Equitable Distribution Plan

Adopted December 11, 2007
Revised November 18, 2008
Revised April 07, 2009
Revised April 23, 2013
1.0 Purpose.

1.1 Purpose. The Imperial Irrigation District ("District") is authorized by State law to adopt rules and regulations for the equitable distribution of water within the District. The District Board has approved a plan for the equitable apportionment of water (the "Equitable Distribution Plan") in any water year the expected demand for water is likely to exceed the supply expected to be available to the District. This Equitable Distribution Plan strictly prohibits individual landowners or water users from transferring water and/or water rights outside the IID service area, but does allow for an intra-district clearinghouse to allow for the movement of agricultural apportionments between IID agricultural water users and farm units within the Imperial Unit. Pursuant to Resolution No. 22-2008, the IID Board of Directors has adopted the following Regulations establishing the rules and procedures for the Equitable Distribution Plan.

2.0 Terms and Definitions.

2.1 Agricultural Water. Water used for irrigation and related agricultural purposes, fish farming, and algae farming.

2.2 Agricultural Water Clearinghouse. A program administered by the District or other entity authorized by the IID Board of Directors to provide a means by which qualified Agricultural Water Users can transfer water during a Water Year pursuant to Section 4.0 herein.

2.3 Agricultural Water Distribution Board. A committee of Agricultural Water Users and/or landowners designated to provide oversight and decision-making to the Agricultural Water Clearinghouse.

2.4 Agricultural Water User. A District Water User that uses Agricultural Water.

2.5 Apportionment. The equitable apportionment of water among District Water Users pursuant to Section 3.1 herein.


2.7 Conserved Water Rate. The rate specified in the District's Rate Schedule 13.

2.8 Cropland. Irrigable acreage within the District service area divided into fields based on the [proprietary] District Geospatial Data Base compiled from IID records, inspections and U.S. Consolidated Farm Service Agency (CFSA) Common Land Unit (CLU) standards, or other defined acreage database such as the assessor's
parcel records as recommended by an advisory committee and approved by the IID Board of Directors.

2.9 District. The Imperial Irrigation District.

2.10 District Conservation Assignment. Apportionment contractually or automatically assigned to IID for water conservation purposes from agricultural lands participating in or designated for participation in any District On-Farm Efficiency Conservation or Fallowing Programs or subject to the Temporary Land Conversion Fallowing Policy under the terms and conditions set forth in those program agreements or IID policies.

2.11 District Fallowing Program. A program administered by the District to create conserved water by falling agricultural lands under the terms and conditions set forth in the Temporary Land Conversion Fallowing Policy or under the terms and conditions set forth in agreements with owners and lessees of agricultural property or Farm Units to follow these lands for water conservation purposes.

2.12 District On-Farm Efficiency Conservation Program. A program administered by the District to create conserved water under the terms and conditions set forth in agreements with owners and lessees of agricultural property to implement on-farm efficiency projects for water conservation purposes.

2.13 District System Conservation Program/Projects. An integrated package of system improvements to existing infrastructure and construction of new facilities designed to conserve water through targeted spill reductions, and related projects.

2.14 District Water User. Any user of Agricultural or Non-Agricultural Water supplied by the District.

2.15 Eligible Agricultural Acres. Acreage that meets all the following tests:

a. Cropland greater than 5 acres, used for crop production or algae farming

b. Current with water availability charges and water bills

c. Connected to District water distribution system

2.16 Farm Unit. Under the Water Card process, an Agricultural Water User can aggregate some or all of the fields (leased or owned) by the Water User, and for paying for water under the master water account (Farm Unit). The Farm Unit can be divided into subaccounts for billing to various entities. Fields can be added to or removed from a Farm Unit at any time but a field can only be in one Farm Unit at a time. The primary purpose of a Farm Unit is to allow an Agriculture Water User to order water
on any field within the Farm Unit as long as there is a remaining water balance for the Farm Unit greater than the water order. Since fields can be added to or removed from a Farm Unit at any time, the IID must maintain a water balance by field. If a field balance is less than the order for that field, the IID must be notified concerning which field(s) within the Farm Unit the water is being transferred from within 7 days of the water order or a prorated share from all fields with a remaining balance within the Farm Unit will be transferred to cover the shortfall. The amount of apportioned water available to the Agricultural Water User on the leased fields included in the Farm Unit must be approved by the land owner and lessee of those fields through the Application for Service (“Water Card”) process described in Regulation No. 3. Water can be added to a Farm Unit by transferring water through the Agricultural Water Clearinghouse but the transfer must be designated by field within the Farm Unit. An Agricultural Water User can have multiple Farm Units but cannot transfer water between Farm Units absent use of the Agricultural Water Clearinghouse. The priority of water use within a Farm Unit is 1) Accepted apportioned water authorized for use on the field, 2) Water from other fields authorized for transfer within the Farm Unit, and 3) Water from the Agricultural Water Clearinghouse.

2.17 Environmental Resources Water. Water that the District agrees to provide to habitat or other resource areas pursuant to regulatory permits (excluding water to the Salton Sea for the IID Transfer Project) and water that the District provides pursuant to contract or voluntarily to habitat or other resource areas.

2.18 Non-Agricultural Water. Water used for municipal needs, industrial needs, feed lots, dairies, or Environmental Resources Water.

2.19 Non-Agricultural Water User. A District Water User that uses Non-Agricultural Water within the District.

2.20 Overrun Payback Program. A program to be developed with the Agricultural Water Distribution Board or other entity authorized by the IID Board of Directors, in accordance with the federal Inadvertent Overrun and Payback Policy, in which the cost of and/or responsibility for any District payback obligation will be borne by those water users responsible for overrunning their apportionments in a Water Year (adjusted for any Clearinghouse water transferred into or out of a water user's Farm Unit) should a District overrun occur in that Water Year.

2.21 Straight Line Apportionment. A method used to determine the amount of water available for Agricultural Water Users during a Water Year based on a proration by Eligible Agricultural Acres pursuant to Subsection 3.1 e herein.

2.22 System Loss. Either a direct loss or a reduction in water available for apportionment because of seepage, evaporation or other losses in the District distribution system, adjusted for calculated losses associated with reduced IID diversions.
2.23 **Water Card.** The common term for the "Certificate of Ownership and Authorization of Owner Designee or Tenant" described in Regulation No. 3 of the District's Rules and Regulations Governing the Distribution and Use of Water. The Water Card provides information i.e., cropland, name and address of owner and any lessees, APN, gate and canal providing water service, identity of person authorized to order water/receive notices from District, who is obligated to pay, and similar information.

