

**Final Environmental Impact Statement/
Final Environmental Impact Report
Coachella Canal Lining Project**

**Comments Received on the
Revised And Updated Draft EIS/EIR
and Responses to Those Comments**

**Responses to Comments Received on the
Coachella Canal Lining Project
Revised and Updated Draft EIS/EIR**

**Comments on the
Revised and Updated Draft EIS/EIR**

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Letter A: International Boundary and Water Commission, United States and Mexico



INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

U.S. Bureau of Reclamation
Attn: Mr. Don Young, Assistant Manager
Yuma Area Office
PO Box D
7301 Calle Agua Salada
Yuma, Arizona 85366

Dear Mr. Young:

The United States Section, International Boundary and Water Commission (USIBWC), is providing review comments on the revised and updated Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) on the Coachella Canal Lining Project. Comments were requested by the Bureau of Reclamation (Reclamation) in your letter dated September 15, 2000.

The proposed project consists of the following alternatives: (1) installation of a concrete lining in the 33.2 mile long canal, (2) underwater installation of a lining in the canal, (3) construction of a parallel canal, and (4) no action. The improvements would conserve approximately 30,850 acre-feet of water annually. A specific quantity of conserved water would be assigned to the Department of the Interior (DOI). The federal action alternatives include transfers and exchanges of conserved Coachella Canal water to California's Colorado River users, and water would be made available to the San Luis Rey Indian Tribe. One third of one percent of the water flow in the Colorado River below Parker Dam would be reduced and the salinity in the river would increase by one tenth of a milligram/liter as a result of the action alternatives.

Our primary concerns on projects potentially affecting the Colorado River are water quality obligations under Minute No. 242 and the Colorado River Salinity Control Act of June 24, 1974, and water quantity and quality obligations under the Treaty of February 3, 1944 (1944 Water Treaty). The proposed project would involve reducing water quantity below Parker Dam and this could potentially affect downstream water quality. Reduced flows potentially cause water quality impacts to the waters that reach Imperial Dam and the international boundary where Mexico receives water for irrigation and other uses in the Mexicali Valley. These potential impacts are considered in the DEIR/DEIS.

The USIBWC's statutory authority rests in 22 U.S.C. 277 a-d for ensuring that the United States Government meets the obligations incurred in the 1944 Water Treaty for "Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande" (TS 994; 59 Stat. 1219) and other boundary and water treaties and agreements concluded by the United States and Mexico. The 1944 Water

A-1

A-2

The Commons, Building C, Suite 310 • 4171 N. Mesa Street • El Paso, Texas 79902
(915) 832-4100 • (FAX) (915) 832-4190

Letter A
International Boundary and Water Commission, United States and Mexico

A-1 Introductory text of letter; no response necessary.

A-2 Description of International Boundary and Water Commission's mission and legal authority; no response necessary.

Treaty, Article 10 (a), provides a guaranteed annual quantity of 1.5 million acre-feet of Colorado River waters be delivered in accordance with schedules formulated in advance by Mexico within specified limitations, and it also provides any other waters arriving at the Mexican points of diversion under certain understandings. These deliveries are made to Mexico by the USIBWC at Morelos Dam on the Colorado River near Yuma, Arizona. Releases are made from upstream reservoirs to assure that treaty obligations reach Morelos Dam for diversion by Mexico.

The United States and Mexico reached agreement on August 30, 1973, in International Boundary and Water Commission (IBWC) Minute No. 242 under the terms of the 1944 Water Treaty for a "Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River." This minute provided for immediate reduction in the salinity of the waters delivered to Mexico, stipulating that the United States shall adopt measures to assure that the waters delivered upstream of Morelos Dam have an annual salinity of no more than 115+/-30 parts per million over the annual average salinity of the Colorado River at Imperial Dam.

Compliance with IBWC Minute No. 242 is jointly monitored by the USIBWC and the Mexican Section, International Boundary and Water Commission (MxIBWC). The waters delivered upstream from Morelos Dam are jointly sampled each weekday and are analyzed for their salt content by the USIBWC and the MxIBWC, and the results are jointly compared by the IBWC. Since the agreement was signed, the records show that the United States is in full compliance with its terms.

