

APPENDIX A
Notice of Preparation, Initial Study, and
Scoping Letters

Notice of Preparation

To: All interested parties/ County of Kern Clerk

Subject: Notice of Preparation of a Draft Environmental Impact Report

Lead Agency:

Agency Name: Indian Wells Valley Water District

Mailing Address: P.O. Box 1329

Street Address: 500 W. Ridgecrest Blvd.

City/State/Zip: Ridgecrest, CA 93555

Consulting Firm:

Firm Name: ECORP Consulting, Inc.

Mailing/Street Address: 215 North 5th Street

City/State/Zip: Redlands, CA 92374

Contact: Tom Mulvihill
General Manager
(760) 375-5086

Contact: Anne Surdzial
Project Manager
(909) 307-0046

Indian Wells Valley Water District (IWWVD) will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project identified below. The IWWVD is requesting information as to the scope and content of the environmental information to be included in the EIR. If you are an agency with statutory responsibilities in connection with the proposed project, your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project. A General Public Scoping Meeting is scheduled on **July 13, 2011** from 5:00 p.m. to 7:00 p.m. The meeting will be held in the IWWVD Board Room located at 500 W. Ridgecrest Boulevard, Ridgecrest, California.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date **but not later than 30 days** after receipt of this notice. The response deadline is August 4, 2011. Please send your response to Tom Mulvihill at the address shown above. We will need the name for a contact person in your agency.

Project Title: Water Supply Improvement Project

Project Location: The Proposed Project is generally located west of the City of Ridgecrest, southeast and east of Inyokern, and south of NAWA China Lake in unincorporated Kern County, California

Project Description: IWWVD currently has a higher demand than capacity on the maximum demand days which occur in the summer months. There is also not enough capacity to allow for a 20 percent redundancy to cover equipment failure or other emergency during the maximum demand days in accordance with IWWVD policy. As such, the following improvements to its existing wells are proposed in addition to the construction and operation of two new wells. The Proposed Project consists of the improvement and operation of existing Wells 18 and 34 and the construction and operation of two new wells, proposed Wells 35 and 36. Existing Wells 18 and 34 are located east and west of Brown Road and south of Bowman Road, just south of Inyokern. The two new wells would be located in two main areas. Proposed Well 35 would be located on the south side of Bowman Road between Moon Place and Star Place. Well 35 would be located on two parcels which total 3.92 acres (Assessor's Parcel Numbers [APNs] 341-234-02 and -03). Proposed Well 36 would be located on a 20.33 acre property located at the southeast corner of Las Flores Avenue and N. Victor Street (APN of 352-250-33). Well 36 would be located in the extreme southwest corner of the parcel. Both sites are owned by IWWVD. An approximately 400-foot, 12- to 16-inch pipeline would connect proposed Well 35 to the existing pipeline in Bowman Road. In addition, an approximately 4,000-foot, 12- to 16-inch pipeline would be installed along N. Victor Street and tie into the existing pipeline at well 31 near Drummond Avenue to serve proposed Well 36. The pipelines would be for transmission purposes only and no distribution connections are proposed.

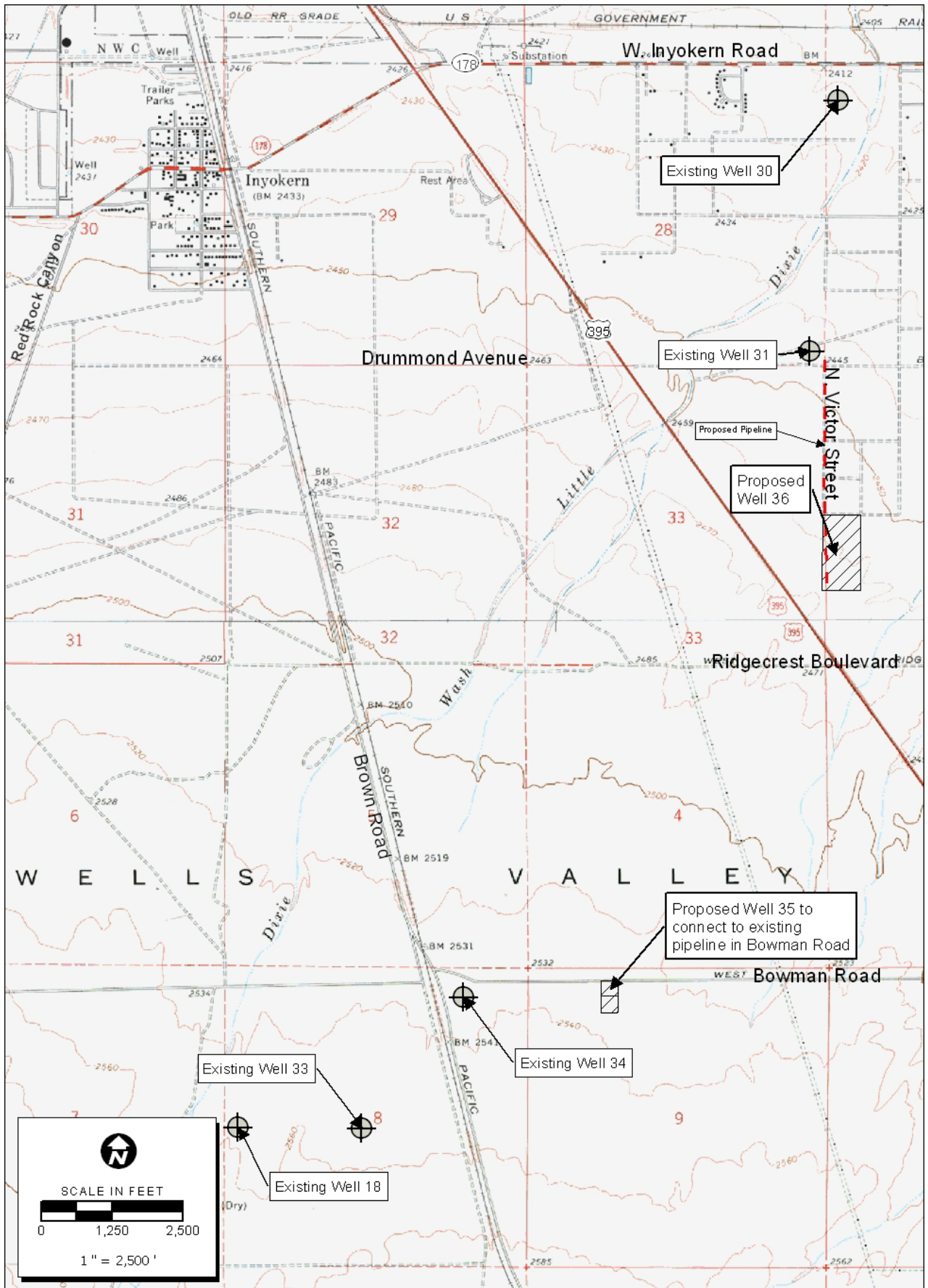
The following potential environmental effects were identified in the Initial Study: Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards/Hazardous Materials, Hydrology/Water Quality, Noise, Population and Housing, and Utilities and Service Systems. The Initial Study is available for review at the IWWVD office address above and at www.iwwvd.com

Date June 27, 2011

Signature
Title
Telephone

Thomas L. Mulvihill
General Manager
(760) 375-5086

Notice of Preparation



**WATER SUPPLY IMPROVEMENT PROJECT
DRAFT INITIAL STUDY**

JUNE 2011

Lead Agency:

**Indian Wells Valley Water District
500 W. Ridgecrest Boulevard
P.O. Box 1329
Ridgecrest, California 93555**

Prepared by:



**215 North 5th Street
Redlands, CA 92374**

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SECTION 1

BACKGROUND

1.1 SUMMARY

Project Title:	Water Supply Improvement Project
Lead Agency Name and Address:	Indian Wells Valley Water District 500 W. Ridgecrest Boulevard P.O. Box 1329 Ridgecrest, California 93555
Contact Person and Phone Number:	Tom Mulvihill, General Manager (760) 375-5086
Project Location:	The Proposed Project is generally located west of the City of Ridgecrest, southeast and east of Inyokern, and south of NAWA China Lake in unincorporated Kern County, California
Project Sponsor's Name and Address:	Same as Lead Agency
General Plan Designation:	5.6 Residential – minimum 2.5 gross acres per unit
Zoning:	South Inyokern Specific Plan: Low Density Residential

1.2 INTRODUCTION

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the proposed Water Supply Improvement Project (Proposed Project). This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and State CEQA Guidelines (14 CCR 15000 et seq.). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

A CEQA Initial Study is generally used to determine which CEQA document is appropriate for a project (Negative Declaration [ND], Mitigated Negative Declaration [MND], or Environmental Impact Report [EIR]). CEQA Guidelines Section 15063(a)(1) states:

If the lead agency can determine that an EIR will clearly be required for the project, an initial study is not required but may still be desirable.

This Initial Study provides preliminary identification of potentially significant environmental impacts, so that these resources can be further studied in an EIR. However, after further study in an EIR, it may be determined that these impacts are less than significant, or mitigation may be proposed to reduce the impacts to a less than significant level. In addition, this document identifies the required scope of the EIR, and focuses the analysis by screening out impacts that are neither significant nor potentially significant.

SECTION 2

PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The Proposed Project is generally located west of the City of Ridgecrest, southeast and east of Inyokern, and south of Naval Air Weapons Station (NAWS) China Lake in unincorporated Kern County, California (Figure 2-1). The Proposed Project consists of the improvement and operation of existing Wells 18 and 34 and the construction and operation of two new wells, proposed Wells 35 and 36. Existing Wells 18 and 34 are located east and west of Brown Road and south of Bowman Road, just south of Inyokern (Figure 2-2).

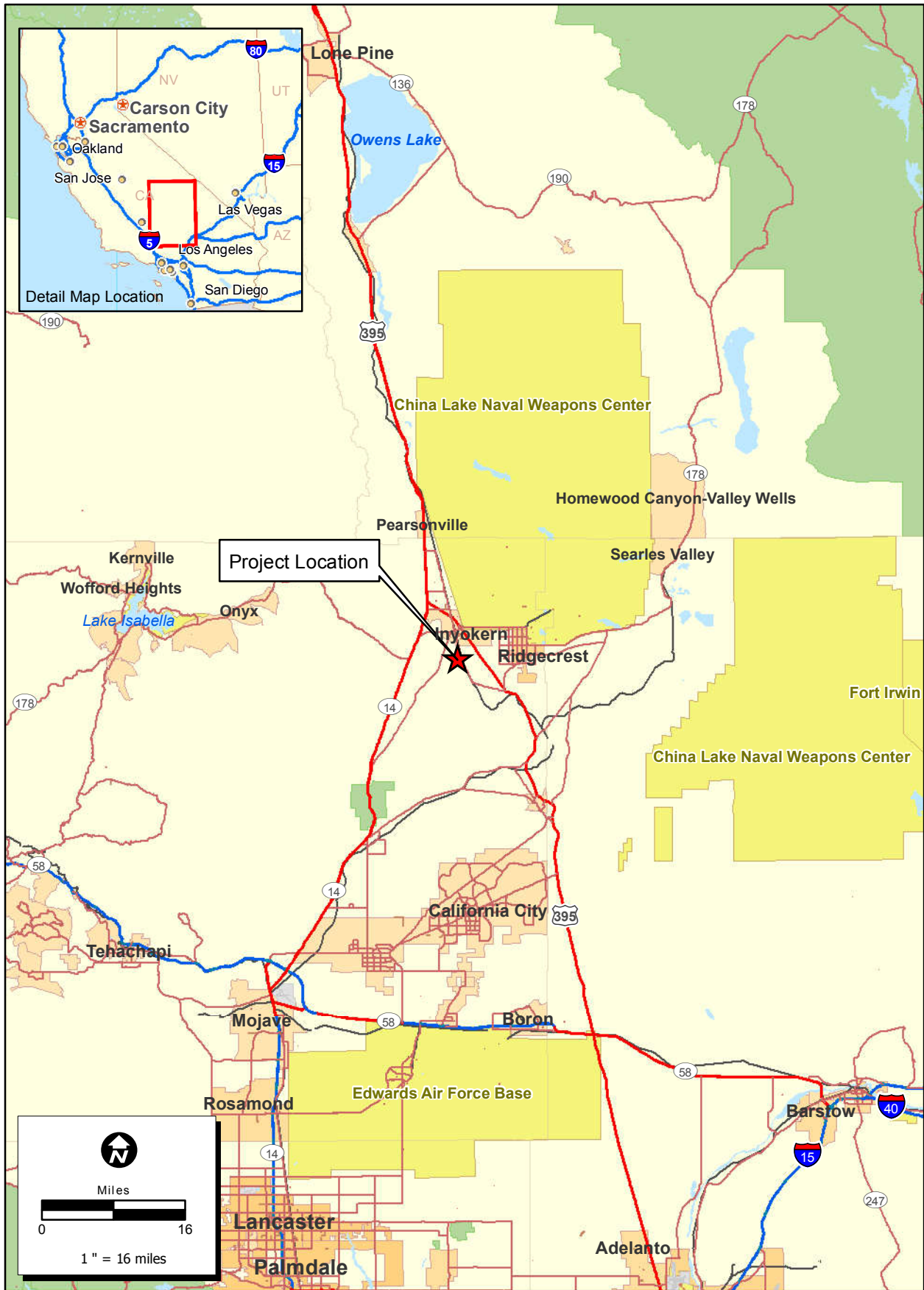
The two new wells would be located as shown on Figure 2-2. Proposed Well 35 would be located on the south side of Bowman Road between Moon Place and Star Place. Well 35 would be located on two parcels which total 3.92 acres, and are recorded with the County of Kern as Assessor's Parcel Numbers (APNs) 341-234-02 and -03 (Figure 2-3). Proposed Well 36 would be located on a 20.33 acre property with an APN of 352-250-33 located at the southeast corner of Las Flores Avenue and N. Victor Street (Figure 2-4). Well 36 would be located in the extreme southwest corner of the parcel. Both sites are owned by the Indian Wells Valley Water District (IWWVD or District).

An approximately 400-foot, 12- to 16-inch pipeline would connect proposed Well 35 to the existing pipeline in Bowman Road. In addition, an approximately 4,000-foot, 12- to 16- inch pipeline would be installed along N. Victor Street to serve proposed Well 36. It would tie in to the existing pipeline at Well 31 near Drummond Avenue and head south to the proposed Well 36 (Figure 2-2). The pipelines would only be for transmission purposes no distribution connections are proposed.

2.2 PROJECT BACKGROUND

IWWVD is the primary provider of water for domestic use, landscape irrigation, and fire protection in the City of Ridgecrest and the surrounding area in the counties of Kern and San Bernardino. The service area has an estimated population of 29,000, many of whom are employed by NAWS China Lake.

The District's Water General Plan (IWWVD 1997) recommends that the District's water production wells should have sufficient combined capacity to meet maximum day demands with the largest well pumping plant out of service, which has been determined to be an approximately 20 percent redundancy to accommodate planned and emergency outages on the maximum day. On November 9, 2005, the Defense Base Realignment and Closure Act (Public Law 101-510) mandated the relocation of several missions from seven other Navy facilities to NAWS China Lake. This action was anticipated to require the transfer and relocation of active duty and civilian Navy personnel to the base over several years (Department of the Navy 2008). In 2005, the Navy estimated the total number of new employees to be 3,587 (IWWVD 2007). In 2007, IWWVD proposed a water supply improvement project to meet the additional domestic water service requirements from the increase in population associated with the transfer of new employees to NAWS China Lake and to provide for a moderate growth in the community.

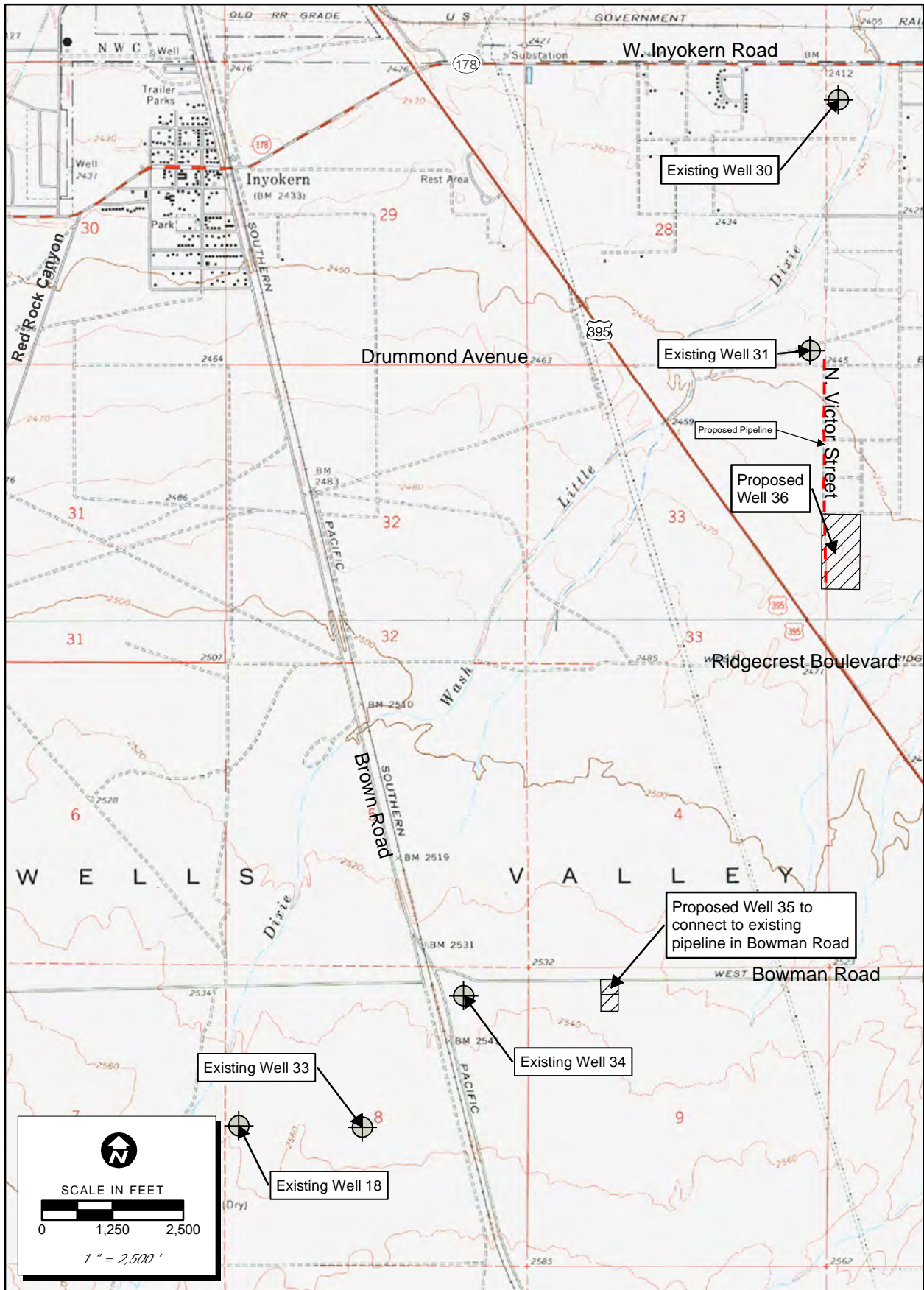


Location: N:\2010\2010-132 IWVWD EIR\MAPS\Site_Vicinity\IWVWD_Vicinity.mxd (agaquirre 5/20/2011)

Map Date: 5/20/2011

Figure 2-1 Regional Map

2010-132 Indian Wells Valley Water District EIR



Location: N:\2010\2010-132 IWVWD EIR\MAPS\Site_Vicinity\Facilities_Location.mxd (ekeethe 6/17/2011)

Map Date: 6/17/2011

Figure 2-2 Facilities Location Map

2010-132 Indian Wells Valley Water District EIR



Location: N:\2010\2010-132 IWVWD EIR\MAPS\Site_Vicinity\Proposed_Well35_APN.mxd (aaguire 6/1/2011)

Map Date: 6/1/2011

Figure 2-3 Proposed Well 35 APN Map

2010-132 Indian Wells Valley Water District EIR



Location: N:\2010\2010-132 IWVWD EIR\MAPS\Site_Vicinity\Proposed_Well36_APN.mxd (aaguire 6/1/2011)

Map Date: 6/1/2011

Figure 2-4 Proposed Well 36 APN Map

2010-132 Indian Wells Valley Water District EIR

In addition, the proposed 2007 project would have provided a 20 percent system redundancy to accommodate planned and emergency outages. A CEQA Initial Study/Mitigated Negative Declaration (IS/MND) for the project was prepared, and was circulated for public comment from May 8 to June 7, 2007. The IWWWD Board of Directors held public hearings for the project and the associated IS/MND on July 9 and August 13, 2007. During the public comment period, comments were submitted that included concerns about how the proposed increase in groundwater production would affect existing hydrogeologic conditions (water levels and water quality). The project was not approved, and the Board of Directors directed staff to re-evaluate the project and to prepare a comprehensive groundwater model that would evaluate the impacts of increasing pumping capacity in the District.

In 2010, Layne Christensen Company prepared an evaluation of the existing water supply wells, the water quality in the existing wells, and the impacts of increasing water supply through additional pumping at existing wells and new wells (Layne Christensen Company 2010). The evaluation reviewed existing wells and determined the feasibility of increasing capacity at existing wells. The evaluation also used three primary hydrogeologic criteria to identify favorable areas for the construction of new water supply production wells:

- ◆ Water quality;
- ◆ Aquifer transmissivity (how much water can be transmitted horizontally to the well); and
- ◆ Recent historical changes in water levels.

Based on the evaluation, four existing wells and four new well sites were selected for further assessment. Seven model scenarios (six pumping configurations plus a "status quo" scenario to represent the current pumping configuration) were constructed and run for the 13-year period of 2008 to 2020. The six pumping configurations represented combinations of different existing and new wells. The ultimate objective was to compare the short-term and long-term regional water levels resulting from the proposed pumping configurations to the water levels predicted for the "status quo" pumping configuration. The models were run twice, once for annualized pumping rates and once to account for seasonal variations in pumping (more pumping occurs in the summer than in the winter). Additionally, changes in water quality were also modeled. The results of the models were used to determine the Proposed Project and will be discussed further in the EIR.

2.3 PROJECT DESCRIPTION

IWWWD proposes to meet current and projected domestic water demand in three phases. The first phase would be an increase in pumping at its existing Wells 18 and 34. The second phase would be the construction and operation of Well 35, and the third phase would be construction and operation of Well 36. Table 2-1 includes the IWWWD's projected maximum day capacity and demand for its domestic water system. IWWWD's current maximum day demand with a 20 percent redundancy is approximately 15,240 gallons per minute (gpm). IWWWD's existing domestic water production wells have an estimated capacity of approximately 11,800 gpm, including reserve capacity (Layne Christensen Company 2010).

Table 2-1
IWVWD Domestic Water System
Well Pumping Plant Maximum Day Demand and Capacity
(with 20% redundancy) Comparison
(values in gpm)

WELL	YEAR		
	2011	2015	2020
9A	1,000	1,000	1,000
10	1,100	1,100	1,100
11	1,000	1,000	1,000
13	1,100	1,100	1,100
17	1,200		
30	1,400	1,400	1,400
31	1,400	1,400	1,400
18	1,200	1,200	1,200
33	1,200	1,200	1,200
34	1,200	1,200	1,200
CAPACITY	11,800	10,600	10,600
PRODUCTION DEMAND (max day with 20% redundancy)	15,240	15,600	15,790
PRODUCTION CAPACITY NEED	3,440	5,000	5,190

Source: Layne Christensen Company 2010

Please note that these projections are from the Technical Memorandum prepared by Layne Christensen Company in April 2010, which estimated future demand partially based on estimates of increases in NAWS China Lake employment and estimates of new NAWS China Lake employees and their families moving into the IWVWD service area. Increases in NAWS China Lake employment would be from Base Realignment and Closure (BRAC) actions that would move missions and associated personnel to NAWS China Lake from other Navy facilities. More recent estimates from NAWS China Lake have indicated that fewer personnel may move into the IWVWD service area than were originally estimated. However, IWVWD has continued to use the initial estimate because it represents a more conservative prediction of future demand.

As seen in Table 2-1, the IWVWD currently has a higher demand than capacity on the maximum demand days which occur in the summer months. There is also not enough capacity to allow for a 20 percent redundancy to cover equipment failure or other emergency during the maximum demand days. As such, the following improvements to its existing wells are proposed in addition to the construction and operation of two new wells.

2.3.1 Improvements to Existing Wells

During Phase I, Wells 18 and 34 would be refitted with new pumping units and related power/control equipment to increase their capacity as shown in Table 2-2.

Table 2-2
Maximum Additional Water Supply from Increased Pumping Rates

Well	Current Pumping Rate (gpm)	New Pumping Rate (gpm)	Additional Water Supply (gpm)
18	1,200	2,200	1,000
34	1,200	2,200	1,000
TOTAL	2,400	4,400	2,000

Source: Layne Christensen Company 2010

2.3.2 Construction of New Wells

Wells 35 and 36 would be constructed according to IWWWD standard well specifications, as described below.

2.3.2.1 Well 35

Well 35 would be located on the south side of Bowman Road between Moon Place and Star Place. The proposed well site would be approximately 250 feet by 250 feet within the 3.92-acre project site and would be accessed from Bowman Road. The well would be 16 to 20 inches in diameter with an anticipated depth of 900 to 1,400 feet below ground surface (bgs). The new well would have a pumping capacity of 1,000 to 2,500 gpm.

Pipeline. A 12- to 16-inch pipeline of up to 400 feet would connect Well 35 to the existing pipeline in Bowman Road. Installation of the pipeline would require an approximately 6-foot-deep trench. The trench would be backfilled and compacted to match the existing road grade.

2.3.2.2 Well 36

Well 36 would be located in the extreme southwest corner of the 20.33-acre parcel within a 250-foot by 250-foot area located at the southeast corner of Las Flores Avenue and N. Victor Street. The well would be 16 to 20 inches in diameter with an anticipated depth of 900 to 1,400 feet bgs. The new well would have a pumping capacity of 1,000 to 2,500 gpm.

Pipeline. An approximately 4,000-foot, 12- to 16-inch pipeline would be installed along N. Victor Street to serve proposed Well 36. It would tie in to the existing pipeline at Well 31 near Drummond Avenue and head south to Well 36. Installation of the pipeline would require an approximate 6-foot deep trench. The trench would be backfilled and compacted to match the existing road grade.

2.3.2.3 Well Construction and Operation

Construction. The proposed well sites would be cleared of vegetation and graded to prepare them for the construction of the wells. A chain-link, tortoise-proof fence with three-strand barbed wire would be erected around the perimeter of the well sites. Construction equipment would be staged within the fenced area. The wells would be drilled using reverse-rotary drilling methods. Drilling would take approximately three to four months. The new wells would include steel louvered screens, a 50-foot sanitary seal and conductor casing, and a concrete pump foundation within a well building. Pumping units, motors, controls, and electric switchgear would be installed based on parameters determined

during well drilling operations. Electrical services would come from the nearest Southern California Edison power pole down the existing roads (Bowman Road and N. Victor Street).

Well Development. The new wells would be developed using air-lift and pumping equipment driven by diesel engine drivers. The wells would be tested using the temporary diesel-driven pump for approximately one week. The water discharged from the development and testing of the wells would be percolated into the ground locally, either by discharge to an on-site percolation pond or by sprinklers.

Disinfection and/or Treatment Facilities. The new wells would require chlorination facilities (dosing pump and sodium hypochlorite storage tank with secondary containment) and such additional treatment facilities that may be indicated by water quality testing performed at the time of drilling. Prior to operation, the wells would be disinfected in accordance with the District's standard specifications. Disinfection water would be dechlorinated and discharged on the site in the same manner as the development and testing water.

Discharge Pond. An approximate one-half to one acre discharge pond would be constructed immediately adjacent to the wells. The discharge pond would be approximately 3 to 6 feet deep.

Operation. The wells would be operated in accordance with system demands and maintenance schedules, approximately 70 to 90 percent of the time during high-demand summer months and 20 to 40 percent of the time during winter months. Back-up generators would not be installed at either well.

2.4 PROJECT TIMING

The Proposed Project would be implemented in three phases. The first phase would be the improvements to existing Wells 18 and 34, which is anticipated to occur in 2012. The second phase, new Well 35, would be constructed when maximum day production demand with 20 percent redundancy is 15,600 gpm, which is anticipated to occur in approximately 2015. The third phase, new Well 36, would be constructed when the maximum day production demand with 20 percent redundancy is 15,790 gpm, which is anticipated to occur in 2020.

Installation of new equipment at existing wells is expected to take approximately 60 days for each well. Site work and pumping facility construction for new wells is anticipated to take 9 to 11 months, including 1 month for site preparation and rough grading and 2 to 3 weeks for final grading. New well drilling is anticipated to take 3 to 4 months.

2.5 REGULATORY REQUIREMENTS, PERMITS, AND APPROVALS

A list of the anticipated agency approvals required to implement the Proposed Project is provided in Table 2-3.

Table 2-3
Anticipated Agency Approvals and Reviews

Agency	Permit or Approval
Indian Wells Valley Water District	<ul style="list-style-type: none">◆ Certification of the Environmental Impact Report◆ Approval of the Water Supply Improvement Project
California Department of Public Health	<ul style="list-style-type: none">◆ Amendment to existing water supply permit
Kern County Environmental Health Services Department	<ul style="list-style-type: none">◆ Well drilling permit
California Department of Fish and Game	<ul style="list-style-type: none">◆ Section 2081 incidental take permit
Other agencies to be determined in the EIR analysis	<ul style="list-style-type: none">◆ Other approvals to be determined

SECTION 3

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

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.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Public Services |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Utilities and Service Systems |
| <input checked="" type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Determination

On the basis of this initial evaluation:

- I find that the Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the 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 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 Project, nothing further is required.

Thomas F. Mulvihill
Signature

June 27, 2011
Date

Thomas F. Mulvihill
Printed Name

Indian Wells Valley Water District
Agency

SECTION 4

ENVIRONMENTAL CHECKLIST AND DISCUSSION

I. AESTHETICS

The Proposed Project is located in two main areas within the Indian Wells Valley in the northern Mojave Desert. Proposed Well 36 would be located within a vacant parcel consisting of desert vegetation, south and southwest of an existing residential area (China Lake Acres). Proposed Well 35 and existing Wells 18 and 34 are located on either side of Brown Road in an unpopulated desert area. The topography within the IWWWD service area ranges from 2,250 to 3,200 feet above sea level. The Sierra Nevada Mountains are visible to the northwest of the project site (IWWWD 1997).

a) Would the project have a substantial adverse effect on a scenic vista?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed pipelines and new wells would not obstruct a scenic vista. Construction equipment for pipeline installation and well installation would be temporary; a less than significant impact would occur. The proposed pipelines would be buried and not visible. The improvements to the existing wells would not be aesthetically different from the new wells and would look similar to the existing wells in the IWWWD's service area. The new aboveground wells would be painted to blend in with the surrounding environment. A chain-link, tortoise-proof fence with three-strand barbed wire would be erected around the perimeter of the well sites. Impacts would be less than significant.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

There are no locally-designated scenic roads in the project area (County of Kern 2009). The nearest Eligible State Scenic Highway (State Route 14) is located approximately six miles west of the project site (Caltrans 2011).

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Proposed Project involves the installation of pipelines, construction of two new wells, and the upgrade of two wells. The only new aboveground facilities are the two wells which would be enclosed

WATER SUPPLY IMPROVEMENT PROJECT
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by a chain-link perimeter fence. The new wells would not substantially degrade the existing visual character of the site or its surroundings as they would be painted to match the desert environment. They would be visually similar to the existing wells in the area such that impacts would be less than significant.

d) Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Proposed Project would not create any new sources of light or glare other than security lighting. The proposed lighting for the new well sites would be the same as at the existing well sites. Impacts would be less than significant.

II. AGRICULTURE RESOURCES

a) Would the project 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project is not located within an area used for agricultural purposes. The project site is designated as nonagricultural and natural vegetation by the Farmland Mapping and Monitoring Program (Department of Conservation 2011). No impacts would occur.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project parcels are not under a Williamson Act contract (Kern County 2011).

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c) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would improve the IWWWD's potable water capacity to meet its current and projected demand. The proposed wells sites and pipeline routes are not within an agricultural use area and would not convert farmland to a non-agricultural use. No impact would occur.