2.24 **Water Management Reduction.** A reduction in water available for apportionment, or a percentage reduction in a Farm Unit's Straight Line Apportionment, because of a district-wide overrun payback requirement mandatory conservation program, or regulatory limitation of or reduction in IID's Colorado River supply.

2.25 **Water Year.** Each 12-month period that begins on January 1 and ends on December 31.

3.0 **Equitable Distribution.**

3.1 **Apportionment of Supply.** The District shall annually apportion the Available Water Supply among the types of water users in the District using the following criteria:

a. Municipal Users – Base amount of 2006 usage plus current District-wide average use per capita multiplied by the increase in population since 2006;

b. Industrial Users – For existing contracts, estimated based on past use, not to exceed contracted amount and contract terms. For new contracts, estimated based on anticipated use, not to exceed contract amount and contract terms, taking into consideration the Integrated Water Resources Management Plan.

c. Feed Lots, Dairies and Fish Farms – Estimated based upon past use and consideration of future changes;

d. Environmental Resources Water—Estimated based upon the amount reasonably necessary to achieve the purposes of the District's commitments, taking past use into account; and

e. Agricultural Lands – Straight Line Apportionment used. Subtract the estimated demand for categories a through d above from Available Water Supply, and then divide the remaining supply by the total number of Eligible Agricultural Acres pursuant to Subsections 2.15 a through c to determine the apportionment per Eligible Agricultural Acre. The amount apportioned to acreage that has either suspended farming activities or is no longer receiving agricultural water service (such as renewable energy generation projects), and has been designated as suitable for the Temporary Land Conversion Fallowing Policy, is subject to a District Conservation Assignment.
3.2 Non-Agricultural Water Users

a. District shall notify Non-Agricultural Users of their Apportionment no later than December 1, prior to the beginning of the Water Year.

b. Non-Agricultural Water Users shall be allowed to use that amount of water needed for reasonable and beneficial use. If a Non-Agricultural Water User exceeds the amount of apportionment quantified for its usage, the fee for the excess amount of water shall be the Water User’s standard water rate plus the Conserved Water Rate.

3.3 Agricultural Water Users.

a. Agricultural Water Users must complete and keep current the Water Card to receive an apportionment and delivery of water. As part of this process, Farm Units must be identified and kept current.

b. A written notice of the apportionment per Eligible Agricultural Acre and the number of Eligible Agricultural Acres per owner shall be sent to the land owner, lessee and the authorized representative no later than December 1 prior to the beginning of the Water Year.

c. The owner or authorized representative of Eligible Agricultural Acres must accept or reject in writing some or all of the Apportionment on a take-or-pay basis within sixty (60) days of the notice of the Apportionment. Payment for the accepted apportioned water shall be made monthly based on actual use or as provided by the Agricultural Water Distribution Board or other entity authorized by the IID Board of Directors. On December 31 of the Water Year; any remaining amount of the unused water part of the take-or-pay obligation will be included in the year end invoice.

d. Should the owner or authorized representative of any Eligible Agricultural Acres fail to accept or reject in writing some or all of the Apportionment on a take-or-pay basis as required, IID will provide water delivery service to an owner or lessee with a valid Water Card in an amount not to exceed the prorated Apportionment volume.

3.4 The IID Board of Directors may terminate an annual Apportionment limitation at any time at its discretion or upon recommendation of the Water Conservation Advisory Board. District shall track actual water demands during the Water Year.

4.0 Agricultural Water Clearinghouse.

4.1 Purpose. A mechanism to facilitate the movement of apportioned water between Agricultural Water Users between Farm Units. Management and operation of the Agricultural Water Clearinghouse may be delegated by the District to an entity authorized by the IID Board of Directors on a non-profit basis under rules
approved by the IID Board of Directors, however all final transactions must be reported to the District for implementation.

4.2 Eligibility. Any Agricultural Water User with eligible agricultural acres can be a Transferee. Any Agricultural Water User with an accepted Apportionment may be a Transferor. All Transferees and Transferors must be current on their District water accounts and billings including all take-or-pay obligations.

4.3 Priority of Transfers. Water made available to the Clearinghouse for transfer will be apportioned under rules to be determined by the Agricultural Water Distribution Board or other entity authorized by the IID Board of Directors. Prior to the development of these supplemental rules, water will be apportioned proportionally, by acreage, to all Farm Units that have submitted a request for additional apportioned water.

4.4 Dispute Resolution. All disputes regarding water transferred into or out of the Clearinghouse will be resolved by the Agricultural Water Distribution Board or other entity authorized by the IID Board of Directors.

4.5 Agricultural Water Distribution Board Composition. This board shall be comprised of agricultural landowners, water users and/or representatives appointed by, or using a methodology approved by, the IID Board of Directors.

4.6 Clearinghouse Notice of Transfer. The Agricultural Water Clearinghouse reporting mechanism to document all transfers of apportioned water including the relevant transactional information to execute the transaction between the Transferor and Transferee.

4.7 Take-or-Pay Obligation for Water Transferred through the Agricultural Water Clearinghouse. The Transferee shall pay the District the total take-or-pay obligation amount due before the processing of any Notice of Transfer for the transferred water. The total amount due is based on the Acre-Feet of water transferred (not to exceed Clearinghouse Notice of Transfer) multiplied by the current District agricultural water rate. After the District processes the Clearinghouse Notice of Transfer, the Transferor shall have no further take-or-pay obligation for payment of that water. Any supplemental transactional information or fees associated with the transfer of the water between the Transferor and Transferee but not relevant to the implementation of the transaction are a private matter and shall not be reported to the District.

Interface With District Agricultural On-Farm Conservation and Land Fallowing Programs.