Immediate interim measures were put into effect under the authorization of the Colorado River Salinity Control Act of June 24, 1974. Reclamation constructed works which bypassed all of the saline drainage waters to the Santa Clara Slough in Mexico on the Gulf of California. Waters of low salinity were substituted for the bypassed waters.

It was early recognized that to continue the interim measures to implement the agreement with Mexico would result in a serious loss of waters needed to meet Colorado River Basin users within the United States. The Colorado River Salinity Control Act authorized the construction, operation and maintenance of a desalting plant in the United States to reduce the salinity of the drain waters. The Yuma Desalting Plant is constructed and is presently in ready reserve status.

The USIBWC concludes that insignificant impacts to water quantity and quality in the Colorado River would result from the proposed project diversions above Parker Dam and reduced Colorado River flows below Parker Dam. We ask that specific questions regarding hydrological or hydraulic issues be addressed to Mr. James Robinson, Division Engineer, Design Division, at this address or call (915) 832-4152. We look forward to working with Reclamation, the federal lead agency under the DEIR/DEIS National Environmental Policy Act process. The United States Government depends on a close partnership with the USIBWC and the DOI to ensure that the United States Government meets the treaty obligations and preserves the rights contracted in the agreements.

A-2
cont.

A-3

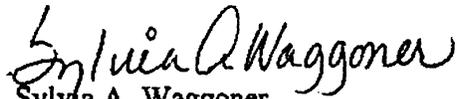
International Boundary and Water Commission, United States and Mexico (continued)

A-3 Reclamation and CVWD acknowledge the conclusion by the International Boundary and Water Commission that the impacts of the proposed Coachella Canal Lining Project to the quantity and quality of the Colorado River would be insignificant.

Letter A: International Boundary and Water Commission, United States and Mexico (continued)

Should you have questions, please contact me at (915) 832-4740, or have your staff contact Mr. Steve Fox at (915) 832-4736.

Sincerely,



Sylvia A. Waggoner
Division Engineer
Environmental Management Division

cc: Coachella Valley Water District, Attn: Mr. Steve Robbins, Assistant to the General Manager,
Post Office Box 1058, Coachella, California 92236



PLANNING/BUILDING DEPARTMENT

PLANNING / BUILDING INSPECTION / PLANNING COMM.

JURGEN
PLANNING

CERTIFIED MAIL #7099 3220 0000 0349 3928
#7000 0520 0021 8750 6434

November 14, 2000

Don Young
Assistant Manager
Yuma Area Office
P. O. Box D
Yuma, Arizona 85366

Steve Robbins
Assistant to the General Manager
Coachella Valley Water District
P. O. Box 1058
Coachella, California 92236

SUBJECT: Response to the Proposed Draft Environmental Impact Statement/Environmental Impact Report for the Coachella Canal Lining Project (Dated September 2000)

Dear Sirs:

The County of Imperial has received the above Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR). At this time, the following comments are submitted; however, the County of Imperial reserves the right to provide further input as needed when the Final DEIS/EIR is completed and received.

The proposed project is to line the approximately 33.2 miles of the total 121 mile long Coachella Canal from the All-American Canal to the Coachella Valley area in order to conserve 30,850 acre-feet annually using non-federal funds. The draft document states that conserved water would be divided between Metropolitan Water District, approximately 21,500 acre-feet annually and also approximately 4,500 acre-feet annually to the San Luis Rey Indian Tribe.

The remaining water is to be used by Colorado River contracts in Southern California to meet the goals of the Colorado River Water Use Plan as approved by the Secretary of the Department of Interior, Bureau of Reclamation, Lower Colorado Region.

Currently, the Coachella Canal supplies approximately 333,000 acre-feet annually to the Coachella Valley Water District to be utilized within the District's boundaries for municipal, commercial, industrial and agricultural purposes. According to the document, the Coachella Canal at this time loses approximately 32,350 acre-feet annually by seepage through the earthen sections from siphon 7 to siphon 32.

