

CHAPTER 1

Introduction

This Response to Comments document has been prepared by the Santa Margarita Water District (SMWD) as Lead Agency, in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and CEQA Guidelines (California Administrative Code Section 15000 et seq.). This is the first of three volumes of the Response to Comments document that have been prepared to accompany the Draft Environmental Impact Report (Draft EIR) on the Cadiz Valley Water Conservation, Recovery, and Storage Project (Project). This Response to Comments document contains copies of comments received from the public and government agencies on the Draft EIR and provides responses to those comments. The Draft EIR (Volumes 1 through 4) together with the three volumes of this Response to Comments document (Volumes 5 through 7) constitute the Final EIR on the proposed Project, pursuant to CEQA Guidelines (section 15132).

As described in sections 15089, 15090 and 15132 of the CEQA Guidelines, the Lead Agency must prepare and consider the information contained in a Final EIR before approving a project. The purpose of a Final EIR is to incorporate into the EIR: a) comments and recommendations on the Draft EIR; b) a list of persons, organizations, and public agencies commenting on the Draft EIR; c) the Lead Agency responses to comments made by the public and agencies; and d) other information added by the Lead Agency.

1.1 Organization of the Final EIR

The Final EIR consists of the following three (3) volumes.

Volume 5 (Chapters 1 and 2) consists of this introduction (Chapter 1) and all the comments received during the comment period (Chapter 2). This chapter presents all comments received by SMWD during the 100-day public review period of the Draft EIR (December 5, 2011 through March 14, 2012) and at the public comment meetings on January 24, 2012 and February 1, 2012. Comments received after the close of the public review period are also included in this section.

Volume 6 (Chapters 3, 4 and 5) consists of the responses to comments received on the Draft EIR. Chapter 3 contains master responses, which provide a detailed discussion of issues that were raised repeatedly by numerous commenters. Chapter 4 contains the individual responses directed to each specific comment. Chapter 5 contains a compilation of text changes to the Draft EIR identified as a result of the comments and staff-initiated changes; this chapter includes revisions to the Draft EIR that represent minor changes or additions in response to some of the comments received on the Draft EIR and additional edits to provide clarification. Changes to the Draft EIR are shown with strikethrough text for deletions, underlined text for additions. These changes do

not add significant new information that would affect the analysis or conclusions presented in the Draft EIR.

Volume 7 contains revised and new appendices supporting the responses to comments.

1.2 CEQA Environmental Review Process

In accordance with CEQA Guidelines Section 15085, upon completion of the Draft EIR, a Notice of Availability (NOA) as well as CD copies of the Draft EIR were submitted to the California State Clearinghouse, Governor's Office of Planning and Research for distribution to State Agencies. On December 5, 2011, SMWD initially circulated the Draft EIR on the Cadiz Valley Water Conservation, Recovery, and Storage Project for public review and comment (State Clearinghouse No. 2011031002). The public review and comment period for the document was initially a 70-day review period from December 5, 2011 through February 13, 2012. To accommodate requests for additional time to review the Draft EIR, on February 9th, SMWD extended the comment period to March 14, 2012, for a total review period of 100 days. During the 100-day public review period, SMWD received approximately 125 written comments (25 additional comments arrived after the close of the comment period) sent through the mail or by hand-delivery, fax, or email as well as approximately 62 oral comments made at two public meetings. A court reporter was present at each of the public meetings, transcribed the oral comments verbatim, and prepared written transcripts. Public meetings were held on the following dates and at the following locations:

- January 24, 2012 at the Santa Margarita Water District Administration Office, 26111 Antonio Parkway, Rancho Santa Margarita, CA 92688
- February 1, 2012 at the Joshua Tree Community Center, 6171 Sunburst Street, Joshua Tree, CA 92252

Comments received at both of the public meetings and during the public review period are presented in Chapter 2 Comments and responded to Chapters 3 and 4 Responses. For additional information regarding public notification, see **Master Response 3.11** CEQA Public Process.

1.3 List of Commenters

Table 1-1 lists agencies, organizations, and individuals that submitted comments on the Draft EIR during the comment period.