III. AIR QUALITY

The Proposed Project is located under the jurisdiction of the Eastern Kern Air Pollution Control District (KAPCD) in the Mojave Desert Air Basin. Both the state and federal governments have established health based Ambient Air Quality Standards (AAQS) for six air pollutants, which include: carbon monoxide (CO), ozone (O₃), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), lead (Pb), and suspended particulate matter less than 10 microns in diameter (PM₁₀). Attainment status for KAPCD is described in the following table:

**Table 4-1
Eastern KAPCD Attainment Status**

Pollutant	Designation/Classification			
	National Ambient Air Quality Standards (NAAQS)			State Ambient Air Quality Standards
	KAPCD	Kern River/Cummings Valley ^{1,2}	Indian Wells Valley ^{3,4,5}	
Ozone (O ₃) – 1 Hour	Attainment ^{6,7}	Part of KAPCD Area	Part of KAPCD Area	Moderate Nonattainment
Ozone (O ₃) – 8 Hour (0.08 ppm)	Nonattainment	Part of KAPCD Area	Unclassifiable/Attainment	Nonattainment
PM ₁₀	Unclassifiable/Attainment	Serious Nonattainment	Attainment Maintenance	Nonattainment
PM _{2.5}	Unclassifiable/Attainment	Part of KAPCD Area	Part of KAPCD Area	Unclassified
Carbon Monoxide (CO)	Unclassifiable/Attainment	Part of KAPCD Area	Part of KAPCD Area	Unclassified
Nitrogen Dioxide (NO ₂)	Unclassified	Part of KAPCD Area	Part of KAPCD Area	Attainment
Sulfur Dioxide (SO ₂)	Unclassified	Part of KAPCD Area	Part of KAPCD Area	Attainment
Lead Particulates	No Designation	Part of KAPCD Area	Part of KAPCD Area	Attainment

¹ Kern River Valley, Bear Valley, and Cummings Valley were previously included in the federally designated San Joaquin Valley PM₁₀ Serious Nonattainment Area, but was made a separate nonattainment area in 2008

² Kern River Valley, Bear Valley, and Cummings Valley are included with the KAPCD for all NAAQS other than PM₁₀

³ For PM₁₀ and first 8-hour ozone NAAQS (0.08 ppm) the Indian Wells Valley was split out as a separate planning area from the rest of KAPCD

⁴ Indian Wells Valley is only a separate area for the PM₁₀ and the first 8-hour ozone NAAQS (0.08 ppm) and is part of the KAPCD for all other NAAQS

⁵ Indian Wells Valley is included with the rest of the KAPCD in the proposed designated nonattainment area under the 2007 revision of the 8-Ozone NAAQS (0.075 ppm)

⁶ 1-hour ozone NAAQS was revoked effective June 15, 2004

⁷ KAPCD was attainment of 1-hour ozone NAAQS at the time of revocation; the proposed Attainment Maintenance designation was June 1, 2004, therefore it did not become effective

Source: KAPCD 2010

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a) Would the project conflict with or obstruct implementation of the applicable air quality plan?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Project-related impacts would result from the improvements of existing wells, the construction of new wells and proposed water pipelines, and from the operation of the wells. Temporary and permanent air emissions related to ground disturbance, vehicle exhaust, and well operation would occur. An air quality technical report will be prepared and the results incorporated into the EIR. Potential cumulative air quality impacts (and any mitigation measures), will also be analyzed in the EIR in relation to KAPCD thresholds, ambient air quality standards, and attainment standards.

b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the response to Question IIIa.

c) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the response to Question IIIa.

d) Would the project expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the response to Question IIIa. Existing Wells 30 and 31, proposed new Well 36, and the proposed water pipeline are located near rural residential areas east of Inyokern and west of Ridgecrest. Existing Wells 18, 33, and 34 are located south of Inyokern in undeveloped desert areas. Proposed new Well 35 would be located east of well 34 in an undeveloped desert area. The EIR will evaluate whether the Proposed Project would expose sensitive receptors to substantial pollutant concentrations.

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e) Would the project create objectionable odors affecting a substantial number of people?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Improvements to existing wells and the construction of new wells and associated infrastructure would cause temporary air emissions related to ground disturbance and vehicle exhaust. These impacts would be temporary and are not expected to create objectionable odors. Permanent impacts would result from the operation of the wells. Odors from long-term operation of the Proposed Project would be similar to the existing condition at existing wells. A less than significant impact would occur.

IV. BIOLOGICAL RESOURCES

The sites for both Proposed Well 35 and Proposed Well 36 have been previously-surveyed for biological resources, but the results of these surveys have expired (CMBC 2007). New survey will be conducted. An updated biological resources technical report will be prepared for the Proposed Project and the results will be incorporated in the EIR.

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, 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?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) each maintain lists of endangered, threatened, and special-status species. There are three species of concern for the proposed wells and pipeline alignments: desert tortoise (*Gopherus agassizii*; listed as threatened by USFWS and CDFG), Mohave ground squirrel (*Spermophilus mohavensis*; listed as threatened by the CDFG), and western burrowing owl (*Athene cunicularia*; considered a Bird of Conservation Concern by the USFWS and a Bird Species of Special Concern by the CDFG) (IWWWD 2007).

Potential significant impacts may occur to candidate, sensitive or special status species from the ground disturbance related to the construction of new wells and associated water pipelines. A biological resources technical report is being prepared for the Proposed Project and the results will be incorporated into the EIR. Potentially significant impacts to candidate, sensitive or special status species will be addressed in the EIR.

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b) Would the project have a substantial adverse effect 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

There is no riparian habitat present in the project vicinity. The two new proposed wells (35 and 36) and associated facilities would have a relatively small footprint. The Proposed Project would also require the installation of water pipelines to serve these two new wells. Well 35 would require up to 400 feet of 12- to 16-inch pipeline to connect to an existing pipeline in Bowman Road. Well 36 would require an approximately 4,000-foot 12- to 16-inch pipeline, which would be installed along N. Victor Street. Given the relatively small impact area of the proposed wells and the location of the pipelines and the lack of riparian habitat in the project area, a less than significant impact would occur.

c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project includes improvements at existing wells and the construction of two new wells and installation of water pipelines. There are no jurisdictional areas in the areas proposed for well construction and installation of water pipelines. No impact would occur.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the response to Question IVa.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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The Proposed Project would not conflict with any local policies or ordinances protecting biological resources. No impact would occur.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project area is not located in an area covered by a habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. No impacts would occur.

V. CULTURAL RESOURCES

A cultural technical report will be completed for the Proposed Project and the results will be incorporated into the EIR.

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Historical resources in the vicinity of the project area will be identified in the cultural technical report that will be prepared. Analysis of potential impacts to such resources will be conducted in the EIR.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Archeological resources in the vicinity of the project area will be identified in the cultural technical report that will be prepared. Analysis of potential impacts to such resources will be conducted in the EIR.

c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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The cultural technical report that will be prepared for the Proposed Project will identify unique paleontological resources and unique geological features, if any, in the vicinity of the project area. The potential for the Proposed Project to impact such resources will be addressed in the EIR.

d) Would the project disturb any human remains, including those interred outside of formal cemeteries?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The cultural technical report that will be prepared for the Proposed Project will identify the potential to disturb any human remains as a result of project construction. Potential significant impacts will be addressed in the EIR.

VI. GEOLOGY AND SOILS

a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	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? Refer to Division of Mines and Geology Special Publication 42.	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

i) The new wells and pipelines to be installed as part of the Proposed Project are not located within and do not cross any faults delineated on the most recent Alquist-Priolo fault zone maps available from the California Geological Survey at:

<http://www.consrv.ca.gov/cgs/rghm/ap/Pages/Index.aspx>

and in California Division of Mines and Geology Special Publication 42 – Interim Revision 2007. Therefore, the Proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault.

ii) There are, however, faults within the region that could expose the wells and pipelines to strong seismic ground shaking during an earthquake. The purpose of the Proposed Project, however, is to provide additional pumping capacity and redundancy. Therefore, improvements to existing wells, the installation of new wells, and the construction of new pipelines would provide IWWWD with more reserve capacity and the ability to bring the water system back online in the event parts of the system are affected by strong seismic ground shaking. The new facilities to be installed as part of the Proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death as a result of strong seismic ground shaking.

iii) The well and pipeline locations are not in areas subject to liquefaction due to the lack of shallow or perched groundwater in the area of the Proposed Project.

iv) According to Figure 12 of Chapter 4 (Safety Element) of the Kern County General Plan, the well and pipeline locations are not in areas at risk for landslides or other steep slope hazards.

b) Would the project result in substantial soil erosion or the loss of topsoil?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drill site grading, excavation of percolation ponds, excavation of pipeline trenches and other Proposed Project activities have the potential to cause erosion and remove topsoil from disturbed areas. Proper construction, soil management, and storm water protection practices, however, would prevent soil erosion and the loss of topsoil. The EIR will include appropriate mitigation measures such as preparation of an excavation and soil management plan, stockpiling of excavated or scraped soils adjacent to the construction area, protection of soil stockpiles using appropriate best management practices (BMPs) in accordance with a Storm Water Pollution Prevention Plan (SWPPP), and proper backfilling and compaction of excavated areas. Complete analysis of this potential impact and preparation of detailed mitigation measures, if applicable, will be conducted as part of the EIR. Implementation of appropriate mitigation measures should reduce any potentially significant impact to less than significant.

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c) Would the project 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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project sites are not located on unstable soils, as indicated on Figure 12 of Chapter 4 (Safety Element) of the Kern County General Plan.

d) Would the project 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The well and pipeline locations are located within silty sand soils with gravel and rock fragments. Expansive clay soils are not expected in the area of the Proposed Project.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project does not include the installation of septic tanks or any other type of permanent or long-term wastewater disposal system.

VII. GREENHOUSE GAS EMISSIONS

a) Would the project generate gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

An air quality technical report will be prepared which will examine the Proposed Projects greenhouse gas emissions. Analysis of this potential impact will be conducted in the EIR.

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b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the response to Question VIIa.

VIII. HAZARDS AND HAZARDOUS MATERIALS

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Some hazardous materials, such as diesel fuel, would be used at the site during well construction and development. The transport of hazardous materials is regulated by the State and the transport of such materials to the site would be in compliance with all State regulations. These materials would only be present during construction and would be removed upon completion of the project.

The new wells would require chlorination facilities (dosing pump and sodium hypochlorite [liquid chlorine] solution stored in a 200-gallon polyethylene drum with secondary containment) and such additional treatment facilities that may be indicated by water quality testing performed at the time of drilling. All materials would be properly contained, handled, and transported in compliance with all applicable regulations. Prior to operation, the wells would be disinfected in accordance with the District's standard specifications. Disinfection water would be dechlorinated and discharged on the site in the same manner as the development and testing water. This will be discussed further in the EIR.

b) Would the project 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the response to Question VIIa. The IWWWD has an Emergency Response Plan in place to respond to accident conditions involving the release of hazardous materials into the environment.

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c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

There are no schools located within 0.25 mile of the project site. The closest schools to the project site are Inyokern Elementary School and Mariposa Christian School, located approximately two miles to the northwest and west of proposed Well 36, respectively. As discussed in Question VIIa, regular maintenance and the use of approved hauling and disposal methods would reduce the risk of accidental release to a less than significant level.

d) Would the project 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project is not located on sites that are included on the list of hazardous materials sites. Proposed Well 35 is located approximately three miles south of NAWS China Lake, proposed Well 36 approximately 1.5 miles south of NAWS China Lake, and existing Wells 18 and 34 are located approximately 3.5 miles south of NAWS China Lake. NAWS China Lake is included on the list of hazardous materials sites compiled by the California Department of Toxic Substances Control (DTSC). NAWS China Lake is an open military base with confirmed releases of contaminants. The NAWS China Lake site is scheduled for certification with DTSC in 2015. No groundwater contamination from NAWS China Lake has been detected in the aquifer underlying any of the Project wells. No impact would occur.

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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is not located within an airport land use plan, or within two miles of a public or private airport. The Inyokern Municipal Airport is located over three miles northwest of the project site. The NAWS China Lake Airport is located over five miles northeast of the project site.

The well sites and water pipeline alignments are located within the Joint Service Restricted R-2508 Complex. The Joint Service Restricted R-2508 Complex is airspace that is considered an extension of the airspace for NAWS China Lake and Edwards Air Force Base (EAFB), and is restricted in order to

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minimize flight hazards to non-military aircraft by military aircraft. As required by the County of Kern Airport Land Use Compatibility Plan (ALUCP), NAWs China Lake and EAFB would be provided copies of this Initial Study and any subsequent environmental documents pertaining to the Proposed Project. According to the ALUCP, the well sites and water pipeline alignments are not located within the airport influence area of the Inyokern Airport. The Proposed Project would comply with all F.A.R. Part 77 standards, and would not result in a safety hazard for people residing or working in the Project area. No impact would occur.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project is not located within the vicinity of a private airstrip.

g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Proposed Project activities would not alter emergency response or emergency evacuation routes. Transportation corridors would remain open throughout construction, and would not be affected by the Proposed Project operation once the completed facilities are placed into service. The Proposed Project would not impair implementation of or physically interfere with the IWVWD's adopted Emergency Response Plan or an emergency evacuation plan. No impact would occur.

h) Would the project 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project is not located in or near an area that is at risk for wildland fires. The construction of this Proposed Project would not expose people or structures to a significant risk of loss, injury, or death from wildland fires. In addition, IWVWD's standard contract documents would require construction contractors to comply with safety standards specified in Title 8, California Code of Regulations, and any equipment or machinery that poses a risk of emitting sparks or flame be equipped with an arrestor, thereby further limiting potential impacts. Operation of the Proposed Project facilities would not pose a risk of fire, as it would not involve the use or storage of flammable materials.

IX. HYDROLOGY AND WATER QUALITY

a) Would the project violate any water quality standards or waste discharge requirements?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Proposed Project would provide water that meets all applicable drinking water standards. The wells would include a 50-foot sanitary seal to protect water quality. As such, the Project would not violate any water quality standards.

During drilling and well testing, groundwater produced from the new wells would be discharged to the ground surface to allow it to percolate back into the subsurface. The new wells would be developed and subsequently tested for approximately one week. The water discharged from the development and testing of the wells would be percolated into the ground locally, either by discharge to an on-site percolation pond or by sprinklers. The new wells would require chlorination facilities with secondary containment and such additional treatment facilities that may be indicated by water quality testing performed at the time of drilling (*e.g.* for the removal of arsenic). Prior to operation, the wells would be disinfected in accordance with the District’s standard specifications. Disinfection water would be dechlorinated prior to being discharged on the site in the same manner as the development and testing water. These actions would not result in any violations of waste discharge requirements.

b) Would the project 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 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)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In 2010, Layne Christensen Company prepared an evaluation of the existing water supply wells, the water quality in the existing wells, and the impacts of increasing water supply through additional pumping at existing wells and new wells (Layne Christensen Company 2010). The Proposed Project consists of the improvement and operation of existing Wells 18 and 34 and the construction and operation of two new wells, proposed Wells 35 and 36. Existing Wells 18 and 34 are located south of Bowman Road on either side of Brown Road, south of Inyokern (Figure 2-2). Proposed Well 35 would be located on the south side of Bowman Road between Moon Place and Star Place. Proposed Well 36 would be located near the southeast corner of Las Flores Avenue and N. Victor Street.

It is anticipated that in 2012, Wells 18 and 34 would be fitted with new pumps and related equipment so that their pumping rates would be increased from 1,200 gpm each to 2,200 gpm each. Well 35

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would be installed in approximately 2015. Well 35 would be drilled to a depth between 900 feet below ground surface (ft bgs) and 1,400 ft bgs, with an anticipated pumping rate between 1,000 gpm and 2,500 gpm. Well 36 would be installed in approximately 2020. Well 36 would be drilled to a depth between 900 ft bgs and 1,400 ft bgs, with an anticipated pumping rate between 1,000 gpm and 2,500 gpm. The Proposed Project would increase the production capacity of IWWWD from 11,800 gpm in 2011 to between 13,600 to 15,100 gpm in 2015, and between 14,600 to 16,600 gpm in 2020.

The 2010 Layne Christensen Company study evaluated seven different pumping alternatives (including the No Action Alternative). The Proposed Project is Scenario 6 of the Layne Christensen study. For Scenario 6, Layne Christensen predicted seasonal drawdowns of the groundwater table of between two feet to six feet over one year and between two feet and 10 feet over 10 years. By focusing the new extraction capacity to the southwest of Ridgecrest and south of Inyokern, groundwater elevations are predicted to rise slightly (two feet to six feet) in wells in the northwest part of Ridgecrest.

Groundwater elevations have been decreasing in the Indian Wells Valley since approximately the 1950s. Water-level data available from the California Department of Water Resources (DWR) Water Data Library (www.water.ca.gov/waterdatalibrary) indicate that from the 1950s through the 1980s, groundwater elevations in wells in the Ridgecrest area decreased at rates ranging from nine inches per year to almost two feet per year. More recently, data from the Kern County Water Agency indicate that from 2003 to 2008, groundwater elevations in the basin decreased at rates ranging from approximately one foot per year to almost two feet per year.

The pumping rates and volumes anticipated for the Proposed Project, in conjunction with the already existing basin-wide declines in water levels, have the potential to significantly lower groundwater elevations over time, such that shallower private and commercial water wells may experience declining production to the point where they may no longer be capable of supporting existing uses. Complete analysis of this potential impact and preparation of detailed mitigation measures, if applicable, will be conducted as part of the EIR.

c) Would the project 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 that would result in substantial erosion or siltation on- or offsite?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would not alter existing drainage patterns or alter any stream courses in a manner that would cause erosion or siltation. After well construction and pipeline installation are completed, the ground surface would be graded and compacted to match the surrounding areas such that surface runoff would occur in the same manner in which it did prior to the construction activities.

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<p>d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite?</p>	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would not alter existing drainage patterns, alter any stream courses, or increase the rate or amount of surface runoff. After well construction and pipeline installation are completed, the ground surface would be graded and compacted to match the surrounding areas such that surface runoff would occur in the same manner in which it did prior to the construction activities.

<p>e) Would the project 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?</p>	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would not create or contribute to runoff. Water generated during drilling and testing of wells would be percolated into the ground using sprinklers or a small pond. After completion of the well installation and pipeline construction, storm water runoff would be the same as current, baseline, conditions.

<p>f) Would the project otherwise substantially degrade water quality?</p>	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Proposed Project would not involve the discharge of water offsite or into any other water bodies. As discussed in item IXa, above, the wells would be constructed in accordance with applicable standards and would produce groundwater that meets all drinking water standards. Water discharged to the ground surface would percolate back into the ground. Water used to disinfect the wells would be dechlorinated before being discharged to the ground surface.

The Layne Christensen Company (2010) study evaluated water quality variations within the groundwater basin. Selection of appropriate pumping locations was based on areas with lower chloride and total dissolved solids (TDS) concentrations, and areas with higher transmissivity (i.e. higher capability of the aquifer to transmit water to a well). The locations of existing Wells 18 and 34, and new Wells 35 and 36, are in areas with lower chloride and TDS concentrations. However, areas with elevated arsenic and TDS concentrations are known to exist in the region.

WATER SUPPLY IMPROVEMENT PROJECT
INITIAL STUDY

There is the potential that increased groundwater pumping due to the Proposed Project could cause groundwater with elevated levels of TDS and/or arsenic to migrate toward the pumping well locations. Complete analysis of this potential impact and preparation of detailed mitigation measures, if applicable, will be conducted as part of the EIR.

g) Would the project 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?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project does not include the construction of any housing.

h) Would the project place within a 100-year flood hazard area structures that would impede or redirect flood flows?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Proposed Project components are not located within a 100-year flood hazard area, according to FEMA Flood Map Sheets 06029C1575E and 06029C1019E.

i) Would the project 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?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project does not involve the construction of any levees or dams and is not located downslope from any levees or dams.

j) Would the project inundation by seiche, tsunami, or mudflow?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project is not located near any standing water features that would be capable of producing a seiche or tsunami. The Proposed Project is not located near any steep slopes subject to mudflows.

X. LAND USE AND PLANNING

WATER SUPPLY IMPROVEMENT PROJECT
INITIAL STUDY

The County of Kern's General Plan land use designation for proposed Well 35 and 36 is 5.6 Residential (County of Kern 2009). The 5.6 Residential land use designation is defined in the County of Kern General Plan as follows:

5.6 Residential - Minimum 2.5 Gross Acres/Unit constitutes a single-family designation with rural service needs in the valley and desert regions, while in the mountain region residential uses of this density will require urban service provision.

Proposed Well 35, existing Well 34, and Well 18 are located within the South Inyokern Specific Plan area (County of Kern 1973). Land use designation for proposed Well 35, existing Well 34 and 18 is Low Density Residential.

The County of Kern zoning designation for the project area is E-5: Estate 5 acres, E-2 ½: Estate 2 ½ acres, E-20: Estate 20 acres, and MH: Mobilehome Foundation Combining (County of Kern 2009).

Proposed Well 36 is located within a vacant parcel surrounded by residential to the north and east, and by Highway 395 to the west and south. Proposed Well 35 and existing Wells 34 and 18 are located in an unpopulated desert area.

a) Would the project physically divide an established community?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would not divide an established community.

b) Would the project 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 plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

General Plan designations and zoning restrictions are not applicable to water facilities, per Section 53091 of the California Government Code. The Proposed Project would not conflict with any land use plan, policy, or regulation.

c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WATER SUPPLY IMPROVEMENT PROJECT
INITIAL STUDY

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See response to Question IVa (Biological Resources). No Habitat Conservation Plans or Natural Community Conservation Plans apply to the project area. No impacts would occur.

XI. MINERAL RESOURCES

a) Would the project 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project 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?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project sites are not currently used for mineral resource recovery and do not fall within a Mineral Resource Zone per the General Plan (County of Kern 2009). No impact to mineral resources would occur.

XII. NOISE

The nearest sensitive receptors to project facilities are residential uses along North Victor Street, where the new pipeline for proposed Well 36 would be constructed.

a) Would the project result in 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?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The generation of noise associated with the Proposed Project would occur over the short-term for site preparation and construction activities to implement the Proposed Project. Long-term noise impacts would be similar to the existing conditions. The EIR will discuss potential temporary and intermittent noise impacts related to construction and operational activities, any applicable local noise standard or policies, and, if necessary, appropriate mitigation measures to reduce potential noise impacts to a less than significant level.

b) Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WATER SUPPLY IMPROVEMENT PROJECT
INITIAL STUDY

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Excessive groundborne vibration is usually triggered by activities such as blasting used in mining operations, or the use of pile drivers during construction. The Proposed Project would not require any blasting activities or pile driving. No impacts would occur.

c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

See response to Question XIIa.

d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

See response to Question XIIa.

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 expose people residing or working in the project area to excessive noise levels?	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project is not located within the vicinity of a public or private airport. The Inyokern Airport is located approximately three miles northwest of the project area. The NAWS China Lake Airport is located approximately 4.5 miles northeast from the closest project component (proposed Well 36). No impact would occur.

XIII. POPULATION AND HOUSING

WATER SUPPLY IMPROVEMENT PROJECT
INITIAL STUDY

The IWWWD's service area population was estimated to be approximately 36,000 people in 2007. The population of the IWWWD 's service area may increase from about 36,000 to as many as 51,800 by 2015, remain approximately the same, or decrease to as few as 24,200 (IWWWD 1997).

a) Would the project 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)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The potential of the Proposed Project to directly or indirectly induce substantial population growth in the area will be discussed in the EIR as required by CEQA. However, impacts are anticipated to be less than significant.

b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response for XIIIb) and c): No existing housing units or people would be displaced as a result of the Proposed Project. No impact would occur.

XIV. PUBLIC SERVICES

The Proposed Project area would be serviced by IWWWD. There are no schools located within a 0.25-mile radius of the project area. The closest schools to the Proposed Project are Inyokern Elementary School and Mariposa Christian School, located approximately two miles to the northwest and west of proposed Well 36, respectively.

WATER SUPPLY IMPROVEMENT PROJECT
INITIAL STUDY

<p>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:</p> <ul style="list-style-type: none"> ◆ Fire Protection? ◆ Police Protection? ◆ Schools? ◆ Parks? ◆ Other Public Facilities? 	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would not cause a significant new fire or public safety hazard. The Proposed Project would not substantially increase the amount of new employees, so there would not be a significant impact affecting the demands for schools, parks, or other public facilities. The project would not result in the need for new or physically altered government facilities nor affect response time or other performance objectives.

XV. RECREATION

No formal recreational activities occur within a 0.25-mile radius of the project site.

<p>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project does not involve residential uses and would not cause a direct increase in population in the area or increase the use of existing parks or recreational facilities. No impact would occur.

<p>b) Does the project include recreational facilities or require the construction or expansion or recreational facilities, which might have an adverse physical effect on the environment?</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project does not include recreational facilities nor require the construction or expansion of recreational facilities that might have an adverse effect on the environment. No impact would occur.

XVI. TRANSPORTATION/TRAFFIC

The Proposed Project is generally located west of the City of Ridgecrest, southeast and east of Inyokern, and south of NAWS China Lake in unincorporated Kern County, California. Existing Wells 18 and 34 are located east and west of Brown Road and south of Bowman Road, just south of Inyokern. Proposed Well 35 would be located on the south side of Bowman Road between Moon Place and Star Place. Proposed Well 36 would be located at the southeast corner of Las Flores Avenue and North Victor Street. All roads near the existing and proposed wells are dirt roads. Southwest of proposed Well 36 is Highway 395, a two and four-lane paved highway in Kern County. It starts in San Bernardino County and continues north to Bishop (County of Kern 2009).

a) Would the project 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)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Proposed Project would generate a minor amount of construction-related traffic during the grading and construction phase. However, that traffic would be temporary and would cease after the construction is finished. There is no traffic associated with the operation of the wells other than a minor amount of service personnel trips. A less than significant impact would occur.

b) Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

See response to Question XVIa.

c) Would the project 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No change in air traffic patterns, increase in traffic levels, or change in location that would generate safety risks would result from the Proposed Project. No impact would occur.

WATER SUPPLY IMPROVEMENT PROJECT
INITIAL STUDY

d) Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project includes underground pipelines in North Victor Street and would not increase hazards due to a design feature or incompatible use. During construction, North Victor Street may not be fully accessible. However, IWWWD’s standard contract documents require the construction contractor to provide adequate and safe traffic control measures that will both accommodate local traffic and ensure the safety of travelers in the project area. No impact would occur.

e) Would the project result in inadequate emergency access?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Proposed Project would be designed according to County of Kern Fire and Traffic Departments requirements and standards. As described in Question VII d, emergency access to residences would be maintained during construction. A less than significant impact would occur.

f) Would the project result in inadequate parking capacity?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would not result in inadequate parking capacity. Adequate parking for construction personnel and equipment would be included in the off-street staging areas for the new wells on the parcels owned by IWWWD. Parking for maintenance vehicles would also be provided at the well sites. No impact would occur.

g) Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would not conflict with adopted transportation policies. The Proposed Project would not require the use of, or affect, alternative transportation. No impact would occur.

XVII. UTILITIES AND SERVICE SYSTEMS

a) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wastewater generated by the Proposed Project would be discharged in compliance with the Regional Water Quality Control Board, Lahontan Region requirements. Wastewater discharge only includes ground water pumped from the wells to start, develop, test, or treat the wells. The Proposed Project would not exceed wastewater treatment requirements. No impacts would occur.

b) Would the project 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project is the construction and operation of new water facilities. The Proposed Project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities. Impacts resulting from the Proposed Project will be discussed in the EIR. This project would not result in the need for additional facilities.

c) Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would not require or result in the construction of new stormwater drainage facilities or expansion of exiting facilities. No impact would occur.

d) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The impact of the Proposed Project on groundwater resources will be discussed in the EIR.

WATER SUPPLY IMPROVEMENT PROJECT
INITIAL STUDY

e) Would the project 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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

See response to Question XVIIa.

f) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Construction debris related to the Proposed Project would be disposed of at the Boron Landfill. A less than significant impact would occur.

g) Would the project comply with federal, state, and local statutes and regulations related to solid waste?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Proposed Project would be required to comply with all applicable federal, state, and local statutes and regulations related to solid waste. No impacts are anticipated.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A reconnaissance-level biological resources survey will be conducted to evaluate vegetation and wildlife resources on the site. The project site will also be examined for historic and prehistoric significance. The potential for the project to affect any biological or cultural resources will be determined in the EIR.

WATER SUPPLY IMPROVEMENT PROJECT
INITIAL STUDY

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental 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)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The EIR will evaluate whether project implementation combined with other current and probable projects along with projected regional growth in the surrounding area will be cumulatively considerable, particularly to groundwater quality and quantity. The project's contribution to global climate change will also be discussed in the EIR.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Proposed Project has been found to have environmental impacts as described in this Initial Study, which require additional study before their significance can be determined. The additional study will occur in the EIR for the Project.

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SECTION 5

LIST OF PREPARERS

ECORP Consulting, Inc.

Anne Surdzial, AICP, Project Manager
Alfredo Aguirre, Assistant Environmental Analyst
Jenny Cleary, Assistant Environmental Analyst
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Indian Wells Valley Water District

Tom Mulvihill, General Manager
Renee Morquecho, District Engineer

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EMKO Environmental

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SECTION 6

BIBLIOGRAPHY

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[Caltrans] California Department of Transportation

- 2011 California Scenic Highway Mapping System. Accessed at: http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm. April 13.

[CMBC] Circle Mountain Biological Consultants, Inc.

- 2007 Focused Survey for Desert Tortoise and Western Burrowing Owl, Habitat Evaluation for Mohave Ground Squirrel, and General Biological Resource Assessment for the 1.86-acre Well Site 35 (APN 341-234-03) in the Vicinity of Inyokern, Kern County, California.

[IWWWD] Indian Wells Valley Water District

- 1997 *Domestic Water System 1997 Water General Plan*.
2007 *Initial Study and Draft Mitigated Negative Declaration for the 2007/2008 Water Supply Improvement Project*. May.

[KAPCD] Eastern Kern Air Pollution Control District

- 2010 District Information. Accessed at: http://www.kernair.org/Documents/Reports/EKAPCD_Info_11-2010.pdf. April 14.

Kern County

- 2011 Online Mapping System. Accessed at: http://maps.co.kern.ca.us/imf/imf.jsp?site=kern_pub. April 13.
2009 General Plan, as amended. September 22.

Layne Christensen Company

- 2010 *Water Supply Improvement Plan Phase 1 and 2 Final Technical Memorandum*. April 16.

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received
8/5/11

Rose Koch

From: vonSchlemmer [vonschlemmer@verizon.net]
Sent: Thursday, August 04, 2011 5:13 PM
To: iwwvd@iwwvd.com
Subject: In regards to WSIP

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

From Paul and Julie von Schlemmer
1424 N. Quasar St., Ridgecrest, CA 93555
vonschlemmer@verizon.net

COMMENTS:

In regards to the WSIP that is being proposed, we are concerned that it will affect the water table in our area. We are on the corner of N. Quasar and W. Reeves. We have our own well and cannot afford to dig a new one if the water table drops too low. Our relatives had to drill a new well on the corner of Bowman and Jacks Ranch when IWWVD put in a well on the corner of Jacks Ranch and R/C Blvd. The water table dropped too low for their existing well to operate.

Sincerely,
Paul and Julie von Schlemmer

LAW OFFICES

SCOTT C. WARDEN

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August 3, 2011

Mr. Tom Mulvihill, General Manager
Indian Wells Valley Water District
500 W. Ridgecrest Blvd.
Ridgecrest, California 93555

VIA FEDERAL EXPRESS

Re: Notice of Objection to Indian Wells Valley Water District
Proposed Water Supply Improvement Plan

Dear Mr. Mulvihill:

My law firm represents the 18 private landowners which comprise the Owens Peak South Water Company well cooperative in Kern County ("Cooperative"). The Cooperative strongly opposes the Proposed Water Supply Improvement Project, and the methods for increasing water supply as articulated within the Urban Water Management Plan of 2009 (rev. May 2011).

The members of the Cooperative are completely dependent upon groundwater for all beneficial uses of their respective properties. The groundwater level beneath the well owned by the Cooperative has been steadily decreasing in recent decades. The rate of decrease has grown from 0.5 feet per year in the 1980's to 1.5 feet per year since 2000. The rate of decrease continues to grow at a consistently alarming rate.

Accordingly, The Owens Peak South Water Company well cooperative strongly objects to, and demands that, the District cease and desist its pursuit of the course of action proposed within the Urban Water Management Plan and further, that the District seek alternative means of augmenting existing supply in a manner which will not jeopardize the long-term vitality of the groundwater basin.

The Cooperative recognizes the District's eventual acknowledgment of the severe state of overdraft of the groundwater basin. However, despite acknowledging that the basin is greatly oversubscribed, the District now proposes to increase the rate at which groundwater from the basin is to be extracted. Moreover, the District provides no concrete solution for mitigation of the inevitable impact to deteriorating groundwater levels. Indeed, the Urban Water Management Plan identifies Year 2035 as the earliest date for the introduction of alternative sources of water.

Public review and comment are integral requirements under the California Environmental Quality Act. The legislative intent behind the enactment of CEQA, however, is designed to

inform decision-makers and the public about significant environmental impacts from a proposed project *before harm is done to the environment*. (See: *Berkeley Keep Jets Over the Bay v. Board of Port Commissioners* (2001) 91 Cal. App. 4th 1344, 1354; *County of Inyo v. Yorty* (1973) 32 Cal. App. 3rd 795, 810). The District must prepare a draft assessment, provide a public comment period, review comments it receives to its draft assessment, and *provide a written response to the comments it received*. (Cal. Pub. Res. Code at sections 21091(d); 21091(a); 21092).

CEQA is not, however, simply a “notice to the public” statute. It requires agencies such as the Indian Wells Valley Water District to undertake a good faith analysis and not simply generate documentation in support of predetermined approval of a project as appears to be the case here. (See: *City of Santee v. County of San Diego* (2010) 186 Cal. App. 4th 55, 62; citing *Save Tara v. City of West Hollywood* (2008) 45 Cal. App. 4th 116, 134). An Environmental Impact Report (EIR) that simply seeks to justify the existing Proposed Water Supply Improvement Project **does not** go far enough to comply with CEQA requirements.

In addition, CEQA mandates that the District implement mitigation measures to reduce the impact to ‘*less than significant*’, or make a specific finding that the damage cannot be mitigated but that the benefit from the project outweighs the damage it will cause. (See: *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal. 3d 376, 400).

The Indian Wells Valley Water District may not certify the Proposed Water Supply Improvement Project unless it specifically makes findings that: (1) changes or alterations in the project have been incorporated which will “mitigate or avoid” any significant effects on the environment; or (2) mitigation measures or alternatives are not feasible, and that there are specific and clearly articulated overriding benefits of the project which outweigh the significant environmental impact that will necessarily result should the project be certified. (Cal. Pub. Res. Code at section 21081; 20 Cal. Code of regulations at section 1755).

On behalf of the Owens Peak South Water Company well cooperative, I strongly encourage the District to take these requirements very seriously going forward and that all potential mitigation measures and alternatives be thoroughly investigated and considered before increasing the burden on an already depleted, invaluable resource.

Very truly yours,

LAW OFFICES OF SCOTT C. WARDEN



Scott C. Warden, Esq.