B-1

939 MAIN STREET, SUITE B-1, EL CENTRO, CA 92243 - 2856 (760) 339-4236 FAX (760) 353-8338
E-MAIL planning@icoe.k12.ca.us plan98@icoe.ca.us (AN EQUAL OPPORTUNITY EMPLOYER)

Letter B
Imperial County Planning/Building Department

B-1 Introductory text of letter; no response necessary.

Letter B: Imperial County Planning/Building Department (continued)

Don Young/Steve Robbins
Draft EIS/EIR Comments
Page 2

(1) On page S-4, second paragraph, the statement is made, "...A small amount of surfacing seepage water is used by local residents and resorts for landscaping and garden maintenance and by aquaculture farmers rearing fish..."

The County's General Plan, "Land Use Element", on page 41, B. Land Use Descriptions, Agricultural Uses, Light Agriculture, identifies "...Animal keeping, including aquaculture (fish farms)..." as an agricultural use. The final document should reflect that aquaculture is an agricultural use in Imperial County. Within the County's "Agricultural Element", on page 41, it states as follows:

...Special Aquaculture Concerns

Goal 11: Encourage the continuation and expansion of aquacultural production.

Objective 11.1 County zoning regulations should define aquaculture as an agricultural use subject to the same rights, provisions, and regulations as other agricultural uses..."

B-2

On page 50 of the "Agricultural Element", the policy regarding special aquaculture concerns is addressed in these terms:

"...Aquaculture is recognized as one of the fastest growing industries in the County, and is deemed beneficial to the County. The County supports the continuation and expansion of aquaculture, and will treat aquaculture facilities and land uses as agricultural facilities and land uses..."

Any impacts to existing geothermal wells providing heated water to the existing fish farms in the Hot Mineral Spa area due to the lining of the Coachella Canal would require mitigation. The document identifies possible mitigation measures for impacts to the existing aquacultural uses in this area, on pages 3-60 and 3-61, Water Supply for Mitigation Plan, as follows:

- "...New Wells. Additional water for mitigation could be obtained by drilling additional wells to develop non-potable artesian aquifer water in the vicinity of the canal. Based on available geohydrologic information, it is estimated that up to 2,000 acre-feet of water would be available from this source annually. Congress authorized the development of groundwater from Federal land for mitigation use in P.L. 100-675, which stipulated that priority be given to non-potable sources..."

B-3

On page S-18, it states under "Farming", the following, "...The proposed project would not affect farming..." The definition of farming in the County's General Plan identifies aquacultural activities as "farming" and since there is a potential to impact the existing fish farms due to the lining of the Coachella Canal, this should be clarified in the final environmental document.

B-4

(2) On page S-6, HYROLOIC EFFECTS OF CANAL LINING, there is a "typo" in the heading that should read "HYDROLOGIC", please correct.

B-5

Imperial County Planning/Building Department (continued)

B-2 Reclamation and CVWD concur that aquaculture is an important component of agricultural operations in Imperial County. The Summary Section of the Final EIS/EIR has been revised to reflect that aquaculture is an agricultural use.

B-3 The project would not affect geothermal wells, whose source is deep groundwater and not the shallow, perched groundwater that results from the Coachella Canal seepage. As described on Page 3-31 of the Revised and Updated Draft EIS/EIR under the heading “Frink Springs/Imperial Hot Mineral Springs Area,” “discharges from deep artesian wells would not be affected because the near-surface lakebed clay extends under the canal and prevents canal seepage from supplementing the artesian aquifer below.” As described on Page S-6 of the Revised and Updated Draft EIS/EIR, under the heading “Hydrologic Effects of Canal Lining,” what is now called Frink Springs appeared on railroad survey maps from the 1850s, and the initial well in the Hot Mineral Spa area was dug when the canal was under construction (i.e., before canal seepage entered the shallow aquifer), indicating that these features are not seepage dependent. As such, potential impacts to existing geothermal wells providing heated water to the existing fish farms in the Hot Mineral Spa area due to lining of the canal are considered unlikely. The canal lining will reduce the shallow aquifer that occurs above the clay layer. The shallow aquifer includes watershed waters augmented by canal seepage water. P.L. 100-675 authorizes Reclamation to recover water currently lost as seepage. Owners of pumped wells that access the shallow aquifer will be able to access the remaining storage in the shallow aquifer that will likely return to the natural watershed pre-canal construction (i.e., pre-1940s) condition. Local citizens may purchase domestic water at the standard rate within the CVWD service area to augment their pumped well supply. Pumped wells that access this shallow aquifer are not geothermal wells. To the extent feasible, Reclamation would attempt to site any new deep artesian wells designated for developing waters for mitigation purposes not within the zone of influence of the existing geothermal wells to avoid potential conflicts with aquacultural operations.

