NOTICE OF EXEMPTION

Coachella Valley Water District
Post Office Box 1058
Coachella, California 92236

☒ County Clerk
County of Riverside
Post Office Box 751
Riverside, CA 92502

☐ County of Imperial
Imperial County Clerk/Recorder
940 West Main Street, Suite 202
El Centro, CA 92243

☒ State Clearinghouse
Office of Planning and Research
Post Office Box 3044, Room 113
Sacramento, CA 95812-3044

☐ County of San Diego
Recorder/County Clerk's Office
1600 Pacific Highway, Suite 260
Post Office Box 121750
San Diego, CA 92112-1750

Project Title: CVWD Replenishment Facilities Curtailment Program

Project Location: Multiple Areas in Eastern Riverside County, CA

Description of Nature, Purpose and Beneficiaries of Project:

The Coachella Valley Water District (CVWD) Replenishment Facilities Curtailment Program consists of CVWD entering an agreement with the U.S. Bureau of Reclamation (Reclamation), acting through the Department of Interior (DOI), for conservation of Colorado River water through replenishment curtailment in calendar years (CYs) 2027 and 2028; conserve water of up to 35,000 acre-ft/year (af/yr) at a fixed price of $325/af. This program is temporary and an extension of the Thomas E. Levy (Levy) Facility replenishment curtailment program established in 2022. The temporary and compensated Colorado River water conservation proposals cover the two calendar years of 2027 and 2028.

CVWD operates the Thomas E. Levy Groundwater Replenishment Facility, Whitewater River Groundwater Replenishment Facility, Mission Creek Groundwater Replenishment Facility, and Palm Desert Groundwater Replenishment Facility, which are key to groundwater management in the Coachella Valley. The Levy Facility benefits the East Whitewater River Subbasin Area of Benefit (East AOB) and has averaged annual recharge of over 37 taf in recent years. Although delivering water to the recharge facilities is important for CVWD's groundwater management, it was decided that temporarily suspending delivery to the Levy Facility would allow CVWD to achieve the goal of contributing materially to the River with minimal impacts to the region. Under the Agreement, CVWD will achieve the up to 35,000 af/yr of conservation by limiting the maximum groundwater replenishment at the CVWD replenishment facilities in the Coachella Valley while enrolled in the Lower Colorado Conservation program. The Replenishment Facilities Curtailment Program shall conserve a total of up to 70,000 af of Colorado River water for the two-year term of the agreement.

This program will not result in expansion of use of CVWD's existing irrigation distribution system or its irrigation drainage system. Accordingly, the proposed program involves operation and implementation of CVWD's existing irrigation distribution facilities and irrigation drainage for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead. The proposed action of using conserved water from the proposed Conservation Program to assist in managing reservoir elevations is within the scope of analysis of actions that were previously analyzed in that EIS and in the SEIS currently underway. Thus, to the extent the proposed actions involve or may affect areas outside of California, such as at Lake Mead or on the portions of the Colorado River in Nevada or Arizona, they are exempt from CEQA under a Statutory Exemption State CEQA Guidelines Section 15277. The proposed action of adopting and extending the Coachella Valley Water District Replenishment Facilities Curtailment Program for 2027 and 2028 is exempt

under the provisions of State CEQA Guidelines.

Lead Agency Approving Project and Contact: Coachella Valley Water District; Robert Cheng, Assistant General Manager / Phone: (760) 398-2651

Exempt Status:

☒ **Not a project**: State CEQA Guidelines §15378
☒ **Review for Exemption/Common Sense Exemption**: State CEQA Guideline §15061(b)(3)
☐ **Ministerial**: (Pub. Res. Code §21080(b)(1); State CEQA Guideline §15268)
☐ **Declared Emergency**: (Pub. Res. Code §21080(b)(3); State CEQA Guideline §15269(a))
☐ **Emergency Project**: 15269(b)
☒ **Statutory Exempt**: State CEQA Guidelines § 15277
☐ **Categorically Exempt**: State CEQA Guidelines: §

Reasons why project is exempt:
Approval of these actions are not subject to CEQA for multiple reasons. These actions do not qualify as a "project" subject to CEQA because the actions constitute: (1) continuing administrative or maintenance activities, such as general policy and procedure making; (2) government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment; and (3) organizational or administrative activities of a public agency that will not result in direct or indirect physical changes in the environment (State CEQA Guidelines §15378).

In addition, the recommended actions do not authorize or approve any actions by the agreement parties that may cause direct or reasonably foreseeable indirect environmental impacts. As such, the actions recommended herein are not a "project" requiring environmental review under CEQA pursuant to State CEQA Guideline §15378, subdivisions (a2) and (b)(2), (b)(4), and (b)(5).

CVWD Local CEQA Guidelines Section 3.12 also states that, under Water Resources Code section 10728.6, CEQA does not apply to the preparation and adoption of a groundwater sustainability plan under the Sustainable Groundwater Management Act (SGMA). However, Water Resources Code section 10728.6 does not exempt a project from CEQA that would implement actions taken pursuant to an adopted groundwater sustainability plan.

The actions are also exempt under the "common sense" exemption in State CEQA Guidelines §15061, subdivision (b)(3) because it can be seen with certainty that there is no possibility that the actions may have a significant effect on the environment. None of the exceptions to the use of the "common sense" exemption as identified in State CEQA Guidelines §15300.2 exist with the recommended actions.

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

Conservation Program to assist in managing reservoir elevations is within the scope of analysis of actions that were previously analyzed in that EIS and in the SEIS currently underway. Thus, to the extent the proposed actions involve or may affect areas outside of California, such as at Lake Mead or on the portions of the Colorado River in Nevada or Arizona, they are exempt from CEQA under a Statutory Exemption State CEQA Guidelines Section 15277. The proposed action of adopting the Coachella Valley Water District Replenishment Facilities Curtailment Program for 2027 and 2028 is exempt under the provisions of State CEQA Guidelines.

Environmental Contact Person: Carlos Huerta, CVWD Environmental Resources Analyst, Phone (760) 398-2651

Date: July 28, 2026

Sylvia Bermudez
Clerk of the Board

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

File No. 0801.05