**TABLE 1-1
COMMENTS RECEIVED ON THE DRAFT EIR**

Commenter	Date of Comment	Signatory and Title
Federal Agencies Submitting Comments		
US Department of Interior Bureau of Land Management <i>California State Office</i>	02/13/2012	James G. Kenna Director
US Department of Interior Bureau of Reclamation <i>Lower Colorado Regional Office Resources Management Office</i>	02/02/2012	Valerie E. Thomas Chief

**TABLE 1-1
COMMENTS RECEIVED ON THE DRAFT EIR**

Commenter	Date of Comment	Signatory and Title
Federal Agencies Submitting Comments (cont.)		
US Department of Interior National Park Service <i>Mojave National Preserve</i>	02/13/2012	Stephanie R. Dubois Superintendent
US Marine Corps <i>Marine Air Ground Task Force Training Command Marine Corps Air Ground Combat Center</i>	03/19/2012	Colonel J.P. Granata Assistant Chief of Staff G-4
Native American Tribes Submitting Comments		
Chemehuevi Indian Tribe	03/14/2012	Charles F. Wood Chairman
Twenty-Nine Palms Band of Mission Indians of California	03/15/2012	Darrell Mike Chairman
State Agencies Submitting Comments		
California Department of Fish and Game <i>Inland Deserts Region</i>	02/28/2012	Michael D. Flores Sr. Environmental Scientist
California Department of Transportation <i>Division of Transportation Planning, MS-32 Office of Community Planning Local Development – Intergovernmental Review Branch</i>	12/08/2011	Terri Pencovic Chief
Department of Toxic Substances Control <i>Brownfields and Environmental Restoration Program</i>	01/03/2012 and 03/21/2012	Greg Holmes Unit Chief
Native American Heritage Commission	12/07/2011	Dave Singleton Program Analyst
State Water Resources Control Board <i>Inland Streams Unit</i>	12/14/2011	Katherine Mrowka Chief
Local Agencies Submitting Comments		
Coachella Valley Water District	02/23/2012	Mark Johnson Director of Engineering
Metropolitan Water District of Southern California Environmental Planning Team	03/12/2012	Deidre West Manager
Mojave Desert Air Quality Management District (2 submissions)	12/16/2011	Tracy Walters Lead Air Quality Planner
	12/20/2012	Alan J. De Salvio Supervising Air Quality Engineer
City of Needles	03/01/2012	Edward T. Paget Mayor
County of San Bernardino (via Downey Brand Attorneys LLP)	03/13/2012	Christian L. Marsh
County of San Bernardino Public Works <i>Environmental Management Division</i>	02/07/2012	John Schatz, AICP Supervising Planner
City of Twentynine Palms (2 submissions)	01/31/2012	John Cole Mayor
	03/08/2012	Daniel L. Mintz, Sr. Councilmember

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Commenter	Date of Comment	Signatory and Title
Organizations Submitting Comments		
Ameron International Corporation	03/09/2012	Dennis E. Shearer, PE District Sales Manager
Best Western Colorado River Inn	01/26/2012	Philip C. Crouch, CHA General Manager
BNSF Railway Company	02/10/2012	David T. Rankin Senior General Attorney
Joseph E. Bonadiman & Associates, Inc.	03/13/2012	Joseph S.C. Bonadiman, Ph.D., PE
Center for Biological Diversity	03/14/2012	Adam Lazar
Desert Cycle Works	03/08/2012	[signature illegible]
Fairfield Inn & Suites by Marriott in Twentynine Palms	01/25/2012	Rob Fleck Director of Sales
Goodspeed Distributing Inc.	03/09/12	Thomas Goodspeed President
Layne Christensen Company	03/09/2012	Robert C. Minella Regional General Manager
Los Angeles Salad Company	03/08/2012	Robert Hana CEO
Lozeau Drury LLP on behalf of Laborers International Union of North America Laborers Local Union 783 (2 submissions)	12/12/2011 and 01/11/2012	Richard Drury and Christina Caro Attorneys for Local 783
Mojave Desert Heritage and Cultural Association	01/24/2012	Chris Ervin
Mojave Desert Land Trust	03/09/2012	Nancy Karl Executive Director
Morongo Basin Regional Economic Development Consortium	03/09/2012	Alan Rasmussen Chair
Shady Myrick Research Project	12/06/2012	John Lightburn Project Director
Submitted on behalf of: Center for Biological Diversity: National Parks Conservation Association California Wilderness Coalition San Bernardino Valley Audubon Society Sierra Club Desert Committee Mojave Desert Land Trust Sierra Club Morongo Basin Conservation Association Defenders of Wildlife Desert Tortoise Council Sierra Club Desert Committee, San Gorgonio Chapter, and National Organization Southern California Watershed Alliance Desal Response Group Desert Survivors	03/13/2012	Seth Shteir California Desert Field Representative National Parks Conservation Association, <i>et al.</i>
Native American Land Conservancy	03/14/2012	Michael J. Madrigal President
National Chloride Company of America (2 submissions)	02/01/2012 and 02/27/2012	Tom Beeghly

