

OMOCHUMNE-HARTNELL WATER DISTRICT

7513 SLOUGHHOUSE ROAD
WILTON, CA 95693

RESPONSE TO PUBLIC COMMENTS

Initial Study/Mitigated Negative Declaration
(State Clearinghouse Number 2018072026)

September 2018

Prepared by Omochumne-Hartnell Water District with assistance from:



Provost & Pritchard Consulting Group
4701 Sisk Road #102, Modesto, CA 95356

The following are the District's responses to comments received during the public review period for the Initial Study/Mitigated Negative Declaration (IS/MND), dated July 2018, prepared for the Omochumne-Hartnell Water District (OHWD): Groundwater Recharge Project (Project). The IS/MND was circulated for public review from July 11, 2018 through August 25, 2018. Nine sets of comments were received from the public, including one letter from the Central Valley Flood Protection Board, one letter from Central Valley Regional Water Quality Control Board, three letters from Jay Schneider, one letter from California Department of Fish and Wildlife, one letter from Trout Unlimited/ Cosumnes Coalition, one letter from Sacramento Central Groundwater Authority, and one letter from Sac Metro Air District, CEQA and Land Use Section. Each of these letters contained multiple comments.

While these comments resulted in minor changes to the IS/MND, none of the comments identified a new, unavoidable significant effect, nor did they result in a finding that the proposed mitigation measures in the IS/MND will not reduce potential effects to less than significant. Instead, the minor changes serve merely to clarify, amplify and make insignificant modifications to the IS/MND. Accordingly, pursuant to CEQA Guidelines Section 15073.5, recirculation of the IS/MND is not required.

Letter A

Central Valley Flood Protection Board
July 26, 2018

Response A/1

The commenter confirms receipt and subsequent review of the environmental document and prefaces comments to follow.

Comment noted.

Response A/2

The commenter states that the project is located within the Cosumnes River, a stream regulated by Central Valley Flood Protection Board (CVFPB), and therefore may require a permit prior to construction. The jurisdictional boundaries are briefly outlined. The commenter states that the Central Valley Flood Protection Board enforces California Code of Regulations (Title 23) under authorities granted by California Water Code and Public Resources Code statutes. The regulatory language from Title 23 is summarized, including mention that a Section 6 permit is required prior to working within the Board's jurisdiction. "Work" and the type of activities covered are further defined.

Comment noted. CVFPB has been added to Initial Study Section 2.4.4. Other Public Agencies Whose Approval or Permit May Be Required. OHWD will secure the appropriate permits, as applicable.

Response A/3

The commenter states additional local, State, and federal permits, such as U.S. Army Corps of Engineers (USACE) Section 10 and 404 regulatory permits, may be required.

Comment noted. USACE has been added to Initial Study Section 2.4.4. Other Public Agencies Whose Approval or Permit May Be Required. OHWD will secure the appropriate permits, as applicable.

Response A/4

The commenter states Board permit applications and Title 23 regulations are available on their website and lists the web address. Additionally, the commenter states that maps showing the Board's jurisdictional boundaries are available at the California Department of Water Resources website and includes the web address. A contact name, phone number, and email address are provided to assist with any questions.

Comment noted.

Letter B

Central Valley Regional Water Quality Control Board
August 2, 2018

Response B/1

The commenter confirms receipt and subsequent review of the environmental document and prefaces comments to follow by stating that the provided comments will only address concerns surrounding the quality of surface and groundwaters of the State.

Comment noted.

Response B/2

The commenter outlines the regulatory background requiring the Central Valley Regional Water Quality Control Board to adopt water quality standards in the form of a Basin Plan. The process in which Basin Plans are adopted and amended is described. The commenter refers the reader to the State Water Resources Control Board's website for further information regarding the Water Quality Control Plan for the Sacramento and San Joaquin River Basins.

Comment noted.

Response B/3

The commenter states, "all wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan." The Antidegradation Policy is a mandatory element in the National Pollutant Discharge Elimination System (NPDES) and land discharge Waste Discharge Requirements permitting processes. The commenter gives a web address where the Antidegradation Policy

can be found, and a portion of the Antidegradation Policy is quoted in the comment letter. The commenter states that the environmental review document should evaluate potential impacts to both surface and groundwater quality.