4.8 An Agricultural Water User that participates in the District's On-Farm Conservation or Fallowing Programs is subject to a District Conservation Assignment of his accepted Apportionment equal to the amount of water conserved by on-farm measures or fallowing for which the Agricultural Water User is contracted.
a. If the Agricultural Water User’s accepted Apportionment is less than his On-Farm Conservation or Fallowing Program contracted amount, he must procure this difference from the following sources for which the Agricultural Water User qualifies pursuant to these Regulations: the Agricultural Water User’s accepted Apportionment on other Eligible Agricultural Acres, or the Agricultural Water Clearinghouse.

b. If the Agricultural Water User’s accepted Apportionment is more than his Fallowing Program contracted amount, he may use the difference on other Eligible Agricultural Acres not participating in a District Agricultural Land Fallowing Program, on the fallowed field after the term of Fallowing Program, or offer it to the Agricultural Water Clearinghouse.

5.0 **Miscellaneous**

5.1 The General Manager is authorized and directed to do any and all things necessary to implement and effectuate these Regulations in a manner consistent with this policy, including the temporary modification of any dates necessary to facilitate implementation.
EXHIBIT 2

Imperial Irrigation District Equitable Distribution Plan
Addendum to the Negative Declaration 2006
(SCH #2006101155)
Dated April 23, 2013
Imperial Irrigation District Equitable Distribution Plan

Addendum to the Negative Declaration 2006
(SCH #2006101155)

Date: April 23, 2013

I. INTRODUCTION

In October 2003, the Imperial Irrigation District ("IID" or "District") signed the Quantification Settlement Agreement and related agreements (collective referred to herein as the "QSA"). Pursuant to the QSA, IID agreed to limit its Priority 3 diversions of Colorado River water to 3.1 million acre-feet per year. As a result of this cap on diversions, the demand for water by users within the District may exceed the supply available to the District. In 2011 and 2012, IID exceeded its 3.1 million acre-feet annual entitlement under the QSA as permitted by the Inadvertent Overrun and Payback Policy (IOPP) as contained in pages 16 through 19 of the Record of Decision for the Colorado River Water Delivery Agreement issued on October 10, 2003. Nevertheless, IID is responsible for paying back those overruns under the IOPP in 2013 and 2014. Moreover, water supply forecasts for the Colorado River system reflect an on-going drought and increasing probabilities of water supply shortages.

IID has determined that a plan must be adopted to equitably distribute the available water supplies amongst the users. The equitable distribution of water is required pursuant to California Water Code Section 22252 which states:

22252. When any charges for the use of water are fixed by a district the water for the use of which the charges have been fixed shall be distributed equitably as determined by the board among those offering to make the required payment.

This Addendum is prepared pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code sections 21000, et seq., and the State CEQA Guidelines (CEQA Guidelines), Title 14 of the California Code of Regulations sections 15000, et seq., which may collectively be referred to as "CEQA."

II. BACKGROUND

a. 2006 – Adoption of Equitable Distribution Plan and Final Negative Declaration

In 2006, IID launched an effort to evaluate the different methods for the equitable distribution of water within its service area in times where water user demand exceeds supply. The IID hired two consultants – Dr. Michael Hanemann, a professor at the University
of California, Berkeley, and Bennett Brookes with CONCUR, Inc. They were hired to undertake an analysis that assessed and ranked different methodologies for the equitable distribution of water. Their study process included a public stakeholder committee comprised of community representatives and involved public meetings and facilitated a meaningful discussion of the issues and analysis prior to completing their equitable distribution recommendation. The meetings and analysis culminated in a Draft Final Report entitled “Equitable Distribution of Water” dated August 22, 2006, also referred to as the “Hanemann Report.”

On November 28, 2006, the IID Board of Directors (“Board”) adopted Resolution No. 22-2006 approving the development and implementation of an Equitable Distribution Plan (“EDP”) to apportion agricultural water users using a straight-line methodology, with an intra-district water banking mechanism to facilitate the movement of water from land with low-water use demands to those with high-water use demands. As part of this Resolution, the Board directed the General Manager to prepare the rules and regulations necessary or appropriate to implement the EDP within the District. Pursuant to this Resolution, the Board also approved the Imperial Irrigation District Equitable Distribution Plan Negative Declaration (SCH#2006101155) (“2006 ND”), which was attached to the Resolution. As set forth in this Resolution No. 22-2006, the Board made certain findings pursuant to CEQA, including that: (1) the 2006 ND provided a sufficient assessment of the environmental impacts of the EDP pursuant to CEQA, and (2) there was no substantial evidence that the EDP will have a significant effect on the environment.

b. 2007 – Adoption of Equitable Distribution Regulations

Consistent with Board direction in 2006, rules and regulations necessary to implement the EDP were prepared in 2007. On December 18, 2007, the Board adopted Resolution No. 31-2007 approving “Regulations for Equitable Distribution Plan (“EDP Regulations”)” to serve as the foundational policy for implementation of the apportionment and the rules and procedures for implementation of the EDP. Pursuant to this Resolution, the Board approved and adopted the conclusions of an Environmental Compliance Report, dated December 11, 2007, prepared for the EDP Regulations, which was attached to the Resolution. The Board resolved that based upon the Environmental Compliance Report for the EDP Regulations, the EDP Regulations were sufficiently assessed pursuant to the 2006 ND adopted by the Board for the EDP on November 28, 2006 and no further environmental assessment was required pursuant to CEQA and the CEQA Guidelines. When the EDP Regulations were adopted, the EDP Regulations included and absorbed the original EDP regarding the straight line method of apportionment and the establishment of a water bank.

c. 2008 – Adoption of Revised Equitable Distribution Regulations and 2009 Apportionment Amounts

On November 18, 2008, the Board adopted Resolution No. 22-2008 approving revisions to the EDP Regulations (“2008 EDP Regulations”). Pursuant to Resolution No. 22-2008, the
Board approved and adopted the conclusions of an Environmental Compliance Report, dated November 14, 2008, prepared for the 2008 EDP Regulations, which was attached to the Resolution. The Board resolved that based upon the Environmental Compliance report for the 2008 EDP Regulations, the 2008 EDP Regulations were sufficiently assessed pursuant to the 2006 ND adopted by the Board for the EDP on November 28, 2006 and no further environmental assessment was required pursuant to CEQA and the CEQA Guidelines.

d. **2009 – Adoption of Further Revised Equitable Distribution Regulations**

On March 3, 2009 and March 17, 2009 the Board directed that further changes be made to the 2008 EDP Regulations: (1) Revise section 3.2C to state: “Feed Lots, Dairies, and Fish Farms,” (2) Revise the definition of Farm Unit at section 2.11, (3) Remove the reference to Unused Water Charge at sections 2.21 and section 4.6, and (4) change the water exchange processing fee at section 4.5 to a qualitative description of a fee which will be determined by staff (at the same time staff sets the other data prior to December 1 preceding a Supply and Demand Imbalance year), such fee to be derived from the estimated cost of administration of the District Water Exchange (“2009 EDP Regulations”).