CVWD has rights to the Colorado River in the Coachella Canal by virtue of its 1934 contract with the United States for delivery of Colorado River water under section 5 of the Boulder Canyon Project Act (43 U.S.C. §§ 617d). Section 5 and Article II (B)(5) of the U.S. Supreme Court decree entered in *Arizona v. California* expressly provide that no Colorado River water can be delivered to users in Arizona, California and Nevada except pursuant to a section 5 contract made with the user by the Secretary of the Interior under section 5 of the Boulder Canyon Project Act (*Arizona v. California* (1964) 376 U.S. 340, 343). The users of water seeping from the unlined portions of the Coachella Canal have no such contracts and, therefore, have no rights to that water. The Secretary’s contracting power completely displaces California law regarding who may be authorized to use Colorado River water in California (*Arizona v. California* (1963) 373 U.S. 546, 588). Moreover, the federal legislation authorizing the proposed project expressly provides that the conserved water is to be made available to users in accordance with the priorities set forth in the section 5 contracts that the Secretary has made with users in California (San Luis Rey Indian Water Rights Settlements Act, Public Law 100-675 § 204, 102 Stat. 4008).

Even were California law to apply to the subject, the users of canal seepage have no rights to continued use of the water. Under California law, water that has been imported into a watershed and is abandoned before or after use is subject to appropriation under the permit and license system administered by the State Water Resources Control Board (*Modesto Properties Co. v. State Water Rights Board* (1960) 179 Cal. App. 2d 856, 859-862). The permit and license system is the exclusive means to acquire appropriative rights in such water (Water Code § 1225; *People v. Shirakow* (1980) 26 Cal.3d 301). (Response continued on next page.)

Letter B: Imperial County Planning/Building Department (continued)

Don Young/Steve Robbins
Draft EIS/EIR Comments
Page 2

(1) On page S-4, second paragraph, the statement is made, "...A small amount of surfacing seepage water is used by local residents and resorts for landscaping and garden maintenance and by aquaculture farmers rearing fish..."

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"...Aquaculture is recognized as one of the fastest growing industries in the County, and is deemed beneficial to the County. The County supports the continuation and expansion of aquaculture, and will treat aquaculture facilities and land uses as agricultural facilities and land uses..."

Any impacts to existing geothermal wells providing heated water to the existing fish farms in the Hot Mineral Spa area due to the lining of the Coachella Canal would require mitigation. The document identifies possible mitigation measures for impacts to the existing aquacultural uses in this area, on pages 3-60 and 3-61, Water Supply for Mitigation Plan, as follows:

- "...New Wells. Additional water for mitigation could be obtained by drilling additional wells to develop non-potable artesian aquifer water in the vicinity of the canal. Based on available geohydrologic information, it is estimated that up to 2,000 acre-feet of water would be available from this source annually. Congress authorized the development of groundwater from Federal land for mitigation use in P.L. 100-675, which stipulated that priority be given to non-potable sources..."

On page S-18, it states under "Farming", the following, "...The proposed project would not affect farming..." The definition of farming in the County's General Plan identifies aquacultural activities as "farming" and since there is a potential to impact the existing fish farms due to the lining of the Coachella Canal, this should be clarified in the final environmental document.

(2) On page S-6, HYROLOIC EFFECTS OF CANAL LINING, there is a "typo" in the heading that should read "HYDROLOGIC", please correct.

B-2

B-3

B-4

B-5

Imperial County Planning/Building Department (continued)

B-3 (cont.) Any permit or license issued would confer no right to compel Coachella to continue the seepage because the importer of water into a watershed always has a paramount right to discontinue the abandonment and to make beneficial use of the water (*Crane v. Stevinson Irrigation District* (1936) 5 Cal.2d 387, 394-395; *Stevens v. Oakdale Irrigation District* (1939) 13 Cal.2d 348-353).