Comment noted. The Initial Study evaluates potential impacts to both surface and groundwater quality in Section 3.8 Hydrology and Water Quality. In addition, Section 3.8.3.1 of the Initial Study has been modified for clarity that compliance with the NPDES requirements will be achieved. The Initial Study concluded that the Project will not violate water quality standards and will not impact waste discharge requirements. Potential project-related impacts were deemed less than significant.

Response B/4

The commenter summarizes the regulatory language requiring Projects disturbing one or more acres of soil to obtain a General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit) and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). It further defines “work” and the types of activities covered and offers a web address to consult for further even further information.

Comment noted. Section 3.8.3.1 of the Initial Study evaluates potential impacts associated with construction activities and states that the Project is subject to the implementation of a SWPPP. OHWD will secure the appropriate permits, as applicable.

Response B/5

The commenter summarizes the requirement of Phase I and II MS4 permits to reduce pollutant and runoff flows. Development standards and Best Management Practices (BMP)s are also discussed. The commenter provides websites for further clarification

Comment noted. OHWD will secure the appropriate permits, as applicable.

Response B/6

The commenter states that industrial sites with associated stormwater discharges must obtain an Industrial Storm Water General Permit and comply with all accompanying regulations. The commenter provides a website for further information and clarification.

Comment noted. OHWD will secure the appropriate permits, as applicable.

Response B/7

The commenter states that Projects with discharges into navigable waters or wetlands require a permit pursuant to Section 404 of the Clean Water Act from the U.S. Army Corps of Engineers. Such permits will also be reviewed by the Central Valley Water Board to ensure there is no violation of water quality standards. The commenter states that alteration to surface water drainage may require a Streambed Alteration permit and the applicant is advised to contact the Department of Fish and Game. For further information about Section 404 permits, the commenter provides a contact phone number for the U.S. Army Corps of Engineers.

Comment noted. See Response to Comment A/3, above. OHWD will secure the appropriate permits, as applicable.

Response B/8

The commenter states that if an U.S. Army Corps of Engineers permit or any other federal permit is required due to the disturbance of waters of the United States, then a Water Quality Certification, pursuant to Section 401 of the Clean Water Act, must be obtained from the Central Valley Water Board prior to work. The commenter clearly states that there are no waivers for 401 Water Quality Certifications.

Comment noted. See Response to Comment A/3, above. OHWD will obtain the appropriate permits, as applicable.

Response B/9

The commenter states that if Waters of the State are present within the Project area, a Waste Discharge Requirement (WDR) permit may be required. Such permit would be issued by the Central Valley Water Board. The commenter summarizes the regulatory language of the California Porter-Cologne Water Quality Control Act and provides a website to consult for further information.

Comment noted. See Response to Comment A/3, above. OHWD will obtain the appropriate permits, as applicable.

Response B/10

The commenter states the requirements of a Dewatering Permit. The commenter further describes the process of obtaining a permit and briefly explains existing waiver processes. Two websites are provided for further information.

Comment noted. Initial Study Section 2.4.4. Other Public Agencies Whose Approval or Permit May Be Required includes the State Water Resources Control Board and the Central Valley Regional Water Quality Control Board. OHWD will secure the appropriate permits, as applicable.

Response B/11

The commenter states that if the property will be used for commercially irrigated agriculture, the discharger is required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. The commenter further describes the two options for compliance, which are 1) Obtain coverage under a coalition group, or 2) Obtain coverage under the general Waste Discharge Requirements for individual growers. The enrollment process and fees for each option are discussed and contact information is provided in the form of email, websites, and phone numbers.

Comment noted. The Project sites are located in the Sacramento-Amador Water Quality Alliance (SAWQA) which covers the southern portion of Sacramento County and all of Amador County and is made up of over 700 irrigators. The SAWQA is one of 10 sub-watershed groups that make up the larger Sacramento Valley Water Quality Coalition (SVWQC). The 10 sub-watershed groups and SVWQC operate under a Memorandum of Agreement (MOA) to meet the requirements of the Central Valley Regional Water Quality Control Board's Irrigated Lands

Regulatory Program (ILRP). The Project sites will remain in compliance with the ILRP pursuant to SAWQA.

