfer water from Imperial Valley to other urban and municipal users in the Colorado River Basin. However, IID and Bureau of Reclamation must improve their assessment of the following water transfer-induced impacts including but not limited to:

a. the loss of available water supply in Imperial County to meet the County's own reasonable future needs;

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***Letter - L1. Imperial County California Planning, Building Department. Signatory - Jurg Heuberger.***

## Response to Comment L1-1

The second implementation scenario for the Proposed Project (QSA Implementation) includes the more restrictive limit on IID's future diversions of Colorado River water on IID's Priority 3 diversions. Under the maximum transfers provided for under the QSA, IID would retain the ability to divert in excess of 2.6 MAFY of Colorado River water for agricultural, industrial, and domestic use within the IID water service area. In addition, at the end of the initial 45-year term, the IID/SDCWA Transfer Agreement potentially allows IID to reclaim up to 34 KAFY of transfer water for M&I use within the Imperial Valley. This amount is twice the expected growth in M&I use within the IID water service area over the next 45 years. Therefore, the Proposed Project and Alternatives described in the Draft EIR/EIS can be implemented without compromising the Imperial Valley's urban water supply. IID will continue to make water deliveries reasonably required for municipal and industrial beneficial uses, including current use and expected growth in these sectors. Also please see the Master Response on *Socioeconomics—Property Values and Fiscal Impact Estimates.*



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c. economic distress not only to individual farmers but also to the County's secured and unsecured tax revenues, and to social service programs and agencies must be addressed and refined. L1-1

(2) According to the summary document in "Appendix A" of the Draft EIR/EIS the IID/SDCWA Water Transfer Agreement was initially executed by these parties on April 29, 1998, and then revised again on December 18, 2001. The water transferred for IID to SDCWA will originate in Imperial County. Therefore, the environmental effects created by the water transfer greatly impact the County, its farming community, and its citizens. The final DEIR/EIS should include sufficient and much more detailed information to provide the political consensus to support the water transfer. It is imperative that all of the agencies, their governing boards and staff work together to create a dialogue that will create a positive outcome for all parties involved. L1-2

(3) The DEIR/EIS attempts to address the impacts of the water transfer on agriculture in Imperial County. However, the document does not address the impacts that will occur to the County's future needs outside the agriculture realm. Imperial County will in the next twenty (20) years be doubling its population from 142,000 to 294,000 (June 2000 – California Department of Finance "Interim County Population Projections"). Furthermore, according to the IID's "2000 Urban Water Management Plan", the urban areas within the County have grown rapidly, e.g. approximately 42 percent in the past ten (10) years. Page 14 of the Plan, indicates that the existing urban areas in the County represent 63,700 acres. The Draft EIR/EIS must identify how this transfer and future projects will ensure enough water to remain in Imperial County to meet future needs of both domestic and urban water users or, in the alternative, at least propose adequate mitigation measures in order to achieve these objectives. L1-3

***GROWTH INDUCING IMPACTS***

(5) Throughout the DEIR/EIS, the document concludes that the water transfer is solely a "replacement" of water that could be lost due to the federal enforcement of California's 4.4 allotment. However, according to SDCWA's 2000 Urban Water Management Plan (UWMP) indicates that water transfers are the "greatest potential to meet their future demands". Therefore, much of the analysis and certainly the conclusions are flawed because the "baseline" is significantly different. Additionally, the UWMP has quite dramatically left the door open for San Diego region to request further water transfers from Imperial Valley to meet their anticipated increase in demands. The UWMP also mentions that there is going to be a need for increased water supplies and that the 4.4 directive will reduce San Diego's ability to get surplus Colorado River Water and to create a more stable and diverse supply to off-set dry years. L1-4

(6) The Draft EIR/EIS concludes that the water transfer will simply change the distribution of existing California water supplies from the Colorado River and will not be changing the existing water supply in Southern California. However, the transfer will change future supply and will change use from agricultural (Imperial Valley) to urban (San Diego). The L1-5



## Response to Comment L1-2

We believe the EIR/EIS is a good faith and reasonable effort to identify and assess the environmental impacts of the Project and feasible mitigation measures, based upon available information and assessment methods. The Lead Agencies will consider all public comments on the EIR/EIS and evaluate the risks and costs of the Project before committing to proceed, and farmers will evaluate the advantages and disadvantages in the voluntary on-farm program before deciding whether to participate in the water conservation program.

## Response to Comment L1-3

The Proposed Project involves implementation of agricultural water conservation measures only. Under the terms of the Quantification Settlement Agreement, IID will retain the ability to divert in excess of 2.6 MAFY for agricultural, industrial, and domestic use within the current IID water service area. In addition, at the end of the initial 45-year term, the IID/SDCWA transfer agreement potentially allows IID to reclaim up to 34 KAFY of transfer water for municipal and industrial use within the Imperial Valley. This amount is twice the expected growth in municipal and industrial use within the IID water service area over the next 45 years. Therefore, the Proposed Project and Alternatives as described in the Draft EIR/EIS can be implemented without compromising the Imperial Valley's urban water supply. IID will continue to make water deliveries reasonably required for municipal and industrial beneficial uses, including current use and expected growth in these sectors.