SCW:map

cc: Mr. Steven R. Adams, Treasurer
Owens Peak South Water Company

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

received
8/4/11

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Don and Arlene Sillings
Address 4528 W. Drummond Ave Ridgecrest 93555
Street City Zip Code
E-mail _____

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

we are in our mid-seventies living on a fixed income. We rely on our well for our water necessities.
The possibility of our well going dry because of your drilling deeper wells in our area would be disastrous for us as we are not financially able to drill a deeper existing or new well. We also would not be financially able to pay for connecting to water lines you might create. We would lose our property and probably go on welfare. We believe this whole concept you are proposing is totally unfair.

**Environmental Impact Report for the
Indian Wells Valley Water District
Water Supply Improvement Project**

RECEIVED
8/4/11 4:06

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Paul Papolizio
Address 3454 W. COSO AVE. RIDGECREST CA 93555
E-mail the4pops@lwvwp.com

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

The LWVWD WSIP is making no mention of the cumulative impacts of its implementation. I am an owner of a mutual water well and it has become ineffective in the past few months. It was 350' in depth. With the projected decline in water level i.e. increase in production will effectively eliminate privately owned wells in the LWV, and subject them to collapse, "drying-up" and an increase in total dissolved solids. The mitigation proposed in the 2007 Kern County comment letter RE this WSIP should be incorporated into the 2011 WSIP EIR. Thank you. This needs to include the cumulative impacts of the implementation of the WSIP and the water districts violation of "overlying and appropriate rights".





August 3, 2011

Indian Wells Valley Water District
P. O. Box 1366
Ridgecrest, California 93556

Re: IWVWD-IS

To whom it may concern:

Notification went out that a public scoping meeting was to be held on July 13, 2011 at the Water District Board Room for the IWVWD-IS.

Over 150 people showed up for this meeting, a good percentage was well owners, to provide comment for this meeting. Over 50 people were turned away because of the fire code. Attendees exchanged positions so that more could attend and register their comments.

The huge turnout is indicative of the level of public interest in this project – which is contrary to the agency statement in the front of the IS. The large number of attendees validates the level of significance under CEQA.

The purpose of CEQA is to disclose to the citizens pending government actions that could have a significant impact. CEQA ought not be used to end run agency disclosure responsibilities and promote specific projects.

“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 in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.”

Instead, it should have read,

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

The Board Room did not provide adequate room for the discussion, nor were there adequate Informational Papers provided to the audience. Maps that were on display were clearly outdated and collaged together (USGS Map) and failed to show the location of the private wells with respect to the proposed action. Many of the road names were names that were used over twenty-five years ago and some of them were no longer valid.

Cone of Depression Pumping maps of over twenty-five years were also used. After all the studies that have been completed, you would think that newer maps would be available.

The IWVWD General Manager did state the comment period was extended to August 4, 2011, the document would be ready to print in September and the final EIR would be ready in January 2012. This hurried timeline says to the public that their Comments by August 4, 2011 would make no difference to the content of this EIR. This is quite an expedited schedule for a complete analysis and completely negates the CEQA/NEPA process. (Many of these actions would impact federal lands, both Navy and BLM).

I would propose that another meeting be held in a more neutral and larger place for the community and that an extension of the comment period be made until at least thirty days after that meeting. The private property well owners (all that I talked to) had general misgivings with having to deal with the District and that their over lying water rights were and are not being protected.

It is my understanding that the district rights are only appropriative rights to surplus water. I truly feel that the IWWWD should work more closely with Kern County Water Agency and Kern County Planning to achieve environmental compliance.

A lot of this document is predicated on the estimated population growth that never occurred. The estimations should be recalculated and a realistic IS should be provided to the public.

Alternatives that should be looked at, before drilling great depths and impacting surrounding wells, are:

- 1 Larger storage tanks to hold surplus water that is pumped in the winter
- 2 Realistic population growth charts and not the currently projected population growth
- 3 More blending of water wells so that all waters can be utilized. If you continue to pump only "good water", than we will eventually only have "bad water"
- 4 Conservation methods need to be re-calculated as they are now working. By withholding one flush of the toilet per person (three gallons) we would be in compliance with the 2020 goal.
- 5 Calculations on different wells need to be re-calculated.
- 6 A Scoping Meeting with an Agenda for all the Water Users in the IWWWD.

Although this document does not address the Cooperative Ground Water Management Group, I believe that an addition of more public members would give it more of an in depth group, rather than just the heavy pumpers of the IWWWD, and perhaps a person that is representative of the voters.

Thank you for reading my letter and perhaps acting on my suggestions, especially that of a new meeting at a more neutral place, an extension of the comment period and a scoping meeting with enough Information Papers and explanation of what is taking place as required by CEQA and NEPA.

Sincerely,

Sophia Anne Merk
2062 South Mikes Trail Road
Ridgecrest, California 93555
760-375-3181



cc: Kern County Water Agency, Kern County Planning Department
Supervisor McQuiston, Senator Fuller, Assembly member Grove
California Natural Resources Department, Department of Water Resources

received
8/4/11

James and Teresa Lloyd
3454 Argus Ave
Ridgecrest, CA
760-377-5837
Email: jlloyd@iwwisp.com
July 31, 2011

Indian Wells Valley Water District
PO Box 1329
500 W. Ridgecrest Blvd
Ridgecrest, CA 93555
Attn: Tom Mulvihill, General Manager, 760-375-5086

Subj: Response to the Preparation of a Draft Environmental Impact Report (EIR)

Ref(a): Notice of Preparation of a Draft Environmental Impact Report by the Indian Wells Valley Water District, June 27, 2011

(b): Water Supply Improvement Project Draft Initial Study, June 2011

Dear Sir,

We are writing this letter to you in response to Reference (a). The Indian Wells Valley Water District (WD) is proposing to build and operate new Wells #35 and #36 and increase pumping capacity for other wells in response to supportive data that has been provided by other Agencies. Before the WD modifies, constructs, and operates the new proposed Wells there are issues that need to be addressed. Initially we are submitting the following comments. There could be potentially more issues that need to be addressed. The initial comments are as follows:

- (1) In Reference (b) page 2-1, there is an assumption that there is not enough capacity for the high demand Summer Months. That assumption needs to be verified by an Independent agency in the EIR to determine if there is a current shortfall of capacity.

- (2) It should be determined by an Independent Agency in the EIR about the current Overdraft condition and water quality of the Indian Wells Valley Aquifer on pages 4-14 and 4-16 in Reference (b). Our Cooperative Well has measured data that established that for the last 22 years the Water Table has dropped 8 feet. The proposed Well #36 is approximately 2 miles from my home well system and the proposed well capacity of 2,500 gpm at 1,400bgs will have a significant impact on our water table in a short amount of time in addition to the proposed increased capacity of Wells #18 and #34.

With my Well at 349' bgs and the proposed new wells at 1,400' bgs and the significant pumping capacity of Wells #35 and #36 causes us great concern that possibly in only a few years our Well as well as other surrounding Private Wells will be rendered unusable. A Valley Water Management Plan needs to be developed, planned, and enforced to monitor and manage the Valley's Aquifer. The Environmental Impact Report needs to address this issue for Water Management for all the Well Owners of the Indian Wells Valley.

- (3) In page 2-1 of Reference (b) The Defense Base Realignment and Closure Act (BRAC) (Public Law 101-510) relocation data that is being used to justify the increase of water capacity needs to be revised for the actual amount of personnel that have actually relocated to the Indian Wells Valley, and current water usage and capacity of the WD system. Using assumptions to justify WD water production increases based on outdated BRAC data is not valid anymore.

In conclusion, based on the reasons in this letter, please address and incorporate these issues in the new Indian Wells Valley Water District's Draft Environmental Impact Report for Reference (a).

Sincerely,


James M. Lloyd

received
8/4/11

Rose Koch

From: wikatzen@mchsi.com
Sent: Thursday, August 04, 2011 9:49 AM
To: iwwd@iwwd.com
Cc: wikatzen
Subject: Comments regarding scope of EIR for WSIP
Attachments: COMMENTS - IWV WATER DISTRICT NEW WELLS.doc

To: Tom Mulvihill

Please accept the enclosed comments for the Draft EIR for the WSIP. I would appreciate a reply, to be sure that you received this email.

Thanks

West Katzenstein
Cell: 760 384 8831

COMMENTS

Input on the scope of the environmental impacts to be analyzed in the draft EIR being prepared for the IWWWD Water Supply Improvement Project

From: West E. Katzenstein

1450 Sydnor Ave.

Ridgecrest, CA 93555

wikatzen@mchsi.com

760 446 6785

General Comments:

1. No increased pumping in the IWV by any water user should occur until a watershed-wide management solution has been put in place to stop the decline in water levels across the watershed. This management solution will likely need to limit water production by all users, import water, and protect the recharge of the watershed from exploitation.
2. Given the overdraft in the watershed, the IWV Water District should not guarantee water availability to any major new users (such as solar farms, housing developments) until the watershed-wide solution has been put in place. For this reason, the proposed expansion of production capacity should not occur.
3. The IWV Water District should continue to expand its conservation efforts rather than increase pumping.
4. The increased pumping would threaten the wells of private well owners and should not occur until the watershed-wide solution has been put in place.

Comments Specific to EIR:

1. These comments address the area of 'Hydrology / Water Quality'.
 - a. To limit the degradation to water quality due to overdraft, the EIR should be required to define a threshold level of water quality in the IWV watershed, below which pumping should be controlled.
 - b. The EIR should be required to define a threshold of water levels in the IWV watershed, below which pumping should be controlled.
2. These comments address the area of 'Utilities and Service Systems'.
 - a. The EIR should be required to define realistic concepts to import water into the IWV.



Eastern Kern County Resource Conservation District
300 South Richmond Road, Ridgecrest, CA 93555
(760) 384-5477
E-mail: ekcrd@iwvisp.com

August 4, 2011

Indian Wells Valley Water District
P.O. Box 1329
500 W. Ridgecrest Blvd.
Ridgecrest, CA 93555

Attn: Tom Mulvihill

RE: IWWVD Initial Study for Draft Environmental Impact Report for 2011 Water Supply Improvement Project

Dear Board of Director Members Brown, Corlett, Cortiachiato, Manning, and Breeden:

We as board members of the Eastern Kern County Resource Conservation District (EKICRCD) represent all property owners of east Kern relative to resource conservation related issues. We are a signatory agency of the Indian Wells Valley Cooperative Groundwater Management Group (IWVCGWMG) and have been involved in reviewing the development and use of water resources since the early 1980s.

We want to express our concerns relative to the Indian Wells Valley Water District's (IWWVD's) recent Initial Study document to increase water extraction in two wells (existing Wells 18 and 34) and the drilling of two additional wells with increased pumping capacities (proposed Wells 35 and 36).

Referencing our letter to IWWVD dated July 23, 2007 regarding the 2007 Water Supply Improvement Project, we expressed our concerns relating to the IWVCGWMG's Planning Objective to "Limit additional large scale pumping in areas that appear to be adversely impacted." We provided maps and noted striking similarities between IWWVD wells in the Victor Street area (Wells 30 and 31) and those in the Brady Street area. Is there data available that would lead one to believe the results of increased pumping in the Victor Street area in existing Wells 30 and 31 plus two new wells 35 and 36 would be different than that of pumping in the Brady Street area around IWWVD Wells 12 and 13. A comparison of change maps showing water levels in each area after IWWVD Wells 12 and 13 were put into production in the Brady Street area and later IWWVD Wells 30 and 31 when they began production in the Victor Street area in 1993 is required. Look at the change of slope in the area from the time prior to the pumping to the latest change map from Kern County Water Agency.

The project location map is extremely outdated. It does not show residential development that has been occurring in the area south of Inyokern along both sides of Brown Road. The Initial Study states that drawdown will affect surrounding wells. We want to know the number of residences and domestic wells that are near the existing Wells 30 and 31, as well as those that may potentially be affected in the area of proposed Wells 35 and 36. The EIR should address not

only potential impacts, but also cumulative effects on the surrounding areas. It is possible to assess the total cumulative impacts in the preliminary documents before the increased pumping actually occurs and before the additional new wells are drilled. You need to assess cumulative effects in a phased project such as you describe here. We believe there should be some provision to present alternatives that will address what IWVWD will do in the event that drawdown is shown to be significant when data and statistics are collected and reviewed.

Please provide us with a copy of the Resolution passed by your Board of Directors that authorized a change in pumping levels from 1200 gpm to 2000 or 2200 gpm. We need to know when this policy changed, and what the authorized pumping level is.

We insist that the Brown and Caldwell basin wide model for the aquifer be used to analyze the effects that increased pumping in existing Wells 30 and 31 and increased pumping capacities in the two new wells (35 and 36) might have upon the privately owned wells in the area as well as upon the Inyokern Community Service wells and any nearby Navy wells. The model should also address the effects of the increased pumping capacity in all four wells upon the overall total aquifer system. The overall impacts of the project should be discussed as an agenda item at a meeting of the IWV Co-operative Groundwater Management Group

The mitigation measures identified in the attached copy of the Kern County Planning Department letter dated August 9, 2007 (with specific attention to pages 4, 5, and 6) must be included in the EIR. The mitigation measures describing hydrology and water quality issues relative to potential interference and effects on existing wells in the area with specific identification of reductions in pumping by IWVWD and cease and desist of pumping when specific parameters are reached must be included in the EIR. These mitigation measures must be identified and included in the EIR CEQA document "up front" before the vote on the project, rather than after the fact as happened when minimal mitigation occurred only after effects were seen in private wells in the earlier Brady Street area situation around IWVWD Wells 12 and 13.

Thank you for the opportunity to comment. We respectfully request that this letter be entered into the official comment record of the formal Public Hearing for the Initial Study for the Draft Environmental Impact Report for the 2011 Water Supply Improvement Project.

Very truly yours,

Board of Directors
Eastern Kern County Resource Conservation District



By Donna Thomas, President

BoD:jev

Encl.

Cc: IWV Co-operative Groundwater Management Group

PLANNING DEPARTMENT

TED JAMES, AICP, Director

2700 "M" STREET, SUITE 100
BAKERSFIELD, CA 93301-2323
Phone: (861) 862-8600
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E-Mail: planning@co.kern.ca.us
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RESOURCE MANAGEMENT AGENCY

DAVID PRICE III, RMA DIRECTOR
Community & Economic Development Department
Engineering & Survey Services Department
Environmental Health Services Department
Planning Department
Roads Department

August 9, 2007

File: IWVWD
2007/2008 Water Supply
Improvement Project

Indian Wells Valley Water District
Attn: Tom Mulvihill
500 West Ridgecrest Boulevard
Ridgecrest, California 93555

RE: Comment Letter – Initial Study and Draft Mitigated Negative Declaration for the
2007/2008 Water Supply Improvement Project (May 2007) (SCH 2007051044)

Dear Mr. Mulvihill,

Kern County appreciates the opportunity to provide comments on the Mitigated Negative Declaration (MND) prepared for the proposed 2007/2007 Water Supply Improvement Project (State Clearinghouse Number 2007051044). The Indian Wells Valley Water District is a retail supplier of water for domestic use, landscape irrigation and fire protection for the City of Ridgecrest, and specific areas in San Bernardino County. This project proposes to construct various facilities and pipelines to expand the District's domestic water supply on 40 acres in the unincorporated community of Inyokern. These properties and all water pipelines to be constructed are within the unincorporated area of Kern County. The Kern County Planning Department has been designated by the Board of Supervisors as the official resource and expert on implementation of CEQA for County Departments. Under this designation and the Home Rule resolution, the Planning Department reviews other agencies environmental documents for projects that may impact County residents, businesses and affect economic growth in unincorporated communities. Staff works closely with County Counsel's office in ensuring compliance with CEQA. Kern County is, as well, a participating member of the Indian Wells Valley Cooperative Groundwater Management Working Group. Staff has reviewed the proposed Mitigated Negative Declaration and provides the following comments for the record. As this department did not receive the MND for comment until July 18, 2007, well after the June 6, 2007 close of public comment, Staff requests this comment be provided to the Board of Directors and included as part of the official administrative record on this matter.

Public Notification and Hearing Process Inadequate

Members of the public hold a "privileged position" in the CEQA process; such status reflects both "a belief that citizens can make important contributions to environmental protection and... notions of democratic decision-making..." *Concerned Citizens of Costa Mesa, Inc v 32nd District Agricultural Association* (1986) 42 Cal.3d 929,936[231 Cal. Rptr. 748]. The process of soliciting comments on the MND involved minimal notification that may have met the strict interpretation of law, but not the intention of community outreach and meaningful public participation required under CEQA. The District's own documents make statements that imply a commitment to the public process and interest in public comments. Appendices E of the MND includes the District's Supply Enhancement Plan (2003) that states in part "District shall be cognizant of the local needs of community ... and intends to work closely with the community on any supplemental supply." The MND contains no list of agencies that were notified directly and this department did not receive a copy of the MND until after the comment period was closed. The MND clearly states on page 2 that the District is a member of the Indian Wells Valley Cooperative Groundwater Management Working Group. This group meets monthly and has publicly expressed interest in projects affecting groundwater in the Indian Wells Valley. The MND was not provided to any of the members of this group. Surrounding property owners were not mailed notices that would have alerted them to request the MND for review and comment. Although sent to the CEQA State Clearinghouse as required by law, OPR is only responsible for distribution to State agencies, not local or federal entities. The necessary filing with the Kern County Clerk was completed, but does not constitute notification of specific County departments who rely on direct notification.

A public hearing was held on this matter before the Board of Directors on July 9, 2007. At that time public testimony was taken on the environmental document and closed for public comment. The matter was then continued for further discussion to a meeting on August 13, 2007. At that meeting a large number of citizens and others attended, but due to the size of the Board meeting room were not able to hear or speak. Further, two additional public opportunities for comment occurred as Board subcommittees met on August 7 and August 9 that had this CEQA document on the agenda. Neither of these two opportunities was widely known as to actually provide the public and agencies a meaningful opportunity to comment. Further the inclusion in the document of pre-drafted findings (Appendix A – Draft Mitigated Negative Declaration and Draft Mitigation Monitoring Program) that references the Board has reviewed all written comments and all impacts are less than significant sends a poor message to the public.

As this department, as well as others, did not have either a copy of the MND or notification of the public hearing on July 9, 2007, it is appropriate and required that public testimony be taken on the adequacy of the environmental document at the August 13, 2007 hearing. While public hearings on the proposed negative declaration are not required under CEQA, the Courts have held that it is an error to hold a hearing on the project, but not on the environmental document for the project. (CEQA Guidelines Section 15202(b), *Bakersfield*

Citizens for Local Control v City of Bakersfield (5th Dis. 2004) 124 Cal. App.4th 1184 1200-1202 [22 Cal. Rptr 3d 203]. Staff requests that you provide a place that will accommodate a large number of people, reopen the public hearing and accept written and oral testimony on the document, as well as the project.

Environmental Analysis, Project Description and Determination of Significance Incomplete and Inadequate

Project Description

The project description does not include complete details of the project so that an adequate evaluation of the impacts can be completed. The following actions and components are mere statements in the documents with no explanation, maps or other diagrams showing the location or extent of the activity. They include, but are not limited to : site grading, construction of a 1 acre discharge pond, pipelines and any related pumps, motors and control facilities and disinfection and treatment facilities. There is no explanation of construction scheduling, duration, phasing or equipment required for grading, excavation, well drilling or construction of treatment facilities. These details are required to be discussed and evaluated for environmental effects of implementing the project. CEQA case law notes:

“ A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal’s benefit against its environmental cost, consider mitigation measures, and assess the advantage of terminating the proposal.. and weigh other alternatives in the balance.”

County of Inyo v City of Los Angeles (3d Dist 1977) 71 Cal. App. 3d 185, 193 [139 Cal. Rptr. 396]

III Air Quality

There is no information or study provided in the comments to the checklist to support the conclusion that the project will have a less than significant impact on air quality. In fact the checklist appears to state there will be impacts “. Aside from short-term, impacts during construction...”(p. 19) Without air quality modeling to provide quantification, Staff is unable to determine if the impacts are below the adopted Kern County Air Pollution Control District thresholds for CEQA analysis NO_x (25 t/y) ROG (25 t/y) and PM₁₀ (15 t/y). (Guidelines for Implementation of the California Environmental Quality Act (CEQA) of 1970 for Kern County Air Pollution Control District amended July 1, 1999) A full air quality modeling by an accepted model (EMFAC 2007 or Urbemis 9.1) along with appropriate other air models for construction and truck traffic associated with construction activities should be completed for an adequate CEQA document. The activities that need analysis include, but are not limited to: site grading, construction of a 1 acre discharge pond, pipelines and any related pumps, motors and control facilities, including the use of temporary diesel pumps, well drilling and disinfection and treatment facilities. Given the project’s location within the Joint Service R-2508 Airspace and within ½ mile of China Lake Naval Weapons Station, impacts on visibility from fugitive dust also should be evaluated. In addition, the studies should address the related health impacts on surrounding property owners from construction activities and on-going project operations.

All studies and recommended mitigation measures to reduce impacts on air quality should be included and recirculated for comment before the documents determination that the impacts are less than significant impacts can be substantiated.

V. Cultural Resources

It is unclear from the short description in the checklist and attached study if the pipeline right of way was surveyed for cultural resources. The document appears to rely on a simple statement that the pipelines will be "...generally within existing dirt roads." (pg 11). The document includes no aeriels or other diagrams showing the location of the purposed pipelines. As noted in the Appendices C Cultural Resources Overview, Water System General Plan, Indian Wells Valley Water District (CRM Tech 1997) " records search results show that less than 5% of the study area has been systematically surveyed for archaeological resources, leaving a high question mark for Indian Wells Valley in terms of presence or absence of sites." (p. 6). A full archeological survey of all areas that could be disturbed by implementation of this project needs to be completed for inclusion in the environmental document and circulated for public comment. Further the recommendations of the cultural resource study that was completed for the actual well site properties have not been included as fully enforceable mitigation measures. The mitigation measures should be revised and recirculated for inclusion of all recommended measures for the protection of archeological resources before the determination of less than significant impacts cannot substantiated.

VIII Hazard and Hazardous Materials

Item e. (p. 35-36) The document notes the project is within the Joint Service Restricted R-2508 Air Space, references the Kern County Airport Land Use Compatibility Plan and states that China Lake and EAFB will be notified. It is not clear from the record that these installations ever received the document. Impacts on shared water resources for the China Lake installation, along with potential air quality impacts on visibility make it critical that the military have a full opportunity to review all relevant information. Based on the lack of information provided in the document the conclusion of less then significant impacts are not substantiated.

VIII Hydrology and Water Quality

Item a. (p.37) On July 23 ,2007 notification was made to Kern County by the District (attached Exhibit A) that an unregulated contaminant had been detected associated with disinfection and/or treatment facilities (including arsenic treatment) at well sites. This information raises a question as to the potential for contamination of the groundwater and surrounding water wells as this project includes these same types of facilities. This is a potentially significant impact that requires a full discussion as well as new information that requires revision and recirculation of the document.

Item b. (p. 38) The conclusion that the project will not substantially deplete groundwater supplies or affect surrounding land uses is based on incomplete information. The report included in the document only simulated the effects of production wells on the new facilities and does not show the effects on the surrounding property owners' wells. A full modeling study needs to be completed on the potential impacts to all surrounding water wells.

Further the MND should provide the public with information regarding the Districts water rights in relation to the groundwater basin. Surrounding property owners of existing homes and wells have overlying rights to sufficient water which supercede the rights of the District to extract water, as your rights would be appropriative rights to attach only surplus waters. (*California Water Service Co v Edward Sidebotham & Son, Inc* (1964) [224 Cal. App. 2d 715, 725.] The courts have further confirmed the overlying users (surrounding property owners) right to reasonable protection against pumping that lowers groundwater levels in the overlying owner's wells. (*Burr v Maclay Rancho Water Co,* (1908) 154 Cal. [428, 435-436]. A mitigation measure should be included that determines, if water levels drop to levels that render the existing well either unuseable or results in cost to redrill for the owner, that the District will adjust operations to prevent such impacts. Absent such a mitigation measure, the impacts to surrounding properties owners they may substantially deplete nearby wells to levels that cannot support a single-family residence are significant and unavoidable.

Along with the absence of a complete analysis of the potential pumping of groundwater at the levels stated in the document (two wells, each with a capacity of pumping 2, 500 gpm) are any mitigation measures to protect and minimize impacts on surrounding private well owners. The following are recommended mitigation measures that could be imposed to lessen the potentially significant impacts on surrounding water well owners. These mitigation measures have been included in a water supply and recharge project EIR approved by the Board of Supervisors and have been successfully implemented in other areas of Kern County.

Proposed Mitigation Measures

1. Create a monitoring committee to monitor the impact of operations on groundwater levels and quality and to ensure that adjacent landowners are protected. The monitoring committee would be responsible for development of a detailed monitoring and operational constraints plan and would ensure that it is implemented. Composition of the monitoring committee shall include, at a minimum, the following representatives: District , Inyokern Community Services District, China Lake, neighboring landowners and/or other selected representatives, and Kern County. The monitoring committee would meet regularly and provide reports to the property owners as well as the Lahontan Regional Water Quality Control Board. All cost for the committee operation are to be borne by the District.
2. To ensure that Project operations do not adversely impact the quality of nearby resident's drinking water, the monitoring committee shall offer to sample and analyze water from domestic drinking water wells located within two or three miles of the operations. In order to assess the results of these analyses, samples will need to be collected before and after operations begin. The sampling and analysis protocols shall be defined in the monitoring and operational constraints plan. If analytical results reveal that the project operations may adversely affect a resident's drinking water well, then operations will be adjusted to prevent such effect or the owner of the well shall be provided compensation of an alternate source of water in the event that adverse effects do occur.

The conclusionary statements regarding the amount and adequacy of water supply available for future use is based on a single report done in 1993 by the US Bureau of Reclamation. This 14 year old document does not include an cumulative analysis of current conditions that could affect water demands such as the City of Ridgecrest General Plan update, Kern County General Plan update completed in 2004, Current update of San Bernardino General Plan, and the districts own admission of growth on page 2. A complete analysis of demands and availability of water needs to be included in the document so that the public and decision makers can understand the need or other feasible alternatives for the project.

Item e (page 40). There are no "planned storm water drainage systems" in the area. There is, however, dirt and county maintained roads that could be undermined or eroded by releases of water. Analysis should be provided to substantiate this conclusionary statement of "no impact".

Item d (page 40) As previously noted, there is new evidence of the release of an unregulated contaminant from existing water wells. Without a complete project description and analysis of the construction and operation of the disinfection and treatment facilities (including arsenic treatment) the conclusion of "no impact" to water quality is unsupported by the record.

IX Land Use and Planning

Item b (p. 42) The MND uses Section 53091 of the California Government Code to state " General Plan designations and zoning restrictions are not applicable to water facilities." In fact this Government Code Section only references zoning. While saying the district is exempt from the requirements of the General Plan, the document discusses General Plan requirements in a number of places and then appears to be using compliance with the plan to justify minimal analysis and no mitigation.

While the District may be exempt from the General Plan requirements, CEQA does require analysis of indirect impacts of the implementation of a project. The Kern County General Plan Circulation Element requires that section and midsection lines be reserved for a roadway network. No maps were provided showing the location of the recharge ponds or water wells. It is not clear if these facilities would be located within an eventual road right of way to implement the circulation impact. Absent this level of analysis, the impacts are potentially significant for the eventual build out and access to adjacent parcels as well as regional circulation.

IX Population and Housing

Item a (p 46-47) Enhancing the capacity of the Indian Wells Valley Water District to provide for an expanded population and growth in the City of Ridgecrest is clearly growth inducing. In fact page 2 of the document states that the project is intended to "plan for moderate growth of the community". As there is no evidence in the document that there is any current emergency for the District in providing water to current customers, the project is wholly intended to accommodate growth. In addition the activities listed on page 2 and 3 of the MND that are being done by the District to manage growth demands on the water supply are not described in sufficient detail to justify the project as the only alternative. The full growth inducing impacts of increasing the water supply through implementation of this project need to be included in a revised environmental document for review and comment.

XVII Mandatory Findings of Significance

Item a (p. 55) Field studies of the pipeline alignments have not been completed. The recommendations for reduction of impacts on archeology have not been included as mitigation measures to support the conclusion of less than significant with mitigation incorporated.

Item b(p. 56) The conclusion of no impacts for cumulative impacts is conclusionary and unsubstantiated by the record. As detailed in previous comments, the cumulative impacts from growth on water supply quantity and quality have not been addressed. This impact is potentially significant and may require the preparation of an Environmental Impact Report.

Conclusion

The Kern County Planning Department requests that the Board of Directors reopen the public hearing on August 13, 2007 to take public testimony and refer this project back to staff for preparation and circulation of an adequate environmental document. The Mitigated Negative Declaration is inadequate, not in compliance with CEQA and can not be used for approval of the project. The analysis and studies requested in this comment letter, specifically on archeology, air quality and hydrology should be conducted and recommended mitigation measures identified and imposed. Based on the growth inducing and air quality impacts this project is potentially significant and pending the results of additional studies it is not clear that a Mitigated Negative Declaration is sufficient. If the air quality impacts or the project is found to be growth inducing, an Environmental Impact Report may be required. The appropriate document should be prepared and recirculated for a new comment period. All persons who have submitted letters of comment as well as all agencies and parties of interest on the mailing list for the IWV Water District should be mailed copies of the document for review. All surrounding property owners within 1000 feet of the project boundaries, including the pipeline alignments, should also receive direct notification of the availability of the document.

Kern County Planning requests copies and notifications of all actions and hearings on this project, including any resolutions and the filing of any Notice of Determination on the project. If you have any questions regarding these comments please contact Lorelei Oviatt at (661) 862-8866. Thank you for the opportunity to participate in the environmental review process.

Sincerely,

Lorelei H. Oviatt, AICP
Special Projects Division Chief

cc: Resource Management Agency
Environmental Health Services Department
Supervisor Mc Quiston
Craig Peterson
County Counsel – Bruce Divelbiss

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

received
8/4/11

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Randle Dewees
Address 313 Mark CT Inyokern CA 93527
Street City Zip Code
E-mail randle1@verizon.net

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

I am a
Background - member of the 'Owens Peak North'
Coop. Our well has dropped 14 feet in the last 8 years

Comment one - Current IWWVD is already harming ^{my} ~~our~~
water situation. Increasing extraction will only make
this harm worse

Comment Two - Overlying Water Rights apply here - how
does the IWWVD justify violating these rights with this
project? THIS WAS THOROUGHLY COVERED by the Kern
County Planning regarding the IWWVD Neg Dec for the
2007 WSIP.

Comment Three - Exactly what mitigation is possible for running someones well dry?

Comment Four - There is no real ground water planning going on in the Indian Wells Valley. There is no analysis or model basis for estimating what the impact of this project would be. Water levels dropping one to two feet per year indicates we are in trouble already. How can this be addressed in an EIR? (Hint, it can't because the info isn't there!)

Comment Five

The reasons stated in the IS for this project are not real. The IWWVD admits there will not be an increased in customer water demand due to the BreAC. In fact, demands seem to have decreased. As for emergency capacity to cover a temporary loss of production, there is enough 'producer crossover' capacity to take care of that. If more is needed, then increase that capacity, not drill more wells.

Comment Six - It is clear the true reason for this project is to provide additional water production for growth of the IWWVD customer base. In view of the fact that the Indian Wells Valley is in serious overdraft this is an extremely shortsighted and unwise project proposal.

DATE 11 July 2011
FROM Annette and Thomas DeMay
222 Strecker St
Ridgecrest, CA 93555
tom@demayfamily.net
TO Tom Mulvihill, General Manager IWWWD; Anne Surdzial, Project Manager

received
08/10/11

This memorandum responds to the 2011 Indian Wells Valley Water District (IWWWD) Water Supply Improvement Project (WSIP 2011 or the project) Draft Initial Study (IS). In our absence, enter this memo into the record of the 13 July 2011 scoping meeting. We are very concerned about the impact of the WSIP 2011 project on the critically overdrafted aquifer under the Indian Wells Valley and on our overlying water rights and those of our neighbors, both in terms of sustaining water accessibility and quality.

Our most fundamental reactions to the IS, regarding items that must be covered or covered more explicitly and in more detail in the forthcoming Environmental Impact Report (EIR), are fourfold:

1. The proposal promotes mismanagement of the finite resource of high-quality water in the aquifer under our valley, which has been in measured overdraft since at least 1960. The IWWWD is no longer naïve about the destructive nature of past practices, yet this project promotes increasing the pace of those practices in the part of the aquifer known to still produce pure water that does not require filtering.
2. The needs given to justify this project are based on old projections that are invalidated by current facts.
3. It is illegal to appropriate water from overlying users to export it to other current or anticipated users.
4. Creating a total dissolved solids (TDS) problem and/or creating an arsenic problem in private wells by the size and/or location and/or manner of operation of production wells in their proximity is equivalent to poisoning those private wells to an extent that cannot be reasonably mitigated.

The EIR must explicitly detail and justify by cited research the proposed mitigations for each and every level of impact, not just state that they exist and will be mitigated. The EIR must explicitly detail and justify by cited research any elements it claims have no impact.

1. MISMANAGEMENT OF OVERDRAFTED AQUIFER?

In this memo, the term "private well(s)" collectively refers to private individual, small group, and community/co-op domestic wells, which have relatively tiny pumps compared to even the smaller IWWWD production wells. The damage expected to these private wells, which is hinted within the IS, is symptomatic of the damage being done to our valley's water supply in the name of the cheapest water for IWWWD customers, at the expense of all of us over the long term.

Of immediate concern are private wells in and south of what is known as China Lake Acres and Inyokern. These would be most impacted by the project's upgrades and new IWWWD wells 18, 34, 35, and 36 in proximity to wells 31, 33, and the well near Buttermilk Acres store. Based on the greater drop in the water table in this area than in other parts of the valley, a reasonable argument is that there are already too many production wells in this area. Near proposed well 36, the typical drop in water levels of private wells has recently been 1-1/2 or more feet per year, with a recent single-year drop of 8 feet measured 1/2 mile east of the proposed site. More production-well pumping from this area and depleting our over-drafted aquifer at the proposed accelerated pace would qualify as mismanagement. Water must be sought farther afield where it is recharged or from where it can be legally imported. These alternatives along with more conservation must be promoted in a reasonable version of the project plan and be described by its EIR.