Response B/12

The commenter states that if the Project involves dewatering and proposes discharge of groundwater into Waters of the United States, a National Pollutant Discharge Elimination System (NPDES) permit is required. Low Threat and Limited Threat General NPDES Permits are further discussed and the application process for each is outlined. The commenter provides websites for further information.

Comment noted. See Response to Comment B/3, above. OHWD will secure the appropriate permits, as applicable.

Letter C

Jay Schneider

Email dated August 3, 2018

Response C/1

The commenter states that the Draft Initial Study is not available without the release of his personal and private information. He states that trying to obtain the document from OHWD and Sacramento County resulted in an “invasive prying link,” and therefore is not readily available to the public.

Comment noted. The document was made available through a publicly distributed Sharefile link, and for in-person review at the OHWD office for the duration of the comment period. Copies of the document were also available upon request. Although the law does not require that commenters be able to access documents anonymously, in the interest of addressing the commenter’s concerns, OHWD extended the comment period from August 9, 2018 to August 25, 2018 and provided a new Sharefile link that did not require any log in information.

Response C/2

The commenter states that the intent of the Project is to directly impact the groundwater along the Cosumnes River. The commenter further describes issues related to groundwater that he would like to see discussed in the CEQA document. He questions the water rights and origin of the water referenced in the Project. He further questions if the water will be exported from the primary watershed.

Comment noted. The Project’s purpose is described in Section 2.6 of the Initial Study. The Project is intended to increase groundwater recharge adjacent to and under the Cosumnes River. The Project does not include any planned export of water from the Cosumnes River watershed. The Initial Study discusses the origin of the water referenced in the Project extensively throughout Chapter 2, Project Description, and Chapter 3, Section 8, Hydrology and Water Quality.

Response C/3

The commenter again expresses concern about not being able to access the CEQA document. He asks that the Draft Initial Study be posted for public review immediately and requests that the 30-day public review period be extended.

Comment noted. At the time of the comment, the document was available through a publicly distributed Sharefile link, for in-person review at the OHWD office, and was directly distributed as a pdf to the commenter. The 30-day public comment period was extended to August 25, 2018.

Letter D

Jay Schneider

Email Dated August 4, 2018

Response D/1

The commenter states that the Project is in the South American Sub-basin, and not in the Cosumnes Groundwater Basin as the Draft Initial Study claims.

Comment noted. The Initial Study has been edited in a strike-through manner to reflect the correct groundwater subbasin as the South American Subbasin.

Response D/2

The commenter claims that the Draft Initial Study is incorrect in stating that the Project is not located in the Cosumnes River Floodplain. The commenter states that the Project is within the Cosumnes River Floodplain and questions why the Initial Study does not mention that the Project is within the American River Groundwater Basin.

Comment noted. The Project is located within the Cosumnes River Floodplain. Section 3.10.1 of the Initial Study has been edited in a strike-through manner to reflect this revision. According to California Department of Water Resources (DWR)'s Bulletin 118 and the Basin Boundary Assessment Tool (BBAT), the Project is located within the Sacramento Valley-South American Groundwater Basin (DWR Bulletin 118 Basin No. 05.21-65). A search for the term "American River Groundwater Basin" using DWR's online database of existing groundwater basins and subbasins did not return any results. Neither DWR nor the Sustainable Groundwater Management Act (SGMA) differentiate an American River Groundwater Basin. Therefore, no changes to the IS/MND will be made to refer to the American River Groundwater Basin.

Response D/3

The commenter states the Draft Initial Study is misleading and those preparing the Initial Study purposefully mislabeled the Project's groundwater basin.

Comment noted. It was not the intention of the preparers to mislead the public. The Initial Study has been edited in a strike-through manner to reflect the correct groundwater subbasin as the South American Subbasin. No changes to the Impact Analysis were made as the impacts remain less than significant.

Response D/4

The commenter states that the Project site is commonly flooded due to over-development.

Comment noted. As discussed in the Initial Study, Chapter 3, Section 8, Hydrology and Water Quality, the Project does overlap a 100-year flood zone, according to FEMA's Flood Insurance Rate Map. However, as stated in Section 3.8.3.7 on page 3-65 of the Initial Study, the Project does not propose placing housing or facilities that would redirect flood flows within the 100-year flood zone.

Letter E

California Department of Fish and Wildlife (CDFW)

August 9, 2018

Response E/1

The commenter confirms receipt and subsequent review of the environmental document and prefaces comments to follow.