Accordingly, any existing users of seepage water from the canal are doing so without any legal right, and have no right to require the seepage to be continued or to replacement water.

B-4 In Final EIS/EIR Section 3.3.3, Groundwater, the summary of environmental consequences has been revised to clarify that aquaculture operators are considered farmers. Aquaculture operators who currently use canal seepage water are among the unauthorized users that would lose access to this water. However, said users could obtain domestic water from CVWD at standard rates within CVWD's service area. As described in the Revised and Updated Draft EIS/EIR and in response to comment B-3, no mitigation is necessary for unauthorized users' access to canal seepage water. Also, please see response to comment B-3 regarding why the canal lining project would not significantly affect geothermal wells.

B-5 This typographic correction has been made in the Final EIS/EIR.

Letter B: Imperial County Planning/Building Department (continued)

Don Young/Steve Robbins
Draft EIS/EIR Comments
Page 3

The statement is made in the first paragraph of this section, "...In general lining the canal would reduce the amount of shallow groundwater downslope from the canal...This would reduce the amount of water available to seepage-induced vegetation along the canal and would reduce the flow of certain springs and wells...In the Frnk Springs and Hot Mineral Spa areas, shallow wells completed above the lakebed clay would potentially go dry after canal lining...

...Deep artesian wells would not be affected because the near-surface lakebed clay extends under the canal and prevents canal seepage from supplementing the artesian aquifer below..."

B-6

Since adjacent landowners cannot currently obtain water from the Coachella Canal, once it is lined, provisions for use by adjacent users should be provided by the District due to potential impacts to adjacent aquaculture and spa users. The final document should reflect mitigation measures in the event significant, adverse impacts occur due to the proposed lining project.

There are a number of parcels along the canal whose only source of water may be the canal, therefore, if this is not addressed, many of these areas would or could be deprived of any viable use.

Banking on wells, particularly with the unknown effect of the lining does not ease our concern.

(3) On page S-16, Air Quality, second sentence, there is a "typo" in the word "Cost" and it should be "Coast". Please correct in the final document.

B-7

(4) The County concurs with the previous letter sent by the Imperial County Fish and Game Commission, dated March 15, 1994, regarding the mitigation measure of placing "large mammal escape/entry steps" into the sides of the concrete lining as a protective and preventative measure to stop any large mammals from death by drowning when the lining of the canal is complete.

B-8

Attached are the comments provided from the County Public Works Department, Air Pollution Control District and Environmental Health Services. When the final document is received, the County may have other comments and look forward to working with the U.S. Department of the Interior, Lower Colorado Region, Yuma Area Office, Coachella Valley Water District and other affected agencies in the review and approval of this proposed project.

B-9

It is requested that all comments and notices be sent directly to the Planning/Building Department at 939 Main Street, El Centro, CA 92243 at a minimum.

B-10

Imperial County Planning/Building Department (continued)

B-6 Please see response to comment B-3 regarding why no mitigation is necessary for unauthorized users' loss of access to canal seepage water. Also as described in response to comment B-3, pursuant to P.L. 100-675, the provision of new wells is proposed for mitigation of impacts to fish and wildlife resources, not to mitigate impacts to unauthorized users of canal seepage water. Landowners within CVWD's service area have legal access to water; however, they may purchase domestic water from CVWD at standard rates. CVWD's contract to deliver Colorado River water through the Coachella Canal does not allow for delivery of canal water outside of Improvement District 1 (i.e., it does not allow for delivery of canal water to landowners downslope from the currently unlined portions of the canal).

B-7 This typographic correction has been made in the Final EIS/EIR.

B-8 The Planning Department's concurrence with the March 15, 1994 comment letter from the Imperial County Fish & Game Commission is noted. Regarding large mammal escape, the Imperial County Fish & Game Commission's 1994 letter states that, "each alternative appears to adequately address...the need for large mammal escape/entry steps in the form of concrete ridges cast into the side slope of the new concrete lining." (The Imperial County Fish & Game Commission's 1994 letter and all other comment letters on the previous Draft EIS/EIR are included in Attachment G in Volume I of this Final EIS/EIR.)