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Organizations Submitting Comments (cont.)		
Needles Chamber of Commerce	01/12/2012	Jeff Williams President
Northwest Pipe Company	02/14/2012	Gary Stokes Sr. VP, Sales and Marketing
Office Supplies Plus	undated	Dee Richhart President & CEO
Orange County Coastkeeper	02/06/2012	Colin Kelly Staff Attorney
Pacific Institute	03/13/2012	Dr. Newsha Ajami
River Archaeological Heritage Association of the Lower Colorado River (4 submissions)	2/12/2012, 03/12/2012 and 03/13/2012 (2)	Ruth Musser-Lopez
Roscoe Moss Company	03/07/2012	Robert A. Van Valer
Salt Products Company	03/14/2012	Nael Bratt
Society for the Protection and Care of Wildlife	undated	H. Marie Brashear President
Tetra Technologies, Inc. via Rutan & Tucker, LLP (6 submissions)	03/14/2012, 03/16/2012 (2), 03/27/2012, 04/03/12	Robert S. Bower
	02/24/2012	Dennis Nakata Paralegal
Twentynine Palms Chamber of Commerce	12/15/2011	Maggie Chaffer President
The Wildlands Conservancy	03/14/2012	Frazier Haney
Willits & Newcomb, Inc.	03/12/2012	Jackie Maxwell President
Zepeda Labor Contracting, Inc.	03/09/2012	Elena Zepeda Cota
Individuals Submitting Comments		
Leigh Adams	02/14/2012	
Kristie and James Bise	03/12/2012	
Myron L. Black (2 submissions)	03/06/2012 and 03/13/2012	
Rob and Kate Blair	undated	
Helena Bongartz (3 submissions)	02/02/2012, 02/10/2012 (2)	
Craig Brainard	02/10/2012	
Chris Brown (2 submissions)	03/13/2012 (2)	
John C. Brown	03/13/2012	
Charles T. Collett	03/12/2012	
Debbie Cook	03/14/2012	
Linda DeLuca-Snively	02/21/2012	
Kyle Detwiler	02/11/2012	

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Commenter	Date of Comment	Signatory and Title
Individuals Submitting Comments (cont.)		
Robert R. Dunn	01/30/2012	
Bob Ellis	02/07/2012	
Mary Ann and Darrell Finstad	03/13/2012	
Valerie Finstad (2 submissions)	02/06/2012 and 02/13/2012	
William J. and Susan L. Garvin	01/17/2012	
Andrea and James Gutman	02/11/2012	
Janis Hatlestad	02/29/2012	
Norma J.F. Harrison	02/10/2012	
Steve Iverson (3 submissions)	02/10/2012 (3)	
Paula Jeane	03/14/2012	
Paul Limon	undated	
Christopher Lish	02/12/2012	
Richard MacPherson (3 submissions)	undated, 02/26/2012 and 03/12/2012	
Norman Meek	12/30/2011	
Shell McIntosh	undated	
Jean McLaughlin	03/11/2012	
Ramon Alviso Mendoza	undated	
Ted & Karen Meyers	03/14/2012	
Chris and Bob Mills	02/11/2012	
Ruth Musser-Lopez (5 submissions)	undated 02/06/2012 02/08/2012 02/19/2012 and 03/13/2012	
Sterling Perkes	02/11/2012	
Drew Reese	02/11/2012	
C. David Renquest	03/10/2012	
Catherine Robinson	undated	
Joe Ross	02/10/2012	
David Sabol	01/09/2012	
Dianna Sahhar	02/14/2012	
Karen Scheuermann	02/12/2012	
Sidney Silliman	02/13/2012	
Julian V. Simeon	02/10/2012	
Calvin Sisco	03/08/2012	
Fred Stearn (2 submissions)	02/22/2012 and 02/23/2012	