The 2009 EDP Regulations were approved April 7, 2009 by Resolution No. 8-2009. Pursuant to Resolution No. 8-2009, the Board approved and adopted the conclusions of an Environmental Compliance Report, dated April 7, 2009, prepared for the 2009 EDP Regulations, which was attached to the Resolution. The Board resolved that based upon the Environmental Compliance report for the 2009 EDP Regulations, the 2009 EDP Regulations were sufficiently assessed pursuant to the 2006 ND adopted by the Board for the EDP on November 28, 2006 and no further environmental assessment was required pursuant to CEQA and the CEQA Guidelines. Moreover, to unequivocally state that the IID’s intention to provide cattle feedlot operators with a sufficient and reliable water supply throughout a Supply and Demand Imbalance period and for the duration of the 2009 equitable distribution pilot program, the IID Board of Directors approved Resolution No. 7-2007 also on April 7, 2009 documenting this commitment to the Imperial Valley cattle industry.


In 2011, IID diverted 93,190 acre-feet more than it’s approved order, and ended the year with an 82,662 acre-feet overrun account balance. In accordance with the IOPP, IID is required to pay back an estimated 62,000 acre-feet of this overrun in 2013, through the creation of conserved water, with the balance of 20,662 acre-feet due in 2014. The IID has submitted a payback plan for the 2011 overrun in accordance with the IOPP outlining the manner in which IID will pay back the 62,000 acre-feet due in 2013.

For 2012, the U.S. Bureau of Reclamation’s February 14, 2013 water use projection report indicated that IID overran its approved order by an estimated 161,973 acre-feet; however, due to the lower elevation of Lake Mead on January 1, 2013, the entire 2012 overrun will be required to be paid back in 2014 under the IOPP. IID staff presented this information to the IID Board of Directors in late 2012, at a January 8, 2013 IID Board Meeting, at a series
apportionment stakeholder outreach public workshops in March, 2013 and at various IID and water conservation advisory board public meetings in 2013.

f. **2013 — Water User Advisory Committee**

The IID Board of Directors, at its January 22, 2013 meeting, authorized the formation of a special water user advisory committee (sometimes referred to as the “Water Conservation Committee”) to recommend a solution that would minimize the possibility of IID water overruns and that would integrate with the water conservation programs already in place or being developed. This Water Conservation Committee was specifically tasked with addressing the near-term overrun paybacks, longer-term water supply cap management concerns, and the overlap of existing and proposed conservation programs, with a system of annual apportionment that would maximize the IID’s 3.1 million acre-feet annual Colorado River water entitlement while minimizing future overruns.

Using principles from the Farm Bureau Plan and soliciting comments from the public during multiple stakeholder meetings, staff and the water user advisory committee propose minor policy revisions to the 2009 EDP Regulations, which the minor policy revisions are contained in the *Revisions to Imperial Irrigation District’s April 7, 2009 Equitable Distribution Plan (“2013 EDP”)*, the proposed project under this Addendum. When considering the policy revisions to the 2009 EDP Regulations, IID determined that these policy revisions do not result in any new significant environmental effects.

### III. PURPOSE OF PROJECT

The IID is authorized by State law to adopt rules and regulations for the equitable distribution of water within IID. The IID Board approved a plan for the equitable distribution of water in 2006, the EDP, which has been amended from time to time. This EDP strictly prohibits individual landowners or water users from transferring water and/or water rights outside of the IID service area, but does allow for an intra-district clearinghouse to allow for the movement of agricultural apportionments between IID agricultural water users and farm units within IID.

### IV. PROJECT

IID staff and a water user advisory committee recommend that the IID Board of Directors modify the 2009 EDP Regulations to provide for an annual system of apportionment to more effectively manage its Colorado River supply each year. This recommendation was accepted by the IID Board of Directors and the Board directed staff and the water user advisory committee to move forward with the development of an annual system of water apportionment through revisions of the 2009 EDP Regulations, which culminated in the 2013 EDP.

The 2013 EDP (or *Revisions to Imperial Irrigation District’s April 7, 2009 Equitable Distribution Plan*) is the proposed project and captures the minor technical changes and additions to the 2009 EDP Regulations proposed by staff and the water user advisory committee.
V. PURPOSE OF ADDENDUM

When a project is changed or changes occur in the environmental conditions as analyzed in the previous environmental document, a determination must be made by the lead agency as to whether an Addendum, Subsequent, or Supplement document is prepared. In accordance with the state California Environmental Quality Act ("CEQA") Guidelines Section 15164(b), "an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred."

The 2006 ND was reviewed and an Initial Study and Environmental Checklist was prepared to evaluate the revisions to the 2009 EDP Regulations resulting in the 2013 EDP recommended by staff and a water user advisory committee to determine whether potential impacts, changes, or conclusions associated with the proposed project would meet any of the criteria for a subsequent negative declaration as set out in Section 15162 of the CEQA Guidelines. A copy of the Initial Study and Environmental Checklist developed for the proposed project is attached to this Addendum.

I. CEQA REQUIREMENTS.

Criteria for Subsequent Negative Declaration. Section 15162(b) of the CEQA Guidelines provides that "If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation." Under Section 15162(a) of the CEQA Guidelines, a subsequent EIR shall be prepared if one or more of the following conditions occur:

"(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise
of reasonable diligence at the time the previous EIR was certified as complete . . . , shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR . . . ;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternatives."

IID has determined that none of the conditions set forth in CEQA Guidelines Section 15162(a) have occurred. IID has determined that only minor technical changes and additions are made to the project under the 2006 ND to revise the project in accordance with the 2013 EDP and only minor technical changes and additions to the 2006 ND are necessary to provide the environmental analysis of the 2013 EDP. Therefore, IID has determined that pursuant to CEQA Guidelines Sections 15162 and 15164, this Addendum is the appropriate document to identify minor technical changes and additions to the 2006 ND for the environmental analysis of the 2013 EDP.

