

**Agenda Item:** {{section.number}}D

September 3, 2024

**TO: THE ENGINEERING, OPERATIONS, AND WATER RESOURCES COMMITTEE**

Director Gracie Torres

Director Fauzia Rizvi

**FROM:** Tim Barr, Deputy General Manager

**ADOPT AN ADDENDUM TO THE 2019 SANTA ANA RIVER CONSERVATION AND CONJUNCTIVE USE PROGRAM JOINT PROJECTS FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WELL 7 SITE LOCATION SELECTION**

**RECOMMENDATION:**

Staff requests that the Engineering, Operations, and Water Resources Committee recommend the Board of Directors:

1. Adopt Resolution 3303 of the Board of Directors of the Western Municipal Water District of Riverside County, California Approving Modifications to the Well 7 Project, Making Findings Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 and Adopting Addendum to Santa Ana River Conservation and Conjunctive Use Program Joint Projects Final Environmental Impact Report (SCH #2016101079), for the Well 7 Site Location Selection.

**EXECUTIVE SUMMARY:**

The 2019 Final Environmental Impact Report for Santa Ana River Conservation and Conjunctive Use Program Joint Projects ("FEIR") provides California Environmental Quality Act clearance to the Well 7 Project. The attached Addendum and supporting Checklist conclude that the proposed minor modifications to the Well 7 project will not result in new impacts beyond what was addressed in the 2019 FEIR.

**BUDGET IMPACT:**

There is no budget impact associated with the adoption of the Addendum to the 2019 Final Environmental Impact Report for the proposed Santa Ana River Conservation and Conjunctive Use Program for the Well 7 Site Location Selection.

**DETAIL:**

The attached document (Attachment 1) serves as an Addendum to the 2019 Final Environmental Impact Report (FEIR) under the California Environmental Quality Act (CEQA) for the proposed Santa Ana River Conservation and Conjunctive Use Program (SARCCUP) Joint Projects (Addendum). The original FEIR was certified by the Inland Empire Utilities Agency (IEUA) on February 20, 2019. The approximately 1,250 page FEIR, and all related documentation, can be retrieved from, or reviewed on, the IEUA website (<https://www.ieua.org/read-our-reports/santa-ana-river-conservation-and-conjunctive-use-program>). The Addendum and supporting Checklist focus on changes to a specific project proposed in the FEIR, known as the Arlington Production Wells and Pipeline Project – Well AD7. Western Municipal Water District (WMWD) is the CEQA lead agency for this Addendum to the FEIR.

There are two minor changes proposed for the Well 7 project. First, the location of the well and pump station would be moved approximately 1.4 miles to the northeast along Magnolia Avenue. The former well site was at the CVS Pharmacy located at 8280 Magnolia Avenue. The new site is on an unused portion of the parking lot at the Magnolia Presbyterian church located at 7200 Magnolia Avenue. Figure 1 in the Addendum shows the new site location in relation to the FEIR's version. The new site was selected using improved ground water basin subterranean information.

Second, the alignment and length of the pipeline would change. As analyzed in the FEIR, a 4-mile pipeline constructed in public streets would extend from Well AD-7 to the southeast where it would connect directly into other non-potable supply pipelines for WMWD's Arlington Desalter facility. As modified, the proposed pipeline would be much shorter – approximately 0.48 miles in length. It will run underground in the rights-of-way of Magnolia Avenue for a short distance and then in lightly used Hoover Street for the remainder of the distance and discharge directly into the existing Riverside Canal (see Figure 2 in the Addendum). The discharged flows will be conveyed by gravity (not pumped) through the existing Riverside Canal to WMWD's existing non-potable water system. Flows will be collected from the canal by WMWD's existing Jefferson Street Pump Station, conveyed into WMWD's existing non-potable water system to supplement less abundant recycled water in lieu of imported Colorado River water for direct distribution to retail water users in WMWD's Riverside service area. Additionally, portions of the groundwater received through the existing canal and non-potable system, based on seasonal availability, would be conveyed through existing infrastructure to WMWD's existing recharge basins making them available for extraction at the Arlington Desalter facilities.

The modifications described in the Addendum are not only less impactful because of the shorter pipeline distance and the use of existing infrastructure (some of which do not require energy for conveyance), the local non-potable water can be put to beneficial use both at the Arlington Desalter and it can be used to reduce direct dependence on the significantly challenged Colorado River system. This is in line with the purpose of the SARCUUP project, a watershed-scale collaborative program, because the Well 7 Project will enhance the Santa Ana River watershed's water supply resiliency and reliability by increasing available dry-year yield from the local groundwater basin, a program objective.