## Response to Comment L1-4

Please refer to the Master Response on *Other — Growth Inducement Analysis* in Section 9 of this Final EIR/EIS for a discussion of the potential growth inducement impacts in the SDCWA Service Area. In response to the comment concerning additional water transfers from the Imperial Valley, the Water Conservation and Transfer Agreement between IID and SDCWA stipulates a transfer amount of up to 300 KAFY for a period of up to 75 years. Any additional water transfer agreements between IID and SDCWA or any other water purveyor would require a separate agreement and corresponding environmental documentation.

## Response to Comment L1-5

While the Proposed Project proposes to change the use of Lower Colorado River water conserved and transferred from IID to SDCWA from agricultural to M&I use, a change in future water supply to SDCWA would not occur. Please refer to the Master Response on *Other—Growth Inducement Analysis* in Section 9 of this Final EIR/EIS for a discussion of the potential growth inducement impacts in the SDCWA service area. The Proposed Project would not provide new water for new development in the San Diego region, but would only secure more reliable water supplies for existing customer demand. In addition, the Proposed Project does not involve construction of any new SDCWA facilities, and no new water pipelines or aqueducts are proposed. The water transferred from IID would be transported via the existing MWD Colorado River Aqueduct and other existing transmission facilities. No new delivery systems are proposed that would provide water to currently undeveloped lands.

Draft EIR/EIS should make note of this important issue in light of the newly enacted legislation (SB 221 and SB 601) imposing stricter requirements for new development to be founded on assured drought-year supplies. As stated above, this transfer is not a redistribution of existing water supplies, but in actuality, is considered to be a "new water" source by the San Diego County Water Authority, memorialized in a memo from Marureen Stapleton (SDCWA General Manager). The current SDCWA urban management plan projects a fixed 303,630 AFA "firm" supply from Metropolitan from now to 2020 based on MWD's represented 2.1 MAF "firm" supply. But as the QSA EIR indicates, without the SQA and IA projects, MWD would lose approximately 650,000 AFA from the Colorado, reducing its "firm" supply from that source and the State Water Project to a combined total of approximately 1.6 MAF (660,000 AFA from the Colorado, plum approximately 50 percent of MWD's 2.1 MAF SWP "entitlement"). (These expectations reflect normal deliveries; in time of drought the MWD supply would be even smaller.) Not surprisingly, the San Diego County 2000 Urban Water Management Plan also shows that this water transfer is vital in order to maintain San Diego's current "expectation" of serving a population that is continuing to grow and will rise to over 3.8 million by the year 2020. This gain represents an annual increase of about 50,000 people, for an annual growth rate of about 1.5%. The future growth will be enhanced by the transfer. The Final EIR/EIS must recognize and quantify the growth inducing impacts of the water transfer in the water-receiving communities.

L1-5

(7) The San Diego Region is expected to add more than 500,000 new jobs and the population is expected to increase by more than a million people by 2020 (SANDAG, "Measuring the San Diego Region's Livability"). San Diego will also have to provide more than 400,000 new houses and expand their infrastructure to accommodate the new jobs and people. An important aspect of this "infrastructure" is making enough water available to San Diego to provide this type of "build out" for San Diego to accommodate the addition of over one million people over the next 20 years. The most important infrastructure items (as noted by SANDAG) include a more securing a more reliable water supply than the existing condition. Even the communities surrounding San Diego County are growing. For instance, Riverside County grew by 3% and to the south Tijuana grew by 5%, all increasing the dependence of imported water.

L1-6

(8) More than 90% of the San Diego region's water is imported from the Colorado River and northern California in any given year. And, last year San Diego region used approximately 620,000 acre-feet of water. Increasing population and jobs within the San Diego region will require the development of additional water supplies and should include water conservation, water recycling and brackish groundwater recovery. All of these options should be analyzed and quantified as part of an overall strategy. Conservation measures must include implementing Urban Water Conservation Best Management Practices (BMPs) and Agricultural Efficient Water Management Practices (EWMPs) (Regional Report on Water Supply and Infrastructure, November 2001).

L1-7



## Response to Comment L1-6

Please refer to the Master Response on *Other—Growth Inducement Analysis* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-7

Please refer to the Master Response on *Other—Desalination in SDWCA Service Area and Comments Calling for Increased Conservation* in Section 9 of this Final EIR/EIS.

L1-8 (9) Desalination offers a viable alternative to the water transfer. Desalination is never mentioned in the Draft EIR/EIS as a possible future source of water as an alternative source of water for San Diego region. Projects currently being developed in Florida indicate that the cost of desalination plants may have decreased such to a point where it now can be considered a potential option for coastal areas including San Diego. This is especially promising as desalination feasibility increases over time and thereby enabling the water transfer to decrease over time.