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Commenter	Date of Comment	Signatory and Title
Individuals Submitting Comments (cont.)		
Gary Thompson	02/01/2012	
S. Tott	03/14/2012	
Karen Tracy (2 submissions)	02/03/2012 and 02/21/2012	
Victoria Williams	03/13/2012	
Judy Wisboro	02/11/2012	
Parties Commenting at the Rancho Santa Margarita Public Meeting		
Tony Beall	Individual	
Curt Stanley	Individual	
Tom Hume	Individual	
John Whitman	South Orange County Regional Chamber of Commerce	
Jim Leach	South Orange County Regional Chamber of Commerce	
Michael LaBroad	Northwest Pipe Company (additional submissions in Section 2.3)	
Marvin Floyd	Ameron International Corporation (additional submissions in Sections 2.3 and 2.6)	
Sherri Butterfield	Individual	
Chris Ervin	Mojave Desert Heritage and Cultural Association (additional submission in Section 2.3)	
Beth Apodaca	Individual	
Wendy Bucknum	South Orange County Regional Chamber of Commerce	
Jim Thor	Individual	
Mike Phillips	Individual	
Charlie Hoherd	Roscoe Moss Company (additional submissions in Sections 2.3 and 2.6)	
Larry Robinson	Individual	
Bob Ereth	Layne Christiansen Company (additional submissions in Sections 2.3 and 2.6)	
Paul Lanhardt	Individual	
Ron James	Individual	
Floyd Wicks	Individual	
Dave Stefanides	Orange County Association of Realtors	
Donna Varner	Individual	
Leigh Adams	Individual	
Emily Green	Individual	
Joe Kelly	Orange County Coastkeeper (additional submission in Section 2.3)	
Linda Feather	Los Angeles Salad Company (additional submission in Section 2.3)	
Ruth Musser-Lopez	Individual	

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Commenter	Date of Comment	Signatory and Title
Parties Commenting at the Rancho Santa Margarita Public Meeting (cont.)		
Charles T. Collett	Individual	
Russell Woodruff	Individual	
Ruth Musser-Lopez	Individual	
Ramon Alviso Mendoza	Individual	
Bruce Akana	Individual	
Robert R. Dunn	Individual	
Parties Commenting at the Joshua Tree Public Meeting		
Rob Fleck	Fairfield Inn & Suites by Marriott in Twentynine Palms	
Dennis Shearer	Ameron International Corporation	
Tom Beeghly	National Chloride Company	
Leigh Adams	Individual	
Tom O'Key	Individual	
Andrew Stone	Individual	
Phillip Smith	Individual	
Seth Shteir	National Parks Conservation Association (CBD <i>et. al</i>)	
Helena Bongartz	Individual	
Bob Minella	Layne Christiansen Company	
Doug Watson	Individual	
Chris Brown	Individual	
Dave Fick	Individual	
Bill Garvin	Individual	
Charlie Hoherd	Roscoe Moss Company	
Brendan Hughes	Individual	
Sequoia Smith	Individual	
Pat Flanagan	Individual	
Almut Fleck	Individual	
Jean McLaughlin	Individual	
Emily Green	Individual	
Conner Everts	Individual	
Tom Askew	Individual	
Stacy Doolittle	Individual	
Debbie Cook	Individual	
Karen Tracy	Individual	
Kathy Phelan	Individual	
Ron Bowers	Individual	
Claudia Saw	Individual	

**TABLE 1-1
COMMENTS RECEIVED ON THE DRAFT EIR**

Commenter	Date of Comment	Signatory and Title
Comment Letters Received after Deadline		
Commenter	Date of Comment	Signatory and Title
Rancho Cucamonga Chamber of Commerce	04/12/2012	Joe Schumacher Chairman of the Board
Larry Witt, Individual	04/26/2012	–
NPCA-CBD <i>et al.</i>	05/04/2012	Adam Lazar
Tetra Technologies, Inc. via Rutan & Tucker	05/07/2012	Robert S. Bower
Metropolitan Water District of Southern California	05/14/2012	Joseph Vanderhorst Sr. Deputy General Counsel
Lozeau Drury LLP on behalf of Laborers International Union of North America Laborers Local Union 783 (4 submissions)	05/23/2012 (2), 05/25/2012 and 06/22/12	Christina Caro Attorney for Local 783
Diane Allison, Individual	05/24/2012	–
MC and Lorenzo Hagerty, Individuals	02/24/2012	–
Anthony Nicolau, Individual	05/24/2012	–
Jean Marie Naples, Individual	05/24/2012	
Danielle Bower, Individual	05/25/2012	–
J. Capozzelli, Individual	05/25/2012	–
David A. Brunetti, Individual	05/26/2012	–
Phyllis Jacoby, Individual	undated	–
Steve Jacoby, Individual	undated	–
Heather Hahn, Individual	5/29/2012	–
Benjamin and Jennifer Valentine, Individuals	05/29/2012	
Center for Biological Diversity	5/31/2012	Adam Lazar, Staff Attorney
Pam Nelson, Individual	6/01/2012	–
Greta Loeffelbein, Individual	undated	–
Anuj Shaw, Individual	06/20/2012	--
The Wildlands Conservancy	06/24/2012	Claudia Sall