The FEIR states that the original site of Well 7 is in the "Arlington Subbasin." However, the State of California's Bulletin 118 identifies the Riverside-Arlington Groundwater Basin as a single groundwater basin, which is also noted on the Thomas Harder & Company Hydrogeology letter included in the Addendum. The Addendum clarifies the relationship of the well location to the groundwater basin. All the well sites proposed in the FEIR lie within the Riverside-Arlington Groundwater Basin, and the relocated site similarly does too.

With respect to the original location of Well 7, the FEIR concludes that there would be no significant impacts to hydrology related to groundwater resources because WMWD has responsibility to ensure groundwater levels do not decrease to levels that would interfere with other pumpers. WMWD's responsibility remains the same with respect to the proposed new location of the well, so the impacts remain less than significant. According to records, there are no potable (drinking) or non-potable wells of significance that are active around the new Well 7 location. In fact, there are no wells within ½-mile of the new Well 7 location and only one abandoned well within one mile.

The FEIR also concluded there would be no significant impacts related to groundwater levels because the original site of Well 7 was subject to a Groundwater Sustainability Plan ("GSP") and compliance with the GSP would ensure that the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. This was stated incorrectly in the FEIR. The Addendum clarifies in detail the jurisdictional oversight of the basin. None of the Well 7 sites are subject to a GSP. All of the Well 7 sites are subject to the 1969 Stipulated Judgment in Western Municipal Water District et al. v. East San Bernardino County Water District (Riverside County Superior Court Case No. 78426) (also known as "Western-San Bernardino Judgment" or "Judgment"). The Judgment imposes obligations on WMWD. Notably, the Judgment defines specific extraction rights for Plaintiffs (City of Riverside, Meeks & Daley, Riverside Highland, University of California) within the San Bernardino Basin Area, but does **not** define specific water rights for any users in the Riverside-Arlington

Groundwater Basin – the location of the proposed Well 7. As described in greater detail in the Addendum, the responsibilities and requirements imposed in the Judgment on WMWD will ensure no significant impacts to groundwater resources will result from Well 7 in the new proposed location so impacts remain less than significant.

CEQA Guidelines Section 15164 states, “the lead agency or responsible agency shall prepare an addendum to a previously certified environmental impact report if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” Further, the addendum should include a “brief explanation of the decision not to prepare a subsequent environmental impact report pursuant to Section 15162,” and that “explanation must be supported by substantial evidence.”

As explained in the Addendum and Checklist, none of the conditions in CEQA Guidelines section 15162 have occurred: (1) the proposed changes are minor and do not require major revisions to the FEIR because there are no new significant environmental effects and no substantial increase in the severity of any previously identified significant effect; (2) there are no substantial changes with respect to the circumstances under which the modified project will be undertaken; (3) there is no new information of substantial importance, which was not known or could not have been known with the exercise of reasonable diligence, showing that (a) the modified project will have one or more significant effects not discussed in the FEIR; (b) significant effects previously identified will be more severe; (c) mitigation measures or alternatives found infeasible in the FEIR are in fact feasible and would substantially reduce one or more significant effects but have nonetheless been rejected; or (d) there are new and considerably different mitigation measures or alternatives that would substantially reduce one or more significant effects but have nonetheless been rejected.

Based on the Addendum and Checklist, WMWD has determined that the proposed changes to the project are minor technical changes in nature and will not substantially change the analysis or the determination of significance in the FEIR.

Reason for Action:

Following completion of field evaluations and pilot boring, WMWD has located a suitable location for Well AD-7. The well location and the associated pipeline length and direction has changed from the identified alternatives in the FEIR. Staff, with legal counsel’s concurrence, has determined that an Addendum to the FEIR is the appropriate course of action.

Solution:

Adopt Addendum to the 2019 Final Environmental Impact Report for the proposed Santa Ana River Conservation and Conjunctive Use Program for the Well 7 Site Location Selection, prepared in compliance with CEQA Guidelines.

**STRATEGIC PRIORITIES REFERENCE:**

This project is in alignment with WMWD's Strategic Priorities of Resource Management.

**PROPOSED DATE OF ACTION:**

If approved by the Committee, this item is scheduled for consideration by the full Board of Directors at their meeting on September 18, 2024.

**LEGAL COUNSEL REVIEW:**

Legal Counsel has reviewed this staff report and the attachments.

Respectfully submitted by:

Tim Barr, Deputy General Manager

Attachments:

1. Well 7 Final Site Selection Addendum
2. Resolution 3303
3. Well Ad-7 Site Location PowerPoint Presentation