2. EVALUATION OF PROJECT CHANGES.

2.1 Minor Technical Changes and/or Additions. Minor technical changes and additions have been incorporated into the proposed project. The changes include:

2.1.1 Rather than rely on a board determination forecasting a Supply/Demand Imbalance for an upcoming year, with a provision to terminate the apportionment if the imbalance doesn’t materialize, the 2013 EDP will provide for an apportionment on an annual basis, which may be terminated at any time.
2.1.2 Definitions of District on-farm and efficiency conservation programs were added to address IID programs that have been implemented since the 2009 EDP Regulations. Definitions for overrun payback programs were added, which are programs that have not yet been implemented, but may be at a future time. Definition for water management reductions to allow for the integration of existing federal policy requirements were also added.

2.1.3 The District Water Exchange was renamed the Agricultural Water Clearinghouse and given additional flexibility to operate outside of the IID.

2.1.4 An advisory board identified as the agricultural water distribution board was created to allow for water user and/or landowner oversight and decision-making, in lieu of the IID board, for the Agricultural Water Clearinghouse.

2.1.5 Removing fish farming from eligible agricultural acres. Removes certain eligibility criteria for historically unfarmed lands to qualify for an apportionment.

2.1.6 The framework established to set the priority of transfers to apportion the water made available to the Agricultural Water Clearinghouse.

2.1.7 The framework established for dispute resolution.

2.1.8 Authorizes and directs the General Manager to implement and effectuate the 2013 EDP consistent with these revisions.

2.2 Minor Edits

Included in the changes and as part of the proposed project, were minor word changes proposed by IID staff and the water user advisory committee.

3. EVALUATION OF CHANGED CIRCUMSTANCES AND NEW INFORMATION.

Addendum to 2006 ND. IID has conducted this analysis of the proposed project policy revisions and has reached the conclusion these changes are not substantial with regard to environmental matters. IID further finds that these policy revisions do not indicate that the project will have any new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and, therefore, do not constitute new information which would require a subsequent Negative Declaration to the 2006 ND
pursuant to CEQA Guidelines Section 15162. Further, IID finds that only minor technical changes and additions are made to the project under the ND to revise the project in accordance with the 2013 EDP and only minor technical changes and additions to the 2006 ND are necessary to provide the environmental analysis of the proposed project pursuant to CEQA Guidelines Section 15164.

Date Addendum filed with Negative Declaration

Vikki Dee Bradshaw
Assistant Supervisor, Environmental Management
INITIAL STUDY

In Support of the Addendum to the 2006 IID Negative Declaration
State Clearinghouse # 2006101155

Imperial Irrigation District
Equitable Distribution Plan

April 2013
ENVIRONMENTAL ANALYSIS

This Addendum addresses the environmental effects associated with the 2013 EDP, which proposes minor changes and additions to the 2009 EDP Regulations recommended by IID staff and the water user advisory committee.

The CEQA Checklist (Appendix G) is utilized in this analysis as the criteria for determining the significance of environmental impacts. The threshold of significance for a given environmental effect is the level at which the IID finds a potential effect of the proposed project to be significant. Thresholds of significance can be defined as a “qualitative or qualitative standard, or set of criteria, pursuant to which significance of a given environmental effect may be determined” (CEQA Guidelines, Section 15064.7 [a]).

The scope of analysis contained within this Initial Study addresses the environmental resource areas that were previously analyzed in the 2006 ND.

This Initial Study provides a comparative analysis for each technical area and evaluates the potential changes in the impacts that were previously described in the 2006 ND.
Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist on the following pages.

☐ Aesthetics ☐ Agriculture Resources ☐ Air Quality
☐ Biological Resources ☐ Cultural Resources ☐ Geology Soils
☐ Hazards & Hazardous Materials ☐ Hydrology/Water Quality ☐ Land Use / Planning
☐ Mineral Resources ☐ Noise ☐ Population / Housing
☐ Public Services ☐ Recreation ☐ Transportation / Traffic
☐ Utilities/Service Systems ☐ Mandatory Findings of Significance

Environmental Determination

On the basis of this initial evaluation:

☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVEDECLARATION will be prepared.

☐ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the Project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.
## Environmental Checklist
**IID Equitable Distribution Plan Negative Declaration Addendum**

### I. Aesthetics

<table>
<thead>
<tr>
<th>Aesthetics – Would the Project:</th>
<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>a. Have a substantial adverse effect on a scenic vista?</strong></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</strong></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>c. Substantially degrade the existing visual character or quality of the site and its surroundings?</strong></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td><strong>d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</strong></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### Discussion

Implementation of the EDP will have no effect on existing aesthetic resources in the IID water service area. Although there is the possibility that cropping patterns and/or locations of idled lands may change during an SDI under the EDP, any changes would be minor and fully within the existing fluctuation of cropping patterns in the District.

### Mitigation Measures

None required.

### Addendum Analysis

The proposed EDP Regulation revisions have eliminated the SDI trigger and instead implemented a system of annual apportionment that is in effect on January 1 of each year. The EDP maintains a termination provision that allows the annual apportionment to be called off at any point prior to or during the year if water supply or demand conditions make it necessary for
water management purposes. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts to aesthetics. No new mitigation measures are required.

II. Agricultural and Forest Resources

<table>
<thead>
<tr>
<th>II. Agricultural and Forest Resources – Would the Project:</th>
<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**Discussion**

The predominant land use in the IID water service area is agriculture. Implementation of the EDP is intended to support the persistence of agricultural practices in the area by providing a method of water distribution under shortage conditions that is predictable, equitable and more flexible for agricultural resources than the statutory allocation method based on assessed value. The EDP would not result in any alterations to the existing environment that could result in conversion of farmland to non-agricultural use, compared to a scenario where an SDI occurs without an EDP in place to allocated available supplies.

The EDP is expected to be beneficial to agriculture by providing farmers with predictability regarding the method of allocation of available water supplies in years when demand exceeds supplies.