Comment noted.

Response E/2

The commenter states that any Project with potential to alter a natural drainage channel, waterbody, wetland, or other water feature, requires Notification of Lake or Streambed Alteration to CDFW, pursuant to Fish and Game Code Section 1602. Once CDFW receives Notification, it will be determined if a Lake or Streambed Alteration Agreement is necessary. The commenter briefly outlines the regulatory setting and explains the process. The commenter offers contact information and states he is available for further consultation regarding this manner.

Comment noted. CDFW is included in Initial Study Section 2.4.4, Other Public Agencies Whose Approval or Permit May Be Required. OHWD will secure the appropriate permits, as applicable.

Letter F

Trout Unlimited/ Cosumnes Coalition

August 20, 2018

Response F/1

The commenter introduces its organization, confirms receipt and subsequent review of the Initial Study, and prefaces comments to follow. The commenter describes an interest in the Project because of the important relationship between sustainable groundwater management, agricultural and municipal water supply, and groundwater-dependent ecosystems, such as the Cosumnes Chinook Salmon and Cosumnes Riparian Forests.

Comment noted.

Response F/2

The commenter voices support of the Project.

Comment noted.

Response F/3

The commenter states understanding of the Project and permitting process.

Comment noted.

Letter G

Sacramento Central Groundwater Authority (SCGA)
August 21, 2018

Response G/1

The commenter provides introduction and brief background of the representative agency, Sacramento Central Groundwater Authority (SCGA).

Comment noted.

Response G/2

The commenter states that SCGA has been implementing its State DWR-approved Groundwater Management Plan (GMP) and has been monitoring and reporting the recovery of the South American Subbasin. The commenter expresses agreement with the actions of OHWD, stating that they represent their District's interests relative to health and the interests of all groundwater users within the basin.

Comment noted.

Response G/3

The commenter states the purpose of their comments are to 1) clarify the Project location and groundwater subbasins, 2) clarify OHWD's membership in SCGA, 3) clarify the recharge benefits of the Project, and 4) re-state the Project's intent to perform groundwater monitoring.

Comment noted.

Response G/4

The commenter states that the Project is located entirely within the South American Subbasin.

Comment noted. The Initial Study has been edited in a strike-through manner to reflect the correct groundwater subbasin as the South American Subbasin (DWR Bulletin 118 Basin No. 05.21-65).

Response G/5

The commenter re-states the purpose of the Project, which is to recharge surface water to the shallow groundwater aquifer system to provide sustainable groundwater supplies within OHWD's boundaries. The commenter states that the Project will also benefit regional subbasins outside of OHWD's boundaries.

Comment noted. Impacts to groundwater supplies and recharge have been described in Section 3.8.3.2 of the Initial Study.

Response G/6

The commenter states that groundwater in the South American Subbasin is a critical resource. Furthermore, Sacramento County groundwater is a shared resource without jurisdictional boundaries or water right restrictions. The commenter states that groundwater cannot be exported out-of-basin without prior approval of the County Board of Supervisors.

Comment noted. OHWD does not intend to export water from the primary groundwater basin.

Response G/7

The commenter briefly states SCGA's organizational structure, purpose and briefly describes the electoral process for positions on their Board. The commenter states that OHWD is a voting member of SCGA and the Project lies entirely within SCGA's boundaries. The commenter states that OHWD does not pump or purvey groundwater.

Comment noted.

Response G/8

The commenter states that the Project's funding sources are OHWD, local agencies, and State grants, such as the \$1 Million Proposition 84 State Grant.

Comment noted. The Project's funding is discussed in the Initial Study in Section 1, Introduction and Section 2.2, Project Background and Purpose.

Response G/9

The commenter states that the Initial Study portrays the Project as providing regional benefits in the Cosumnes Subbasin. The commenter states that SCGA is aware of OHWD's desire to modify the groundwater subbasin boundary, which would place the Project within the Cosumnes Subbasin. Until the extent of Project benefits have been identified, locally and regionally, the commenter states that the disposition of recharged water should continue to be based on the current subbasin delineations. The commenter states that current groundwater models and studies indicate that the Project will primarily benefit the South American Subbasin.