Drawdown Cones. Sound, numerical projections of the extents of the drawdown cones of the proposed upgraded and new wells, based on statistically-significant geo-hydrology studies must augment the IS and be stated in the EIR. It is established usage among members of the Indian Wells Valley Cooperative Groundwater Management

Group, that production wells with 1,200 gpm pumping capacity must not be placed closer to each other than a minimum of ½ mile to avoid interference with each other. This 1-mile-in-diameter exclusion zone is small compared to the size of drawdown cones associated with the proposed 2,200 - 2,500 gpm production wells; drawdown cones are known to be deeper and wider as pump size increases, so neighboring wells in far greater areas will be impacted. (To exemplify the effect of increasing diameter on area, think about the difference in areas of 10-inch and 20-inch diameter pizzas. The 10-inch pizza has an area of about 75 square inches but the area of a 20-inch pizza is about 300 square inches—about 4 times as much.) Regardless, the map in Figure 2-2 illustrates some existing and proposed well sites that are by known criteria too close to each other.

The density of production wells allowing such high pumping capacities also portends subsidence problems in this area, whether or not they are all pumped at the same time. Subsidence must be discussed in detail in the EIR. Although enhancing wells in other parts of the valley is a better choice, overall subsidence as well as the other issues must be considered there also.

The proposed Well 36 site appears to be in a flood plain. This severely restricts any structures that may be constructed. The EIR must provide explicit justification for well housing and it must state that other structures, such as but not limited to arsenic treatment plant or storage tanks will not be placed in the flood zone. The EIR must also acknowledge that the high ground of its property along Strecker Street will not be populated by buildings that obstruct the scenic view of the mountain ridge from this established residential neighborhood.

The project described by the Notice of Preparation and the IS does not really improve water supply; at its best interpretation, it is destructive to neighboring wells in the short term and to the valley overall in the long term. The EIR must acknowledge IWWWD responsibility not only to its own customers but also to other water users. Improving water could be accomplished by things like filtering and reclamation, with the cost to be borne by the users of that water not by others who happen to overlie cleaner water.

2. OLD AND INVALIDATED JUSTIFICATIONS

A reasonable version of the WSIP 2011 project must be based on a new or significantly revised plan that is based on current facts rather than outdated projections. Reasons that the very similar WSIP 2007 was fully rejected by the public and Kern County and eventually by the IWWWD still apply (despite the WSIP 2011 having dropped the one most dysfunctional juxtaposition of 2,500-gpm wells). Furthermore, the justifications for WSIP 2011 are largely based on the IWWWD General Plan of 1997 and usage assumptions made for the WSIP 2007 that no longer apply.

Water usage is declining, 17% reduction this year to date, which is likely due to the IWWWD's conservation efforts and its first really serious conserving action—rate increases—that firmly convey that quality water is limited in our aquifer. Also, no capacity or delivery failure days have occurred since the prior predictions of needed capacity. The usage decline has occurred despite the Naval Base having effectively done its hiring in response to the most recent Base Closure and Realignment (BRAC). As anticipated because of typical responses to BRACs, the number of new jobs in our community is far below the initial projections. Local population has stabilized and is using less water. The EIR must use more realistic base employment figures. The response of the community, when rate cost increases were imposed, indicates a willingness to reduce usage to allow the IWWWD's desired 20% redundancy for maximum usage and equipment failures. New evidence that such a large cushion may be necessary should be part of the project plan and EIR.

3. APPROPRIATING WATER

Water service providers are prohibited by law from appropriating water from some users for the benefit of others, including others who are not served by the provider (such as the IWWWD). Given the persistent overdraft of our aquifer, the reported determination that our aquifer contains primarily water deposited during the Pleistocene Era, and the past and current use of water in and around what is known as the southwest field and China Lake Acres

by may private wells, exporting water from vacant IWWWD land via 12- to 16-inch pipelines constitutes exporting water away from existing users for the benefit of other current and future users.

There are 30 existing private and small community wells within ½ mile of proposed Well 36, supporting more than 30 households, and more such wells are within the diameters of drawdown cones associated with the proposed higher-capacity production wells. These private wells are producing high-quality water that does not require treatment; both the ability of these wells to produce water and for that water to be of such high quality would be damaged by the size, location, and manner of use of the proposed wells.

Section 2.1 of the IS describes installation of 12- to 16-inch pipelines connecting to Wells 35 and 36 “only for transmission purposes no distribution connections are proposed.” This definitely sounds like a plan to export water away from neighboring wells that belong to overlying users.

Figure 2-4 in the IS is truncated in such a way that it omits neighboring properties with wells that would be impacted. The EIR must include a parcel map that covers all the parcels that would be impacted by its proposed upgraded and new wells.

In Section IX. HYDROLOGY AND WATER QUALITY of the IS, Modeled seasonal drawdowns are described. The way the information is presented in the IS tends to suggest they represent overall drawdowns that are less than have already been consistently measured. In the EIR, the modeled seasonal drawdowns must be distinguished as in addition to the non-seasonal drawdowns, and overall drawdowns in the areas of the proposed project wells must also be given.

Mitigations for shallower private and commercial water wells that may experience declining production to the point where they may no longer be capable of supporting existing uses, and also wells whose function is damaged causing owners additional expense, must have detailed mitigation measures presented in the EIR; this is not optional as suggested by language in the IS. It is not acceptable for the IWWWD to merely declare wells that are now pumping good quality water are too old or are deep enough that they are not the responsibility of the IWWWD.

4. CONTAMINATING NEARBY WATER SUPPLY

The brief statement that “There is the potential that increased groundwater pumping due to the Proposed Project could cause groundwater with elevated levels of TDS and/or arsenic to migrate toward the pumping well locations” is somewhat misleading and is grossly inadequate, given the severity of harm that would eventually be caused to neighboring wells already in existence. “Migrate towards” actually would include intersections with the many private wells nearby proposed upgraded and new production wells. Unless the IWWWD can provide irrefutable scientific evidence regarding the extent of harm to be expected within and near the drawdown cones of their existing and proposed production wells, it must be assumed that the level of contamination is totally unacceptable.

“Complete analysis of this potential impact and preparation of detailed mitigation measures, if applicable, will be conducted as part of the EIR.” Given the inability to predict the long-term impact of accumulating arsenic or other contaminants, mitigation measures are the responsibility of the IWWWD and must be detailed.

We appreciate that the IWWWD sought an EIR for this project. We hope that our concerns will be addressed.

Sincerely,

Annette DeMay
Thomas DeMay

Handwritten signatures of Annette DeMay and Thomas DeMay in cursive script.

8/2/2011

To: Mr Tom Mulvihill- General Manager
Indian Wells Valley Water District
PO Box 1329
Ridgecrest, CA, 93555



From: Don Decker

Subj: Comments on the Indian Wells Valley Water District Water Supply Improvement Project Initial Study dated June 2011

Ref:

- 1) Bureau of Reclamation Final report dated December 1993
- 2) 1997 Indian Wells Valley Water District General Plan adopted April 23, 1998
- 3) Mitigated Negative Declaration for a Water Supply Improvement project dated July 2007
- 4) Comment letter from Kern County Planning dated Aug 7, 2007 concerning a Mitigated Negative Declaration for Indian Wells Valley Water District Water Supply Improvement Project
- 5) Brown and Caldwell IWV Groundwater Flow Model dated 3/23/2009
- 6) Layne Christensen Water Supply Improvement Project Final report dated April 16, 2010
- 7) Indian Wells Valley Water District Urban Water Management Plan dated May 2011
- 8) Kern County IWV well monitoring program and well data

Dear Mr. Mulvihill:

This comment letter is being written to provide constructive criticism of the completeness, accuracy and function of the subject Indian Wells Valley Water District (WD) Water Supply Improvement Project (WSIP) Initial Study (IS) dated 2011. In as much as the 2011 WSIP is nearly identical to the WSIP proposed by the IWVWD in 2007, I draw your attention to the comment letter written by the Kern County Planning Department (KCPD) referenced above. The County letter provides a summary of many of the environmental issues with that earlier WSIP. By direct comparison, the legal aspects and environmental issues of the *current* project are well described in that letter as well.

I assume that the WD thinks the 2011 WSIP can overcome the environmental difficulties of the 2007 version. That is, the WD is offering this Project in good faith. However, as I will point out, it is hard to reconcile the notion of a spirit of a good faith with the multitude of really serious errors, omissions, contradictions and misrepresentations present in the IS under review. It is every bit as flawed as the 2007 version. It is well to remind everyone that the 2007 WSIP was generally repudiated by the public, the County and ultimately by the WD Board itself. I submit the flaws in the 2011 WSIP are not really different than the 2007 version and are likewise so serious as to call to question the viability of the entire current EIR process. I submit that the WD is actually wasting precious public money on this EIR and any possible project based on it. **It would be far more valuable to invest in projects that could *enhance* the water supply rather than "improving" the same.**

There are many *fundamental* issues with this project that are not even *mentioned* in the IS.

1) The first being that under California groundwater law, a pumper that has only an appropriative right has only a right to *surplus* water. The term "surplus" means water in excess of that which is necessary to meet the needs of all overlying landowners. In an overdrafted basin, by definition,

there is no surplus water (see ref 4, KCPD letter p 5). The IWV groundwater basin has been in overdraft for at least 50 years (see ref 5). The WSIP as proposed by the IWVWD is not a project that is in any sense pursuing new water. The “improvement” project as described would *immediately* and irreversibly damage the interests of nearby overlying water right well owners and over time damage the prescriptive water rights holders including the Inyokern Community Services District (CSD), the Navy and Searles' Valley Minerals. **Damage from a new project must be considered as having occurred at the occasion of any addition to the already serious rate of decline.** Damage is inflicted by greater pumping costs and the inexorable declines in water quality as water levels are lowered. **Actionable damage occurs long before wells are dried out completely. The very idea that there is a damage threshold is a convenient invention to draw attention away from the ongoing damage.**

The IWVWD has a prescriptive right established by existing extraction. However, it has no *appropriative* right to additional water. **There is apparently an assumption made in the IS that is not discussed, that the overlying water rights owners are going to not defend their rights.** There is no mention at all of any water rights issues in the IS and the implications thereto. This casual approach by the IWVWD belies the mission statement made on their web page that they strive “to deliver the highest quality water at the best possible price while continuing to serve as *respectful stewards of the environment*”. The actions that the WD proposes will seriously harm the interest of not only nearby well owners but their own long term interests as well. **This is not the action and behavior of a responsible public agency.**

2) **In assessing this project it must be assumed that the full capacity of all wells and well upgrades would be employed.** The nearby well impacts shown in the Layne Christensen (LC) Report are not indicative of the full impacts that could be expected at all. In offering justification for this project the WD has brought forth as a basis for its increases in pumping requirements the additional population growth that would be brought about by a Base Realignment and Closure (BRAC) action by the US Navy, the principal employer in the IWV. The population increases projected in the Layne Christensen (LC) Report and in the recent Urban Water Management Plan (ref 7) are from a 2004 Navy BRAC estimate. **The actual increase in population since then has been much smaller than predicted.** The “actual” population estimated by Kern Council of Governments (KernCoG) has been increasing very slowly for many years. In reality, Navy project funding at China Lake is very likely to *decrease* in the coming years. It certainly will not increase. This means a *decrease* in Navy related population is very likely. **Tying future water demand numbers to faulty population projections is bogus.**

Using inaccurate projections rather than real experience is not only misleading it undermines the entire basis for the project. As is pointed out in the KCPD letter (p3) CEQA case law has said: “A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, and assess the advantage of terminating the proposal..and weigh other alternatives in the balance.” The reference is given in the referenced KCPD letter.

3) Following on further in the light of the issue of transparency and accuracy just brought forth, the use of an Administrative EIR for a set of complicated interrelated projects that have such serious environmental impact is unacceptable. The IS makes little or no mention at all of cumulative impacts. This is an egregious omission. **The LC scenarios are showing only the additional impacts from the project.** The actual impacts are the additive consequences of the existing serious

water level declines compounded by the new (and understated) declines produced by the WSIP wells. The IWV aquifer is in an ever more serious *accelerating* decline (see ref 5). **Attempting to use an environmental assessment made today under such dynamic conditions for project elements to be initiated in the distant future is *folly*.**

4) **The LC scenario modeling is based on a groundwater flow model that is known to be inaccurate in the very area of greatest interest- the SW area of the IWV.** This inaccuracy results in a non-conservative estimation of aquifer response to pumping. **The LC scenarios are seriously flawed.** The very clear admonition in the CEQA case law quoted above applies with full force to the present IS and its omissions and misrepresentations.

Specific comments:

Here are my specific comments/criticisms by section. Some of the general comments just offered will be expanded and further clarified.

Sec. 1.2 Introduction I take exception to the statement in the last sentence on p 1-1. It is not the *privilege* of the IS to screen out any impact area. Furthermore, the fact that the IS has overlooked many areas of vital concern does not provide an excuse to continue with the incomplete project description. **The use of the word “improvement” in the context of a project that has as its fundamental purpose to mine water from an already seriously overdrafted basin is not only an incorrect use of the word but only serves to mislead.** It is further evidence in this very IS of the “distortion” prohibited in CEQA case law cited above.

Sec. 2.1 Project location The description of the proposed use of 16 inch interconnecting pipelines belies the claim that these wells would be used for peaking.

Sec. 2.2 Project background **The IWVWD general Plan from 1997 is seriously outdated and is based at best on an incomplete and misleading description of the state of the IWV aquifer** (ref 2). It was written based on a selection of the most optimistic scenarios from the 1993 Bureau of Reclamation (BoR) Report (ref 1). The need for peaking and emergency outages beyond ordinary operating conditions cannot be denied. However, the production estimates in the coming years has been greatly exaggerated by the use of old BRAC estimates and overly optimistic population growth numbers from KernCoG. **Real numbers based on real growth and projections based on that very low growth rate would reduce production estimates greatly.** There is no discussion or accounting for the effects of IWVWD conservation that in the past year have resulted in a 17 % decline in demand. This decline in demand has actually forced the IWVWD to recently effect a reduction of 20% of its workforce. **Why is there no conservation discussion and correction in the demand numbers in the IS accordingly?** Making overestimates of population is every bit as serious as underestimating the same.

The discussion of a 20% system redundancy for emergency use does not recognize the *existing* interties with the Navy and Searles' Valley Minerals that have been in place for years for this *exact purpose*. It is essential that this capability be recognized and folded into the determination of the requirement. The 20 % number itself is an invention. A likely failure would involve only one well which is a loss of about 10%. Failures involving the arsenic treatment plants can be worked through by simply supplying untreated water just as has been done in the lead up to their completion. No wells have to be taken off line. With backup generators now at all wells, the failure mode now is likely mechanical and is a lot less likely than before the generators were available. In

any case, in an emergency there is nothing that requires the WD to function at full performance. **The 20% number is based on “nice to have” capability. The WD has functioned without flaw for the past four years without new capacity even as the “serious need” for additional capacity was stated in the 2007 WSIP went unmet. This point cannot be emphasized strongly enough.**

The description of the 2007 Mitigated Negative Declaration activity in this section couldn't be more inaccurate. The WD actually attempted to slip its project under the review of the public and the County. The KCPD letter referenced contains a scathing admonition against the CEQA failure inherent in the WD process. **The present WD EIR effort is a direct result of the severe embarrassment that the WD took over the previous WSIP.**

The LC study appears to a useful guide to new well location and design. However, the maps produced showing areas of “good” water and high aquifer transmissibility are superficial. There is virtually no recognition of the variation of these parameters at depth. The BOR Report is not referenced in the IS at all and is by far the most extensive exploration of the IWV aquifer to date. The electric logs taken during this project in the open well bores after drilling reveal a far more complicated condition than these maps show. The new data coming from the AB303 studies has been incorporated to only a limited extent (ref. 9) in the LC recommendations. The net benefit of these maps is an attempt to validate a project that the WD has been pursuing for years. The current WSIP is virtually identical to the project four years ago including the same areas for the new and modified wells. The previous WSIP attempted to claim minimal impact to the aquifer based on totally erroneous and very limited “modeling”. So now we do the model “right” and end up with exactly the same project in the same place? It is beyond belief that we reach the same project conclusions four years later. **I submit the WD appears to be providing the answers to its consultants ahead of time.**

As stated earlier, the LC scenario models are flawed by known issues with the calibration of the IWV groundwater flow model (GWFM). Errors in the GWFM are the result of earlier ignorance over the actual productive area of the SW. The impact scenario estimates on water levels in wells near the proposed production wells are thus not accurate. The impact will be considerably greater than modeled- especially over time. I will offer more detail on this in Section IX. **These models also do not take into account any cumulative impacts nor do they show the impact of full production from these wells.** The WD has historically used Mitigated Negative Declarations for similar “peaking” and emergency capacity. However, over time these very wells are brought into full production. This cycle has been repeated for decades. **One must assume these wells would be used at full capacity and the impacts from such use fully quantified.** A totally different project will emerge then. **The scenarios in the LC study are not realistic even in concept.**

Sec. 2.3 Project description The 20 % redundancy number itself is an *invention* as was stated above. There must be a full and quantitative justification for this value as it strongly drives the project need. Drawing it from the outdated and misleading 1997 General Plan gives further credence to the claim that its basis is weak or worse.

Sec.2.3.1 Improvements to existing wells. “Improvements” indeed. The idea of increasing capacity of existing wells, in fact, nearly doubling capacity has been tried previously by the WD. Well 8 was effectively *wrecked* by such an experiment. It is a waste of public money to engage in reckless activity. It is well known to every undergraduate geology student that the ability of moving water to transport (erode) material is a very strong function of the water velocity. It appears often to vary as approximately as the 6th power of the velocity. If you double the capacity you double the

velocity through the gravel pack. The ability of this flow to move material is now 32 times greater than what it was in the original flow case (using the 6'th power as an example). At the doubled flow, sand is now easily mobilized and swept at high rates through the gravel pack and into the well bore. The well is mining sand in addition to water. Ultimately the gravel pack collapses and the sand now has full access to the well casing. You have done irreversible damage to your well. Yes, the well may have the efficiency to be able to support the higher capacity but there is a lot more to the decision to "improve" the well than that. Virtually every ratepayer or taxpayer would agree that **experiments with precious public money are unacceptable. Especially when you have direct evidence in the WD experience to support a more prudent course.**

Sec. 2.4 Project timing The IS describes sub-projects executed over a decade. It is impossible even if the best available data and modeling were to be employed to to correctly and accurately identify the impacts associated with these future activities. **Even if such an EIR would be accepted after review it would be irresponsible to use its findings at even two years out.** The aquifer decline is *accelerating* even with current pumping and is becoming ever more acute. This is especially true for the very area of new pumping proposed by this project.

As a further justification for this project with its increased capacity, Table 2-1 shows well 17 as being removed from service in the 2011 to 2015 time period. This well is relatively new and with proper management can last for decades longer. The consequence of dropping it from production is to further the argument for additional needed capacity.

Sec. 3 check list items

IV. Biological resources. All areas of this project are in known Mojave ground squirrel territory. Well 35 would be located on the out-wash plain of the El Paso Wash. On and near this wash to the immediate south was the proposed site for a large scale solar power plant that has been stymied by environmental concerns over desert tortoise and Mojave ground squirrel (MGS). This writer has personally witnessed MGS individuals many times in the immediate vicinity of the well 35 site. The undisturbed land at well 35 is also just as sensitive. Mitigation for loss of habitat is going to be difficult. The site off of Victor is also prime habitat but is disconnected from the main areas. This writer has observed MGS in the vicinity of this site as recently as spring 2009.

V. Cultural resources Both the Bowman and Victor sites have significant archeological resources present. The previous survey of the Victor St property was reasonably accurate although there are potential grave sites present not noted in the first survey. The Bowman and Victor sites are in the El Paso Wash paleo-Indian corridor connecting Black Mtn with China Lake and the Coso Mtns. Significant archeological findings were made during the surveys for the solar facility immediately to the south of the WSIP sites. At both sites, an archeologist with experience in early man (Mojave culture) must reexamine these locations very carefully.

IX. Hydrology and water quality **The project would, in fact, contribute significantly to the already serious Valley wide groundwater overdraft.** A serious omission in the IS is any discussion of means other than drilling and pumping new wells for achieving additional peaking or emergency water. Where are the Alternatives to the proposed project? There is no discussion of the methods suggested in the BoR Report to address the overdraft itself or to obtain "new" water from our aquifer. For example, water obtained from blending or saline water recovery could be directly sent into the WD system for use in an emergency. The net effect would be an offset of the overdraft instead of a making a decrement. The scenarios that LC have executed do not provide any

cumulative impact assessment. They also do not assess the impact of a realistic full capacity pumping condition. As argued earlier it must be assumed that these wells would be used to full capacity. We are already in a very serious overdraft condition and the projected declines in the scenarios are in addition to the declines already underway. The drawdown contour maps in the LC study (ref 6) are thus very misleading. In the SW much of the current decline is a result of pumping from existing WD wells in the area. What sort of mitigation would be possible for any new pumping addition? **It is impossible to mitigate for loss of water.**

There are serious errors in the scenario results because of errors in the Brown and Caldwell GWFM itself. The final GWFM calibration results were very poor in this area. The GWFM has areas to the south and to the west of the project area that are included as aquifer but which are either dry or are not well connected hydrologically. In addition, contrary to the Bassett study indications (in *Installation and Implementation of a Comprehensive Groundwater Monitoring Program for the Indian Wells Valley, California, March 3, 2008*), mountain front recharge was added to the SW area when there is every evidence of only very low to no recharge into the SW area. As a consequence, the model predicts water level declines much smaller than observed. **The LC scenario results are then not conservative but will underestimate the impacts from the IS project pumping.** The calibration problems were discussed on several occasions with Brown and Caldwell staff and with the WD consulting hydrogeologist. This is a known problem. **The hydrologic modeling basis for estimating impacts is fundamentally flawed.**

The IS indicates that there is a potential for increased arsenic concentration in groundwater at or near the wells with higher pumping. This is a known serious threat and has no resolution once underway. The cost to “make whole” the private or co-op well owners would be enormous under such a situation. The mobilization of arsenic from pumping, especially heavy pumping, is a world wide problem. **High capacity pumping offers a cheap solution to more water but the unintended consequences can be impossible to mitigate.** It is a really bad idea as I have expressed to the WD over and over. .

X. Land use and planning Check box b) indicates no project conflict with existing low density residential land use. **Such couldn't be further from the truth.** The water extraction from this project is actually an *exportation* from the surrounding rural area to the urban area of Ridgecrest and vicinity. There is no water supply for these rural areas except from private wells. As the negative impact from large scale WD pumping becomes more serious in time, the viability of the investments made in these rural areas becomes more and more tenuous. **The project conflicts with applicable land use in a potentially catastrophic manner.**

Check box c) indicates no impact from this project on any natural communities. See sec IV for detail. There is likely to be a conflict with the BLM conservation plans for the SW.

Sec. XIII Population and housing As an example of the ludicrous aspects of the “planning estimates” contained in the 1997 General Plan, a more spectacular example cannot not be found than offered in the statement in this section on the top of p 4-21. “The IWVWD service area population was estimated to be approximately 36,00 people in 2007. The population of the IWVWD's service area may increase from about 36,00 to as many as 51,800 by 2015, remain the same or decrease to as few as 24,200”. With quality planning estimates like that the WD is sure to get it right. The service area population is considerably greater than the WD account totals because many households in the service area are on private or co-op wells. The WD appears to be using misleading larger numbers to build its case for more pumping.

Sec. XVIII Mandatory findings of significance This section must contain a serious examination of the cumulative impacts of this project. It was pointed several places earlier that there was a deliberate effort to simplify the model results in showing only the effects of the project itself. It is essential that the impacts of the proposed wells have on nearby wells (including WD, Navy and Inyokern CSD wells) be quantified with realistic full pumping capacity scenarios. The cumulative effects of *all* pumping is required to assess the full impacts on the aquifer. **Accurately understanding the SW aquifer is intensified not only by the impacts being observed by the recent pumping there by the WD, but also by the fact that it represents the last area of high quality water in the IWW.** Nowhere in the IS is even a list of possible alternatives given. There are many that are suggested in the reports referenced. Most notable are the BoR and AB 303 reports. It is not possible to always pick the cheapest alternative and ignore the others. Failure to consider alternatives is a serious omission.

Summary

The IS is very incomplete in many critical areas as was pointed out in this comment letter. The willful use of inaccurate estimated population numbers when actual numbers are available is inexcusable. The use of a GWFM flow model that was known by its originators to have significant errors in the very area of concern when it was published is inexcusable. The failure to indicate cumulative impacts on the already seriously overdrafted aquifer is inexcusable. The failure to effectively use the data and analysis already in place in the numerous recent studies is inexcusable. The failure to recognize our existing serious overdraft as a primary concern is inexcusable. Failure to even list possible alternatives to this project is inexcusable. Failure to recognize the overlying water rights of the affected private wells is inexcusable. The list could go on for another dozen items. **The IS is fundamentally flawed and should be given up before additional public money is spent on it.** The WD at some point will realize that it should spend its future water supply money on *enhancement* not on so called improvement. Enhancement gives the hope for extending the life of our aquifer. Simply following a growth model and pumping more and more is a prescription for disaster. We are risking our existing investments.

I do appreciate the opportunity to offer my comments on the WD IS. I assume that you will find them instructive and of value. The undersigned is a physicist with decades of experience in physics, geophysics and soils and in modeling. I was in fact the WD technical representative for the BoR project.

Sincerely, Don Decker (PhD) 

Water Supply Improvement Project – Initial Study Comments

August 4, 2011



To: Tom Mulvihill, General Manager
From: Judie Decker

The IWV Water District (District) is proposing in this Initial Study by ECORP, June 2011, drilling new wells 35 and 36 in the southwest area of the valley and equipping these wells as well as southwest wells 18 and 34 with the pumping capacity of 2500 gpm and 2200 gpm. This proposal will be executed by a water appropriator taking water from outside of its district in an overdrafted basin at the expense of overlying land owners. Alternative options to continued District expansion and continued well drilling have been offered by a variety of expert sources since 1993, but have not been seriously considered. This proposal will mine out the remainder of the highest quality water in the Indian Wells Valley hydrological basin from an area that has insignificant recharge. It will leave the valley with a seriously compromised water supply.

The EIR needs to address these issues as well as water level decline, water quality decline, subsidence, sustainability and safe yield over the long term. It needs to examine the cumulative impact of continuous pumping from the District and all other wells in the area. The economic impact of continued poor water management by the District must be factored into any decision process if this project is implemented. The differences between this proposal and the failed 2007 proposal are the reduction in the proposed pumping of 600 gpm and an EIR instead of a Negative Declaration. Neither of these factors lessen the magnitude of the impact to the aquifer or the destruction of nearby private wells. The District will pump 2500 gpm from wells 35 and 36 and increase pumping to 2200 gpm from wells 18 and 34 once this project is approved. The purported need for redundancy has not been adequately addressed.

The District's need for this project is based on old information from the 14 year old General Plan. The General Plan states that growth projections are suppositions and the District will build improvements when the need arises (1997 General Plan, executive summary). The General Plan contains the assumption that the valley will grow based on information supplied by the U.S. Navy. The rationale given in the Initial Study for the District's need for additional capacity is BRAC (Base Realignment And Closure). BRAC is over. People did not come as expected. The Valley's population has remained relatively stable. In fact, the future may see a reduction in Base employment due to Department of Defense cuts. The closure of BRAC, and the possibility of decreased population, needs to be addressed in the EIR. The argument is that additional capacity is needed for redundancy in case of peak day demands has now been changed to "... provide capacity redundancy. ...needed to serve its customers in case of a mechanical failure." (agenda item, plant and equipment committee, 8/2/11) There is no discussion in the Initial Study of the District's tie-ins with both the US Navy and Searles Valley Minerals for this exact problem. There is no discussion of additional storage to meet this redundancy. This needs to be addressed in the EIR.

Introduction

The introduction cites sections of the California Environmental Quality Act. The District is planning to execute an EIR for this proposed project. How can an EIR that is done in 2011 be appropriate in 2020, the year well 36 is to be drilled, or even 2015 when well 35 is to go on line? Environmental, physical and economic changes will occur and must be addressed at the time a project is to be implemented.

This “long term” approach violates the intent and the spirit of the CEQA Act. If another EIR is needed at the time of the project then this whole exercise is a waste of ratepayer money. These issues need to be addressed in the EIR. There is no statement in the Introduction regarding the possibility that the impacts to the environment are so critically severe that NO PROJECT is the recommended option. Why not? It needs to be addressed in the EIR. There is no discussion in this Initial Study of the issue of the IWWWD being an appropriator of water in an overdrafted basin. . One of the major issues in the failed 2007 Negative Declaration for essentially the same project was this issue. This issue needs careful examination in the EIR

Maps associated with the Initial Study fail to show all of the District wells They fail to show existing and proposed well's proximity to private, co-op, and mutual well users and land owners. These additions need to be included in the EIR. A map of the entire District needs to be included. A topographical map of the area and the location of the proposed two new wells needs to also be included in the EIR.

Project Background

Page 2-5 The population numbers presented in the first paragraph are misleading. The sentence should list the number of District customers. This population number given in this Initial Study includes hundreds of private well owners that live within the District boundaries. The EIR should delineate between District customers and private well owners within their boundaries. A General Plan is simply a proposed collection of actions as stated in its executive summary. The District needs to project their needs based on their current customer base. The proposal must take into account the possibility of a reduction in Base employees in the near future. If this happens there will be fewer District customers to need the water and to bear an increased financial burden caused by this project. This issue needs to be addressed in the EIR. The EIR must include the recent 17% reduction in consumption by District customers. The General Plan states that residents use about .75 acre feet per year. Since 1997 that consumption figure has dropped to .64 acre feet annually. The District raised its rates this year in the first step of a three year rate increase. The customers responded. The top ten pumpers have reduced consumption dramatically(one third less water in one case). The District has a budget for 2011-12 that is 1.3 million dollars short. The next rate increase coupled with the poor economy will cause the customers to use even less water. These reductions must be factored into the EIR.

Page 2-6 The discussion on this page of the failed 2007 Negative Declaration does not include the overwhelming concerns of private well owners and the impact the District would have on their water supply. The impact of that proposal was noted by both the Navy and Kern County in letters of objection. This current proposal is basically the same project. The objections to that project are still applicable to this WSIP. The issues raised in 2007 are still applicable and need to be addressed . There are other options for additional water without the continued mining of high quality water. These options need to be included in the EIR This Initial Study fails to include the many technical reports and studies that have been done. The EIR needs to include analysis from the 1993 Bureau of Reclamation report, the Robert Bean report and the Randy Bassett report. A true water assessment needs to be done.

This Initial Study totally ignores the real issue as did the 2007 Neagtive declaration. We are in overdraft and have been since 1960. The District's proposal will place 4 wells along Bowman Rd. The close proximity of these wells to each other will cause them to interfere with each other to say nothing of the ruination of small private and co-op wells in the immediate area. Well 36 located on Victor Street south of Las Flores will totally ruin private well owners and co-ops that surround that well location. These wells, in addition to the 2 wells that already exist on Victor Street, will have the effect

of totally ruining the economical accessibility of water that is rightfully theirs to hundreds of property owners in the western and southwestern Indian Wells Valley. Cumulative historical pumping for all wells in this area plus the additional pumping proposed in this project needs to be addressed in the EIR. The Initial Study cites the Layne-Christensen report as the technical rationale for this project. Neither the 1997 General Plan nor the Tony Morgan, Layne Christensen report are on the District's web site and available for public review. This omission needs to be corrected prior to the publishing of the EIR.

Page 2-7 Table 2-1 shows the production capacity of existing District wells through the year 2020. This table shows the removal of well 17 from service in the year 2015. Is this well scheduled for removal because it is so listed in the 1997 General Plan? There is no reason that has been publicly stated to remove this well from service. After 20 years of experimenting, District staff now has the correct chemical treatment combination to run this well successfully. Continued pumping from Well 17 will give the District 1200 gpm capacity that they remove in the proposed project. The District increased its rates and promoted conservation. The customers responded with a 17% reduction in water consumption. Further reductions will occur with the rate increases that the District already has in place. The issue of water consumption reduction and keeping well 17 in service needs to be evaluated in the EIR. The District has tie-ins with the Navy and Searles' Valley Minerals. These tie-ins must be factored into the need for a consumption redundancy in case of equipment failure. This issue must also be examined in the EIR.

Section 4 Environmental Checklist

Aesthetics

Page 4-1 The introductory paragraph fails to accurately describe the location of new wells 35 and especially 36. These wells are to be located adjacent to or in the midst of private well owners. They are to be located in the midst of rural residential communities. This omission needs to be corrected.

Page 4-1 Box a Potentially significant impact should be marked. The land owners adjacent and near to the new wells, 35 and 36 will lose a scenic vista

Page 4-1 Box c should be marked Potentially significant impact for the same reason as cited for box a. Mitigation under this section should be addressed in the EIR. The impact to dirt roads/easements in the area around proposed well 36 will have a potentially significant impact. Mitigation should be the district's paving of these roads,

Agricultural Resources

Pages 4-2-4-3 box c should be marked Potentially significant impact. Much of the land in the southwest near the proposed and existing well sites is zoned for agriculture. The basin is in overdraft. Any large scale additional pumping will negatively affect the basin. This needs to be addressed in the EIR.

Geology and Soils

Page 4-9 The discussion in paragraph ii giving rationale for this project because of potential earthquake hazard is false. A severe earthquake could damage well casing and rupture transmission lines causing the project to be worthless in the event of an earthquake.