B-9 Attached letters from other County departments and districts are addressed separately as comment letters C, D, and E. Note that letter "E" from the Department of Environmental Health Services was written in July 1999 in response to a Notice of Preparation for a separate EIR, and it is not based on a review of the Revised and Updated Draft EIS/EIR for the Coachella Canal Lining Project.

B-10 Future comments and notices will be mailed to the Planning/Building Department at the referenced address.

Letter B: Imperial County Planning/Building Department (continued)

Don Young/Steve Robbins
Draft EIS/EIR Comments
Page 4

If you have any questions, please contact me at (760) 482-4236, extension 4310.

Sincerely,


JURG KLEUBERGER, AICP
Planning Director

Attachment: Department of Public Works Letter
Air Pollution Control District Memo
Environmental Health Services Memo

cc: Board of Supervisors
Ann K. Capela, County Administrative Office
Robert Burns, County Administrative Office
Ralph Cordova, County Counsel
Joanne Yeager, Assistant County Counsel
Darrell Gardner, Asst. Planning Director
CVWD Correspondence file
10.105, 10.138, & 50.000

JH/DG/RC/JMBT/CCLiningDEISEIR

Letter C: Imperial County Air Pollution Control District

150 SOUTH NINTH STREET
EL CENTRO, CA 92243-2150

TELEPHONE: (760) 482-4606
FAX: (760) 373-9904



October 30, 2000

TO: Richard Cabanilla, IC Planning/Building Department
FROM: Jeannette Monroy, IC APCD
SUBJECT: EIS/EIR for Coachella Canal Lining Project

The Imperial County Air Pollution Control District has reviewed the above referenced document and has no comments. Thank you.

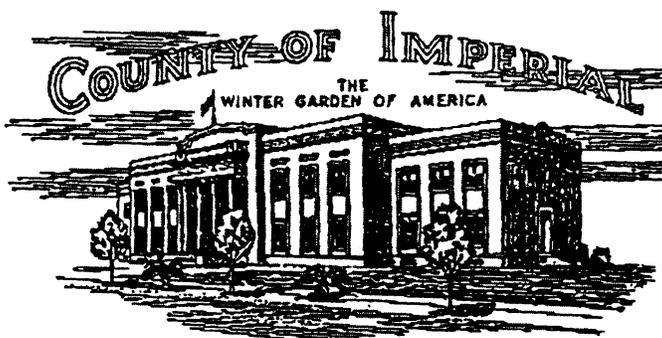
C-1

Letter C
Imperial County Air Pollution Control District

C-1 No comments were made; no response is necessary.

Letter D: Imperial County Department of Public Works

TIMOTHY B. JONES
DIRECTOR OF PUBLIC WORKS
COUNTY ROAD COMMISSIONER
COUNTY SURVEYOR
COUNTY ENGINEER
SOLID WASTE OPERATIONS
COUNTY - WIDE TRANSIT



155 SOUTH 11TH STREET
EL CENTRO, CA 92243-2853
TEL: (760) 482-4462
FAX: (760) 352-1272

DEPARTMENT OF PUBLIC WORKS

November 7, 2000

Mr. Jurg Heuberger, Director
Imperial County Planning/Building Department
Courthouse
El Centro, CA 92243

SUBJECT: Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the Coachella Canal Lining Project; dated September 2000; Imperial and Riverside Counties, California.

Dear Mr. Heuberger:

This letter is in response to the submittal of the above-mentioned EIS/EIR. Our staff reviewed the document and following are the comments that are being offered for your use:

1. On page S-5, Hydrologic Effects of Canal Lining, the Report states that in the areas of Frink Springs and Hot Mineral Spa shallow wells completed above the lakebed clay would potentially go dry after the canal lining. What type of mitigation is proposed for those wells? D-1

2. On page S-18, Consultation and Coordination, the Report indicates that lining alternatives, impact assessments, and mitigation measures were coordinated with the California water agencies affected. Were the Army Corps of Engineers, the U.S. Fish and Wildlife, the California Department of Fish and Game and the Bureau of Land Management contacted? The report should specify this. D-2