Comment noted. The Draft Initial Study incorrectly labeled the affected groundwater basin as the Cosumnes Subbasin. The Initial Study has been edited in a strike-through manner to reflect the correct groundwater subbasin as the South American Subbasin. OHWD will continue to evaluate and gather data related to the Project's benefits as the Project progresses. As described in Section 2.2 of the Initial Study, the Project is intended to increase groundwater recharge adjacent to and under the Cosumnes River unrelated to that area's delineation within any particular groundwater basin. This increase in groundwater recharge is intended to raise

groundwater to historic levels that will reconnect with, and thereby allow, the Cosumnes River to run for longer periods during the spring and summer and begin flowing earlier in the fall. By increasing these water levels, OHWD reduces pumping costs for users within OHWD's boundaries, which saddle the Cosumnes River.

Response G/10

The commenter states that the Initial Study lacks supporting information on well locations, depths, construction requirements, permitting, purpose, and monitoring and reporting frequency. The commenter states SCGA is requesting a minimum level of monitoring to ascertain Project-related changes in groundwater quality and elevations. SCGA requests OHWD provide them with baseline conditions and regular monitoring reports to ensure the levels stay above minimum thresholds established in the existing GMP or Groundwater Sustainability Plan.

Comment noted. The existing conditions at the recharge sites are described in Section 2.3 – Description of the Proposed Project, of the Initial Study. The Project sites are included within the scope of SCGA's Alternative Plan, submitted to the Department of Water Resources in December 2016, and are included within the Sacramento County California State Groundwater Elevation Monitoring (CASGEM) program. Information regarding conditions observed under either program are publicly available. OHWD will continue to communicate with SCGA regarding additional information gathered from monitoring wells regarding the Project's efficacy. OHWD elected to serve as the Groundwater Sustainability Agency for its boundaries under the Sustainable Groundwater Management Act (SGMA), and shares SCGA's commitment to SGMA compliance. OHWD will comply with the existing Groundwater Management Plan (GMP) or a future Groundwater Sustainability Plan (GSP), should one be required under SGMA

Response G/11

The commenter lists two possible concerns: 1) degradation of groundwater by fertilizer runoff, and/or 2) incremental loss of stream/river downstream. The commenter states that the proposed monitoring program will address these concerns, although this is not stated in the Initial Study. SCGA requests to be included as a recipient of information provided by the reporting agency for mitigation and monitoring measures pertaining to, or to be used for, compliance with the State's grant funding and the Sustainable Groundwater Management Act.

Comment noted. OHWD recognizes that the Project's operations may have benefits or impacts to lands outside the Project area boundaries. As mentioned in Response G/10, OHWD will comply with the requirements of the existing GMP and any future GSP required for the Project area. To evaluate the Project's efficacy, OHWD will gather quantity and quality of groundwater data at the Project sites. The Project would not violate any water quality standards as described in the Initial Study in Chapter 3, Section 8, Hydrology and Water Quality, specifically, Section 3.8.3.1 question IX-a) on page 3-64. OHWD will continue to communicate with SCGA regarding additional information gathered from monitoring wells regarding the Project's efficacy.

Letter H
Sac Metro Air District, CEQA and Land Use Section
July 18, 2018

Response H/1

The commenter states that the Thresholds of Significance noted in Table 3-4 are incorrect and provides a link to a website where Sac Metro Air District's actual thresholds can be found.

Comment noted. Table 3-4 of the Initial Study has been revised to reflect Sac Metro Air District's correct thresholds of significance.

Response H/2

The commenter states that the Initial Study should be updated to reflect the accurate thresholds and the CalEEMod should be run in Summer and Winter reports in order to accurately compare emissions with the thresholds.

Comment noted. The CalEEMod has been recalculated using the Summer and Winter reports to obtain results in the correct units of pounds per day. Initial Study Sections 3.3 (Air Quality), 3.6 (Greenhouse Gas Emissions) and Appendix A (Air Quality and Greenhouse Gas Emissions Information: CalEEMod) have been revised to reflect these changes. The impacts to Air Quality and Greenhouse Gas Emissions remain less than significant.

Response H/3

The commenter states satisfaction with the Project's proposed use of electrical pumps.

Comment noted.

Letter I
Jay Schneider
August 24, 2018

Response I/1

The commenter states the following comments are limited and he intends to provide additional commentary upon revision of the Initial Study.