**Mitigation Measures**

None required.
Addendum Analysis

The proposed EDP Regulation revisions have eliminated the SDI trigger and instead implemented a system of annual apportionment that is in effect on January 1 of each year. The EDP maintains a termination provision that allows the annual apportionment to be called off at any point prior to or during the year if water supply or demand conditions make it necessary for water management purposes. The defining of an overrun payback and water management programs, and references to other IID conservation programs and policies, incorporate existing IID water transfer and cap management requirements. The proposed modifications do not result in a change to the existing environmental analysis that could result in conversion of farmland to non-agricultural use. Therefore, the project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

III. Air Quality

<table>
<thead>
<tr>
<th>III. Air Quality – Would the Project:</th>
<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>d. Expose sensitive receptors to substantial pollutant concentrations?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e. Create objectionable odors affecting a substantial number of people?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
Discussion

The proposed EDP would not result in any impacts associated with air quality.

Implementation of the EDP could result in minor changes in the amount of water applied to some lands and in the location and amount of idled lands as water is exchanged within the IID water service area. However, the amount of those lands irrigated less or idled is expected to be similar to or less than under the existing condition under an SDI situation without an EDP. In addition, existing Imperial Air Pollution Control District air quality regulations (Rule 806 Conservation Management Practices) require application of best management practices on idled lands with would prevent air quality impacts.

Mitigation Measures

None required.

Addendum Analysis

The proposed EDP Regulation revisions have eliminated the SDI trigger and instead implemented a system of annual apportionment that is in effect on January 1 of each year. The EDP maintains a termination provision that allows the annual apportionment to be called off at any point prior to or during the year if water supply or demand conditions make it necessary for water management purposes. The defining of an overrun payback and water management programs, and references to other IID conservation programs and policies, incorporate existing IID water transfer and cap management requirements. Based on proposed changes to this policy, and for the reasons described above, the proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. The proposed project would not violate any air quality standards during implementation. No new mitigation measures are required.

IV. Biological Resources

<table>
<thead>
<tr>
<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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</table>

IV. Biological Resources – Would the project:

a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

X
b. Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

c. Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the federal Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites?

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Discussion

Implementation of the EDP would not have an effect on any biological resources within the IID water service area. The EDP could result in minor short-term changes in the location of water use and therefore the volume of flows in the drains. However, any changes in locations of flows are expected to be both short-term and negligible, and well within historic variations, and therefore not to result in any adverse effects on biological resources that rely on the drains for habitat.

State and federal refuges within the IID water service area and other environmental areas (i.e. managed marsh) dependent on water supplies will be allocated water on a per acre basis in the event of an SDI, using the SLM method. These areas typically grow vegetation that has low consumptive use and include lands that are fallowed on a rotational basis; therefore, it is expected that under an SDI they will have sufficient supplies to maintain current uses and
operations and/or to fulfill obligations under environmental permits issued to IID. No impacts to these areas will occur under the EDP.

Mitigation Measures

None required.

Addendum Analysis

Based on subsequent revisions to the 2006 EDP Regulations in 2008 and 2009, an Environmental Resources Water category was created in the Regulations for Equitable Distribution Plan policy document. Environmental resources water is defined as water that the District agrees to provide to habitat or other resource areas pursuant to regulatory permits (excluding water to the Salton Sea for the IID Transfer Project) and water that the District provides pursuant to contract or voluntarily to habitat or other resource areas.

The proposed EDP Regulation revisions have eliminated the SDI trigger and instead implemented a system of annual apportionment that is in effect on January 1 of each year. The EDP maintains a termination provision that allows the annual apportionment to be called off at any point prior to or during the year if water supply or demand conditions make it necessary for water management purposes. Based on proposed changes to this policy other reasons described above, the proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in impacts related to biological resources outside of the historic variations the IID experiences.

V. Cultural Resources

<table>
<thead>
<tr>
<th>V. Cultural Resources – Would the project:</th>
<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>C. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td></td>
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<td>X</td>
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</table>
d. Disturb any human remains, including those interred outside of formal cemeteries?

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<th>Less than Significant Impact</th>
<th>No Impact</th>
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<td></td>
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<td></td>
<td>X</td>
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</tbody>
</table>

**Discussion**

No construction is anticipated to result from implementation of the EDP; therefore, no effects to cultural resources will occur.

**Mitigation Measures**

None required.

**Addendum Analysis**

The proposed changes to the plan are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts to cultural resources. No new mitigation measures are required.

**VI. Geology and Soils**

<table>
<thead>
<tr>
<th>VI. Geology and Soils – Would the project:</th>
<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?</td>
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<tr>
<td>ii) Strong seismic ground shaking?</td>
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<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
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<tr>
<td>iv) Landslides?</td>
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<tr>
<td>b. Result in substantial soil erosion or the loss of topsoil?</td>
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<td>X</td>
</tr>
<tr>
<td>c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral</td>
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<td>X</td>
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</tbody>
</table>
spreading, subsidence, liquefaction or collapse?

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

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<tr>
<td>X</td>
<td>X</td>
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</tbody>
</table>

**Discussion**

The proposed EDP would not result in any impacts associated with geology and soils. In years when an SDI is declared, the EDP could result in a minor change in cropping patterns or the numbers of acres idled/fallowed compared to years when there is no SDI and no EDP is in place; however, any differences are expected to be negligible and well within the range of typical fluctuations within the District. With the EDP, some farmers may choose to fallow lands in years when an SDI has been declared or to minimize multiple croppings which, if not properly mitigated, could result in soil erosion or the loss of topsoil. However, without an adopted EDP including a water exchange program, the existing condition could result in greater numbers of acres idled or fallowed. Under the EDP, the amount of fallowed lands is expected to be within the current range of fallowed lands in the IID water service area.

**Mitigation Measures**

None required.

**Addendum Analysis**

The proposed EDP Regulation revisions have eliminated the SDI trigger and instead implemented a system of annual apportionment that is in effect on January 1 of each year. The EDP maintains a termination provision that allows the annual apportionment to be called off at any point prior to or during the year if water supply or demand conditions make it necessary for water management purposes. The defining of overrun payback and water management programs, and references to other IID conservation programs and policies, incorporate existing IID water transfer and cap management requirements. The District Water Exchange was renamed the Agricultural Water Clearinghouse, and additional flexibility provided to this intra-district transfer mechanism. The proposed EDP Regulation changes are not expected to alter the amount of fallowed lands within the current range of anticipated fallowed lands in the IID water service area. The proposed project impacts are consistent with the findings in the 2006
IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

VII. Hazards and Hazardous Materials

<table>
<thead>
<tr>
<th>VII. Hazards and Hazardous Materials — Would the project:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>e. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>f. For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or</td>
</tr>
</tbody>
</table>
working in the Project area?