Page 4-10 Box c Potentially significant impact should be marked. The potential for significant draw down causing subsidence is high. The close proximity of the District's existing wells 18, 33 and 34 in the southwest as wells the District's wells 30 and 31 to the proposed wells 35 and 36 is bad planning. These wells will interfere with each other as well as with all the private well, co-ops and mutuals in the area. One has to go no further than Fremont Valley and the old alfalfa farms where subsidence occurred to get a graphic illustration of how over pumping i can ruin the land and the water supply.

Hazards and Hazardous Materials

Page 4-11 While the District has acknowledged the impact of hazardous materials during construction and the storage of chlorine they fail to mention the potential of groundwater contamination from this and other materials over the time. This subject should be addressed in the EIR as well as potential contamination of groundwater from other chemicals that may be used in the future.

Hydrology and Water Quality

Pages 4-14 & 15 There is no discussion of lack of recharge in the area of the District's project or the seriousness of this fact. The project will repeat the errors the District made some 30+ years ago with the close placement of wells in Intermediate. I refer to the district's wells 8, 9 10, 11, 12 and 13. (wells 8 and 12 now closed) The severe draw down that occurred there will be repeated in the southwest. Private well owners are already drilling new wells or deepening old ones as a result of increased drawdown from wells 30, 31 on Victor Street and the 3 wells on Bowman Road. The problems and impacts to both the private land owner as well as the District itself needs to be discussed in the EIR in great detail. There is no mitigation for ruining the aquifer.

Page 4-18 Box b Potentially significant impact should be marked. The project has the potential of so ruining the water supply for private land owners that their property will be devalued. Land without water is useless.

Population and Housing

Page 4-21 The first paragraph on this page is confusing as well as misleading. The executive summary of the 1997 General Plan is quoted in the first paragraph, second sentence. The range of population is given in the general plan to cover both growth and shrinkage of population. The plan is a generalization that was written to cover various scenarios. It is based on supposition – not fact. The number 36,000 is for the population within District boundaries. These boundaries include hundreds of private, co-op and mutual well owners as well as District customers.

Box a should be marked Potentially significant impact. Water availability always has the potential for new development. Box b and Box c should both be marked Potentially significant impact. If wells 35 and 36 go on line at 2500 gpm along with wells 18 and 34 at 2200gpm the severity of the draw down to surrounding private wells, co-ops and mutuals will cause people to move away from their homes. This project will not only cause severe drawdown but a degradation of water quality. This will affect private wells and ultimately the District customers. Unless measures other than drilling new wells are used the future of the aquifer will be short. The result will be catastrophic both from a hydrology standpoint and from an economic standpoint.

Page 6-1 Bibliography The Initial Study has insufficient scientific data to support the project hydrologically. It only cites the Layne Christensen Technical Memorandum, April 2010. The District has available many reports and technical data, including hydrographs taken by the Kern County Water Agency. The EIR needs to address the scientific data that is available

Summary

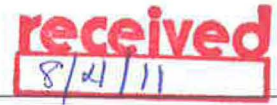
This Initial Study is really a reproduction of the failed 2007 Negative Declaration. The EIR needs to include the demands stated by Ms Lorelei Oviatt in her August 9, 2007 Comment Letter-Initial Study and Draft Mitigated Negative Declaration for the 2007/2008 Water Supply Improvement Plan (May 2007). The District intends to proceed with an increased capacity of enormous proportions in the only high quality water area in a basin that has been in overdraft for over 50 years. There is no mitigation

for the increased mining of groundwater from an overdrafted basin. The Initial Study totally ignores the effects of over pumping in a small area of the valley both on itself but especially on small private water pumpers. The unwillingness of the District to seriously initiate the recommended alternatives from the 1993 Bureau of Reclamation report and to ignore the data from the Sandy Bassett report is irresponsible. The District is not seriously examining the long term effects of its proposed actions.

I am a former IWWWD Board member, having served for nearly 18 years. I have been attending board and committee meetings on a regular basis since the early 1980s.

Sincerely, Judie Decker

A handwritten signature in cursive script that reads "Judie Decker". The signature is written in black ink and is positioned below the typed name.

**Eugene & Verna Curry**

From: "Eugene & Verna Curry" <curryev@peoplepc.com>
To: <iwvwd@iwvwd.com>
Sent: Wednesday, August 03, 2011 1:41 PM
Subject: comments on the Scoping meeting
Gentlemen

In reviewing the information that was provided we haven't found any item dealing with the water-rights issue of the private wellowners and we want to acknowledge that IWVWD is in overdraft.

In going over the WSIP it appears that the recommendation of the District's water production wells is based on a number of the new NAWS employees that were expected in 2005. This estimate is definitely out of date.

We agree with Mr. Jack Tipton when he said, "If the district needs more water during peak demands, they can install more water storage tanks." (See letter in Daily Independent, July 19, 2011.) It is time to be looking for a renewable source of water for this valley. Before pumping the valley dry let's be planning to plug into the Sierra mountains. Here is a source that renews itself. Other larger cities have already taken advantage of what is available. What are other desert communities doing about a water supply for their businesses and people? What is Borrego doing and what is Barstow doing? Let us not copy their mistakes, but let us find a solution. That is the direction we would like to see the planning take.

Eugene and Verna Curry
4417 W. Ridgecrest Bl.

To Indian Wells Valley Water District

I recently attended the scoping meeting and have several concerns regarding the proposed new wells. These include the presentation, justification of putting in new wells, legality of the new wells, monitoring of existing wells and financing the wells. I am not as informed as many members of the community but wish to let my concerns be known.

I am wondering why your presentation included maps older than my children. The topo map displayed showed street names that have not been used in over 30 years. It was very difficult to figure out where I live and I have lived there almost 30 years. I feel that was the intention, to confuse the location and possibly the members of the community would not be aware if the well will be in their backyard. An alternative thought was a staff member who is not familiar with the area and unaware of the ancient street names. Either way, that map was not the appropriate representation of the proposed well site.

At the meeting, Mr. Mulvihill mentioned that there are 29,000 customers to supply and that there was a need for 20% increase to meet peak demand. In the DI, he stated there was a 17% decrease in water demand due to successful water conservation. By his own statements, therefore, we need only increase 3% to meet those goals. According to the 1990 Census, there were 36,879 people living in the Ridgecrest, China Lake Acres, and Inyokern areas. In 2000, the population was 27,772. The 2010 Census is not yet posted. The Ridgecrest city website states a population of about 25,000. Of those 25,000 are a number of people on private wells. According to a school board member, the enrollment in local schools is down. The area has been losing members through death, moving closer to family members, and no great influx as expected with BRAC. Do we really need new wells?

Has the water district considered alternatives such as storage tanks to pick up the needed water flow, increasing output of existing wells, or improving conservation efforts for the additional supply/demand issue? How about consideration of the water wasted by watering midday in public places such as stores, parks, and apartment complexes. It is not unusual to drive down any street in town and have water running down the road. The water runs directly to the sewer and is wasted. Might that give the needed amount of water?

The hydro geologist stated the water district would mitigate any problems with existing well owners if problems occur. Depleting the water due to "declining production to the point where they may no longer be capable of supporting existing uses" could be an issue. What about the water rights of the existing well owners? Their due process granted by permits has not been discussed. Is the district going to test the wells of nearby well owners to ensure the quality of the water is not in question?

How about money? According to the Daily Independent and Board President Harold Manning, the water district will have a loss of \$1.3 million dollars in the next fiscal year. There has recently been a lay-off considered and infrastructure maintenance put on hold. This does not sound like a fiscally responsible decision for the water district or the valley

.

As water extraction by the IWV Water District and other entities has resulted in ground water elevation decreases in and near Ridgecrest to the point that the water district is proposing to extract water 10 miles or more outside city limits, how do you propose to avoid reducing ground water elevations to the detriment of the current and future ground water usage of property owners near these new and increased extractions?

Water extraction in and near Ridgecrest has resulted in saline and high arsenic intrusions into the ground waters in near Ridgecrest. There are areas of high sulfur and mineral content to the north and north east of Inyokern. How do you propose to avoid the intrusion of these ground waters into the better quality ground waters closer to the proposed IWV Water District ground water extractions?

Ground water extractions exceeding recharge rates, such as exist in the Indian Wells Valley, have frequently resulted in ground subsidence. How do you propose to avoid this possibility and its effect on surface water drainage patterns?

July 30, 2011

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, Ca 93555

Re: Scoping Meeting held on July 13, 2011

Mr. Mulvihill

My name is Toni Welsh. I have several years of experience with water districts. I was at the Scoping Meeting on July 13, 2011, and was appalled at the inadequate accommodations that were provided. There were at least 50 people that could not enter the room or be apart of the Scoping Meeting, and these were 50 signature that were not given. What ever kind of meeting or informational meeting is planned it is the District's responsibility to provide a suitable environment.

I believe that Indian Wells Valley Water District has a hidden agenda with this intent to drill two more new wells. I feel Indian Wells Valley Water District wants these wells for future hook-ups, to extend their authority and monopolize the water rights in the surrounding area. This is not in the best interest of many residents with their own wells and mutual water companies.

It has been my experience that Water Districts do not have the people's best interest in mind. All Water Districts are concerned with is revenue and water control this is no exception. I would like for you to consider the hundreds of people this is going to effect and be responsible.

Thank you
Toni Welsh



Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

received
08/03/11

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name PATRICIA A. SORENSEN

Address P.O. Box 1454, RIDGECREST, CA

Street City Zip Code

E-mail SORENSEN.P@VERIZON.NET

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

SEE ATTACHED 4 SHEETS

**COMMENTS ON ENVIRONMENTAL IMPACT REPORT
FOR THE INDIAN WELLS VALLEY WATER DISTRICT
WATER SUPPLY IMPROVEMENT PROJECT**

Patricia A. Sorensen
P.O. Box 1454, Ridgecrest, CA 93556
sorensenp@verizon.net

COMMENTS:

1. Section 2.3 Project Description; states "future demand [shown in Table 2-1 is] partially based on estimates of increases in NAWS China Lake employment and estimates of new NAWS China Lake employees moving into the service area. . . . from Base Realignment and Closure (BRAC) actions".

BRAC is over, the population increase is known and is minimal. Actual numbers must be used to make these projections. It is critical to have actual values to make these projections, not estimates, not suppositions, not water connections but actual values. And they are available.

2. Section 2.5, Table 2-3, Anticipated Agency Approvals and Reviews
Add 'Kern County' to the Agency portion of the table and 'Zoning Permit' to the Permit or Approval side of the table.

A zoning permit is required to allow for the construction of an industrial water production plant in a residential area.

3. Section 4, para III.a), b), c), and d), Air Quality

Change 'ground disturbance,' to 'dust generated from ground disturbance both during construction and for maintenance,' .

The cumulative effect of vehicle dust generated during construction AND regular maintenance/monitoring of the well and chlorination system needs to be addressed. There are no paved roads in this area.

4. Section 4, para IV.d), Biological Resources

An actual ground survey of the proposed construction site must be included in the 'biological resources technical report' to correctly assess the impact of endangered species in this area. There is also a known population of Mojave Ground Squirrels in the area of proposed well 35 as well as existing wells 18, 33 and 34. The cumulative effect of the three wells on the connectivity of the population and loss of food because of clearing of the construction sites needs to be addressed also.

5. Section 4, para IX. b), Hydrology and Water Quality

a. The Christensen Study needs to be redone using realistic numbers that represent the cumulative draw-down of the entire valley and the results need to be included in the EIR.

I live in Section 29 and my well has been dropping at the rate of 4 feet per year for the past 6 years. I recently had to sleeve my well an additional 100 feet because of IWVWD's increased pumping of wells 30 and 31, which is in violation of the California's underlying water rights laws. This proposal is also in violation of

the same laws. There are wells in the area with history that goes back a lot further than mine and I'm sure that the IWVWD has access to that history.

b. The last sentence states that "detailed mitigation measures" will be discussed in the EIR, if applicable. It is impossible to mitigate for water that is no longer there for everyone unless IWVWD is prepared to pump the water back into the ground after its been pumped out.

c. There is no discussion of possible contamination of fresh water coming into the aquifer from saline water being pulled in a westerly direction due to the increased pumping in the western section of the valley. This needs to be addressed since it has the potential of contaminating ALL the fresh water in the valley.

d. Also, sleeving my well cost \$17,000. Since IWVWD is in violation of the underlying water rights laws due to IWVWD's increased pumping in my area. The agency is at fault for this expense. Who do I sent this bill to?

6. Section 4, para IX. c), Hydrology and Water Quality

The assumption of 'No Impact' cannot be supported. It was stated that the construction site encompasses approximately 3.92 acres, an additional ½ - 1 acre hold pond, and parking area for construction and worker vehicles. During my recent experience with well drilling equipment, a commercial well drilling rig requires at least the foot-print of a football field to turn around and 4 support trucks in excess of 2 ½ tons which require a great deal of maneuvering room. A considerable amount of desert is going to get torn up and ground cover will be lost outside of what is being presented as the fenced-in construction area. This land will subsequently be subject to erosion. The pipe lines are both proposed to follow existing north-south dirt roads, I think. Hopefully, an easement will be created along side of the dirt roads and the pipe will be located there (all of this information about the pipeline must be stated in the EIR). The natural storm water drainage for the valley is south-to-north to the bottom of the valley where it exits through Poision Canyon during years of flooding. Substantial erosion can be expected to occur along the pipeline construction area since compaction of the soil that is adequate to prevent erosion would also damage the pipeline.

7. Section 4, para IX. d), Hydrology and Water Quality

The assumption of 'No impact' cannot be supported. See comment 6 above.

8. Section 4, para IX. f), Hydrology and Water Quality

A complete discussion of how IWVWD intends to deal with private wells owners and other commercial water producers with wells that are contaminated with elevated levels of TDS and arsenic needs to included in this section, along with mitigation measures.

9. Section 4, para IX. g), Hydrology and Water Quality

The discussion section of this paragraph contains the statement "The Proposed Project does not include the construction of any housing" and Section 2.3.2.3 defines a "pump building" and a "chlorination facility". Enlighten us as to whether or not there will be buildings and, if there are, provide details about them.

10. Section X, para b), Land Use and Planning

The assumption of 'No Impact' cannot be supported. This proposal defines several commercial water production facilities that are being located in areas of Kern County zoned for residential and estate purposes.

11. Section XII, para a), Noise

There is a 'noise level' associated with 'existing conditions' that needs to be discussed.

12. Section XIII, Initial Discussion

The first sentence states "IWWWD's service area population was estimated to be approximately 36,000 people in 2007" . However, the IWWWD's 2010 UWMP, Table 5, which shows the parameters used to calculate the districts baseline water use shows the population for 2007 to be 30,319. It is CRITICAL that a consistent set of representative numbers must be used throughout this document and ALL of the IWWWD's documents.

13. Section XVII, b), Utilities and Service Systems

The assumption of 'No Impact' cannot be supported. Section 2.3.2.3 describes a "chlorination facilities (dosing pump and sodium hydrochloride storage tank with secondary containment)".

Specifics about the chlorination facilities needs to be included in the EIR to address this issue.

14. Section XVIII, a), Mandatory Findings of Significance

See Comment 4 above.

15. Section XVIII, b), Mandatory Findings of Significance

The severe overdraft of the valley MUST be addressed. IWWWD cannot continue to just keep drilling deeper wells and installing bigger pumps. Years of this type of management at the IWWWD has pushed the valley to the edge of a crisis situation. Alternate water sources NEEDS TO BE ADDRESSED - NOW!!! Putting it off for another 10 years is insane.

16. Section XVIII, c), Mandatory Findings of Significance

Method of approaching the water depletion problem could have a disastrous effect on the entire population of the valley, large and small well owners alike.

Moving closer and closer to the mountains with bigger and deeper wells with greater pumping capacity is tantamount to playing Russian Roulette with the valley's water supply. The declining water level, the increasing salinity of the water we have, the very real possibility that tomorrow, ALL the production wells will be showing contaminates that must be dealt with and the price of dealing with them will get higher and higher.

17. Water Supply Improvement Project Draft Initial Study.

There is no real basis for this proposal. The need for increased pumping is based upon false assumptions, fraudulent numbers, and unsubstantiated statements to create fictitious shortfall numbers to support this proposal. All that's known for

sure is the pumping rates, everything else is based upon assumptions and whimsy. And the pumping rates are falling (17%), so much so that a monetary deficit is projected for this year because of lack of income and people are being laid off at the IWVWD. How can the prospect of a water shortfall possibly be used as the basis for this proposal?

**Environmental Impact Report for the
Indian Wells Valley Water District
Water Supply Improvement Project**

COMMENTS

Name DENNIS and KAREN SIZEMORE

Address 243 STRECKER STREET, RIDGECREST, CA 93555

E-MAIL kdsizemore@gotsky.com

COMMENTS

Submission of input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the Indian Wells Valley Water District Water Supply Improvement Project.

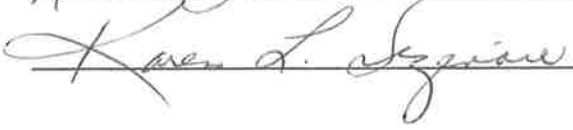
1. Our primary concern is the lowering of the local ground water table. Both quantity and quality of our current water supply will be degraded considerably. This project will substantially deplete the ground water supply. Preexisting nearby wells would drop to a level that would NOT support existing uses. Our well located at 243 Strecker is already dropping one foot a year per Kern County Water Agency measurements. We think it is a proven fact that whenever a large production well has been installed the quality of water in the local aquifer degrades.

Your proposed Well 36 is in close proximity to our property and without a doubt would destroy our well. The money we have spent on fire protection—tank and piping as required by Kern County—will become useless. Would you mitigate this expense? We disagree that Item XIV (a) would have “no impact”. A dry well would mean an empty 4400-gallon water tank—that is a significant impact for fire protection.

If in fact your mitigation measures for the loss of private local wells is to supply the affected community with water from the IWVWD at close to five times our current cost that mitigation measure is unacceptable. Our electric cost to supply water to our 20 acres is presently less than \$30 a month. Will you supply us water for less than \$30 a month?

2. What are your plans to mitigate the loss of property values—a house with a dry well is not worth much. Will you provide piping at no cost to us and a less than \$30 a month water bill for us? Will you give us a flat rate based on our current usage and not implement a tiered system for current local well owners?

3. As a property owner we have overlying rights to the water under our land for beneficial use. When the cone of depression created by proposed Well 36 depletes the water under our property the IWVWD has STOLEN our water!!
4. No mention has been made in the Draft Initial Study about adjudicating the aquifer in the Indian Wells Valley. With the aquifer in severe overdraft it is time for all the major water consumers and purveyors to come together with a common sense program to save what is left of the IWV aquifer. Your proposal to increase pumping is certainly not the answer. By limiting major water users to their historic numbers it would keep the water table from degrading at a faster rate. It may well encourage this major water use group to come together to work out an agreement for water importation and share the cost of same.
5. The IWVWD scoping meeting held on 13 July 2011 was poorly planned and heavily attended by affected landowners. The meeting was held in a fairly small room, less than 30 chairs were set out for between 150 to 200 attendees, three manned "stations" were set up to allow attendees to ask questions. There was no open mic to allow attendees to hear various comments and viewpoints from others. The majority of attendees were older persons, probably on fixed incomes, who were unable to handle the accommodations without difficulty—the very persons who will be directly affected by your proposed "Improvement" project.


_____ 8/2/11

_____ 8/2/11

received
8/3/11

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Owens Peak South Water Company
Address PO Box 534 Inyokern, CA 93527
Street City Zip Code
E-mail OPSWC.Water@gmail.com

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

OPSWC is a water cooperative in Inyokern with 18 active members. We are very concerned with what IWWVD is doing at the west end of the valley and its potential effect on the existing water table. We do not want IWWVD to drill new wells nor to increase pumping of existing wells as this could cause our well to run dry.

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

received
8/3/11

COMMENTS

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Name Susan Moore + Peter Woodman
Address 8626 Las Flores, Inyokern CA 93527
Street City Zip Code
E-mail susandm@iwvisp.com

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

We are private well owners in Inyokern. We are very concerned about the Initial Study of the IWV WSIP: (1) The growth model used is based on OLD BRAC projections, (2) There needs to be full recognition of water rights of private well owners. (3) The aquifer is ~~is~~ already seriously depleted - we lower the pump at the bottom of our well at regular intervals. There is no REAL ground-water management in the IWV. We need a genuine plan for our area to enhance the IWV water supply. The IS plans only to increase pumping of a finite amt. of groundwater.

Thank you,
Susan Moore and Peter Woodman.

received
8/3/11

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

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Name DON J McKERNAN
Address 1543 R BOWMAN RD RIDGECREST CA 93555
Street City Zip Code
E-mail R

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

MITIGATION FOR #30 & #31 THE WATER
DIST WOULD TO 1200 GPM PER MIN ON ALL WELLS
BECAUSE OF THE DAMAGE IT COULD DO TO THE AQUIFER
WHAT HAS CHANGED?
DID THE DIST DO AN RESOLUTION TO CHANGE
PUMPING PRACTICES?
WELL # 36 IS IN AREA OF SMALL WELLS
THAT THE WATER DIST WILL IMPACT - VERY POOR
ENGINEERING -

received
8/3/11

July 26, 2011

Tom Mulvihill, General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555

RE: Scoping comments for the IWVWD Water Supply Improvement Project EIR

Mr. Mulvihill:

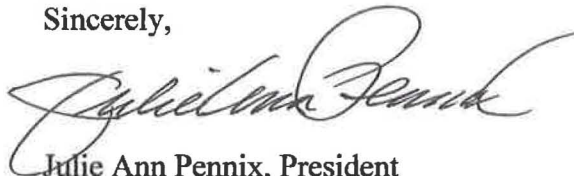
I represent the Donna Sue Water Company located in Southern Inyokern. We are interested in your proposed Water Supply Improvement Project. We have concerns that this project may negatively impact our own domestic water supply.

Therefore, we are requesting additional information be provided during the preparation of the EIR as such information becomes available for public review.

We look forward to reviewing and commenting on your draft EIR and associated supporting documentation. Please send any notifications for public review of such documents to the following address:

ATTN: Julie Ann Pennix
Donna Sue Water Company
P.O. Box 1342
Inyokern, CA 93527

Sincerely,



Julie Ann Pennix, President
Donna Sue Water Company
(760) 377-4828

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

received
8/3/11

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name PATRICIA L. DAVIS AMBERGLOW RANCH
Address 1430 N INDIAN WELLS RD RIDGECREST, CA. 93555
Street City Zip Code
E-mail _____

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

SEE ATTACHED PAGES

AMBERGLOW RANCH
PATRICIA L. DAVIS
1430 N INDIAN WELLS RD
RIDGECREST, CA. 93555

P. 1 of 2

1. According to the General Manager Tom Mulvihill at the Indian Wells Valley Water District (IWVWD), They want to drill two (2) more wells (well #35 west of Brown Road and well #26 south of Bowman Road.) so that they can take care of their customer's demands. Although there has been no new growth or any projected new growth in Ridgecrest, They intended to do this without concern or consideration for the private & mutual well owners.
2. Mr. Mulvihill spoke of winter & summer usages. He stated that summer water usage is high and in previous cases the demand was greater than the IWVWD capacity of water could handle thus he felt these two new wells were needed, although they haven't had any problems in the past meeting their customers demands. The question to Mr. Mulvihill is: In the past when demand was greater than the supply how did he handle the problem?
3. There was no mention of water storage tanks or alternative water sources that could be considered that would benefit not only Ridgecrest but the entire area. These things should be looked into first before drilling two more wells in an already unprotected water basin in the valley which would lower the aquifer for the entire valley.
4. The IWVWD General Manager Tom Mulvihill made no mention of the private & mutual well owners and how they would be affected by the drilling of two more wells. His only concern by his own admission at the 7/13/11 Scoping Meeting was for the IWVWD water customers only in Ridgecrest.
5. Since IWVWD began drilling wells in the private well owner's area the water has decreased substantially. So much so that a good many private & mutual well owners have had to recently re-drill their wells to a deeper depth to maintain pumping their water and some have even dried up. Prior to IWVWD drilling these wells it was stated that they were drilling so deep that private & mutual well owners would not be affected. This has not been the case. The private & mutual well owners have first water rights in the Valley, according to the Kern County Planning and Environmental Dept letter to the IWVWD. However, this appears to be of no concern and is being ignored by the IWVWD by continuing to drill new wells for there own benefit and or agenda.
6. At the end of the 7/13/11, Scoping Meeting it was mentioned that at least 50 concerned private & mutual well owners were turned away. That made them unable to sign in or participate in this matter. This matter and those signatures are very important in this case and it is unfair, unethical and unprofessional to not have made arrangements to accommodate concerned citizens. Especially in such an important and sensitive matter that impacts this valley. Thus this Scoping Meeting was to only benefit IWVWD not private or mutual well owners or other interested parties.

AMBER GLOW RANCH
PATRICIA L DAVIS
1430 N INDIAN WELLS RD
RIDGECREST, CA. 93525

p. 2 of 2

7. The USGS map that was presented at the 7-13-11 Scoping meeting did not reflect current wells or correct street names and Kern County parcels.
8. The IWWWD has hired ECORP Consulting Inc. to do the Environmental Impact Report. It is interesting that their expertise is in mitigating negative declarations which is stated on ECORP's web site. Mitigating negative declarations would certainly be behooving to the IWWWD.
9. If the IWWWD succeeds with their project what kind of mitigation and compensation measures are they planning to do for the private and mutual well owners and other interested parties?
10. It is evident to me and other concerned parties that IWWWD goal is to dry up all the private & mutual wells in the Valley, thus forcing the surrounding residence to tie into IWWWD water lines at the owners own expense just to have water. Thus giving IWWWD the monopoly for the entire source of water in the Valley.

received
8/2/11

From: [Bob Steele](#)
To: iwwd@iwwd.com
Cc: [Steve Newman](#); "Don Decker"; steele7_7@msn.com
Subject: Water Supply Improvement Project - 2011
Date: Monday, August 01, 2011 7:56:06 PM

To the IWVWD,

I am writing as the president of 148E Water Co. south of Inyokern, CA. Our well is being monitored by the Kern County Water Agency for the past 4 years. We are in negative draft of approximately 1 foot per year. Our well is within 2 miles of the pump station at Brown and Bowman Roads. Continued WD over-drafting of our water supply will negatively impact our well longevity and possibly water quality. Whatever community action is taken to prevent continued or further over-drafting of water in this area will be joined by the 148E Water Co. Simply stated, we are in direct opposition to further over-drafting of the valley water supply, especially in the south Inyokern area.

Robert Steele
President
148E Water Co.
Inyokern

Penelope LePome
635 N. Rio Bravo Street
Ridgecrest CA 93555
Email: plepome@earthlink.net

received
08/02/11

Indian Wells Valley Water District
500 W. Ridgecrest Boulevard
Ridgecrest CA 93555

August 2, 2011

Re: Water Supply Improvement Project Draft Initial Study

Tom Mulvihill and members of the IWVWD Board:

There are several concerns regarding the IWV Water District's proposal to increase pumping capacity. Given that the only source of water in the Indian Wells Valley is the underground aquifers, and that these aquifers have been in what has become critical overdraft for many years, what is to be gained from hastening the day when your wells start running dry?

1. Population figures The IWV Water District's own study reveals that the assumed population increase from BRAC has not materialized (page 2-7). In light of the nation's guaranteed annual budget deficits into the future, how can the District expect further increases from BRAC? In the next round of BRAC, there could be a decrease in population. The EIR needs new population numbers to show that this project is necessary.
2. The concept that the IWVWD needs to "upgrade" existing wells to have 20% redundancy is unfounded. There are existing agreements with the Navy Base and Searles Minerals for redundancy for fire protection.
3. Cumulative impacts to everyone within the IWV needs to be included in the EIR. Aquifers are in critical overdraft, and increased pumping combined with the existing overdraft needs to be addressed. Damage is already being done to private well. Additional pumping will cause water levels in private wells to drop even further than they already are dropping. The IS (page 2-15) predicts a drop of 2-6 feet in one year and between 2 and 10 feet over ten years. This is in ADDITION to the drops currently experienced. It does not seem plausible that if there is a drop of 2-6 feet in one year that over ten years there would "only" be a drop of 2-10 feet. This model is deficient on the face of it. Further, the Indian Wells Valley Cooperative Groundwater Management Group (IWVCGM) is not effective in managing pumping from all the various well owners. The IWVWD should not pursue additional pumping until there is implementation of a comprehensive, effective plan with all well owners in the valley based on a realistic model.

4. The impact of increased pumping cannot be mitigated. The Water District is not replacing the water with another source. The Water District should not be increasing the capacity to pump more water until it has an additional water source. The District should have a moratorium on new connections until there is another source of water or we have a comprehensive, effective water management plan implemented. We need an **additional** water supply before increased pumping capacity is even considered. How does the Water District plan to compensate private well owners when their wells are running dry?
5. Water quality is decreasing with increasing amounts of dissolved solids and contaminants such as arsenic. Pumping more water will cause the water quality to deteriorate at a faster rate. The IS states that water from the new wells may need additional treatment to improve water quality for things such as arsenic (page 4-14). How does the Water District plan to compensate private well owners for decreased water quality?
6. Air Quality The IS states that there will be an Air Quality report in the EIR. How does the District plan to deal with dust and coccidioidomycosis spores that may result in an increase of Valley Fever, given the prevailing wind? Well known studies have shown that these spores are a threat to both life and health.
7. Biological Resources The IS states that there will be a Biological Resource report that will address concerns regarding the Desert Tortoise, Mohave Ground Squirrel, and Burrowing Owl. Mohave Ground Squirrel connectivity should also be addressed. This report should include information on the vegetation on the parcels that might be especially conducive to these animals.
8. Cultural Resources The IS states that a Cultural Resources report will be prepared. The report must detail the studies that show whether there are burial grounds that might be impacted.

Given the current budget deficit of the IWVWD, now is NOT the time to plan for large construction projects that cannot be justified with present information. Until these issues can be resolved, the District has no business planning for capacity that may never be needed.

Sincerely,



Penelope LePome

received
8/2/11

Max and Eleanor Hovaten
Box 245
Inyokern, Ca 93527
(760-793-1593)

Indian Wells Valley Water District
General Manager
Box 1329
Ridgecrest, Ca 93555

Subject: Public Comment on the Proposed Expansion – WSIP

Sir,

The proposed expansion of the Indian Wells Water District by additional production wells is contraindicated by science. First, using standard engineering calculations upon district records, the existing production need of the District in the highest month (July) is only 37% of the currently installed pumping capacity. This is based on the current installed horsepower of 1850 Hp and recommended efficiencies of 68% per the California Department of Water Resources. Current excess capacity is therefore 63%. Even if a daily variance of 10% from the monthly average is included, the excess capacity is still above 50%. If poor engineering has resulted in lower capacity, those problems can be corrected more economically and without increasing maintenance costs, for example, by increased distribution line size, and booster stations, etc. There is also margin in the excess capacity for regular or emergency well maintenance.. Even if a catastrophic event should occur, the district inter-tie with the Navy would provide assistance, since that is the purpose of the inter-tie design.

Second, the increase in District customers due to the Navy Base Realignment (BRAC) has not occurred. Projected population was not realized. The laudable conservation effort implemented by the District may also have reduced use. Figure 1. (page 2), demonstrates that in fact, water use in the summer peak month is declining, abrogating the need for any additional production wells or increased horsepower on existing wells. Reducing well horsepower and saving standby electricity charges could lower district costs. Expansion is not in the economic interests of the District's customers.

Finally, if the District has excess funds, it should be planning for the future. Rather than wasting millions of dollars on increasing the already excess capacity in an over drafted basin the District should aggressively pursue the importation of water. The District should be purchasing lands in the Rose Valley and Olancho areas and also aggressively investigate innovative solutions for the long-term water supply. There are many opportunities. Without forward long term planning, the district is violating its own stated mission of "Serving as a respectful steward of the environment"

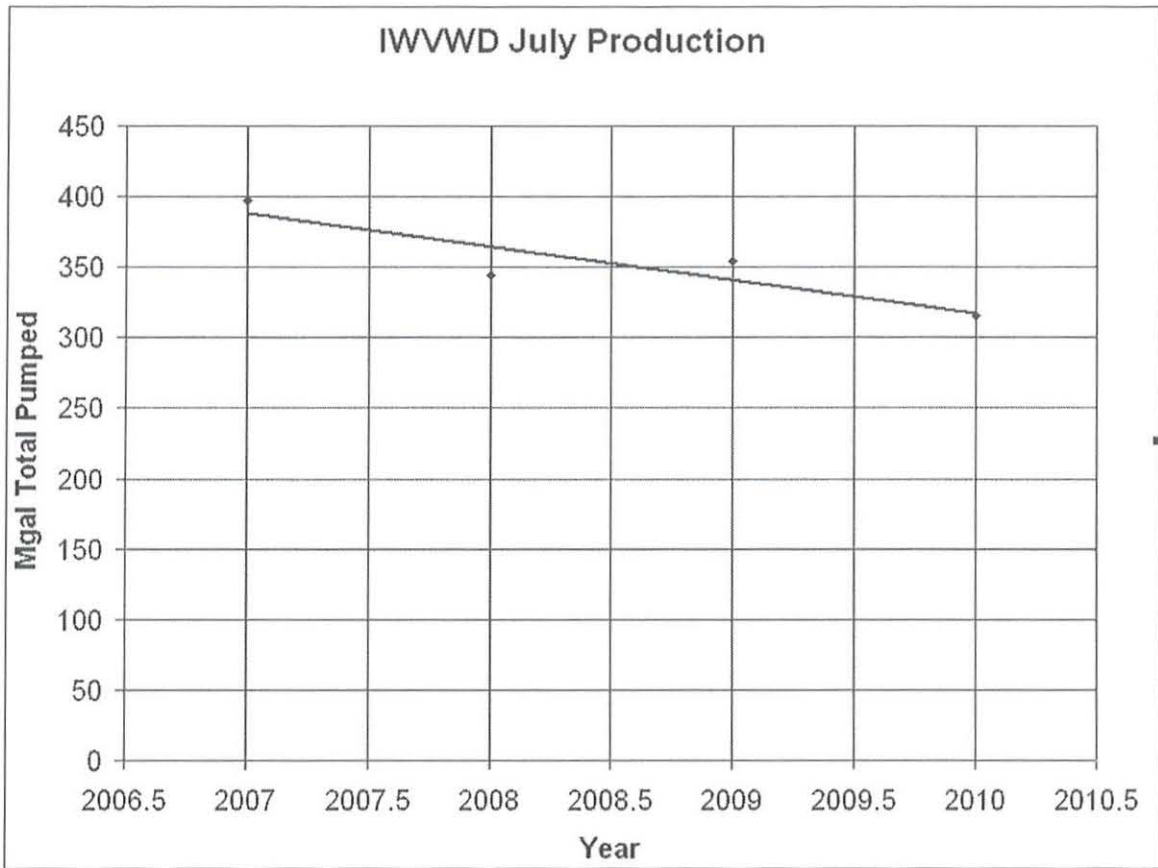


Figure 1

Respectively,

Max Hovaten and Eleanor Hovaten

Max Hovaten
Eleanor M. Hovaten

Cc: Cooperative Groundwater Management Group
Kern County Water Agency – Terry Rogers

From: [Freddie Olmos](#)
To: "Andy Crane"; wikatzen@mchsi.com
Cc: iwwwd@iwwwd.com; [Anne Surdzial](#); tmulvihill@iwwwd.com; reneem@iwwwd.com; [David Scriven](#); [Rose Koch](#)
Subject: RE: Environmental Impact Questions
Date: Wednesday, August 03, 2011 9:14:51 AM
Attachments: [IWWWD Environmental Impact Questions - Crane 080211.PDF](#)
[image001.gif](#)

Mr. Crane,

Thank you for your comments.