Comment noted. The Initial Study has been revised.

Response I/2

The commenter states the Notice of Intent and the Initial Study are both deficient because neither recognizes the correct groundwater subbasin as established by DWR's Bulletin 118.

Comment noted. The Notice of Intent complies with all requirements set forth in CEQA Guidelines Section 15072. There are no statutes or regulations requiring that the Notice of Intent mention the affected groundwater basin or subbasin.

As mentioned above in responses to comments D/1, D/2, D/3, G/4, and G/9, the Draft Initial Study incorrectly labeled the affected groundwater basin as the Cosumnes Subbasin. The Initial Study has been edited in a strike-through manner to reflect the correct groundwater subbasin as the South American Subbasin.

Response I/3

The commenter states that the Initial Study does not identify the area of potential effect, nor does it analyze potential environmental impacts on this area.

Comment noted. Figure 2-2 depicts the Area of Potential Effect (APE), which includes existing pumps, a proposed future pump, conveyance pipeline and the properties to likely be affected by the diversion of excess water from the Cosumnes River. Furthermore, potential impacts for the APE were discussed throughout the Initial Study and deemed less than significant with implementation of biological and cultural mitigation measures. As stated in Section 2.2 of the Initial Study, the recharged groundwater has the potential to benefit all agricultural and urban uses within the OHWD.

Response I/4

The commenter questions whether implementation of the Project will result in an increase of public access to the Project site or surrounding areas. The commenter further states that environmental impacts resulting from public access should be addressed.

Comment noted. It is not clear what the commenter is referring to as “public access” impacts. The Project does not propose any recreational facilities, roads, or trails or other opportunities inviting access to the area by the general public. Therefore, the Initial Study does not analyze potential effects related thereto. The construction phase of the Project will result in temporary increased access by construction workers, a crew of approximately 6-8 people per day for a span of 2.5 months. Infrastructure and monitoring wells will be monitored by staff periodically on an as-needed basis. There is no anticipated increase in staff or access during the operational phase of the Project. The Initial Study addresses the potential for effects related to construction and ongoing project activities.

Response I/5

The commenter questions whether implementation of the Project will result in commodification of groundwater. The commenter envisions that commodification of the recharged groundwater could result in a conversion of the area from agriculture to other uses. The commenter further questions whether OHWD will retain ownership of the resultant groundwater. He anticipates that implementation of the Project will result in a cloud on the title of the resultant groundwater. For this reason, he again states that the Initial Study is deficient in its analysis of potential environmental impacts.

Comment noted. As stated in Section 2.2 of the Initial Study, the purpose of the Project is to increase groundwater levels in the Cosumnes River area, which is intended to reduce the pumping cost for OHWD’s customers and improve flow within the Cosumnes River. The Project does not propose any sale or banking of groundwater from the Project. The concept of

commodification of the groundwater affected by the Project, along with any resultant change to the use of the Project area, is speculative in nature. CEQA is concerned with direct physical changes and reasonably-foreseeable indirect changes to the environment that could result from a project. In addition to being speculative in nature, groundwater commodification, or clouding of title to groundwater, are not physical changes to the environment. The Project does not propose any change in the existing land uses, nor are such changes reasonably foreseeable as a result of the Project.

Response I/6

The commenter again states that the Initial Study and the Notice of Intent do not identify the affected groundwater basin or subbasin, and he states that both documents should be rewritten to correct this error. The commenter mentions that the public generally use word searches in order to locate documents they wish to review. He further states that omission of the affected groundwater basin and subbasin from the Notice of Intent and the Initial Study is considered an effort to conceal information from the public. The commenter states that the purpose of the Project is to impact the South American Groundwater Basin and possibly the Cosumnes Groundwater Subbasin. The commenter states the Draft Initial Study is misleading and those preparing the Initial Study purposefully mislabeled the Project's groundwater basin. The commenter states the Initial Study was not originally available for public review during the timeframe established in the Notice of Intent.

Comment noted. The Project is intended to increase groundwater recharge adjacent to and under the Cosumnes River, unrelated to that area's delineation within any particular groundwater basin. As mentioned above in responses to comments D/1, D/2, D/3, G/4, G/9, and I/2, the Draft Initial Study incorrectly labeled the affected groundwater basin as the Cosumnes Subbasin. The Initial Study has been edited in a strike-through manner to reflect the correct groundwater subbasin as the South American Subbasin. It was not the intention of the preparers to mislead the public. No changes to the Impact Analysis were made as the impacts remain less than significant.