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

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<td>X</td>
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<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

**Discussion**

Implementation of the EDP would have no impacts associated with hazards and hazardous materials. There would be no activities associated with the EDP that would interfere with existing emergency plans or increase fire risk.

**Mitigation Measures**

None required.

**Addendum Analysis**

The proposed policy changes will not entail additional hazards or introduction to hazardous materials. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

**VIII. Hydrology and Water Quality**

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>VIII. Hydrology and Water Quality – Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Violate any water quality standards or waste discharge requirements?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. 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</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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</tbody>
</table>
level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

d. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

e. Otherwise substantially degrade water quality?

f. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

g. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

h. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

i. Inundation by seiche, tsunami, or mudflow?
Discussion

The proposed EDP would not result in any impacts associated with hydrology and water quality.

Implementation of the EDP and the associated water exchange program will not affect the total amount of water use in the District. Nonetheless, water exchanges between farmers could result in short-term changes in the location of water use throughout the IID water service area, potentially causing changes in the volume of flows in drains throughout the District. However, due to restrictions imposed in the water exchange program on the amount of water that can be transferred or acquired, the magnitude of any potential change is anticipated to be minimal and due to constant variation in cropping patterns and locations of idled lands, most likely to be undetectable when compared to the existing condition.

Mitigation Measures

None required.

Addendum Analysis

Implementation of the proposed policy changes and associated Agricultural Water Clearinghouse will not affect the total amount of water use in the District. Nonetheless, water transferred through the Agricultural Water Clearinghouse could result in short-term changes in the location of water use throughout the IID water service area potentially causing changes in the volume of flows in drains throughout the District. The defining of overrun payback and water management programs, and references to other IID conservation programs and policies, incorporate existing IID water transfer and cap management requirements. As in the previous 2006 IID EDP ND analysis, the magnitude of any potential change due to revisions in the EDP Regulations is anticipated to be minimal and due to constant variation in cropping patterns and locations of idled lands, most likely to be undetectable when compared to the existing condition. No new mitigation measures are required.

IX. Land Use and Planning

<table>
<thead>
<tr>
<th>IX. Land Use and Planning – Would the project:</th>
<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Physically divide an established community?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>
plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

<table>
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<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less than Significant Impact</th>
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Discussion

Implementation of the EDP would not result in any land use impacts. It would not physically divide an established community or conflict with any established land use plan or policy. Because there are no adverse biological effects of the EDP or changes to the natural environment resulting from the EDP, it would not conflict with the IID Water Conservation and Transfer Project Habitat Conservation Plan/Natural Community Conservation Plan.

Mitigation Measures

None required.

Addendum Analysis

The proposed policy changes will not entail additional land use impacts. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

X. Mineral Resources

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<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
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X. Mineral Resources – Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

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<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
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b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

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</table>
Discussion

Implementation of the EDP would have no effect on mineral resources.

Mitigation Measures

None required.

Addendum Analysis

The proposed policy changes will not entail additional mineral resources impacts. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

XI. Noise

<table>
<thead>
<tr>
<th>Noise – Would the project:</th>
<th>Potentially Significant</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>e. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the</td>
<td>X</td>
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</tbody>
</table>
Project expose people residing or working in the Project area to excessive noise levels?

f. For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels? 

Discussion

The EDP would not result in any generation of noise.

Mitigation Measures

None required.

Addendum Analysis

The proposed policy changes will not entail additional noise impacts. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

XII. Population and Housing

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Discussion

Implementation of the EDP will have no effect on population. In the event of an SDI, existing municipal water users will receive an allotment of water that is equivalent to their current per capita usage. Future development will receive an allotment based on the valley-wide average per capita usage that assumes implementation of urban water conservation restrictions in water use in future developments in urban areas would likely occur in the absence of the EDP under an SDI; therefore, no impacts to population and housing are anticipated under the EDP.

Mitigation Measures

None required.

Addendum Analysis

The proposed EDP Regulation revisions have eliminated the SDI trigger and instead implemented a system of annual apportionment that is in effect on January 1 of each year. The EDP maintains a termination provision that allows the annual apportionment to be called off at any point prior to or during the year if water supply or demand conditions make it necessary for water management purposes. The proposed policy changes did not modify the municipal use provisions of the SDI and as such will not entail additional impacts on urban population and housing. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

XIII. Public Services

a. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

1. Fire protection?

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<th>Less than Significant Impact</th>
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</table>
2. Police protection? | X
3. Schools? | X
4. Parks? | X
5. Other public facilities? | X

Discussion

The potential for an SDI situation was the same with or without the EDP. Impacts to fire protection are not anticipated as existing municipal users will receive a per capita allotment of water under the EDP that is sufficient for public health and safety purposes. A valley-wide standard will be applied to new development; however, it is anticipated that this standard will be sufficient to maintain acceptable service rations. The project will not result in an increased need for public services; therefore, no impacts to public services are anticipated.

Mitigation Measures

None required.

Addendum Analysis

The proposed EDP Regulation revisions have eliminated the SDI trigger and instead implemented a system of annual apportionment that is in effect on January 1 of each year. The EDP maintains a termination provision that allows the annual apportionment to be called off at any point prior to or during the year if water supply or demand conditions make it necessary for water management purposes. The proposed policy changes will not entail additional impacts to public services. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

XIV. Recreation

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<tr>
<td>XIV. Recreation – Would the project: a. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that</td>
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substantial physical deterioration of the facility would occur or be accelerated?

b. Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Discussion

Implementation of EDP will not result in the increase of use of recreational facilities or include the construction of recreational facilities; therefore there would be no impacts to recreational resources.

Mitigation Measures

None required.

Addendum Analysis

The proposed policy changes do not entail additional impacts to recreational facilities. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

XV. Transportation/Traffic

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<td>XV. Transportation/Traffic – Would the project:</td>
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<td>a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</td>
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<td>b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</td>
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c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? 

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d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

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e. Result in inadequate emergency access?

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f. Result in inadequate parking capacity?

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g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

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**Discussion**

Implementation of EDP will have no effect on Transportation and Circulation. No additional trips will be generated, and no roads will be affected.

**Mitigation Measures**

None required.