Freddie

Jesus "Freddie" Olmos

FOlmos@ecorpconsulting.com

Senior Environmental Analyst/Project Manager



*215 North 5th Street
Redlands, CA 92374
Phone: (909) 307-0046
Fax: (909) 307-0056
Cell: (909) 831-3236*

Certified Small Business (SB)
www.ecorpconsulting.com

From: Andy Crane
Sent: Tuesday, August 02, 2011 10:19 PM
To: wikatzen@mchsi.com
Cc: iwwwd@iwwwd.com; Freddie Olmos
Subject: Environmental Impact Questions

Please see the attached Comments / Questions form. Please confirm receipt.
Thank you.
Randy Crane

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Randy Crane
Address PO Box 238 Inyokern 93527
Street City Zip Code
E-mail [REDACTED] ← not to be made public

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

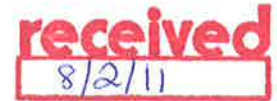
Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

- 1) What studies have been on all wells / water companies within a 5 miles radius of the proposed wells?
- 2) What studies, past + present have been done showing the effects of the current wells within 5 miles of the Donna Sue water company?
- 3) What is the water table history for the areas within 5 miles of the well(s) drilled near Brown Rd + Bowen both before and after pumping began?
- 4) how does the water district plan on compensating the surrounding areas where the water is connected to shared owners?
- 5) What environmental impact studies are required?
- 6) " " " " " have been done?

Randy Crane 8/2/11

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

Copy



COMMENTS

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Name Pamala Bradley
Address 1421 N Indian Wells Ridgecrest 93555
Street City Zip Code
E-mail jimpambrad@verizon.net.

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

The IWVWA is using old proposed population figures. Mr Mulvihill stated the water district would drill the new wells but only use them if other wells went down. Why not upgrade what you have? When you are low on funds, you tighten your belt - not spend more (buy more). There are many homes in Ridgecrest that do not pay for the amount of water they use - The Ridge Apts for example. Meters on each unit would reduce waste. Also, fine offenders of water waste. Drive down Drummond and Norma during winter months

and see wasted water in the street gutters
The water district does not value/treat their
staff well. Take care of your staff and they
will serve you well. A well trained staff is one of
your greatest assets.

Mr Mulvihill and Board, please look NORTH.
Do you want the IWV to look like Owens Valley?
Please, don't be like LA Department of Water and
Power.

To sum it up, please:

- Take care (upgrade) of the wells you have.
- Meters for each user
- Fines for water waste.
- Value your employees
- Do not turn the Indian Wells Valley into
a copy of Owens Valley

Copy

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

received
8/2/11

COMMENTS

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Name Jim BRADLEY

Address 1421 N Indian Wells St Ridgecrest CA 93555
Street City Zip Code

E-mail jimbradley@verizon.net

Comments can also be submitted to:

Tom Mulvihill
 General Manager
 Indian Wells Valley Water District
 P.O. Box 1329
 Ridgecrest, CA 93555
 (760) 375-5086

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Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

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Name DANIEL E. SMITH (SOUTH OWENS PEAK WATER CO.)
Address 6459 DEWISE AVE INYOKERN 93527
Street City Zip Code
E-mail dandiana@verizon.net

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

WHEN WE PULLED OUR WELL ABOUT 8 YEARS
AGO, WATER LEVEL WAS DROPPING 2 FEET PER YEAR. WE
WENT DEEPER (440 FT) AND HAVE 100 FEET OF WATER.
IF RIDGECREST CONTINUES TO DRILL IN OUR AREA WE
WILL DEFINATELY BE IMPACTED. THERE ARE 19 HOUSES
ON OUR WELL, AND MANY MORE HOUSES IN THE AREA
ON PRIVATE WELLS. ALSO THERE ARE NO DISTRIBUTION
POINTS PLANNED, SO IF THEY IMPACT OUR WATER SUPPLY,
THEY HAVE NO PLANS TO SUPPLY US WATER. MAY BE
RIDGECREST SHOULD IMPOSE A BUILDING MORATORIUM INSTEAD
OF STEALING OUR WATER.

Directors
R. Farris
R. O'Brien
J. Kurley
T. Lyster
W. Ernst

B. Bebee, Manager



P.O. Box 1418
1429 Broadway
Inyokern, CA 93527

Telephone: (760) 377-4708
FAX: (760) 377-4327

received
08/01/11

July 21st 2011

Board of Directors

Indian Wells Valley Water District

500 W. Ridgecrest Blvd

Ridgecrest, CA 93555

In regards to the Notice of Preparation:

The Inyokern Community Services District (ICSD) Board of Directors requests that the Indian Wells Valley Water District (IWVWD) send a representative to address the Inyokern Municipal Advisory Committee (IMAC) on this matter.

Please contact Brian Bebee at (760) 677-1003 to make arrangements.

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

received
8/1/11

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Stuart + Fields
Address 8023 Siebenthal Inyokern 93527
Street City Zip Code
E-mail SFKF@iwdisp.com

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet.
Thank you.

see Attach.

Comments to Environmental Impact Report for the IWVWD
Water Supply Improvement Project

Sirs: I chose to provide my comments on this letter vs your form to allow me to use the easier to read words provided keyboard vs. my hand writing.

I have just one primary question:

Since we are in an overdraft situation already, and arguably an extreme over draft, I would be interested to see mitigation factors contained in the EIR of your proposed project to offset the negative effects caused by the proposed increased pumping of water from an already challenged aquifer.

Though you are certainly not responsible nor are you in control, there are active plans by some agricultural interests to markedly increase the pumping of water from this declining aquifer. The addition of more pumping by the IWVWD certainly does nothing to improve an already declining resource. From your website: (emphasis added)

The Vision

of the

Indian Wells Valley Water District

is to provide for

self-sustaining water resources

now and for

generations to come.

The Board of Directors

It is not clear, reading your EIR, just how you plan to support the "Self-Sustaining" water resources part of your vision.

The continued ignoring of the overdraft condition will certainly ruin the Indian Wells Valley. We can't print more water like the Federal Government does with money.

Stuart Fields
P.O. Box 1585
Inyokern CA 93527
sfkf@iwvisp.com

Notice of Preparation

To: All interested parties/ County of Kern Clerk
Subject: Notice of Preparation of a Draft Environmental Impact Report

Lead Agency:
Agency Name: Indian Wells Valley Water District
Mailing Address: P.O. Box 1329
Street Address: 500 W. Ridgecrest Blvd.
City/State/Zip: Ridgecrest, CA 93555

Consulting Firm:
Firm Name: ECORP Consulting, Inc.
Mailing/Street Address: 215 North 5th Street
City/State/Zip: Redlands, CA 92374

Contact: Tom Mulvihill
General Manager
(760) 375-5086

Contact: Anne Surdzial
Project Manager
(909) 307-0046

Indian Wells Valley Water District (IWWVD) will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project identified below. The IWWVD is requesting information as to the scope and content of the environmental information to be included in the EIR. If you are an agency with statutory responsibilities in connection with the proposed project, your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project. A General Public Scoping Meeting is scheduled on **July 13, 2011** from 5:00 p.m. to 7:00 p.m. The meeting will be held in the IWWVD Board Room located at 500 W. Ridgecrest Boulevard, Ridgecrest, California.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date **but not later than 30 days** after receipt of this notice. The response deadline is August 4, 2011. Please send your response to Tom Mulvihill at the address shown above. We will need the name for a contact person in your agency.

Project Title: Water Supply Improvement Project
Project Location: The Proposed Project is generally located west of the City of Ridgecrest, southeast and east of Inyokern, and south of NAWS China Lake in unincorporated Kern County, California

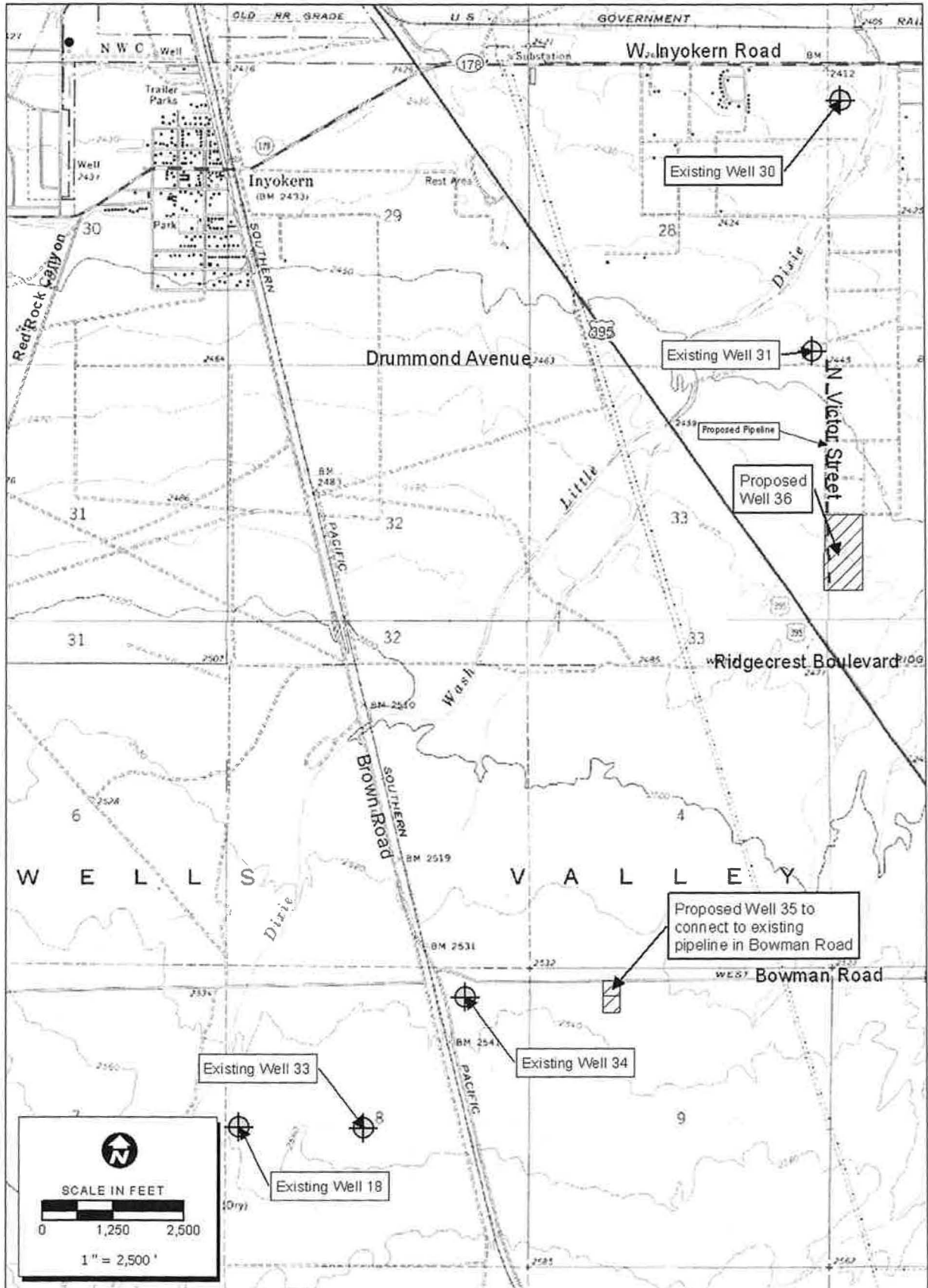
Project Description: IWWVD currently has a higher demand than capacity on the maximum demand days which occur in the summer months. There is also not enough capacity to allow for a 20 percent redundancy to cover equipment failure or other emergency during the maximum demand days in accordance with IWWVD policy. As such, the following improvements to its existing wells are proposed in addition to the construction and operation of two new wells. The Proposed Project consists of the improvement and operation of existing Wells 18 and 34 and the construction and operation of two new wells, proposed Wells 35 and 36. Existing Wells 18 and 34 are located east and west of Brown Road and south of Bowman Road, just south of Inyokern. The two new wells would be located in two main areas. Proposed Well 35 would be located on the south side of Bowman Road between Moon Place and Star Place. Well 35 would be located on two parcels which total 3.92 acres (Assessor's Parcel Numbers [APNs] 341-234-02 and -03). Proposed Well 36 would be located on a 20.33 acre property located at the southeast corner of Las Flores Avenue and N. Victor Street (APN of 352-250-33). Well 36 would be located in the extreme southwest corner of the parcel. Both sites are owned by IWWVD. An approximately 400-foot, 12- to 16-inch pipeline would connect proposed Well 35 to the existing pipeline in Bowman Road. In addition, an approximately 4,000-foot, 12- to 16-inch pipeline would be installed along N. Victor Street and tie into the existing pipeline at well 31 near Drummond Avenue to serve proposed Well 36. The pipelines would be for transmission purposes only and no distribution connections are proposed.

The following potential environmental effects were identified in the Initial Study: Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards/Hazardous Materials, Hydrology/Water Quality, Noise, Population and Housing, and Utilities and Service Systems. The Initial Study is available for review at the IWWVD office address above and at www.iwwvd.com

Date June 27, 2011

Signature	<u></u>
Title	<u>General Manager</u>
Telephone	<u>(760) 375-5086</u>

Notice of Preparation



received
7/29/11

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name David Kimble/Lucille Nielson

Address 501 N. Randall Ridgecrest, CA 93555
Street City Zip Code

E-mail _____

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

The aquifer, has been depleted over-time, to the point where we (citizens, county, state) no longer know how much water remains in the ground - this proposal makes about as much sense, as the ~~the~~ idea that the earth is flat - an absolute NO! to this project and any ^{others} Additionally, it is my understanding, the wells like it) pump from (pleistocene^(sp)) water that has existed there for millions of years. Once the water is gone, there is no more - what happens to Ridgecrest and the base? Do we become a ghost town, like others in the area?

received
7/28/11

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Alan & Joan Woodman

Address 1159 Weiman Ave. Ridgecrest CA 93555

E-mail aljo@iwvisp.com

Street	City	Zip Code
1159 Weiman Ave.	Ridgecrest	CA 93555

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

This project is nearly identical to the Water District project
of 4 years ago. It was thoroughly repudiated at that time, and

WSIP 2011 should be repudiated this time also. The mitigation
proposed by the County at that time should be considered again
in the upcoming EIR. No new wells should be drilled or existing
wells upgraded until a plan is prepared which considers aggressive
conservation, water reclamation, brackish water treatment, and
importation of outside water.

Alan Woodman
Joan Woodman



27 July 2011

Tom Mulvihill – General Manager
Indian Wells Valley Water District
POB 1329
Ridgecrest, CA 93556-1329

Subject: Comments on “Water Supply Improvement Project Draft Initial Study” dated June 2011

Sir: This letter will comment on the completeness and accuracy of the Water Supply Improvement Project Draft Initial Study (WSIPDIS)¹. I offer comments in two major sections: general and specific.

General comments

The Indian Wells Valley Water District (IWWVD) is an appropriator as defined by the State of California and affirmed by Lorelei Oviatte who wrote concerning a proposed ‘negative declaration’ with respect to a nearly identical IWWVD project in 2007. I draw your attention to her pages 4 – 6; her letter is appended to this one for reference. As an appropriator, the IWWVD is entitled only to surplus water. In an overdrafted basin² such as the Indian Wells Valley (IWW), there is no surplus water. I further draw your attention to a synopsis of California water law prepared by Marsha Burch³; an excerpt is below:

“Groundwater appropriators are generally ... an overlying municipality that extracts available groundwater for municipal purposes. In essence, if there is surplus water, it may be appropriated for use on non-overlying land. An appropriative right to groundwater is a right to use groundwater outside of the groundwater basin or for public service in communities overlying the basin, as long as enough water is left to meet all overlying landowner needs. (*Tehachapi-Cummings County Water Dist. v. Armstrong* (1975) 49 Cal.App.3d 992, 1000 n.6, 1001.) Between overlyers and appropriators, overlyers have priority; among appropriators, priority follows the rule of “first in time, first in right.” (*City of Pasadena v. City of Alhambra, supra*, 33 Cal.2d at p. 926.) Earlier appropriative users have priority over later appropriative users.

Where the basin is in a condition of overdraft, no appropriative rights can be acquired, except by prescription. (*City of Pasadena v. City of Alhambra, supra*, 33 Cal.2d at pp. 926-27; *City of Los Angeles v. City of San Fernando, supra*, 14 Cal.3d at p. 278.) Thus, if the basin is in overdraft, an appropriative right could not be established.”

Based on these elements alone, I oppose the IWWVD pumping expansion proposal described in WSIPDIS.

¹ <http://iwwvd.com/service/2010-132%20IWWVD%20WSIP%20Final%20IS%20signature.pdf>

² See PDF page 61 of http://65.74.139.74/sitingcases/solar_millennium_ridgecrest/documents/2010-01-05_Transcript_Informational_Hearing+Environmental_Scoping_meetng.PDF

³ <https://public.nevcounty.net/LAFCO%20Public%20Library/WORKSHOP%20PRESENTATIONS%20TO%20NEVADA%20LAFCo/Water%20Rights-%20%20Supply%20Issues%20for%20Local%20Agency%20Formation%20Commissions.pdf>

As an appropriator, the IWWWD has a secondary water right. The WSIPDIS does not acknowledge this significant legal fact in any way. The Environmental Impact Report (EIR) must include a description of the overlying (superior) water rights of private well owners and implications thereof for the proposed project.

The IWWWD is in the business of selling water, which is perfectly fine if surplus water actually existed in the IWV. How can there be surplus water if depth to water has been declining for decades? Water is being mined in the IWV and the 'ore body' is available at ever deeper depths. See for example, the IWV Cooperative Groundwater Management Group (IWVCGMG) hydrographs⁴ as well as the recent Ridgecrest Landfill EIR⁵. Who is looking out for the overall health (or lack thereof in this case) of the groundwater basin? I stipulate that neither the IWVCGMG nor the IWWWD are taking actions to lengthen the time that low cost, high quality water is available.

Below is an excerpt from the US Bureau of Reclamation, December, 1993, "Indian Wells Valley Groundwater Project, Volume I Summary Report", specifically PDF pages 12 and 13⁶. Why have the recommendations made 18 years ago been ignored? Asked differently, why doesn't the scope of proposed project align with the Bureau of Reclamation suggestions for extending aquifer life? The EIR must incorporate data and analysis from this report when predicting impacts to IWV groundwater.

"Using the assumptions in table 1, the following calculated projections can be made to guide future water production management:

- Implementation of blending Intermediate Area and Northwest Area water could extend the life to the Intermediate Area resource by 13 years, to a total of 42 years.
- Expanding pumping into the Southwest Area and continued pumping from the Intermediate Area could provide acceptable quality water for 68 years.
- Blending Northwest Area water with water from both the Intermediate Area and Southwest Area could provide acceptable quality water for 92 years.
- Because the Northwest Area appears to contain zones of water with high concentrations of specific ions, treatment of Northwest Area water may be necessary in order to do any blending.

Additional resource life would be obtained by not only practicing conservation through pumping/blending management of the aquifer, but also through continued and effective conservation at consumption."

One key aspect of any environmental review is a transparent process. The IWWWD could facilitate transparency by making intensive use of their website. The IWWWD should post letters such as this one and all project related documents (e.g. WSIPDIS references). The California Energy Commission (CEC) has been remarkably transparent in their dealings on various proposed energy projects including the one under consideration for the Ridgecrest area⁷. The IWWWD would do well to emulate the CEC docketing and posting process.

⁴ http://iwwgroundwater.org/data/hydrographs_histograms/hydrographs_direct.html

⁵ See PDF page 11 for 1.5 ft/yr declines http://www.co.kern.ca.us/planning/pdfs/eirs/ridgecrest_rslp/Chapter%204.9_Hydrology%20and%20Water%20Quality.pdf

⁶ http://iwwgroundwater.org/documents/pdf/173_Bureau_of_Reclamation_1993.pdf

⁷ See for example, http://www.energy.ca.gov/sitingcases/solar_millennium_ridgecrest/index.html

The WSIPDIS appears to recommend the public accept the proposed project based in part on the recommendations of the Layne Christensen report. That report in turn evidently conducts some modeling of the hydrologic basin. The EIR must provide the verification and validation (V&V)⁸ evidence to demonstrate that whatever groundwater modeling tool is used generates believable predictions.

Specific Comments

Section 2.2: "IWWVD is the primary provider..." While it is easy to claim that this is a minor semantics issue, this is actually a profound legal issue. To be truthful, this sentence should begin with something like "IWWVD is an appropriative agency delivering groundwater to approximately 12,544 connections..."

Section 2.2: "The District's Water General Plan recommends..." This recommendation is the entire basis of this proposed project described in the WSIPDIS. Did the IWWVD consider amending the general plan such that the 20% redundancy is altered to some other lower number? If not, why not?

Section 2.2 makes reference to the 2005 Base Realignment and Closure (BRAC) estimate of 3,587 new employees. While this provides some historical context, it doesn't address what has actually occurred. The EIR must use 'actuals' – in this specific case, the actual base population pre and post BRAC.

Figure 2-2 indicates that the IWWVD is proposing to have seven wells within 3.8 miles of each other (1 well per 0.54 mile) all located above the highest quality water remaining within the groundwater basin. The IWWVD home page provides a mission statement: "... to deliver the highest quality water at the best possible price while continuing to serve as respectful stewards of the environment." How can one reconcile seven high pump rate wells (two will be greatest pump rates in the IWWVD collection) and the known overdraft conditions of the groundwater basin with being "respectful stewards of the environment"? Well 30 is shown in Figure 2-2, but doesn't appear in either of Tables 2-1 or 2-2. Figure 2-2 also does not show well 18 proposed for increased pumping under the first phase of the WSIPDIS.

Section 2.2: "The project was not approved, and the Board of Directors directed staff to re-evaluate the project and to prepare a comprehensive groundwater model that would evaluate the impacts of increasing pumping capacity in the district." Was this completed by staff or is the Layne Christensen report the answer to this direction some three years later? If staff did complete a response to this Board's request, that document must be made available on the IWWVD web site for public review and integration by the IWWVD into the EIR.

Section 2.2: The Layne Christensen report is heavily cited in the WSIPDIS, however, the Layne Christensen report is not readily available (posted on the IWWVD website) for public review. Did this report integrate, analyze, and properly incorporate the significant body of literature⁹ studying the IWW groundwater? A simple 'yes' is inadequate – integration of these resources must be demonstrated in proposed project literature. This same comment also applies to Section IXf.

⁸ http://en.wikipedia.org/wiki/Verification_and_Validation_%28software%29

⁹ http://iwwgroundwater.org/technical_documents.html

Section 2.3: "IWWWD proposes to meet current and projected domestic water demand..." The phrase "meet current" suggests that there is a problem today. Is that problem just the 20% redundancy recommended by the IWWWD General Plan? If no, explain in detail what problems exist today. Second, the phrase "projected domestic water demand" as illustrated in the WSIPDIS is deficient. The EIR must substantiate the projected water demand in a far more scientific and complete way than the simplistic statements offered in the WSIPDIS.

Section 2.3 opens with the proposed project description. No alternative scenarios are explored; merely an articulation of a consumptive IWWWD strategy designed to deplete the last bastion of high quality groundwater remaining within IWV in an accelerated fashion. What alternatives were considered and why were they less acceptable than the proposed project? As the IWWWD surely know, a meaningful analysis of alternatives is required by CEQA¹⁰. Further, the EIR must explain why using the existing inter system connections between both the US Navy & IWWWD as well as Searles Valley Minerals & IWWWD are not an acceptable way to achieve the redundancy presently required by the general plan. Making use of existing infrastructure for the rare case of demand greater than existing IWWWD pumping capacity is surely less expensive than the project described in the WSIPDIS.

Table 2-1 is very peculiar. Are the ten wells shown the only active IWWWD wells? If not, why are there only ten IWWWD wells shown in Table 2-1? What is the plan with well 17 that it apparently does not exist in 2015 or 2020? Splitting information between Tables 2-1 and 2-2 is confusing. Proposed well 36 must appear in at least one of these two tables. Why doesn't well 30 appear in at least one of these tables?

Section 2.3: The paragraph immediately following Table 2-1 claims that the increased IWWWD water need is based on a "more conservative prediction of future demand." The EIR must explain this future demand in a far more erudite fashion than in the WSIPDIS. The text claims BRAC was the basis of increased pumping need, but then later in the same paragraph essentially retracts BRAC as a basis for increased demand. The 2010 census data does not appear to yet be available, but the available data^{11&12} indicate there has been no meaningful population growth over the time period shown. The average Ridgecrest population is 26,218 with a standard deviation of -1,073 for the years 1990 thru 2007. The average rural¹³ population is 2,763 with a standard deviation of 25 for only two years of data: 2000 and 2003.

¹⁰ See PDF page 193 of <http://www.califaep.org/docs/CEQA/CEQAHandbook2011.pdf>

¹¹ <http://www.kerncog.org/pdf/Estimates/RSA03web.pdf>

¹² <http://www.kerncog.org/pdf/Estimates/e5-2000-2007.pdf>

¹³ Rural is defined by this author as the sum of both the Inyokern and China Lake Acres population data

Section 2.3: There is considerable discussion of pipeline and well specific infrastructure improvements, but there is no discussion on the need (or lack thereof) for infrastructure improvements such as increased transmission pipe sizes (to accommodate the new volume) or storage tanks (again to accommodate the increased pumping capacity of the system) or new arsenic treatment plants (see Section IXa) or emergency power plants. The EIR must address the entire scope of the project. CEQA prohibits a deliberate incremental approach to a project¹⁴ and requires the lead agency to consider such a cumulative effect. The EIR must provide a *meaningful* assessment of cumulative effects.

Section 2.3: What are the projected impacts of the two new wells to existing IWVWD wells? After all, there are five existing IWVWD wells within 3.8 miles of the two proposed wells. As already mentioned, the IWVWD is a water appropriator and private well owners have a superior water right. What are the impacts of the new wells to those private well owners? Note the answer to the previous question must also include the impacts to private well owners by the *existing* IWVWD wells. How many private wells are within the same 3.8 mile distance? What 'mitigation' could the IWVWD possibly identify to be able to claim "less than significant impact"? Andrew Kopania, the hydrogeologist present at the 12 July 2011 public meeting, claimed that if this project were approved and a private well went dry, that the IWVWD would have to either drill that party a new well or otherwise provide them potable water. *Realistic, meaningful* mitigation measures must be described in the EIR in the event the proposed project causes private wells to 'dry up'. It would also be prudent to describe how all concerned parties would determine that the IWVWD was the basis of a private well failure.

Section 2.3.2.3: There is a claim that "the wells would be operated in accordance with system demands..." Which wells, exactly? What system demands, exactly? Assuming the proposed project is approved, how does the IWVWD propose to prove these claims to the interested public?

Section 2.4: Is there precedent under CEQA to approve a project approximately nine years in the future? After all, the IWVWD is proposing that the EIR provide relevant impact understanding to the public, leading to approval of a well forecast for installation circa 2020.

Section 3: Agricultural Resources is not checked. Given that this basin meets the Department of Water Resources (DWR) definition of overdraft¹⁵, additional water consumed by anyone means less for everyone else. The proposed IWVWD project will impact the availability of water for IWV agriculture.

¹⁴ See PDF page 93 of <http://www.califaep.org/docs/CEQA/CEQAHandbook2011.pdf>

¹⁵ See PDF page 47 of http://www.water.ca.gov/pubs/groundwater/bulletin_118/california%27s_groundwater__bulletin_118_-_update_2003_/bulletin118_entire.pdf

Section 3: Land Use and Planning is not checked, but it should be and the “potentially significant impact” box should also be checked. I have owned my property in Kern County near the proposed well 36 for approximately six years and have resided in the valley for nearly thirty years. The property around me is zoned for Estate (5 acre minimum) Residential Suburban. This assured me that the land in the neighborhood would remain non-commercial and in a more natural environment. The IWWWD owns two twenty acre parcels; on one of these parcels they are proposing to drill their well 36. If installed at 2500 gpm, this well would extract 31X more water than the eight families that might have occupied this same land per E5 zoning (even if only installed at 1000 gpm, it is still 12.5X more water). The IWWWD would directly lower the value of my property by diminishing the quantity and quality of water that I pump. What mitigation is proposed for this impact?

Section IXb. The new wells “have the potential to lower groundwater elevations over time” is a statement in complete contravention to the preceding sentence of the WSIPDIS which describes average declines in the one foot to two feet per year range. There is groundwater elevation decline NOW; new ‘straws’ (wells) can only increase the rate of decline.

Section X. Is the proposed project consistent with Kern County Land Use Planning? Every time a serving agency like the IWWWD approves a project, they are required to declare that they can provide the services defined by the project, without negatively impacting existing customers (California Water Code Section 10910¹⁶). It would appear that the IWWWD is in violation of this requirement by its own admission, since new customers could only be served by drilling and pumping new wells in an already seriously overdrafted aquifer. The impact on the existing IWWWD customers and all other pumpers, including the US Navy, Searles Valley Minerals, and private well owners, will be catastrophic. The catastrophe will come in the form of deeper water levels, infiltration of brackish water, increasing concentrations of total dissolved solids (TDS), and increases in trace metals (i.e., arsenic). These are not wild claims, but are widely reported in the scientific literature (journal articles, books, conference proceedings). Furthermore the IWWWD already has evidence of this very occurrence in the form of their well 9A.

Section XVIIId. This is really the crux of the entire project and I respectfully request that this must be more than simply discussed in the EIR. As has been previously stated in this letter, this hydrologic basin is known to be in overdraft. How can additional water be legitimately extracted by an agency with a secondary water right from an overdrafted basin?

Section XVIIIf. This must be a mistake; surely the author meant the Ridgecrest landfill rather than the Boron landfill.

Section XVIIIb. How can this project not create “cumulatively considerable” impact? This basin has been in overdraft for decades already and CEQA requires the project proponent to consider these exact impacts.

¹⁶ <http://law.justia.com/codes/california/2010/wat/10910-10915.html>

Section 5. One of the preparers is Andrew Kopania, cited as being the principal hydrogeologist. Per conversation at the meeting held in IWWWD offices on 12 July 2011, his degree is in environmental engineering. I request that a curriculum vitae (CV) be provided for each preparer or Subject Matter Expert (SME) who contributes to the analysis and conclusions regarding the impact of the proposed project.

Section 6. A complete bibliography for the WSIPDIS and the EIR must be made available. I again suggest the IWWWD web site. While providing paper copies of documents at a few discrete locations may satisfy CEQA, it doesn't reflect the modern means of electronic communication. The IWWWD seeks to be a 'green' organization; they can help that status by posting the reference documents to their website thus reducing the number of folks who need to drive to their offices, photocopy documents, and drive away. This will also have the effect of not burdening the front office staff with an additional collateral duty.

I request that these comments be provided to the IWWWD Board of Directors and included as part of the official administrative record on this matter.

Thank you for the opportunity to comment on your proposed project.



Mark Decker

4422 Welcome Way
Ridgecrest, CA 93555-8415

CC: Jon McQuiston, Kern County First District Supervisor
Lorelei Oviatte, Kern County Planning & Community Development, Director
Assembly Member Shannon Grove
Senator Jean Fuller

PLANNING DEPARTMENT

TED JAMES, AICP, Director

2700 "M" STREET, SUITE 100
BAKERSFIELD, CA 93301-2323

Phone: (861) 862-8600

FAX: (861) 862-8601 TTY Relay 1-800-735-2929

E-Mail: planning@co.kern.ca.us

Web Address: www.co.kern.ca.us/planning



RESOURCE MANAGEMENT AGENCY

DAVID PRICE III, RMA DIRECTOR

Community & Economic Development Department

Engineering & Survey Services Department

Environmental Health Services Department

Planning Department

Roads Department

August 9, 2007

File: IWVWD
2007/2008 Water Supply
Improvement Project

Indian Wells Valley Water District
Attn: Tom Mulvihill
500 West Ridgecrest Boulevard
Ridgecrest, California 93555

RE: Comment Letter – Initial Study and Draft Mitigated Negative Declaration for the
2007/2008 Water Supply Improvement Project (May 2007) (SCH 2007051044)

Dear Mr. Mulvihill,

Kern County appreciates the opportunity to provide comments on the Mitigated Negative Declaration (MND) prepared for the proposed 2007/2007 Water Supply Improvement Project (State Clearinghouse Number 2007051044). The Indian Wells Valley Water District is a retail supplier of water for domestic use, landscape irrigation and fire protection for the City of Ridgecrest, and specific areas in San Bernardino County. This project proposes to construct various facilities and pipelines to expand the District's domestic water supply on 40 acres in the unincorporated community of Inyokern. These properties and all water pipelines to be constructed are within the unincorporated area of Kern County. The Kern County Planning Department has been designated by the Board of Supervisors as the official resource and expert on implementation of CEQA for County Departments. Under this designation and the Home Rule resolution, the Planning Department reviews other agencies environmental documents for projects that may impact County residents, businesses and affect economic growth in unincorporated communities. Staff works closely with County Counsel's office in ensuring compliance with CEQA. Kern County is, as well, a participating member of the Indian Wells Valley Cooperative Groundwater Management Working Group. Staff has reviewed the proposed Mitigated Negative Declaration and provides the following comments for the record. As this department did not receive the MND for comment until July 18, 2007, well after the June 6, 2007 close of public comment, Staff requests this comment be provided to the Board of Directors and included as part of the official administrative record on this matter.