L1-9 All alternatives that are reasonably possible should be addressed in the Final EIR/EIS. SDCWA considered several sources to identify projected imported and local resources to meet future water demands. These factors included: projected water demands utilizing SANDAG 2020 Cities/Count Forecast; local agency input into future projected water recycling and groundwater supplies; technical evaluations of potential new supplies (i.e. seawater desalination); and, previous actions taken by Board of Directors regarding imported supplies. (Page 14, Regional Report on Water Supply and Infrastructure, November 2001). The Draft EIR/EIS does not identify the potential of these alternative sources of water in order to meet the demands of the San Diego region. These appear to be viable options, which may lessen the need for large amounts of water to be imported from outside San Diego to meet its need at the cost of the region from which the water is originating.

L1-10 (10) Instead of solely relying on water transfers to meet infrastructure needs resulting from future growth demands in San Diego region, San Diego should be working to implement, recycling and groundwater recovery programs, desalinated seawater, local groundwater source known as the "San Diego Formation" and also, to encourage citizens to pro-actively conserve water. In summary, the Final EIR/EIS needs to develop, analysis and consider these different alternatives in contrast to the transfer as currently proposed.

## ***AIR QUALITY***

L1-11 (11) Imperial County's concerns lie in fact that the potential air quality impacts that might result from long term water transfer described in the Draft EIR/EIS would interfere with the attainment of the National Ambient Air Quality Standard (NAAQS) for PM-10s. Recently, the USEPA have issued a determination that Imperial County would be in attainment of the NAAQS Standards form PM-10, but for transportation emanating from Mexico (66 Fed. Reg. 53106, October 2001). Thus, the current levels of particulate matter in the air in Imperial County exceed the NAAQS because the particulate matter is transported from Mexico. Additional, particulate matter generated from within Imperial County as a result of the water transfer could further increase the concentration of particulate matter in Imperial County and could jeopardize "attainment designation" under the Clean Air Act.



## Response to Comment L1-8

*Please refer to the Master Response on Other—Desalination in SDWCA Service Area and Comments Calling for Increased Conservation* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-9

Please refer to the Master Response on *Other—Desalination in SDWCA Service Area and Comments Calling for Increased Conservation* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-10

Please refer to the Master Response on *Other—Desalination in SDWCA Service Area and Comments Calling for Increased Conservation* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-11

Refer to the Master Response on *Air Quality—Consistency with the State Implementation Plan for PM10* in Section 9 of this Final EIR/EIS.

L1-12 (12) There are two effects of water activities that lead to the increases in PM-10 emissions that should be mitigated. These include emissions from fallowed land and emissions from exposed portions of the Salton Sea.

L1-13 (13) The County believes that the IID/SDCWA water transfer will result in new PM-10 emissive areas in Imperial County which in turn will lead to an exceedance of the PM-10 standard. County would like to see these concerns addressed in the EIR/EIS and how the EIR/EIS plans to mitigate these new emissives.

L1-14 It is apparent from the DEIR/EIS that water conservation is the key component. The County is most interested in minimizing evaporation or transpiration of water into the air. The DEIR/EIS fails to mention any mitigation to offset evaporation/transpiration of water. The DEIR/EIS should more closely examine: issue of covering canals and whether that would result in reductions in evaporation; ranking of farming conservation measures and which reduce evaporation loss; and, evaluation of other evaporation reduction measures.

L1-15 (14) Adequate discussion in the Final EIR/EIS should revolve around mitigation measures to ensure that fallowed lands are not emissive as a result of the water transfer. Specifically, it should address the possibility of fallowing fields of crop such as alfalfa or other grain which would result in more stabilized ground leading to less emission than other crops.

L1-16 The air quality discussion surrounding the effects of the Salton Sea and increased exposure of the lakebed due to water recession is inadequate and also based upon some erroneous data.

L1-17 (15) The arguments explaining why the exposed areas of the Salton Sea would not create an emissive source are unconvincing. The document's main arguments on this issue center around soil chemistry, meteorology and recession rate. First, there are definite disturbed and undisturbed portions of the desert adjacent to the Salton Sea that could initiate dust emissions from the exposed portion of the lakebed. Second, also problematic in the EIR/EIS is the discussion with regard to the wind roses for the Salton Sea area. In a separate study done by an outside consultant, the wind speeds are higher and the wind roses contained in the Draft EIR/EIS Figures 3.7-5 (page 3.7-14) for Salton Sea North site are incorrect. The Draft EIR/EIS does not adequately represent the highest wind speed sites around the Salton Sea area. More accurate sites should have been used to collect this data and should have been accounted for in the mitigation measures discussion of the Draft EIR/EIS. Specifically, wind data from the Salton Sea East (#128) should have been used and correct data from Salton Sea North (#154) numbers are flawed. Also flawed is the discussion on page 3.7-35 regarding dust suspension because it only considers hourly winds and does not account for wind gusts that can suspend dust. Third, the discussion surrounding recession rate in the Salton Sea Emissive issues section, is inadequate. The argument that Salton Sea will not become another Owens Lake revolved around the argument that the recession rate of the Salton Sea will be much slower than Owens Lake which went dry over several years.