**Addendum Analysis**

The proposed policy changes will not entail additional impacts to transportation and circulation. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

**XVI. Utilities and Service Systems**

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**XVI. Utilities and Service Systems – Would the project:**

a. Exceed wastewater treatment requirements of the applicable Regional

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Water Quality Control Board?

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<td>b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<tr>
<td>d. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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<tr>
<td>e. Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?</td>
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<tr>
<td>f. Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?</td>
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<td>g. Comply with federal, state, and local statutes and regulations related to solid waste?</td>
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**Discussion**

Under the EDP, in the event of an SDI, existing municipal users would be unaffected as they would receive the same amount of water that they have used historically on a per capita basis. All future development, regardless of city supply, would be subject to the same valley-wide use allotment as determined annually by the Board of Directors, based on the use of water conservation best management practices. The EDP will not result in the need for any additional wastewater, water, or solid waste facilities. Because of the allotment provided to existing municipal users is based on historic use it will not result in impacts to consider the valley-wide
per capita use prior to construction and thus will incorporate best management practices to avoid impacts during an SDI.

Mitigation Measures

None required.

Addendum Analysis

The proposed policy changes will not entail additional impacts to utilities and services. As in the previous analysis in the 2006 IID EDP ND, existing municipal users would be unaffected as they would receive the same amount of water that they have used historically on a per capita basis. All future development, regardless of city supply, would be subject to the same valley-wide use allotment as determined annually by the Board of Directors, based on the use of water conservation best management practices. Impacts from the project will not result in the need for any additional wastewater, water, or solid waste facilities. The proposed project impacts are consistent with the findings in the 2006 IID EDP ND and would not result in new or more severe impacts. No new mitigation measures are required.

XVII. Mandatory Findings of Significance

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<td>a. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
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<td>b. Does the Project have impacts that are individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; means that the incremental</td>
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effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?

c. Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Within IID, the number of acres fallowed/idled at any time fluctuates as shown on Figure 3 below. In 2003, IID implemented a rotational fallowing program to create conserved water to deliver to the Salton Sea, as mitigation water for the Transfer Project, and for other purposes related to the Transfer Project. Over the next 11 years (in 2006), under the approved QSA Delivery Schedule, fallowing will increase incrementally to a maximum of about 25,000 acres to provide conserved water for Transfer Project purposes. After 2017 (or sooner), it is anticipated that the use of fallowing as a conservation method will terminate and be replaced with efficiency conservation to implement the Transfer Project. The increment of fallowing for the Transfer Project is also shown on Figure 3. To protect ongoing agriculture in the IID service area, the existing fallowing program allows a field participating in the program to be fallowed for a maximum of only 2 of every 4 years. Under the existing condition if an SDI were to occur, it is anticipated that additional lands could be idled or fallowed but that the amount would be well within the existing fluctuation of idled or fallowed but that the amount would be well within the existing fluctuation of idled and fallowed lands. With the EDP, if an SDI is declared, the water exchange program would allow a redistribution of water that could reduce the amount of fields that would be fallowed.

**Discussion**

a) Fish and Wildlife Species:

Because implementation of the EDP would not result in any changes in the existing environmental, no construction is proposed and no changes in drain flows beyond the existing fluctuation in drain flows would occur, the project does not have the potential to substantially degrade the environment, reduce the habitat of a fish or wildlife species or cause a fish or wildlife population to drop below self-sustaining levels. In addition, for the same reasons, the project would not threaten to eliminate a plant or animal community or reduce the number or restrict the range of a rare or endangered plant or animal species. Similarly, the proposed project would not eliminate important examples of the major periods of California history or prehistory.
b) Cumulative Impacts:

Because there are no environmental impacts associated with implementation of the EDP, there are no cumulative impacts to consider.

c) Humans:

The proposed project would not have a substantial or adverse effect on human beings. Based on the above, IID has determined that the adoption of the Equitable Distribution Plan will not have any significant adverse environmental effects.

Addendum Analysis

The proposed EDP Regulation revisions have eliminated the SDI trigger and instead implemented a system of annual apportionment that is in effect on January 1 of each year. The EDP maintains a termination provision that allows the annual apportionment to be called off at any point prior to or during the year if water supply or demand conditions make it necessary for water management purposes. The defining of overrun payback and water management...
programs, and references to other IID conservation programs and policies, incorporate existing IID water transfer and cap management requirements. The District Water Exchange was renamed the Agricultural Water Clearinghouse, and additional flexibility provided to this intra-district transfer mechanism. With the proposed revisions to the EDP Regulations, the analysis provided in the 2006 IID EDP ND is still applicable. An updated Figure 3 is also shown below for information purposes; the following programs illustrated here include the creation of conserved water for transfer, Salton Sea Mitigation deliveries, and overrun payback purposes. Under the revised EDP Regulations a, it is anticipated that additional lands could be idled or fallowed but that the amount would be well within the existing fluctuation of idled or fallowed lands and not attributable to the revised Regulations. The renamed Agricultural Water Clearinghouse would continue to allow for a redistribution of water that could reduce the amount of fields that would be fallowed absent this intra-district transfer mechanism.

**Updated Figure 3**

![Graph showing IID Fallow Program Acreage from 1991 to 2013 with data points for various dates and acreages.]

**a) Fish and Wildlife Species:**

Because implementation of the proposed policy changes to the EDP would not result in any changes in the existing environmental conditions, no construction is proposed and no changes in drain flows, beyond the existing anticipated fluctuations in drain flows, would occur, the project does not have the potential to substantially degrade the environment, reduce the habitat of a fish or wildlife species or cause a fish or wildlife population to drop...
below self-sustaining levels. In addition, for the same reasons, the proposed project revisions would not threaten to eliminate a plant or animal community or reduce the number or restrict the range of a rare or endangered plant or animal species. Similarly, the proposed project revisions would not eliminate important examples of the major periods of California history or prehistory.

b) Cumulative Impacts:

Because there are no environmental impacts associated with implementation of the proposed revised policy changes to the EDP Regulations, there are no cumulative impacts to consider.

c) Humans:

The proposed project revisions would not have a substantial or adverse effect on human beings. Based on the above, IID has determined that the adoption of the proposed policy changes to the EDP Regulations will not have any significant adverse environmental effects.
Appendix A

Imperial Irrigation District
Equitable Distribution Plan
Final Negative Declaration
State Clearinghouse # 2006101155

November 2006