Public Notification and Hearing Process Inadequate

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Further the MND should provide the public with information regarding the Districts water rights in relation to the groundwater basin. Surrounding property owners of existing homes and wells have overlying rights to sufficient water which supercede the rights of the District to extract water, as your rights would be appropriative rights to attach only surplus waters. (*California Water Service Co v Edward Sidebotham & Son, Inc* (1964) [224 Cal. App. 2d 715, 725.] The courts have further confirmed the overlying users (surrounding property owners) right to reasonable protection against pumping that lowers groundwater levels in the overlying owner's wells. (*Burr v Maclay Rancho Water Co,* (1908) 154 Cal. [428, 435-436]. A mitigation measure should be included that determines, if water levels drop to levels that render the existing well either unuseable or results in cost to redrill for the owner, that the District will adjust operations to prevent such impacts. Absent such a mitigation measure, the impacts to surrounding properties owners they may substantially deplete nearby wells to levels that cannot support a single-family residence are significant and unavoidable.

Along with the absence of a complete analysis of the potential pumping of groundwater at the levels stated in the document (two wells, each with a capacity of pumping 2, 500 gpm) are any mitigation measures to protect and minimize impacts on surrounding private well owners. The following are recommended mitigation measures that could be imposed to lessen the potentially significant impacts on surrounding water well owners. These mitigation measures have been included in a water supply and recharge project EIR approved by the Board of Supervisors and have been successfully implemented in other areas of Kern County.

Proposed Mitigation Measures

1. Create a monitoring committee to monitor the impact of operations on groundwater levels and quality and to ensure that adjacent landowners are protected. The monitoring committee would be responsible for development of a detailed monitoring and operational constraints plan and would ensure that it is implemented. Composition of the monitoring committee shall include, at a minimum, the following representatives: District , Inyokern Community Services District, China Lake, neighboring landowners and/or other selected representatives, and Kern County. The monitoring committee would meet regularly and provide reports to the property owners as well as the Lahontan Regional Water Quality Control Board. All cost for the committee operation are to be borne by the District.
2. To ensure that Project operations do not adversely impact the quality of nearby resident's drinking water, the monitoring committee shall offer to sample and analyze water from domestic drinking water wells located within two or three miles of the operations. In order to assess the results of these analyses, samples will need to be collected before and after operations begin. The sampling and analysis protocols shall be defined in the monitoring and operational constraints plan. If analytical results reveal that the project operations may adversely affect a resident's drinking water well, then operations will be adjusted to prevent such effect or the owner of the well shall be provided compensation of an alternate source of water in the event that adverse effects do occur.

The conclusionary statements regarding the amount and adequacy of water supply available for future use is based on a single report done in 1993 by the US Bureau of Reclamation. This 14 year old document does not include an cumulative analysis of current conditions that could affect water demands such as the City of Ridgecrest General Plan update, Kern County General Plan update completed in 2004, Current update of San Bernardino General Plan, and the districts own admission of growth on page 2. A complete analysis of demands and availability of water needs to be included in the document so that the public and decision makers can understand the need or other feasible alternatives for the project.

Item e (page 40). There are no "planned storm water drainage systems" in the area. There is, however, dirt and county maintained roads that could be undermined or eroded by releases of water. Analysis should be provided to substantiate this conclusionary statement of "no impact".

Item d (page 40) As previously noted, there is new evidence of the release of an unregulated contaminant from existing water wells. Without a complete project description and analysis of the construction and operation of the disinfection and treatment facilities (including arsenic treatment) the conclusion of "no impact" to water quality is unsupported by the record.

IX Land Use and Planning

Item b (p. 42) The MND uses Section 53091 of the California Government Code to state " General Plan designations and zoning restrictions are not applicable to water facilities." In fact this Government Code Section only references zoning. While saying the district is exempt from the requirements of the General Plan, the document discusses General Plan requirements in a number of places and then appears to be using compliance with the plan to justify minimal analysis and no mitigation.

While the District may be exempt from the General Plan requirements, CEQA does require analysis of indirect impacts of the implementation of a project. The Kern County General Plan Circulation Element requires that section and midsection lines be reserved for a roadway network. No maps were provided showing the location of the recharge ponds or water wells. It is not clear if these facilities would be located within an eventual road right of way to implement the circulation impact. Absent this level of analysis, the impacts are potentially significant for the eventual build out and access to adjacent parcels as well as regional circulation.

IX Population and Housing

Item a (p 46-47) Enhancing the capacity of the Indian Wells Valley Water District to provide for an expanded population and growth in the City of Ridgecrest is clearly growth inducing. In fact page 2 of the document states that the project is intended to "plan for moderate growth of the community". As there is no evidence in the document that there is any current emergency for the District in providing water to current customers, the project is wholly intended to accommodate growth. In addition the activities listed on page 2 and 3 of the MND that are being done by the District to manage growth demands on the water supply are not described in sufficient detail to justify the project as the only alternative. The full growth inducing impacts of increasing the water supply through implementation of this project need to be included in a revised environmental document for review and comment.

XVII Mandatory Findings of Significance

Item a (p. 55) Field studies of the pipeline alignments have not been completed. The recommendations for reduction of impacts on archeology have not been included as mitigation measures to support the conclusion of less than significant with mitigation incorporated.

Item b(p. 56) The conclusion of no impacts for cumulative impacts is conclusionary and unsubstantiated by the record. As detailed in previous comments, the cumulative impacts from growth on water supply quantity and quality have not been addressed. This impact is potentially significant and may require the preparation of an Environmental Impact Report.

Conclusion

The Kern County Planning Department requests that the Board of Directors reopen the public hearing on August 13, 2007 to take public testimony and refer this project back to staff for preparation and circulation of an adequate environmental document. The Mitigated Negative Declaration is inadequate, not in compliance with CEQA and can not be used for approval of the project. The analysis and studies requested in this comment letter, specifically on archeology, air quality and hydrology should be conducted and recommended mitigation measures identified and imposed. Based on the growth inducing and air quality impacts this project is potentially significant and pending the results of additional studies it is not clear that a Mitigated Negative Declaration is sufficient. If the air quality impacts or the project is found to be growth inducing, an Environmental Impact Report may be required. The appropriate document should be prepared and recirculated for a new comment period. All persons who have submitted letters of comment as well as all agencies and parties of interest on the mailing list for the IWV Water District should be mailed copies of the document for review. All surrounding property owners within 1000 feet of the project boundaries, including the pipeline alignments, should also receive direct notification of the availability of the document.

Kern County Planning requests copies and notifications of all actions and hearings on this project, including any resolutions and the filing of any Notice of Determination on the project. If you have any questions regarding these comments please contact Lorelei Oviatt at (661) 862-8866. Thank you for the opportunity to participate in the environmental review process.

Sincerely,

Lorelei H. Oviatt, AICP
Special Projects Division Chief

cc: Resource Management Agency
Environmental Health Services Department
Supervisor Mc Quiston
Craig Peterson
County Counsel – Bruce Divelbiss

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

received
07/27/11

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Toby Tice, Myra Tice
Address 560 N. Victor St. Ridgecrest 93555
Street City Zip Code
E-mail TNTice@directv.net

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

- * Our first concern is our well going dry. We do not have the money to drill deeper. The WD pulling out water will most likely bring bad water into our good water.
- * Your pipeline along Victor St. will interfere with my wife & I coming & going to our jobs, shopping etc. My mail box is on Victor! This is my only access off my property!
- * The location of Well #36. Our property is North of this well. The value of our place will go straight down. The noise of your rigs drilling & eventually a well, pumphouse, etc. will be the view from our living room window. The beautiful view we have now, the peace & quiet we love will be a thing of the past. * The chlorine you will have close to our house. IF you should have a leak ??!!

→
over

- * The WD has no idea, & does not care how bad this will affect our life & our neighbors.
- * We are totally against any more Drilling.!!!



17 July 2011

Tom Mulvihill
500 W. Ridgecrest Blvd.
Ridgecrest, CA 93555



I request that my letter be included in the Public Record.

RE: IWV Water District Water Supply Improvement Project 2011.

Dear Mr. Mulvihill:

I am a private well owner and have lived on my 80 acre property located on Ridgecrest Blvd. one mile west of Jacks Ranch Road since 1974.

I've had to have my well deepened once already. My husband Dick Lewis retired last September 2010 from 50 years in the Domestic Water Well Business. He observed the water table dropping all those years. Here is a person in the field with hands-on, first hand knowledge. He has a saying, "First thing a person needs is air - the second is water."

What the IWV Water District wants to do is irresponsible & totally unacceptable! Been there, done that in 2007 with practically the identical proposal. Drilling more wells & drastically increasing pumping capacity is nothing short of criminal.

The water district must not be allowed to ignore the facts & "Damn the Torpedos, Full Speed Ahead" mentality, to the detriment of all private well owners, co-ops, & mutual water companies in the entire valley that have overlying water rights.

There's only one "puddle" of water down there folks & we are and have been in OVERDRAFT for 50 years! If the Water District is entitled to "surplus" water, then that means "0".

I seem to remember the Water District buying property in Olancho to obtain water rights. Why are you not working on that water importation project, or was that just another miscalculation/mistake by the Water Board?

Sincerely,

A handwritten signature in black ink that reads "Nancy & Dick Lewis". The signature is written in a cursive, flowing style.

Dick & Nancy Karner-Lewis
3301 W. Ridgecrest Blvd.
Ridgecrest, CA 93555

cc: IWV Water District Board
Supervisor Jon McQuiston
Kern County Planning Dept.
Senator Jean Fuller
Assemblywoman Shannon Grove

Attached copy of August 9, 2007 letter from Kern County Planning Dept. to the IWV Water District regarding Water Supply Improvement Project.

PLANNING DEPARTMENT

TED JAMES, AICP, Director

2700 "M" STREET, SUITE 100

BAKERSFIELD, CA 93301-2323

Phone: (661) 862-8600

FAX: (661) 862-8601 TTY Relay 1-800-735-2929

E-Mail: planning@co.kern.ca.us

Web Address: www.co.kern.ca.us/planning



RESOURCE MANAGEMENT AGENCY

DAVID PRICE III, RMA DIRECTOR

Community & Economic Development Department

Engineering & Survey Services Department

Environmental Health Services Department

Planning Department

Roads Department

August 9, 2007

File: IWVWD

2007/2008 Water Supply

Improvement Project

Indian Wells Valley Water District

Attn: Tom Mulvihill

500 West Ridgecrest Boulevard

Ridgecrest, California 93555

RE: Comment Letter – Initial Study and Draft Mitigated Negative Declaration for the 2007/2008 Water Supply Improvement Project (May 2007) (SCH 2007051044)

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Proposed Mitigation Measures

1. Create a monitoring committee to monitor the impact of operations on groundwater levels and quality and to ensure that adjacent landowners are protected. The monitoring committee would be responsible for development of a detailed monitoring and operational constraints plan and would ensure that it is implemented. Composition of the monitoring committee shall include, at a minimum, the following representatives: District , Inyokern Community Services District, China Lake, neighboring landowners and/or other selected representatives, and Kern County. The monitoring committee would meet regularly and provide reports to the property owners as well as the Lahontan Regional Water Quality Control Board. All cost for the committee operation are to be borne by the District.
2. To ensure that Project operations do not adversely impact the quality of nearby resident's drinking water, the monitoring committee shall offer to sample and analyze water from domestic drinking water wells located within two or three miles of the operations. In order to assess the results of these analyses, samples will need to be collected before and after operations begin. The sampling and analysis protocols shall be defined in the monitoring and operational constraints plan. If analytical results reveal that the project operations may adversely affect a resident's drinking water well, then operations will be adjusted to prevent such effect or the owner of the well shall be provided compensation of an alternate source of water in the event that adverse effects do occur.

The conclusionary statements regarding the amount and adequacy of water supply available for future use is based on a single report done in 1993 by the US Bureau of Reclamation. This 14 year old document does not include an cumulative analysis of current conditions that could affect water demands such as the City of Ridgecrest General Plan update, Kern County General Plan update completed in 2004, Current update of San Bernardino General Plan, and the districts own admission of growth on page 2. A complete analysis of demands and availability of water needs to be included in the document so that the public and decision makers can understand the need or other feasible alternatives for the project.

Item e (page 40). There are no "planned storm water drainage systems" in the area. There is, however, dirt and county maintained roads that could be undermined or eroded by releases of water. Analysis should be provided to substantiate this conclusionary statement of "no impact".

Item d (page 40) As previously noted, there is new evidence of the release of an unregulated contaminant from existing water wells. Without a complete project description and analysis of the construction and operation of the disinfection and treatment facilities (including arsenic treatment) the conclusion of "no impact" to water quality is unsupported by the record.

IX Land Use and Planning

Item b (p. 42) The MND uses Section 53091 of the California Government Code to state " General Plan designations and zoning restrictions are not applicable to water facilities." In fact this Government Code Section only references zoning. While saying the district is exempt from the requirements of the General Plan, the document discusses General Plan requirements in a number of places and then appears to be using compliance with the plan to justify minimal analysis and no mitigation.

While the District may be exempt from the General Plan requirements, CEQA does require analysis of indirect impacts of the implementation of a project. The Kern County General Plan Circulation Element requires that section and midsection lines be reserved for a roadway network. No maps were provided showing the location of the recharge ponds or water wells. It is not clear if these facilities would be located within an eventual road right of way to implement the circulation impact. Absent this level of analysis, the impacts are potentially significant for the eventual build out and access to adjacent parcels as well as regional circulation.

IX Population and Housing

Item a (p 46-47) Enhancing the capacity of the Indian Wells Valley Water District to provide for an expanded population and growth in the City of Ridgecrest is clearly growth inducing. In fact page 2 of the document states that the project is intended to "plan for moderate growth of the community". As there is no evidence in the document that there is any current emergency for the District in providing water to current customers, the project is wholly intended to accommodate growth. In addition the activities listed on page 2 and 3 of the MND that are being done by the District to manage growth demands on the water supply are not described in sufficient detail to justify the project as the only alternative. The full growth inducing impacts of increasing the water supply through implementation of this project need to be included in a revised environmental document for review and comment.

XVII Mandatory Findings of Significance

Item a (p. 55) Field studies of the pipeline alignments have not been completed. The recommendations for reduction of impacts on archeology have not been included as mitigation measures to support the conclusion of less than significant with mitigation incorporated.

Item b(p. 56) The conclusion of no impacts for cumulative impacts is conclusionary and unsubstantiated by the record. As detailed in previous comments, the cumulative impacts from growth on water supply quantity and quality have not been addressed. This impact is potentially significant and may require the preparation of an Environmental Impact Report.

Conclusion

The Kern County Planning Department requests that the Board of Directors reopen the public hearing on August 13, 2007 to take public testimony and refer this project back to staff for preparation and circulation of an adequate environmental document. The Mitigated Negative Declaration is inadequate, not in compliance with CEQA and can not be used for approval of the project. The analysis and studies requested in this comment letter, specifically on archeology, air quality and hydrology should be conducted and recommended mitigation measures identified and imposed. Based on the growth inducing and air quality impacts this project is potentially significant and pending the results of additional studies it is not clear that a Mitigated Negative Declaration is sufficient. If the air quality impacts or the project is found to be growth inducing, an Environmental Impact Report may be required. The appropriate document should be prepared and recirculated for a new comment period. All persons who have submitted letters of comment as well as all agencies and parties of interest on the mailing list for the IWV Water District should be mailed copies of the document for review. All surrounding property owners within 1000 feet of the project boundaries, including the pipeline alignments, should also receive direct notification of the availability of the document.

Kern County Planning requests copies and notifications of all actions and hearings on this project, including any resolutions and the filing of any Notice of Determination on the project. If you have any questions regarding these comments please contact Lorelei Oviatt at (661) 862-8866. Thank you for the opportunity to participate in the environmental review process.

Sincerely,

Lorelei H. Oviatt, AICP
Special Projects Division Chief

cc: Resource Management Agency
Environmental Health Services Department
Supervisor Mc Quiston
Craig Peterson
County Counsel – Bruce Divelbiss

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

received
7/27/11

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name ERIC BOSLEY

Address P.O. BOX 1353 RIDGECREST CA 93556-1353
Street City Zip Code

E-mail _____

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

My water is provided by the Owens Peak South Water Company, which has a ~~well~~ single well that is close to wells 18, 33, 34, proposed well 35, and proposed well 36. I am very concerned that the increased pumping and new wells will depress the water level and make our well run dry. This would be devastating to the 18 families on our well, as well as the families on the Owens Peak North water company, which has a well approximately 100 feet from ours and which would be similarly affected. In the EIR, please address prevention alternatives, such as spreading the increased draw over the entire aquifer, and please address mitigation strategies if my well runs dry.

July 21, 2011

Tom Mulvihill, General Manager
Indian Wells Valley Water District
P. O. Box 1329
Ridgecrest, Ca, 93555

RE: IWVWD Water Supply Improvement Project, Scoping Meeting comments

Dear Mr. Mulvihill,

In the Initial Study, the map provided as Figure 2-2 is apparently an old map (USGS most likely) and does not present an accurate picture of housing in the Inyokern area south of 178 on both sides of Brown Rd. It does not have any development south of Drummond Ave., although there are numerous houses with domestic and co-op wells. Most roads are not even shown. This makes it seem as though Wells 18, 33, 34, & 35 are not near any housing that might also have wells, as if no one else is using water in that part of the Valley. **That's very misleading!** Since the Indian Wells Valley is underlaid by one aquifer from which all water is pumped, the EIR should include a comprehensive map of all wells in the Valley, and especially ones within 5 miles of the WD's proposed improvement sites.

In the preparation of the EIR, careful attention must be given to mitigation measures specifically directed toward the small well owner. Merely offering to monitor nearby domestic and co-op wells, is not adequate. Once a well is dry, there is no more water for that well owner. New models must be developed to accurately identify existing wells and their pumping rates.

Under California Water Law the IWVWD is an appropriator and is only entitled to any surplus water that may be available. **All domestic and coop well owners have a superior overlying right to water.** The IWV has been in overdraft for 50 years and easily meets the State definition of being in critical overdraft, which means that there is NO surplus water. Therefore any increased water needs that the WD claims cannot be met by increased pumping at existing wells or by drilling new wells. A comprehensive water enhancement plan must be developed and put into practice before there is increased WD pumping or new WD wells.

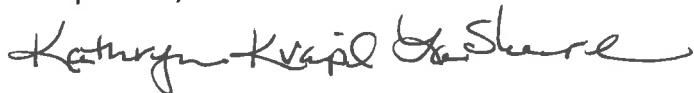
It is essential that the EIR contain measures to extend the life of the aquifer as long as possible and fully consider all other claimants to IWV groundwater. Ways to do this were spelled out clearly as far back as 1993 in the Bureau of Reclamation's report "Indian Wells Valley Groundwater Project." This study provided plans for lengthening the life of our aquifer supply by aggressive conservation, blending, saline water recovery, water reclamation and water importation. Another possible approach would be to buy up and retire agricultural properties. The WD has not initiated or even seriously discussed many of these water saving options except for a recently initiated customer conservation effort which has apparently had some success. However, one wonders if this conservation success will continue with the elimination of the WD position of Education and Conservation Coordinator.

The justification for the present project (as well as the original WSIP) is that the WD needs additional capacity to meet the needs of the maximum demand days in the summer. The calculations offered in the Initial Study are based on growth projections coming from the US Navy BRAC office. The last BRAC is essentially implemented, and the net gain in population is nowhere near the projected numbers. The census data shows that the population of

Ridgecrest has grown very slowly over the past few years, and to have leveled off. In other words, the WD is using inaccurate data to justify its projected water needs.

The Initial Study claims that there is a "higher demand than capacity on the maximum demand days which occur in the summer months." How can this be true if demand has fallen 17% over the past year, mostly likely due to conservation? In fact, no high demand day failures to provide water over the past four years have occurred. No additional capacity is needed now. If conservation efforts were continued aggressively, the WD could meet their goal of 20% redundancy. And this would be achieved with far less monetary expenditure than the current proposal.

Respectfully submitted,

A handwritten signature in black ink that reads "Kathryn Kvapil LaShure". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Kathryn Kvapil LaShure
P. O. Box 196
Inyokern, CA 93527
desert_encelia@veriozn.net

received
7/25/11

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name DAVID A. + CYNTHIA A. FREEMAN
Address 135 N. BROWN RD. INYOKERN CA.
Street City Zip Code 93527
E-mail _____

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

- 1.) HAS THE I.W.V. HIRED A PROFESSIONAL IMPACT STUDY. ON THE EFFECT THESE NEW WELLS WILL HAVE ON RESIDENTS OF INYOKERN CA. WELLS AND WATER SUPPLIES.
- 2.) ARE THE I.W.V. GOING TO BE HELD RESPONSIBLE FOR ANY LOSS OF WATER WELLS IN THE INYOKERN AREA BECAUSE OF LOWER WATER TABLES. DIRECTLY CAUSED BY I.W.V. NEW WELLS OPERATING IN THE AREA?
- 3.) HAVE I.W.V. CONSIDERED A PLAN TO FIX THE WATER PROBLEM THAT COULD BE CAUSED BY OPERATING THESE NEW WELLS IN INYOKERN AREA? PERHAPS →

I.W.V. SHOULD HAVE TO GET AN INSURANCE PROGRAM, THAT WOULD COVER THE COSTS OF THE RESIDENT WELL OWNERS, SHOULD THE WATER TABLE DROPS SO LOW, THEY HAVE TO RE DRILL A NEW WELL DEEPER, TO OBTAIN WATER FOR LOCAL CONSUMPTION IN THE AREA AFFECTED DIRECTLY BY I.W.V. NEW WELLS.

received
07/21/11

15 July 2011

Tom Mulvihill, General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555

Dear Mr. Mulvihill;

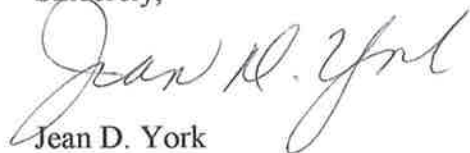
I have lived in the China Lake Acres area for more than two years, and ^{we} are located close to the area affected by Wells 30 and 31, as well as to Proposed Wells 35 and 36. Our domestic well will be affected by the proposed changes being requested by the Indian Wells Valley Water District. Water is not an resource that always and unfailingly replenishes itself, and if there is insufficient water here in Ridgecrest, a person has to do without or move.

What happens after the proposed changes are made, if our wells go dry or the water becomes unsafe for either human or animal use? IWVWD, of course, will continue to make money from those people who purchase water from them, while private well owners would be forced to make very expensive changes to their wells, or to purchase the water that IWVWD continues to pump from an overdrawn aquifer. This is unfair, and puts an inequitable burden on those who receive no benefit from the proposed changes.

If you personally feel that the proposed "improvements" will have no impact on present private well owners, then I'm sure that you would be willing, along with other Water District officials, to sign legal papers showing your willingness to indemnify any well owner who can document a change in water levels in the owner's well, or in a deterioration of water quality brought about since the proposed new and improved wells went on line. Obviously, if such wells and changes would have no impact on present well owners, then you would not be damaged in the slightest were you to sign such legal papers.

Thank you for listening my concerns.

Sincerely,



Jean D. York
4134 W Felspar Ave.
Ridgecrest, CA 93555
(520)508-5982
coalbyncorgis@cs.com

received
07/21/11

15 July 2011

Tom Mulvihill, General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555

Dear Mr. Mulvihill;

I live in the China Lake Acres area, relatively close to Wells 30 and 31, and also to Proposed Wells 35 and 36. I have a domestic well that extends down approximately 300 feet. If our water basin is presently over-drafted, I fear that my present well will be negatively impacted by increasing the output of the existing Water District (WD) wells, and more so by the addition of proposed wells 35 and 36.

There is no way that our private wells will not suffer if more water is removed from the water basin, and, unfortunately, that will impose a rather expensive "fix" on current private well owners in the form of needing to deepen our wells by re-drilling, and resolving the water quality issues by the addition of water purification equipment. The present cone of depression will be enlarged, with the result that *only* the customers of the IWVWD being benefited.

I can only consider supporting the District Water Supply Improvement Project if the WD were to contract with all domestic well owners no-cost connection to "city water," as well as a ten-year period of no-fee water use. Private wells that are negatively affected would be "made well" by such action, with the owners present investment in pumps and storage would be partially redressed through the limited period of no-fee water use.

Thank you for your attention to my concerns. You have my permission to include this letter in any materials pertinent to this entire situation.

Sincerely,



Edwin R. York
COL(CH), USA (Ret)
4134 W Felspar Ave.
Ridgecrest, CA 93555
(520)226-5505
coalbyncorgis@cs.com

received
7/20/11

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name JACK TIPTON

Address 828 S. JACKS RANCH ROAD 93555

Street City Zip Code

E-mail JACKRNCH@GMAIL.COM

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

I would like to voice a strong objection to the water district's new water pumping plan. If the district needs more water during peak demands, they can install more water storage tanks.

It is clear what the new, deeper, wells are for. They are for the future, when the aquifer is pulled far down beyond present levels. As it is nearly impossible to hold any individual entity responsible for our wells going dry; IWV water district is free to blame NWC, alfalfa growers, small orchards, and the Inyokern Service District.

Exhibit

A long standing residency and ownership of this property (53 years) gives my water rights priority over IWV Water District. As the aquifer is pumped lower, I can expect more dissolvable solids in the water. The Indian Wells Water District will not feel responsible for this.

When I drilled my first well in 60's the water stood at 282'. Currently on my third well, the water level is 360'. At 73 PPB of arsenic, we need to use a reverse osmoses filter for our drinking water. It's unknown what effect new, deeper wells will have. But the current annual drop is undoubtedly having an effect right now. More, deeper wells will certainly create more cones of depression, resulting in many local dry wells.

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

received
7/20/11

COMMENTS

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Name John + Susan Hammon
Address 1540 N. Crestview Inyokern 93527
Street City Zip Code
E-mail INYOKEKERNKID@yahoo.com

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

The main concern is that new wells of the volume proposed would drop the water level in surrounding private wells and cause owners to re-drill.

received
7/19/11

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

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Name	<u>Jean D. York</u>		
Address	<u>4134 W. Felspar Ave.</u>	<u>Ridgecrest, CA</u>	<u>93555</u>
	Street	City	Zip Code
E-mail	<u>coalbyncorgis@cs.com</u>		

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

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What happens after the proposed changes are made, if our wells go dry or the water becomes unsafe for either human or animal use? IWVWD, of course, will continue to make money from those people who purchase water from them, while private well owners would be forced to make very expensive changes to their wells, or to purchase the water that IWVWD continues to pump from an overdrawn aquifer. This is unfair, and puts an inequitable burden on those who receive no benefit from the proposed changes. (over)

If you, as the General Manager, personally feel that the proposed "improvements" will have no impact on present private well owners, then I'm sure that you would be willing, along with other Water District officials, to sign legal papers showing your willingness to indemnify any well owner who can document a change in water levels in the owner's well, or in a deterioration of water quality brought about since the proposed new and improved wells went on line. Obviously, if such wells and changes would have no impact on present well owners, then you would not be damaged in the slightest were you to sign such legal papers.

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Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

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Name Edwin R. York

Address 4134 W. Felspar Ave. Ridgecrest, CA 93555

E-mail Street City Zip Code
coalbyncorgis@cs.com

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

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(over)

I can only consider supporting the District Water Supply Improvement Project if the WD were to contract with all domestic well owners no-cost connection to "city water," as well as a ten-year period of no-fee water use. Private wells that are negatively affected would be "made well" by such action, with the owners present investment in pumps and storage would be partially redressed through the limited period of no-fee water use.



California Regional Water Quality Control Board Lahontan Region



Linda S. Adams
Acting Secretary for
Environmental Protection

Victorville Office
14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
www.waterboards.ca.gov/lahontan

Edmund G. Brown Jr.
Governor



July 14, 2011

File: Environmental Doc Review
Kern County

Tom Mulvihill, General Manager
Indian Wells Valley Water District
500 W. Ridgecrest Blvd.
P.O. Box 1329
Ridgecrest, CA 93555

COMMENTS ON THE INITIAL STUDY, WATER SUPPLY IMPROVEMENT PROJECT, KERN COUNTY COUNTY

California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Initial Study (IS) on July 5, 2011, for the above-referenced project (Project). The IS, dated June 27, 2011, was prepared by ECORP Consulting, Inc., on behalf of Indian Wells Valley Water District, and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). The proposed Project consists of the improvement and operation of existing water supply production wells, Wells 18 and 34, the installation and operation of two new water supply production wells, Wells 35 and 36, as well as the installation of a 4,000-foot, 12- to 16-inch pipeline to tie the existing pipeline at existing Well 31 to proposed Well 36.

Water Board staff has reviewed the IS for the above-referenced Project and has submitted the following comments in compliance with CEQA Guidelines section 15096, which requires responsible agencies to specify the scope and content of the environmental information germane to their statutory responsibilities and lead agencies to include that information in their Environmental Impact Report (EIR). Water Board staff requests that the following comments be addressed and incorporated into the final environmental document for the Project.

Authority

The State Water Resources Control Board (SWRCB) and the Water Board regulate discharges of waste in order to protect water quality and, ultimately, the beneficial uses of waters of the State. State law assigns responsibility for protection of water quality in the Lahontan Region (Region) to the Water Board.

Basin Plan

The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect water quality within the region. The Basin Plan provides guidance regarding water quality and how the Water Board may regulate activities that have the potential to affect water quality within the region. All surface waters and groundwaters are considered waters of the State, which include, but are not limited to, aquifers, drainages, streams, washes, ponds, pools, or wetlands. Surface water bodies may be permanent or intermittent. All waters of the State are protected under California law. Additional protection is provided for waters of the United States (U.S.) under the Federal Clean Water Act (CWA). The Basin Plan sets forth water quality standards for the surface and groundwaters of the Region, which include both designated beneficial uses of water and the narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan includes prohibitions and policies for implementation of standards. The Basin Plan identifies general types of water quality problems which can threaten beneficial uses in the Region, and identifies required or recommended control measures for these problems. In some cases, it prohibits certain types of discharges in particular areas. The Basin Plan includes a program of implementation to protect beneficial uses and to achieve water quality objectives.

The current Basin Plan was adopted by the Water Board in 1995 and has since been amended several times; the last amendment was adopted in May 2008. The Basin Plan can be accessed via the Water Board's web site (http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml). Water Board staff request that the final environmental document reference the Basin Plan, and that the Project complies with all applicable water quality standards, prohibitions, and provisions of this Basin Plan.

Permits

A number of activities associated with the Project may require permits issued by the SWRCB or Water Board. A Clean Water Act, section 402, subdivision (p) stormwater permit, including a National Pollutant Discharge Elimination System (NPDES) General Construction Stormwater Permit, may be required for land disturbance associated with the Project. The NPDES permit requires the development of a Stormwater Pollution Prevention Plan and implementation of best management practices (BMPs).

As described in section 2.3.2.3, Well Construction and Operation, of the IS, the Project would include construction of a discharge pond for the disposal of disinfection water and well development water. Impacts to water quality and appropriate mitigation measures must be evaluated in the EIR.



Additionally, waste discharge requirements (WDRs) for the discharge of waste in excess of water quality objectives may be required pursuant to California Code of Regulations (CCR), title 27 requirements. Discharge of low threat wastes to land may require General WDRs for Discharges to Land with a Low Threat to Water Quality issued by the Lahontan Water Board. Please be aware that the NPDES Permit Statewide Storm Water Permit and WDRs for the State of California, Department of Transportation (CalTrans), Order No. 99-06-DWQ, section L.3., prohibits the discharge of water line flushing, ground or surface water pumping discharges associated with construction activities in excess of water quality objectives stated in the Basin Plan, and uncontaminated pumped groundwater discharges that would violate water quality objectives stated in the Basin Plan.

Information regarding these permits, including application forms, can be downloaded from the Water Board's web site (<http://www.waterboards.ca.gov/lahontan/>). If the project is not subject to federal requirements, activities that involve fill or alteration of surface waters, including drainage channels, may still be subject to state permitting.

Potential Impacts to Waters of the State and Waters of the U.S.

As described in section IX.f., Hydrology and Water Quality, of the IS, the Project will include groundwater pumping which may locally degrade groundwater quality with respect to total dissolved solids (TDS) and/or arsenic. Chapter 3 of the Basin Plan describes State Board Resolution No. 68-16, which requires that "existing high quality waters shall be maintained until or unless it has been demonstrated to the State that any change in water quality will be consistent with the maximum benefit of the people of the State, and will not unreasonably affect present and probably future beneficial uses of such water." If the proposed groundwater quality analysis determined that water quality will be degraded as a result of this Project, a groundwater degradation analysis will be required pursuant to State Board Resolution No. 68-16.

CLOSING

The proposed project may result in discharges of waste that may need to be mitigated under Water Board regulatory authority.

Please note that obtaining a permit and conducting monitoring does not constitute adequate mitigation. Development and implementation of acceptable mitigation is required. The environmental document must specifically describe the BMPs and other mitigation measures used to mitigate project impacts.