## Response to Comment L1-12

Please refer to the Master Responses on *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan*, *Air Quality—Air Quality Issues Associated with Fallowing*, and *Biological Resources—Approach to Salton Sea Habitat Conservation Strategy* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-13

Please refer to the Master Responses on *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan, Air Quality—Air Quality Issues Associated with Fallowing*, and *Biological Resources—Approach to Salton Sea Habitat Conservation Strategy* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-14

Evaporative losses from IID canals are estimated to be less than 40 AFY. The amount of water that could be conserved versus the high cost of pipelining canals ($1.8 to $2.6 million/mile) makes covering canals neither reasonable nor feasible. Over 1,100 of IID's 1,465 miles of canals are lined with concrete. Lining reduces seepage losses and also reduces canal bank vegetation, there by reducing phreatophyte evapotranspiration losses.

Transpiration refers to the movement of water from the crop root zone through the plant and release to the atmosphere through the leaf stomata. Deficit irrigation, and associated yield and quality losses, and fallowing are the only feasible methods of reducing crop transpiration.

## Response to Comment L1-15

Please refer to the Master Response on *Air Quality—Air Quality Issues Associated with Fallowing* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-16

Please refer to the Master Response on *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-17

Please refer to the Master Responses on *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan* and *Air Quality—Wind Conditions at the Salton Sea* in Section 9 of this Final EIR/EIS.

L1-17 However, the EIR/EIS fails to take into account the fact that when Mono Lake recessed slowly over a number of years, its exposed shoreline was emissive and causes violations of PM-10 standards.

L1-18 (16) Where fallowing permanently removes land from agricultural use de to the perched groundwater in Imperial County, fields fallowed will degrade as a result of salt seepage from the perched groundwater via capillary effects. This phenomenon known as "souring" will result in the effective destruction of farmlands that have been fallowed from more than five (5) years. The Daft EIR/EIS does not address these impacts resulting from long term fallowing.

L1-19 (17) Overall, the specific issues which should be addressed in relation to the Air Quality impacts should include: the Final EIR/EIS should consider the whole spectrum of water conservation measures in addition to fallowing; fallowing mitigation measures should be strengthened to adequately address the air quality impacts associated; meteorological analysis should correct the errors in their calculations; and, the conclusion that the Salton Sea will not be an emissive source should be corrected and adequate mitigation measures should be set forth for this issue in the Final EIR/EIS; the Draft EIR/EIS does not address the monetary mitigation of air quality impacts; the amount of water that mitigation of air quality impacts from fallowed lands will require; how to determine whether mitigation of air quality impacts is effective; or, who will ensure that mitigation measures are properly carried out. The Draft EIR/EIS does not provide assurances that the emissions that result from fallowed lands can be mitigated to a level of insignificance.

L1-20 (18) Within Appendix B, page 3-5, "Final Scoping Summary Report", March 10, 2000, Section 3.2.5 Air Quality, it states that "...land fallowing...(may result in)...potential increases in particulate matter caused by...land fallowing..." There is a need to establish an air quality baseline to monitor any increases in PM-10 emissions from any agricultural lands that are "fallowed" (permanent or temporarily), e.g., from fugitive dust emissions, weed proliferation and/or wind-borne seed/pollen impacts on neighboring landowners and County residents.

L1-21 (19) When dealing with air emissions and pollutants, there is no recognition of international borders and any future PM-10 emissions from exposed Salton Sea shoreline will further degrade the already impacted air quality of the Salton Sea Air Basin. The Imperial County APCD's statutory duty is to protect and enhance the quality of the air resources within its jurisdictional limits. Any proposal, whether by a public entity or special district, that creates the possibility of environmental damage to local air quality, must be closely reviewed and the cumulative impacts must conform to federal, state and local laws and regulations.

L1-22 (20) Additionally, we incorporate by reference the comments and analysis provided for in the attached report by Environ International Corporation. (Attachment "A")



## Response to Comment L1-18

Water users within IID use water diverted from the Colorado River to irrigate crop land. On average, Colorado River water contains approximately one ton of salt per acre-foot of water. As water is transpired by crops, the salt remains in the soil. In order to maintain the productivity of the land, the accumulated salts must be leached from the root zone. IID water users apply a small amount of additional leach water to carry accumulated salts below the crop root zone. Approximately 96 percent of farmed fields within the IID water surface area are underlain by tile drainage lines. These tile drainage lines collect the leach water and dissolved salts and convey them to the IID drainage system.

Tile lines are normally placed at depths of 5 to 7 feet below the land surface and maintain the groundwater level at that depth, even in areas with high water tables or poor natural drainage. For all Imperial Valley soils, that depth is sufficient to prevent groundwater, and any salt it may carry, from seeping to the surface. Therefore, should the water conservation and transfer program ultimately include a rotational or short term fallowing component, groundwater will not impact the stability of the soil surface, nor will the land "sour" due to excessive salt build up.