3. Table 2-27, Summary of Environmental Effects, page 2-27 under Transportation indicates that short-term inconveniences to users of local roadway network will be potential project impacts. What type of inconveniences? If traffic will be delayed, how long? Will road closures be needed? The Report should elaborate more in this regard. D-3

4. On page 3-1, Section 3.1.1 Affected Environment; under the title "Seismicity", the report states that the portion of the Coachella Canal to be lined lies several miles east of the mapped San Andreas Fault. The report should specify the number of miles. D-4

Letter D
Imperial County Department of Public Works

D-1 No mitigation for impacts to unauthorized uses of canal seepage water is proposed as described in response to comment B-3 from the Imperial County Planning/Building Department. These unauthorized users of canal water have legal access to domestic water supplied at standard rates by CVWD within its service area. Also, please see response to comment B-6.

D-2 The four agencies mentioned in this comment were and continue to be contacted in accordance with consultation requirements of the Clean Water Act, the Endangered Species Act, the Fish and Wildlife Coordination Act, and other applicable regulations. As described in Section 8.6 of the Revised and Updated Draft EIS/EIR, the U.S. Army Corps of Engineers informed Reclamation and CVWD that the project is not subject to Army Corps jurisdiction under Section 404 of the Clean Water Act. Coordination with the U.S. Fish and Wildlife Service (FWS), California Department of Fish and Game (DFG), and Bureau of Land Management (BLM) is ongoing. The FWS was consulted during the development of the Revised and Updated Draft EIS/EIR, and informal consultation is being conducted in accordance with the Fish and Wildlife Coordination Act and the Endangered Species Act. Other agencies, including BLM and DFG, are cooperating agencies with this EIS/EIR.

D-3 As described in Section 3.17.3, inconveniences to users of the local roadway network would result in instances where construction traffic may briefly block local traffic or cause it to slow down. No closures of public roads would be required for construction, although public access along the canal will continue to be restricted. Delays would also be minimized through the development and implementation of a traffic control plan. The specific timing of delays to local traffic is not quantified because it is not feasible to estimate their specific duration; however, it is anticipated that they would be a few minutes at most. In general, they would represent short term delays typically associated with the presence of truck traffic.

D-4 Section 3.1 of the Final EIS/EIR has been revised to state that from siphon 7 to siphon 29, the Coachella Canal is generally between two and five miles east of the mapped location of the San Andreas Fault. From siphon 29 to siphon 32, the canal approaches within one mile of the fault's mapped location (Geologic Map of California, Salton Sea Sheet, Compilation by Charles Jennings, California Division of Mines and Geology 1967, Fifth Printing 1992; and Fault Activity Map of California and Adjacent Areas, Compilation and Interpretation by Charles Jennings, California Division of Mines and Geology 1994).

Letter D: Imperial County Department of Public Works (continued)

Mr. Jurg Heuberger
Page 2

November 7, 2000

5. On page 3-123, Section 3.17.3 Environmental Consequences; under the Conventional Lining Alternative, the report indicates that the construction contractor for the preparation of the traffic control plan should do coordination with CALTRANS. The report should also include coordination with the Imperial County Department of Public Works in the preparation of the traffic control plan if any County roads are impacted. D-5
6. On page 7-3, Section 7.1.7 Transportation; the report should also include coordination of the construction contractor with the Imperial County Public Works Department prior to the commencement of any construction or hauling activities. D-6
7. On page 8-9, Table 8-1 Possible Permits and Agreements should include the Imperial County Public Works Department for an Encroachment Permit for road maintenance and dust control. The County will require paving roads where significant hauling occurs adjacent to existing residential developments. D-7
8. On page 8-9, Table 8-1 Possible Permits and Agreements should include the Imperial County Public Works Department and CALTRANS for Transportation Permits. D-8
9. Attachment J, The Army Corps of Engineers should have been included in the Distribution List. Additionally, the Army Corps may consider the canal "Jurisdictional" waters of the U.S. D-9

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this EIS/EIR.