As mentioned above in response to comment I/2, the Notice of Intent complies with all requirements set forth in CEQA Guidelines Section 15072. There are no statutes or regulations requiring that the Notice of Intent mention the affected groundwater basin or subbasin.

As mentioned above in response to comment C/1 and C/3, The 30-day public comment period was extended to August 25, 2018.

Response I/7

The commenter states that the Initial Study fails to mention the intended recipient of the recharged groundwater or identify areas projected to benefit from the Project. He further states that the vicinities projected to receive the recharged groundwater will be environmentally impacted and therefore, the Initial Study is deficient since these areas are not discussed in the document. When referring to environmental impacts, the commenter specifically uses the example of a farmer being able to grow water-dependent crops due to the availability of excess water. In addition, the commenter states that the Sacramento Central Groundwater Authority (SCGA) estimates that 88,000 acre-feet of the groundwater from the Project site is already being diverted to American River Watershed.

Comment noted. As mentioned above in response to comment I/3, Figure 2-2 depicts the Area of Potential Effect (APE), which includes existing pumps, a proposed future pump, conveyance

pipeline and the properties to likely be affected by the diversion of excess water from the Cosumnes River. Potential impacts for the APE were discussed throughout the Initial Study and deemed less than significant with implementation of biological and cultural mitigation measures. Furthermore, as stated in Section 2.2 of the Initial Study, the recharged groundwater has the potential to benefit all agricultural and urban uses within the OHWD.

In addition, a variation in the type of crops cultivated on agricultural lands is not considered an environmental impact under the CEQA.

According to the U.S. Geological Survey (USGS) classification system, the Project is located within the Lower Cosumnes-Lower Mokelumne watershed; Hydrologic Unit Code (HUC): 18040005, which lies within the San Joaquin subregion (180400). To the north, within the Lower Sacramento subregion (180201), the Lower Sacramento watershed (18020109) and the Lower American watershed (18020111) both share boundaries with the Lower Cosumnes-Lower Mokelumne watershed. The Sacramento River Watershed Program uses a different system to classify watersheds within the Sacramento Region by referring to the entire area as the American River Subregion, which is then subdivided into four distinct watersheds: Bear River, Lower American River, Upper American River, and Yuba River. According to this classification system, the Lower American River Watershed is located north of the Project's watershed.

The commenter did not include a reference or citation with his claim that "SCGA asserts maybe 88,000 [af] goes from the Cosumnes recharge area... to the American River Watershed," and therefore the validity of this statement can not be confirmed. However, as the Initial Study states in Chapter 2, the Project is intended to benefit uses within OHWD, which is within the Lower Cosumnes-Lower Mokelumne watershed and overlies both the Sacramento Valley – South American Subbasin (DWR Bulletin 118 Basin No. 05.21-65) and the San Joaquin Valley – Cosumnes Subbasin (DWR Bulletin 118 Basin No. 05.22-16).

Response I/8

The commenter again questions ownership of the recharged groundwater by asking if OHWD or "anyone else" will own the water once it is absorbed into the ground. He further states that commodification of the recharged groundwater would result in an increase in subdivision development while reducing agricultural land uses, subsequently impacting the environment.

Comment noted. Please see Response I/5.

Response I/9

The commenter again questions whether the Project site will become a "public access point." He further states that if public access is allowed, every "nearby landowner and anyone downstream" will be negatively impacted by implementation of the Project. The commenter requests that the Initial Study be supplemented with the following statement, "OHWD will not undertake the project in a manner that triggers public access."

Comment noted. Please see Response I/4.

Response I/10

The commenter states that his comments have been provided by himself, "Jay Schneider, a nearby landowner, and by Jay Schneider as a board member of Sloughhouse Resource Conservation District" (SRCD). He further states the comments provided are his own and are not endorsed by SRCD. He provides several web links; the first link leads the reader to a

brochure entitled, *Water is Not a Commodity, Water is a Common Resource*, published in 2012 by the environmentalist organizing group, Food and Water Watch. The remainder of the provided links lead the reader to Google Search Results pages that do not reference a specific article or website.

Comment noted.