## Response to Comment L1-19

Please refer to the following Master Responses in Section 9 of this Final EIR/EIS: *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan; Air Quality—Air Quality Issues Associated with Fallowing*, and *Air Quality—Wind Conditions at the Salton Sea*.

## Response to Comment L1-20

Please refer to the Master Response on *Air Quality—Air Quality Issues Associated with Fallowing* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-21

Please refer to the following Master Responses in Section 9 of this Final EIR/EIS: *Air Quality—Salton Sea Air Quality Monitoring and Mitigation Plan, Air Quality—Air Quality Issues Associated with Fallowing*, and *Air Quality—Wind Conditions at the Salton Sea*.

## Response to Comment L1-22

Comment noted. See the referenced attachment for full response.

## SOCIOECONOMICS

L1-23

(21) In a 1999 Board Resolution, the Imperial Irrigation District Board stated, "...The terms of any final comprehensive settlement agreement must not unfairly impose burdens on the agricultural economy of the Imperial Valley in order to benefit the nonagricultural economy of the Coachella or MWD's service area". We concur with this IID statement of policy for protecting the agricultural economy of Imperial County.

L1-24

(22) Page 1-29 of the DEIR/EIS states that the water transfer is an "economic stimulus to the Imperial Valley". The concept of removing a portion of the limited water supply to another community appears counter-productive to future growth and development in the community. The transfer of water will result in a reduction of available water. This transfer will either result in removing farmland from production or require the installation of expensive conservation methods on fields, both of which could have a negative economic impact on Imperial County.

L1-25

(23) The economic impact of removing farmland from production could have a significant direct impact on agricultural production and an indirect affect on farm-related support businesses; the housing and commercial sectors. The result will be that Imperial Valley's economy could be devastated. Farming communities tend to be interdependent, so impacts on one community could be felt by a number of surrounding communities. Taking nearly a fifth (20%) of the farmable land out of production, while not providing any quantifiable benefit would surely damage and may even destroy the economy and have a "ripple effect" on the surrounding communities. The Draft EIR/EIS does not quantify how these impacts would be mitigated. Any mitigation needs to analyze the impacts of land fallowing with regard profit per acre or profit per acre foot of water, when assessing value per acre and labor (jobs) per acre.

L1-26

(24) Section 5.1.2.7 ("Socioeconomics"), under ("Cumulative Impacts, under Section 5 "Other CEQA/NEPA Considerations), of the Draft EIR/EIS states that there are expected potential impacts from implementation of the Proposed Project as follows:

> "A reduction in employment opportunities may result depending on the specific type and amounts of water conservation methods that are selected. Employment opportunities may decline if the amount of land that is fallowed increases, while jobs would be created by the construction and operation of on-farm irrigation system water conservation measures. Depending on the relative proportion of the conservation measures, an impact or benefit may accrue through implementation of the Proposed Project. The other projects identified above could also result in construction and operational demands that increase employment opportunities in Imperial County".

Further, the statement is made that "The Proposed Project would therefore, have no or a minor impact to the socioeconomic resources and would not contribute to a cumulative impact". As discussed previously, the "permanent fallowing" of agricultural lands in Imperial County, no matter what "water conservation methods that are selected" could be

### Response to Comment L1-23

Comment noted.

### Response to Comment L1-24

Page 1-29 of the Draft EIR/EIS states, "IID anticipated that the proceeds from the sale of conserved water would provide economic benefits to cooperating landowners, tenants, and IID, and an economic stimulus to the Imperial Valley." This statement is true with regard to the anticipated socioeconomic effects of the Proposed Project, unless a substantial portion of the conserved water is generated by fallowing. The adverse effects of fallowing are described in Section 3.14 of the Draft EIR/EIS. Regarding the availability of water for agricultural production, see response to Comment L1-3.

### Response to Comment L1-25

The socioeconomic effects of fallowing are described in Section 3.14 of the Draft EIR/EIS. As described in the Draft EIR/EIS, depending on the eventual implementation of the water conservation program, there could either be beneficial or adverse impacts to the regional economy. If water is conserved using on-farm and water delivery system improvements, it is anticipated that there would be beneficial effects to regional employment; therefore, there would not be any adverse effects to mitigate. If fallowing is used to conserve all or a portion of the water to be transferred, there would be adverse effects to the regional economy and farm workers as identified in the Draft EIR/EIS.

The IID Board will consider whether to implement socioeconomic mitigation measures when it considers whether to approve the Proposed Project or an alternative to the Proposed Project.

### Response to Comment L1-26

No cumulative socioeconomic effects would result from implementation of the Proposed Project and/or Alternatives in conjunction with the other projects included in the cumulative impact analysis because all of the other projects in the analysis would add jobs, in connection with construction and operation of project facilities, in Imperial County. There is no cumulative impact unless the adverse impacts of the Proposed Project and/or Alternatives are exacerbated by implementation of one or more of the projects included in the cumulative impact analysis.