Sincerely yours,

TIMOTHY B. JONES
Director of Public works

BY:



Ismael Gomez
Assistant County Engineer

IG/as

Imperial County Department of Public Works (continued)

D-5 Coordination with the Imperial County Department of Public Works has been added to the discussion of the proposed project's traffic plan in Section 3.17.3 of the Final EIS/EIR.

D-6 Coordination with the Imperial County Department of Public Works has been added to the discussion of the proposed project's traffic plan in Section 7.1.8 of the Final EIS/EIR.

D-7 The contractor will coordinate with the Department of Public Works pursuant to applicable State and local requirements, and Table 8-1 has been revised in the Final EIS/EIR to indicate that an encroachment permit may be needed for road maintenance and dust control.

D-8 Caltrans and the Imperial County Department of Public Works permits associated with material hauling on State and county roads, respectively, have been added to Table 8-1 in the Final EIS/EIR.

D-9 The U.S. Army Corps of Engineers was contacted during preparation of the previous Draft EIS/EIR. As noted in Section 8.6 of the Revised and Updated Draft EIS/EIR, the U.S. Army Corps of Engineers informed Reclamation and CVWD that the project is not subject to its jurisdiction under Section 404 of the Clean Water Act. Please see response to comment D-2.

IMPERIAL COUNTY PUBLIC HEALTH DEPARTMENT

DIVISION OF

ENVIRONMENTAL HEALTH SERVICES

COURTHOUSE * 939 W. Main Street - B7
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Phone: (760) 339-4203
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Date: June 19, 2000

MEMORANDUM

TO: Jurg Heuberger, Director, ICDP&B

FROM: ~~Tom Wolf~~ Tom Wolf, Manager, EHS Division

SUBJECT: Comments, NOP for Colorado River Water Quantification Settlement Agreement.

- 1 Individual projects may significantly impact the environment, depending on site-specific and project specific conditions. Site-specific environmental reviews will be necessary to identify and evaluate those conditions for environmental determination. EHS may have additional comments as more information is available.
2. Coachella Canal Lining – up wellings of ground water along the portion of the canal south (and perhaps north) of the Imperial County line support a number of streams and surface water structures. The hot mineral spa area depends upon ground water for a number of businesses. Private home sites developed along and down gradient from the canal may be using shallow groundwater as a water source.

E-1

E-2

There has been speculation that canal seepage supports the surface water structures and recharges groundwater to an unknown extent. The lining project needs to be discussed in terms of (1) identifying to what extent canal seepage results in maintaining the surface streams and wetlands along the canal and groundwater recharge, and (2) what impacts removal of this seepage by lining the canal will have on wildlife, businesses, and supplies for private residences in the area. Note that some of the streams support populations of desert pupfish.

TLW:sm:f:Program General EvironmentalMemo to Jurg Heuberger re Colorado River Water Quantification Settlement Agreement.doc

Letter E

Imperial County Public Health Department, Division of Environmental Health Services

NOTE: This memorandum was prepared in June 2000 in response to the Notice of Preparation for the Colorado River Quantification Settlement Agreement EIR. Accordingly, this memorandum is not based on a review of the Coachella Canal Revised and Updated Draft EIS/EIR (which had not yet been distributed for public review when the memorandum was written), and it does not address the adequacy of the Revised and Updated Draft EIS/EIR.

E-1 No response is necessary as these comments address the Colorado River Quantification Settlement Agreement EIR, not the Coachella Canal Lining Project Revised and Updated Draft EIS/EIR.

E-2 The Coachella Canal Lining Project Revised and Updated Draft EIS/EIR addresses existing uses of canal seepage water (Sections 2.3.1 and 3.3), the effects of canal lining on groundwater recharge (Section 3.3), and impacts of the canal lining project on streams and groundwater-dependent marsh aquatic and riparian vegetation (Sections 3.2, 3.3, and 3.5). As described in response to comment B-3 from the Imperial County Planning/Building Department, no mitigation is necessary for impacts to unauthorized users of canal seepage, including residents and businesses. Unauthorized users of canal seepage have legal access to domestic water purchase from CVWD within its service area at standard rates. Section 3.8 of the EIS/EIR addresses impacts to Special Status Species, including the desert pupfish.