

**NOTICE OF EXEMPTION**  
**COACHELLA VALLEY WATER DISTRICT**  
Post Office Box 1058  
Coachella, CA 92236

To: County Clerk  
County of Riverside  
Post Office Box 751  
Riverside, CA 92502

**2019110354**

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

Project Title: 2019 Amended and Restated Agreement for Exchange and Advance Delivery; Exchange Agreement Between Metropolitan Water District, Desert Water Agency, and Coachella Valley Water District

Project Location: No specific physical location; although the Coachella Valley Water District is a State Water Project Contractor and its service area includes portions of Riverside, Imperial, and San Diego counties.

Description of Nature, Purpose and Beneficiaries of Project: The Coachella Valley Water District (CVWD), in coordination with Metropolitan Water District of Southern California (MWD) and Desert Water Agency (DWA), has updated and consolidated the existing package of Exchange and Advance Delivery Agreements among the three agencies into a single amended and restated agreement. The Exchange and Advance Delivery Agreements provide the terms for exchanging and delivering CVWD's and DWA's State Water Project (SWP) water with an equivalent amount of MWD's Colorado River water.

An agreement, known as the Advance Delivery Agreement, allows MWD to pre-deliver CVWD's and DWA's SWP water prior to the Department of Water Resources making its Table A allocations. It was executed in 1984. The Advance Delivery Agreement allows MWD to deliver extra water above CVWD's and DWA's Table A obligations into the Indio subbasin in wet years, which builds up a water credit in the Advanced Delivery Account, and allows MWD to receive CVWD's and DWA's SWP water during dry years by deducting against the credit in the Advanced Delivery Account.

This action would approve the 2019 Amended and Restated Agreement for Exchange and Advance Delivery (2019 Agreement) that consolidates, restates, and updates all previous exchange and advanced delivery agreements to provide a more streamlined and efficient means of managing water exchanges and advance delivery processes for tracking and managing imported water supply deliveries to CVWD and DWA at the groundwater replenishment facilities. The 2019 Agreement does not change existing Table A Amount of SWP water previously authorized or SWP water supply contracts. A summary of the key elements of the 2019 Agreement is provided below.

- MWD's ability to call back any portion of the 100,000 acre-feet described in the 2003 Exchange Agreement is eliminated, creating a more secure water supply for CVWD and DWA.

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- MWD retains its ability to pre-deliver up to 800,000 acre-feet in the Advance Delivery Account, and adds a provision that allows MWD to receive advance delivery credit of up to 200,000 acre-feet from CVWD's and DWA's Table A Amount in the event that there is not a positive balance in the Advance Delivery Account. There is a repayment period of five years to restore the Advance Delivery Account to a positive balance, starting after the first year that MWD receives an advance delivery credit of 20,000 acre-feet or higher. This condition provides water management flexibility needed by MWD to allow it to eliminate the 100,000 acre-foot call-back provision.
- MWD, DWA, and CVWD will jointly manage single-year water supplies to create operational flexibility. The three agencies will share benefits and risks of delivery and storage. Carryover and spill will be shared in proportion to each agency's Table A Amount.
- All three agencies will request Article 21 water in proportion to their Table A Amount when Article 21 interruptible water supplies are available.
- State Water Project water supplies from long-term programs such as Glorious Lands Company/Rosedale Rio Bravo, Sites Reservoir, Lake Perris Seepage Recovery, and Delta Conveyance will be treated with the same priority as Table A water.
- A Coordination Committee with representatives from each participating water agency will be established. CVWD's membership on this committee will provide a stakeholder position regarding SWP water scheduling, delivery, and storage decisions for the joint management of SWP supplies between MWD, CVWD, and DWA.
- CVWD and DWA will participate in MWD's groundwater storage programs providing opportunities for better water management. This is especially important in wet years (SWP Table A allocation >55%). CVWD and DWA will share in the costs of the groundwater storage programs.

Name of Public Agency Approving Project: Coachella Valley Water District

Exempt Status:

- Review for Exemption/Common Sense Exemption: State CEQA Guideline §15061(b)(3)
- Not a project: State CEQA Guidelines §15378(a) and (b)(5)
- Ministerial (Pub. Res. Code §21080(b)(1); State CEQA Guideline §15268)
- Declared Emergency (Pub. Res. Code §21080(b)(3); State CEQA Guideline §15269(a))
- Emergency Project (Pub. Res. Code §21080(b)(4); State CEQA Guideline §15269(b)(c))
- Statutory Exemption: State CEQA Guidelines § \_\_\_\_\_
- Categorical Exemption: State CEQA Guidelines § \_\_\_\_\_

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Reasons why project is exempt:

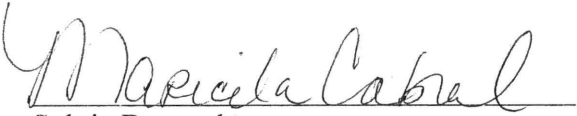
Approval of the 2019 Agreement is not subject to CEQA for multiple reasons. First, approval of the 2019 Agreement is not subject to CEQA because it does not constitute a “project,” i.e., pursuant to State CEQA Guidelines §15378(a), the action has no potential to result in a direct or reasonably foreseeable indirect physical change in the environment because the action will merely consolidate and reformat existing agreements, with only minor changes.

Second, approval of the 2019 Agreement is not subject to CEQA because it does not constitute a “project,” pursuant to State CEQA Guidelines §15378(b)(5). Merely consolidating existing agreements into a single agreement without any change to the previously approved entitlements constitutes an organizational or administrative activity that will not result in a direct or indirect physical adverse change in the environment not previously analyzed.

Third, even if approval of the 2019 Agreement did constitute a “project” subject to CEQA, the action would be exempt from CEQA review pursuant to State CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that approval of the 2019 Agreement may have a significant effect on the environment. The consolidation of the existing agreements into the 2019 Agreement will not result in adverse impacts to the environment in regards to the Coachella Valley Groundwater Basin, as no significant changes will be made to the existing agreements.

Agency Contact Person: Elizabeth Meyerhoff, Environmental Specialist; phone: (760) 398-2651

Date: November 15, 2019

*for*   
Sylvia Bermudez  
Clerk of the Board  
Coachella Valley Water District

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

File Nos: 0106.21  
0460.24  
0645.61  
0645.712.2

Governor's Office of Planning & Research  
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