L1-26 a very significant cumulative socioeconomic impact and is not a "...minor impact..." on farmers and farm workers in the County's agricultural community.

(25) However, the Draft EIR/EIS does indicate within its "Alternatives" that a water transfer would limit future agricultural growth in Imperial County due to less acres being farmed and therefore fewer agricultural-related jobs would be created and therefore less demand for secondary agriculture-related purchases/services.

Like other rural farming communities, Imperial County has a fragile economy, typically overly dependent on ever-changing markets. Unemployment is typically higher than in urban areas. Imperial County in particular historically has had one of the highest unemployment rates in the State. If the conservation method of "fallowing" is used to facilitate the water transfer, not only will farm laborers lose employment, but also
L1-27 secondary employment in the farm service industry. The Draft EIR/EIS identifies a potential job loss of 1,400 due to transfer and conservation by fallowing alone. What are the fiscal costs of increased unemployment (e.g. job training, crime, assistance payments)? This reduction in employment will have a devastating "domino effect" on Imperial County's economy. Any reduction in agricultural production could have a serious negative effect on a farming community with direct impacts on laid-off farm laborers, seed, pesticide, and farm implement sellers, and indirect impacts on commercial, housing and educational institutions. The draft document does not adequately assess the negative socioeconomic impacts of "fallowing" on Southern California, the region or on the national economy. The Final EIR/EIS should include mitigation measures to offset the negative socioeconomic impacts described above.

L1-28 (26) Additionally, we incorporate by reference the comments and analysis provided for in the attached report by Economics Research Associates (ERA). (Attachment "B")

## ***SALTON SEA***

L1-29 (28) Pursuant to the Imperial County General Plan, *Conservation/Open Space Element*, the Salton Sea is a vital recreation and open space component to Imperial Valley, providing water-orientated recreation (i.e., fishing, boating), and wildlife observation (i.e. bird and species watching), including the annual bird festival. The *Conservation/Open Space Element*, Goal 2, provides, "...The County will preserve the integrity, function, productivity, and long-term viability of environmentally sensitive habitats, and plant and animal species..." "...Objective 2.1 Conserve wetlands, fresh water marshes, and riparian vegetation and Objective 2.2 Protect significant fish, wildlife, plant species, and their habitats..." Additionally, Goal 8, states "...The County will conserve, protect, and enhance the water resources in the planning area..." along with "...Objective 8.1 Protect all bodies of water, e.g. Salton Sea, and water courses for their continued use and development, and Objective 8.5 Protect and improve water quality and quantity for all water bodies in Imperial County...". In the *Water Element* of the County's General Plan, Goal 2, it states "...Long-term viability of the Salton Sea, Colorado River, and other surface waters in the County will be protected for sustaining wildlife and a broad range of



## Response to Comment L1-27

The Draft EIR/EIS reports the total jobs that are anticipated to be lost within the Imperial County economy as a result of fallowing in Section 3.14. These job loss estimates include job losses in farm support industries. Also, refer to the Master Response for *Socioeconomics—Property Values and Fiscal Impact Estimates* in Section 3 in this Final EIR/EIS and see responses to Comments L1-24 and L1-25.

## Response to Comment L1-28

Comment noted. See the referenced attachment for full response.

## Response to Comment L1-29

Refer to the Master Response on *Biology—Approach to Salton Sea Habitat Conservation Strategy* and *Recreation—Mitigation for Salton Sea Sport Fishery* in Section 9 of this Final EIR/EIS.

ecological communities..." These are but a few County mandates for preserving Imperial Valley's unique and fragile open spaces, waterways and wildlife habitats. The Final EIR/EIS should address and propose mitigation measures to offset these impacts.

L1-29

(28) The DEIS/EIR "No Project Alternative" with regard to the Salton Sea expects the mean surface elevation of the Sea to drop approximately 7 feet over the next 75 years, thereby decreasing the surface area of the Sea approximately 16,000 acres or roughly 25 square miles. Additionally, under the "No Project Alternative", the DEIR/EIS (Section 3.1.4.4) maintains that water quality would decrease and salinity would rise to 879 mg/L from present concentrations, while the concentration in the dissolved solids (TDS) of the Sea will rise as high 86,000 mg/L TDS.

According to Section 3.14.3.4, this decrease in level and water quality in the Sea translates into "...all operational boat launching and mooring facilities would become non-operational in the year 2010. Also...the Salton Sea is predicted to become too saline to support successful reproduction of sargo, gulf croaker, and tilapia..."

L1-30

(29) This assumes that there would be no other projects designed to "save" the Salton Sea and maintain its level and salinity, when in fact, the Salton Sea Authority, and the *Salton Sea Reclamation Act of 1998* (PL 105-372) are two instruments designed to study, develop, and implement programs to "save" the Sea by maintaining its level and reducing its salinity.

The Salton Sea Authority and Bureau of Reclamation, working as joint leaders with stakeholders and members of the public, have developed five goals that are consistent with the Salton Sea Reclamation Act of 1998. These goals include: maintain the Sea as a repository for agricultural drainage; provide a safe, productive environment at the Sea for resident and migratory birds and endangered species; restore recreational use at the Sea; maintain a viable sport fishery at the Sea; and, enhance the Sea to provide economic development opportunities. The statements contained in the DEIR/EIS directly conflict with goals of the Salton Sea Reclamation Act.

(30) On page 4-9, 4.5.2 HCP (Salton Sea Portion) Approach 1: Hatchery and Habitat Replacement, one of the mitigation measures identified is to protect "...proposed covered species..." in that "...IID would monitor areas of tamarisk scrub adjacent to the Salton Sea and create or acquire, and protect native tree habitat if monitoring shows a net loss in the amount of tamarisk scrub..." The statement does not indicate whether or not "tamarisk", or salt cedar, is a native species or not. For many years now, the federal, state and local entities in Imperial County have been attempting to develop programs to eradicate this non-native (African-origin) species. The Final EIR/EIS should clarify whether or not the intent of this mitigation measure to protect the wildlife "covered species", but also intends to create, acquire and protect a scrub "tamarisk" species that is very invasive and is a self-propagating species that kills any adjacent native plants, shrubs and trees. If this is the intent to "create or acquire, and protect" the tamarisk/salt cedar growth, is this consistent with the eradication programs by the USF&WS and the California Department of Fish and Game?

L1-31



## Response to Comment L1-30

Refer to the Master Response on *Other—Relationship Between the Proposed Project and the Salton Sea Restoration Project* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-31

IID would create or acquire habitat consisting of native trees (e.g., cottonwoods, willows, mesquite, palo verde) to replace the habitat value of tamarisk scrub if there is a net loss in tamarisk adjacent to the Salton Sea. IID would not compensate for a reduction in tamarisk scrub by creating tamarisk-dominated habitat.

(31) The death of the Salton Sea will also have a significant impact on the economy of Imperial County. These impacts include, transient recreational use dollars attributed to the Sea, permanent reduction in residential property values of communities closet to the Seas such as Salton City, Bombay Beach, Desert Shores and Salton Sea Beach. In the Report to the Salton Sea Authority Economic Development Task Force, by the Rose Institute of State and Local Government January 7, 1999, It found that if the Salton Sea were allowed to deteriorate further it would result in loss in economic activity of between $161 million to $238 million, a loss in property values of between $731 million to $1.29 billion, and immeasurable financial loss in habitat, bio-diversity and quality of live. On the reverse side of that if the sea is restored to a level that recreational activities could be viable then the economic benefits could be as high as $361 million simply form parking, boating fees, Salton Sea license plates and fishing stamps. The report concludes that the overall economic benefits of the Salton Sea Restoration would be far reaching. Benefits based only on property values within ½ of the sea could rise to $80 million per year increasing present values from $1.45 billion to $2.9 billion. If this economic benefit were to extend beyond the ½ mile to the surrounding lands that increase could double to $160 million, resulting in a rise from the present value of $2.9 billion to between $4.35 billion and $5.8 billion. These impacts should be addressed and mitigated in the Final EIR/EIS.

L1-32

***COLORADO RIVER & OTHER WATERWAYS***

(32) It should be noted that the Draft EIR/EIS gives a fair assessment of the impacts to the Lower Colorado River (LCR) basins habitat from Parker Dam to Imperial Dam with the reduction of 200 to 300 KAFY. However, it fails to address the cumulative impacts of the this project along with the Palo Verde Water District's proposed water transfer program, for removing 111,000 acre feet per year of Colorado River water. Palo Verde Water District has proposed through the practice of non-irrigation (fallowing) of "29 percent" of the existing farmland in the Blythe/Palo Verde Valley area over a 35-year period, to divert/transfer to MWD for use by the coastal urban areas. The loss of recharge from the diverting of the 110,000 acre feet of water to the Colorado River together with the proposal for IID to transfer of 200 to 300 KAFY will have a significant impact on the LCR habitat. The result will be a lowering of the Colorado River water level, which in turn will adversely impact residential, environmental, and recreational resources, downstream of the project area. How will these impacts be addressed? These impacts should be fully addressed in the Final EIR/EIS.

L1-33

(33) The reduction in water may greatly impact the river's habitat. At each step we find impacts, such as at the LCR where there will be impacts to the riverbank and backwater wildlife and fish habitats, the canals and drains and impacts to bank and water habitats and to the Salton Sea. The Draft EIR/EIS does not identify what type of studies or when the studies will be conducted to address cumulative impacts of theses two programs on the river habitat both upstream and downstream. When it comes to habitat studies, time of the year is crucial and the EIR/EIS should clarify the nature and timing of such studies.

L1-34



## Response to Comment L1-32

Refer to the Master Responses on *Other—Relationship Between the Proposed Project and the Salton Sea Restoration Project, Biology—Approach to the Salton Sea Habitat Conservation Strategy, Socioeconomics—Property Values and Fiscal Impact Estimates* and *Recreation—Mitigation of Salton Sea Sport Fishery* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-33

The cumulative impacts of this project along with the Palo Verde Irrigation District project are addressed in the EIR/EIS. Cumulative impacts have also been addressed in the IA EIS and the QSA PEIR. Page 5-9 of the Draft EIR/EIS describes the Palo Verde project and addresses the cumulative impacts of that project along with the Proposed Project. The conclusion of the analysis is that the changes in the River levels would be small when compared to the total volume of water transported annually by the Colorado River. Using a conservative analysis, the maximum potential habitat affected by the reduced flow was calculated and mitigation measures are included. The mitigation would reduce the Proposed Project's contribution to any potential cumulative impact to biological resources to a level that is less than cumulatively considerable. Thus, there will not be an adverse cumulative impact on residential, environmental, and recreational resources downstream from the project area.

For further details on Lower Colorado River issues, please refer to the Master Response on *Biology—Lower Colorado River Mitigation* in Section 9 in this Final EIR/EIS.

## Response to Comment L1-34

Regarding the cumulative impacts of the two programs, refer to response to Comment L1-33. Regarding types of studies or timing of studies to address cumulative impacts, no additional cumulative impact studies are necessary, as the cumulative impacts of the Proposed Project and the Palo Verde Irrigation District project are addressed in the EIR/EIS.

L1-35 (34) If fallowing occurs, with or without other water conservation techniques used, farm runoff into the New and Alamo rivers will be reduced, thereby impacting areas designated as "very sensitive" for cultural resources. The Draft EIR/EIS appears to focus its mitigation measures with regard to these resources on the Salton Sea, without mentioning the potentially significant effects to the two river areas. Water conservation measures, whether they are constructed or by fallowing, will reduce the flows into and out of the New and Alamo rivers, and impacting cultural "very sensitive" areas.

L1-36 (35) The diversions from the New River for the future Mexicali power plant usage should be taken into account when the Final EIR/EIS is prepared. The document should concentrate on the water transfer and new modeling to predict these foreseeable impacts upon the New River and the Salton Sea.

The Final EIR/EIS should identify the two river watershed areas and mitigate the above concern.

***FALLOWING***

L1-37 (36) Throughout the Draft EIR/EIS fallowing has been presented as both a primary and secondary alternative to acquiring the necessary amount for water transfer with no clear analysis of fallowing or a plan of implementation. The Draft EIR/EIS fails to address the extent of fallowing, who will do the fallowing, or how fallowing will be implemented thus, making it impossible to fully assess the shore and long term impacts and to apply the necessary mitigation measures for these impacts.

On page 3.4-12, of the Draft EIR/EIS, it states, "...Under the proposed project, fallowing could be implemented as a conservation measure. If fallowing were the sole conservation measure implemented, up to 50,000 acres could be fallowed to conserve water for transfer...Fallowed acreage is not expected to be permanently taken out of production; however, permanent fallowing of agricultural land could be used to conserve water for transfer. Regardless of the specific fallowing method, no land use impacts would occur because the Proposed Project would not change agricultural zoning and, therefore, it would not conflict with an adopted, local land use plan. Fallowing land would also not divide an established community because fallowed land is consistent with surrounding agricultural land uses...". The Draft EIR/EIS fails to define permanent fallowing and fails to adequately address the maximum acreage necessary to achieve all alternatives and mitigation measures.

The underlying intent and thrust of this Draft EIR/EIS, as submitted for public review, is for permanent fallowing as the method for water conservation and transfer. The IID/SDCWA water transfer could last for 75 years and agricultural farmland and possibly other lands could conceivably be taken out of "permanent" agricultural production and used to transfer water outside of Imperial County.



## Response to Comment L1-35

Reduced flows into and out of the New and Alamo Rivers should have minimal to negligible impact to archaeological and cultural resources. If flows were dramatically increased, then the possibility that archaeological sites could be eroded would increase. Unlike the Salton Sea where about 16,000 acres of land could be exposed due to reduced flows, reduced flows in the New and Alamo Rivers will not significantly expose new ground, and, the ground exposed would have already been scoured by current flows.

## Response to Comment L1-36

Please refer to the Master Response on *Other—Cumulative Impacts* in Section 9 of this Final EIR/EIS.

## Response to Comment L1-37

Information on how fallowing would be implemented is presented in the Draft EIR/EIS in Chapter 2 (Section 2.2.3.4) and throughout the environmental analysis under the Proposed Project and Alternative 4. The amount of information on the implementation of fallowing that is necessary to conduct the environmental analysis is also included in the Draft EIR/EIS in Chapter 2.

For a clarification of permanent vs. rotational fallowing and a discussion of the significant impacts of permanent fallowing, see L1-44. Also, please see Response to Comment L1-49.