Thank you for the opportunity to comment on your project. If you have any questions regarding this letter, please contact me at (760) 241-7305 (bbergen@waterboards.ca.gov) or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 (pcopeland@waterboards.ca.gov).

Sincerely,



Brianna Bergen
Engineering Geologist

BB/rp \final\CEQA\COMMENTS_ IWWWD_WaterSupply.doc



received
7/19/11

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

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Name	<u>Hubert Drake</u>		
Address	<u>604 Rebel Rd</u>	<u>Ridgecrest</u>	<u>93555</u>
	Street	City	Zip Code
E-mail	<u>asirsrs2@earthlink.net</u>		

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

1. Mr. Mulvihill indicated that once wells 18 and 34 are upgraded in the first phase of the project IWVWD will monitor the Domestic Water Systems to assess production demand vs. production capacity. If demand is not met then phase two, construction and operation of well 35, will be initiated. If subsequent monitoring determines that demand is not met by well 35 then phase 3, construction and operation of well 36 will be accomplished. The wait and see process for wells 35 and 36 is not reflected in the Draft Initial Study.

2. While at the meeting, I spent most of my time at the hydrology station because as a private well owner I am obviously concerned about potential drawdown of the groundwater table. To the best of my recall, the IWVWD representative manning the hydrology station indicated that the IWVWD will determine which private wells will potentially be affected. Is that what Mr. Melvihill meant when he said "the district has to be cognizant of the impact to others, which is the purpose of the scoping meeting"? In addition, I got the impression that if groundwater at potentially affected wells is lost the IWVWD is required to help restore groundwater to those wells. Is this correct and if so what exactly will the responsibility of the IWVWD be?

3. The study states that the pipelines associated with wells 35 and 36 would be for transmission purposes

only, and no distribution connections are proposed. It seems to me that the addition of distribution connections placed in strategic spots would be advisable if IWVWD contemplates the need to provide water to private properties outside Ridgecrest city limits allowing those affected with loss of groundwater to connect to the IWVWD system in lieu of drilling deeper for water. When my well went dry the pump and motor detached from the well pipe and had to be fished out of the well at approximately 150 ft. I contacted the IWVWD to inquire about the cost to hook up to their system. Their estimate was more than three times the cost to drill my well down another 100 ft. including replacing the pump and motor. I think it would be in the best interest of the district to offer cost effective service to those outside of the city limits unless they intend to limit service to those within the city limits. Please clarify.

4. Table 2-1 of the study does not reflect project improvements. I suggest considering the following table that I think reflects the system maximum day demand and capacity providing proposed improvements are accomplished.

**IWVWD Domestic Water System
Well Pumping Plant Maximum Day Demand and Capacity
(with 20% redundancy) Comparison
(values in gpm)**

WELL	YEAR		
	2011	2015	2020
9A	1000	1000	1000
10	1100	1100	1100
11	1000	1000	1000
13	1100	1100	1100
17	1200		
30	1400	1400	1400
31	1400	1400	1400
18	1200	1200	1200
33	1,200	2,200	2,200
34	1,200	1,200	1,200
35		1000-2500	1000-2500
36		1000-2500	1000-2500
CAPACITY	11,800	13,600-16,100	13,600-16,100
PRODUCTION DEMAND (max day with 20% redundancy)	15,240	15,600	15,790
PRODUCTION CAPACITY NEED	3,440	2000-(500)*	2190-(310)*

* Indicates a surplus in capacity

5. There's a rumor circulating that the IWVWD is planning to take control of all private wells in the area. I didn't see that reflected in the study. This rumor has many private well owners upset. Is there any validity to the rumor and if so how does the IWVWD plan to accomplish taking control? The answer to this question is of major interest to the areas private well owners.

6. The study states "IWVWD is the primary provider of water for domestic use, landscape irrigation, and fire protection in the City of Ridgecrest and the surrounding area in the counties of Kern and San Bernardino. The service area has an estimated population of 29,000, many of whom are employed by NAWS China

Lake.” The IWVWD indicated service to not only to the City of Ridgecrest but to the surrounding area in the counties of Kern and San Bernardino. The City of Ridgecrest website, <http://ci.ridgecrest.ca.us/> , states “Ridgecrest boasts a thriving economy and a robust population of just over 27,000 people.” Does the almost 2,000 difference in Population (29,000 vs. just over 27,000) and the service comment made by the IWVWD tell us the IWVWD is currently supplying water to households outside the City limits. If so how many and in what areas?

7. Maintaining water supply to meet demand is obviously a complex problem for all entities involved in consuming water from the same source. This is especially true when you are the biggest consumer responsible to both a large customer base and the organization that services it. Although, the much smaller consumers (private well owners) are also responsible to do their part to conserve the supply it is obvious that the IWVWD, as the majority user, shoulders the greatest responsibility. I think the IWVWD has done a good job of monitoring capacity, assessing demand and measuring drawdown which affects us all. It is important that communication continues to occur in a timely manner, transparency is maintained and sanity prevails and may we all consume wisely.

15 July 2011

General Manager
Indian Wells Valley Water District
PO Box 1329
Ridgecrest, California 93555

Mr. Mulvihill:

We are writing in reference to the *Indian Wells Valley Water District, Initial Study for the Draft Environmental Impact Report (EIR) for Water Supply Improvement Project*.

The following comments are submitted and we request that these issues be addressed in the Draft EIR:

1. The Water Supply Improvement Project and peak pumping requirements have been based on a false premise. The premise that "thousands" of new positions were to be added to the Naval Air Weapons Center (NAWC) and these new employee's would be accompanied by thousands of family members as a result of the Base Realignment and Closing (BRAC) has now been proven to be false. The false premise continued that additional Defense Contractor personnel would also be added, thereby necessitating additional water demands on the Water District. It is now well understood, by all, that a huge spike in the Ridgecrest population, as predicted by the Water District did not, and will not happen. Most all of the new positions at NAWC that will be filled, have already been filled. By the Water District's own admission, no perceptible spike in water use could be or has been detected. Therefore in the Draft Initial Study, the requirements for additional pumping noted in Paragraph 2.3 and Table 2-1 were based on this false premise.

a. The additional facts of the new Water District higher rate schedules for Water District customers to offset the costs of arsenic treatment and, public conservation efforts has already reduced water consumption by the Water District customers by 17% in the past year. This has had such a significant impact on Water District revenues that Water District employees are being laid off due to the significant shortfalls in the Water District's operating budget.

b. The pursuit of this Water Supply Improvement Project does not appear to be based on sound requirements and just does not make any prudent sense.

c. When the above false premises are evaluated with the current state and federal economic situations, and the extremely high probability of significant Defense Budget reductions, any predictions of new growth in the Indian Wells Valley in the next number of years is totally out of touch with reality.

d. Instead of new wells and increased pumping capacities the Water District should be pursuing alternative water sources from outside this valley. As a minimum,

the Water District should be pursuing the blending of the lower quality water with the high quality water that is currently being pumped. Just the adding of additional storage capacity to meet any new peak demand requirements would be far more cost effective than drilling and outfitting new wells.

2. The Water District placed their new well #34 at the corner of Bowman Rd and South Brown Rd in operation early summer of 2009 and was apparently pumped hard through the summer pumping season. Kern Water Agency measured our well from surface to water table level in October 2009 and again in November 2009 to verify the October findings that had been thought to be erroneous. The October measurement was found to be accurate, in fact the November reading was one inch lower than the October measurement. The level in our private well had declined eight (8) feet in one year. This number is eight times greater than the valley wide accepted annual water table decline. The only attributable factor to this sudden decline was the initial operation of Well #34. It is more than likely that it was the result of the cumulative pumping depressions of the Water District pumping Wells #18, #30, #31, along with the new Well #34 that caused this significant drop.

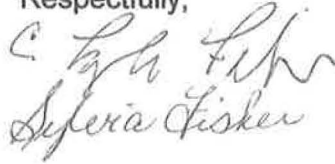
a. Well #34 is approximately 2.1 miles from our private well. Proposed Well #35 would be approximately 1.75 miles from our well and proposed Well #36 would be less than 0.5 miles from our well. There are currently approximately 30 private wells within 0.5 miles of the proposed well #36. How will these two new proposed wells and the doubling the pumping capacities of two other wells impact the 30 private wells in the area? The Brown and Caldwell hydrology model that is owned by the Water District could provide some insight into that which will happen to this area once pumping has commenced. It would, however be very easy to accurately speculate that the impact on all of the 30 wells that are within one-half mile of the proposed well #36 would be significant, and in more than half of these 30 wells the impact would be fatal. Locating a very large production well for a water appropriator (the Water District) in such close proximity to 30 private overlaying users doe not make prudent sense. Since under California Water Law an appropriator is only entitled to any surplus water, while the surrounding private and co-op wells have a superior overlying right. In a basin that is know to be in critical over-draft there is no surplus water.

3. Page 4-18 of the Initial Study the location of the proposed well 36 is incorrect and misleading as written. The proposed well #36 is surrounded by residential on all sides (not just two), north, south, east and west (across 395). Each of these residents have a private or co-op well. There are approximately 30 private or co-op wells within one-half mile of the proposed site, many of these wells are much closer than one-half mile.

We strongly recommend the Water District Board of Directors reject the Water Supply Improvement Project as being totally out of step with the times.

We respectfully request that this letter be entered into the official comment record of the Initial Study of the Draft Environmental Impact Report.

Respectfully,

Handwritten signatures of C. Lyle Fisher and Sylvia Fisher in cursive script.

C. Lyle Fisher and Sylvia Fisher
354 N. Strecker St.
Ridgecrest, California 93555 (Ph. (760)377-4613)

CC: Mr. Jon McQuiston, Kern County District 1 Supervisor
Ms. Lorelei Oviatte, AICP, Division Chief, Kern County Planning Department

DATE 11 July 2011
FROM Annette and Thomas DeMay
222 Strecker St
Ridgecrest, CA 93555
tom@demayfamily.net
TO Tom Mulfill, General Manager IWWVD; Anne Surdzial, Project Manager

This memorandum responds to the 2011 Indian Wells Valley Water District (IWWVD) Water Supply Improvement Project (WSIP 2011 or the project) Draft Initial Study (IS). In our absence, enter this memo into the record of the 13 July 2011 scoping meeting. We are very concerned about the impact of the WSIP 2011 project on the critically overdrafted aquifer under the Indian Wells Valley and on our overlying water rights and those of our neighbors, both in terms of sustaining water accessibility and quality.

Our most fundamental reactions to the IS, regarding items that must be covered or covered more explicitly and in more detail in the forthcoming Environmental Impact Report (EIR), are fourfold:

1. The proposal promotes mismanagement of the finite resource of high-quality water in the aquifer under our valley, which has been in measured overdraft since at least 1960. The IWWVD is no longer naïve about the destructive nature of past practices, yet this project promotes increasing the pace of those practices in the part of the aquifer known to still produce pure water that does not require filtering.
2. The needs given to justify this project are based on old projections that are invalidated by current facts.
3. It is illegal to appropriate water from overlying users to export it to other current or anticipated users.
4. Creating a total dissolved solids (TDS) problem and/or creating an arsenic problem in private wells by the size and/or location and/or manner of operation of production wells in their proximity is equivalent to poisoning those private wells to an extent that cannot be reasonably mitigated.

The EIR must explicitly detail and justify by cited research the proposed mitigations for each and every level of impact, not just state that they exist and will be mitigated. The EIR must explicitly detail and justify by cited research any elements it claims have no impact.

1. MISMANAGEMENT OF OVERDRAFTED AQUIFER?

In this memo, the term "private well(s)" collectively refers to private individual, small group, and community/co-op domestic wells, which have relatively tiny pumps compared to even the smaller IWWVD production wells. The damage expected to these private wells, which is hinted within the IS, is symptomatic of the damage being done to our valley's water supply in the name of the cheapest water for IWWVD customers, at the expense of all of us over the long term.

Of immediate concern are private wells in and south of what is known as China Lake Acres and Inyokern. These would be most impacted by the project's upgrades and new IWWVD wells 18, 34, 35, and 36 in proximity to wells 31, 33, and the well near Buttermilk Acres store. Based on the greater drop in the water table in this area than in other parts of the valley, a reasonable argument is that there are already too many production wells in this area. Near proposed well 36, the typical drop in water levels of private wells has recently been 1-1/2 or more feet per year, with a recent single-year drop of 8 feet measured ½ mile east of the proposed site. More production-well pumping from this area and depleting our over-drafted aquifer at the proposed accelerated pace would qualify as mismanagement. Water must be sought farther afield where it is recharged or from where it can be legally imported. These alternatives along with more conservation must be promoted in a reasonable version of the project plan and be described by its EIR.

Drawdown Cones. Sound, numerical projections of the extents of the drawdown cones of the proposed upgraded and new wells, based on statistically-significant geo-hydrology studies must augment the IS and be stated in the EIR. It is established usage among members of the Indian Wells Valley Cooperative Groundwater Management Group, that production wells with 1,200 gpm pumping capacity must not be placed closer to each other than a minimum of ½ mile to avoid interference with each other. This 1-mile-in-diameter exclusion zone is small compared to the size of drawdown cones associated with the proposed 2,200 - 2,500 gpm production wells; drawdown cones are known to be deeper and wider as pump size increases, so neighboring wells in far greater

areas will be impacted. (To exemplify the effect of increasing diameter on area, think about the difference in areas of 10-inch and 20-inch diameter pizzas. The 10-inch pizza has an area of about 75 square inches but the area of a 20-inch pizza is about 300 square inches—about 4 times as much.) Regardless, the map in Figure 2-2 illustrates some existing and proposed well sites that are by known criteria too close to each other.

The density of production wells allowing such high pumping capacities also portends subsidence problems in this area, whether or not they are all pumped at the same time. Subsidence must be discussed in detail in the EIR. Although enhancing wells in other parts of the valley is a better choice, overall subsidence as well as the other issues must be considered there also.

The proposed Well 36 site appears to be in a flood plain. This severely restricts any structures that may be constructed. The EIR must provide explicit justification for well housing and it must state that other structures, such as but not limited to arsenic treatment plant or storage tanks will not be placed in the flood zone. The EIR must also acknowledge that the high ground of its property along Strecker Street will not be populated by buildings that obstruct the scenic view of the mountain ridge from this established residential neighborhood.

The project described by the Notice of Preparation and the IS does not really improve water supply; at its best interpretation, it is destructive to neighboring wells in the short term and to the valley overall in the long term. The EIR must acknowledge IWWWD responsibility not only to its own customers but also to other water users. Improving water could be accomplished by things like filtering and reclamation, with the cost to be borne by the users of that water not by others who happen to overlie cleaner water.

2. OLD AND INVALIDATED JUSTIFICATIONS

A reasonable version of the WSIP 2011 project must be based on a new or significantly revised plan that is based on current facts rather than outdated projections. Reasons that the very similar WSIP 2007 was fully rejected by the public and Kern County and eventually by the IWWWD still apply (despite the WSIP 2011 having dropped the one most dysfunctional juxtaposition of 2,500-gpm wells). Furthermore, the justifications for WSIP 2011 are largely based on the IWWWD General Plan of 1997 and usage assumptions made for the WSIP 2007 that no longer apply.

Water usage is declining, 17% reduction this year to date, which is likely due to the IWWWD's conservation efforts and its first really serious conserving action—rate increases—that firmly convey that quality water is limited in our aquifer. Also, no capacity or delivery failure days have occurred since the prior predictions of needed capacity. The usage decline has occurred despite the Naval Base having effectively done its hiring in response to the most recent Base Closure and Realignment (BRAC). As anticipated because of typical responses to BRACs, the number of new jobs in our community is far below the initial projections. Local population has stabilized and is using less water. The EIR must use more realistic base employment figures. The response of the community, when rate cost increases were imposed, indicates a willingness to reduce usage to allow the IWWWD's desired 20% redundancy for maximum usage and equipment failures. New evidence that such a large cushion may be necessary should be part of the project plan and EIR.

3. APPROPRIATING WATER

Water service providers are prohibited by law from appropriating water from some users for the benefit of others, including others who are not served by the provider (such as the IWWWD). Given the persistent overdraft of our aquifer, the reported determination that our aquifer contains primarily water deposited during the Pleistocene Era, and the past and current use of water in and around what is known as the southwest field and China Lake Acres by may private wells, exporting water from vacant IWWWD land via 12- to 16-inch pipelines constitutes exporting water away from existing users for the benefit of other current and future users.

There are 30 existing private and small community wells within ½ mile of proposed Well 36, supporting more than 30 households, and more such wells are within the diameters of drawdown cones associated with the proposed higher-capacity production wells. These private wells are producing high-quality water that does not require treatment; both the ability of these wells to produce water and for that water to be of such high quality would be damaged by the size, location, and manner of use of the proposed wells.

Section 2.1 of the IS describes installation of 12- to 16-inch pipelines connecting to Wells 35 and 36 “only for transmission purposes no distribution connections are proposed.” This definitely sounds like a plan to export water away from neighboring wells that belong to overlying users.

Figure 2-4 in the IS is truncated in such a way that it omits neighboring properties with wells that would be impacted. The EIR must include a parcel map that covers all the parcels that would be impacted by its proposed upgraded and new wells.

In Section IX. HYDROLOGY AND WATER QUALITY of the IS, Modeled seasonal drawdowns are described. The way the information is presented in the IS tends to suggest they represent overall drawdowns that are less than have already been consistently measured. In the EIR, the modeled seasonal drawdowns must be distinguished as in addition to the non-seasonal drawdowns, and overall drawdowns in the areas of the proposed project wells must also be given.

Mitigations for shallower private and commercial water wells that may experience declining production to the point where they may no longer be capable of supporting existing uses, and also wells whose function is damaged causing owners additional expense, must have detailed mitigation measures presented in the EIR; this is not optional as suggested by language in the IS. It is not acceptable for the IWWWD to merely declare wells that are now pumping good quality water are too old or are deep enough that they are not the responsibility of the IWWWD.

4. CONTAMINATING NEARBY WATER SUPPLY

The brief statement that “There is the potential that increased groundwater pumping due to the Proposed Project could cause groundwater with elevated levels of TDS and/or arsenic to migrate toward the pumping well locations” is somewhat misleading and is grossly inadequate, given the severity of harm that would eventually be caused to neighboring wells already in existence. “Migrate towards” actually would include intersections with the many private wells nearby proposed upgraded and new production wells. Unless the IWWWD can provide irrefutable scientific evidence regarding the extent of harm to be expected within and near the drawdown cones of their existing and proposed production wells, it must be assumed that the level of contamination is totally unacceptable.

“Complete analysis of this potential impact and preparation of detailed mitigation measures, if applicable, will be conducted as part of the EIR.” Given the inability to predict the long-term impact of accumulating arsenic or other contaminants, mitigation measures are the responsibility of the IWWWD and must be detailed.

We appreciate that the IWWWD sought an EIR for this project. We hope that our concerns will be addressed.

Sincerely,

Annette DeMay
Thomas DeMay

TJ and Margaret Porter
1335 Quasar
Ridgecrest, CA 93555
760-377-5370
Email: porterm@mchsi.com

13 July 2011

Scoping comments on the Indian Wells valley Water District Initial Study for a Water Supply Improvement Project.

To all, this is our comments on the Indian Wells Valley Water District's Water Supply Improvement Project Initial Study. We are concerned about future water availability in the IWV and especially for private and coop well owners and the continued operation of our own well. The notes have been prepared with/for both concerned citizens (coop and otherwise) and private well owner interests in mind.

The calculations offered in the IVWWD Initial Study are based on growth projections coming from the Navy BRAC office in **2005** which estimated the total number of new employees to be 3,587. The problem with using the estimated number of new residence in **2011** to the valley is not going to come about. Reason being, BRAC is effectively over, and the population hasn't grown that much. Everyone now understands what the actual BRAC effects were on our population; that **the net gain in population is nowhere near the projected numbers of 3,587**. The census data shows the population was 27,616 at the **2010** census. The population of Ridgecrest has grown very slowly over the past few years, in fact the difference in population between the **2000** census and the **2010** census **shows a gain of 968 new Ridgecrest residents**.

Existing Water District wells in the southwest and west (18 & 34) are having very negative effects on nearby smaller wells. Very large drops in local water levels leading to dried up wells are common. The Valley simply cannot support additional water pumping by the Water District anywhere in the Indian Wells Valley area. Especially, in the areas where the water tables are already have a serious decline.

The declines historically have indeed been about a foot per year including the SW even before the WD started pumping there in the 1990's. In the SW and W (18 & 34) the declines for the past ten years are in the range of 1 1/2 to 2 ft per year and more in many areas. Closer to the actual production wells the declines are about 3 ft per year prior to the existing 18 & 34 standard IWV well pumps, pump 1200 gal per minute (gpm) and when the 18 & 34 wells are re-equipped to pump at the 2200 gal per minute rate, the production declines then may double the 3 ft per year rate, and possibly more in many areas.

ALSO, in addition two new wells would be 1) on west Brown Rd near 395 and 2) west of Strecker and south of Las Flores (35 & 36). The new project involves the drilling and equipping of two new, very high capacity wells, with nearly twice the capacity (2200 gal per minute) of the existing standard WD wells (1200 gal per minute).

WHY all the water pumping of IWV water???

Position of the above named Porters;

1. That present existing well owners (private) and coop shall have a superior overlying, irrevocable, ground-water-well ownership, water use rights in the IWV;
 - a. That right shall be that of; first priority for water use rights, be it that of Private or coop ownership-use, in the IWV, via their ownership of their land development of underground water well with a properly documented well-descending from the well curb installation supply pipe, descending down to the center of the Earth;
 - b. That surrounding private and coop wells shall have a first, irrevocable, superior overlying water-use right. In other words, the private and coop well owners, have a right to the water first in IWV. In an over-drafted basin there is simply no surplus water in IWV.
 - c. That the/an IWVWD shall not be able to restrict, and/or terminate IWV Private and/or coop owners well, water use, in any means or manner;
 - d. That the/an IWVWD shall not be able to restrict and/or terminate private and/or coop groundwater electric access or cost means, be that of; normal power service and/or Green Power, such as solar-wind-and not solely exclusively limited to solar-wind;

- e. That in the event of the present owners (private-commercial) and coop water-wells-systems;
that the owners and/or coop individually and/or collectively shall retain all existing and additional future owner and coop groundwater-well rights by the owners and/or coop individually and/or collectively, at the discretion of the owner/coop individually, to be selected or not selected by the owners and/or coop individually and/or collectively, and not by any-the WD (present and/or future) organizations;
- f. That in the event of owner/coop land organizational sale or leasing of existing owner/coop water supplies, that
The original owner/coop water rights shall be the value of the owner/coop to have, to hold, to buy-sell without any encumbrances other than any duly recorded primary-secondary liens,
- g. That it is essential that IWVWD and/or any other WD-organization shall contain any and all measures, to extend the life of the aquifer as long as possible and that any said WD organization fully consider and publically publish, all IWV water proposals and directives enhancing water consumption, so as the existing owner/coop remain to have first priority, first rights over any and/or all consideration, to any/all others claimants, or awards of to IWV and/or any WD the IWV ground water use or sale of which;
Existing and additional future owner and coop groundwater-well rights by the owners and/or coop individually and/or collectively shall remain that of, the existing and additional future owner and coop groundwater-well rights by the owners and/or coop individually and/or collectively.

Any and all rights or intents discussed in this document must be considered as not a total amount or final rights. All explanations and comments above are subject to additional information, and/or alterations not solely limited to this document and subject to existing and additional future owner and coop groundwater-well rights by the owners and/or coop individually and/or collectively for review.

References;

- 1) Daily Independent Wednesday July 6, 2011, Notice of Preparation and Public Scoping Meeting for a Draft Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project. Page A11
- 2) <http://california.hometownlocator.com/census/estimates/cities.cfm>

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Richard L. LaShure
Address 258 3rd St. Inyokem 93527
Street City Zip Code
E-mail richcrest@verizon.net

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

This was not a scoping meeting. (July 13, 2011)
Mr. Mulvihill's remarks were unprepared.
Existing wells and water compaction have the
prior right to the water + IWWVD is only entitled
to surplus water.
The date for public hearing on this issue was
not announced.
Please announce the public hearing date ASAP

Richard L. LaShure

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Penelope LePome

Address _____

E-mail lepome@earthlink.net

Street _____ City _____ Zip Code _____

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

I am requesting a copy of
the sign in sheets. Thank you.

Kinge Okauchi



**353 N Phillips
Ridgecrest, CA 93555**

**PO Box 1823
Ridgecrest, CA 93556**

Kirchenmann drilled original well (permit number 11-326, May 15, 1978)

- 1. 1978: property south of China Lake Acres**
 - a. 353 N Phillips**
 - b. South of Los Floras and East of Strecker**
 - c. Well dug to 360 Feet, Well water level at 270 feet**
- 2. 1994 pump at 296 feet.**
- 3. 2008 pump clogged with sand.**
 - a. Replaced pump and reseated pump at 315 feet**
 - b. water was at 300 feet**
 - c. pulled pump up to 310 feet as it was clogging with sand warned well would be unusable in a year.**

Boetsch dug replacement well (permit number wp0012494, Sep 22, 2010)

- 1. 2010 new well dug to 420 feet. Pump placed at 380 feet.
Destroyed original well.
Water was at 312 feet.
Kern County is monitoring our pump.**

Wells in our neighborhood

- 1. Well north of us was redug to 400 feet (Los Floras and Phillips)**
- 2. Well north/west of us redug (Assumed ran out of water).
Strecker and Los Floras**
- 3. There are at least 4 wells south of the proposed drilling site
not mentioned in the WD documents.**

Opinions/Options

- 1. Will the Water District provide us with water when our well goes
Dry again**
- 2. Should we file with the Water District to compensate for our new well.**

7/11/2011

Dear Sirs:

I am writing this letter to add my family name to the list of those who are opposed to the proposed Water Supply Improvement Project of 2011. It has come to my attention that a new proposal has been brought to the table to once again drill new wells in the surrounding IWV area. I have done some research on the population aspect of this IS report and have found that the population of Ridgecrest has only grown by less than 3000 to approximately 27,616 persons, this rise only reflects a small portion of the impact number that were expected to come into Ridgecrest, in other words, the influx is not from the BRAC initiative because most of the jobs from BRAC never arrived here on the base, to me this does not constitute the need for more water when in fact the city has had a conservation ordinance that seems to be working in that I have heard that your company are going to start layoffs due to the conservation being a great success.

In the IS it is stated that the population from the BRAC will be less than was first estimated and I have found this to be the case as I work here on China Lake, with this in mind I was wondering why you and the water company still insist on carrying on with the wells, when the facts that you even provide in your own report prove that this move isn't necessary. Also in your report section, IX b., the IS states that the project would substantially deplete groundwater supplies or interfere with groundwater recharge with a net deficit in the aquifer volume. This alone is the greatest concern to the people who are on private wells or coops.


I would like to know how you can come out to a neighborhood where the people here have no say in who is on the board, due to us not being able to vote on members.

It seems that the people that are coming into town to utilize the water are mostly transients utilizing the hotels and motels that are springing up like weeds

everywhere you look a new hotel is being built. These folks do not live here in the valley, I and my family do. We don't go into town and steal we go in and spend our hard earned money on things that support the local economy so don't come out to our neighborhood and steal what has been our livelihood for many years. I am tired of the people in your positions grudging those you don't think will push back, I feel that the people out here have had enough of the current administrations tactics, i.e. strong arming folks into submission.

WE HAVE A RIGHT TO KEEP OUR RESOURCES!!!

Respectfully,

A handwritten signature in black ink that reads "Kevin Connors". The signature is written in a cursive style with a large initial 'K'.

Kevin Connors

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name JOE DAUPLAISE

Address 457 Phillips St Ridgecrest CA 93555

Street City Zip Code

E-mail dauplaise@IWVISP.COM

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

I live ~ 1200 ft from your proposed #36 well. I'm concerned that the water quality and quantity of water in my well (drilled to 400' and last water level reading was 300') will be SEVERELY IMPACTED.

1. WHY DO WE NEED ADDITIONAL WELLS IF WATER CONSUMPTION IS DOWN IN THE VALLEY AND THE 10,000 PEOPLE WHO WERE SUPPOSED TO MOVE HERE BECAUSE OF BRAC ARE NOT COMING

2. WHAT IS YOUR MITIGATION PLAN TO PROTECT MY WATER QUALITY AND QUANTITY IN MY WELL.

3. WHAT IF THIS NEW WELL CAUSES MY WELL TO GO DRY - ARE YOU GOING TO COMPENSATE ME? I WANT TO SEE YOUR PLAN.

Joe Dauplaise

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

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Name HAROLD MANOS
Address 763 S. NOLAN STREET
Street City Zip Code
E-mail Ridgecrest, CA 93555

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
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WHAT DEPTH WELLS?
leave the SHALLOW Aquifer Alone!?
WHAT Volume of Flow?
Are These Wells Renewable?

Questions:

- 1 It appears that the actual BRAC related growth to the IWV has been much less than originally anticipated. What anticipated event (or events) justifies the proposed increase to the WD's pumping capacity?
- 2 Data shows that the current pumping capacity is more than adequate to meet the WD customer's requirement, even during the summer.
- 3 What has the WD done to assure that they are only pumping excess capacity?
 - a. What verifiable data is available to support the Wd's claim that an increase in their pumping ability will not impact other well owners? South and east of the proposed site?
 - b. What is Wd currently doing to correct the overdraft of the Valley's aquifer?
What are their plans for the long term preservation of the aquifer?
- 4 What are the WD plans to mitigate the damage caused to the small well owners if the proposed additional pumping is approved?
- 5 How does the proposed increase in pumping capacity improve the quality and quantity of water available to the smaller well owner?
- 6 Where is the IWV basin groundwater management plan? How is it being implemented?
- 7 What are the anticipated costs for this project? How will they be paid?

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Diana Watkins
Address POB 1417 Troyokern 93527
Street City Zip Code
E-mail dawawoman@hotmail.com

Comments can also be submitted to: dawawoman@hotmail.com

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

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underlying
my underlying rights as a landowner are not
being considered.

There's no overall water plan. This means
no plan. We need a plan.

The mitigation proposed in the County letter
is included in the EIR.

The aquifer is already depleted if no
new supply of water.

Final WISP Comments

07/13/2011

Charles Hattendorf

517 N Charles St

Ridgecrest CA 93555 (member of the Yellowbird Water Co-op)

In reference to the Water Supply Improvement Plan, Phase 2 indicates:

“New water production wells are a likely next step the District should consider to meet the anticipated water demand.” (Page 15)

Comment: Figures used to reflect anticipated water demand are based upon speculative BRAC data, with some 643 positions likely to be added on base at last count (Navy numbers published in local paper). Actual positions created or transferred on-base has proven to be less. Retirement of base personnel should be taken into account when estimating average valley population with the assumption many retirees will not stay within the valley. Additionally, why does the IWWWD not investigate water recovery / treatment measures, outside water sources, etc to supplement our diminishing ground water resource? The IWWWD resorts to drilling and tapping a known limited resource, without examining additional water sources. Detailing measures outside simply putting in more wells and increased pumping should be done in this plan.

“construction of new production wells will create impacts to nearby water levels.” (page 24)

Comment: As a current stakeholder and well owner, I ask what detailed measures are to be enacted to ensure existing well owners, and their existing water rights, are protected when new IWWWD wells are put into production? Drawdown and detrimental impact to quality and availability of the water supply are obvious concerns for all existing private well owners within the valley. Mitigation to potential adverse impacts for existing well owners must be detailed.

respectfully,

A handwritten signature in black ink, appearing to read 'C. Hattendorf', written over a horizontal line.

Charles Hattendorf

Environmental Impact Report for the Indian Wells Valley Water District Water Supply Improvement Project

COMMENTS

Please use this page to submit your input on the scope of the environmental impacts to be analyzed in the Draft EIR being prepared for the District's Water Supply Improvement Project. Your comments are an important part of creating a comprehensive EIR. When making your comments, please be as specific as possible.

Name Carl Hinners

Address 6127 Norman Ct Jayokene Ca 93527
Street City Zip Code

E-mail HinnersCS@Earthlink.net

Comments can also be submitted to:

Tom Mulvihill
General Manager
Indian Wells Valley Water District
P.O. Box 1329
Ridgecrest, CA 93555
(760) 375-5086

All comments must be received by August 4, 2011.

Comments

Please provide your comments below. If you need additional space, please use the reverse side of this sheet. Thank you.

I believe the Proposed Expansion of Wells and additional Pumping from Existing Wells will have a negative affect on my existing livestock operations. I specifically Purchased land in the Area South of Jayokene to allow this activity. Any significant degradation of existing water levels in my area will impact me.

July 12, 2011
Indian Wells Valley Water District
500 West Ridgecrest Blvd.
Ridgecrest, CA 93555

RE: IWVWD Initial Study for the 2011 Water Supply Improvement Project

Dear Board of Director Members

I am writing to state my serious concerns and ask some questions regarding the Initial Study for the Water Supply Improvement Project. I am preparing these items to be presented at the public hearing for the project to be held on January 13, 2011. I respectfully request that this letter be entered into the official comment records of the formal Public hearing of the Initial Study for the Water Supply Improvement Project 2011.

For the record, my name and address is as follows: Donna Thomas, 8158 Panorama Trail, Inyokern, CA, 93527-2036.

I believe that the Initial Study does not present a real and significant need and justification for the increased capacity in pumping of Wells 18 and 34 (from 1200 gpm to 2200 gpm) and the need for the construction of two additional new wells 35 and 36 with pumping capacities of 2200 gpm each. There is a weak statement on page 2-1 that the District needs to have a 20% redundancy in order to "accommodate planned and emergency outages" and peak demand days in the summer. However, the Initial Study does not address the 17% reduction in demand through conservation measures that is reported in the District's recently approved Urban Water Management Plan. There also seem to be discrepancies in the discussion of population figures and projections presented in various places in the Initial Study. In the background section 2.2 on page 2-1, the population is stated as 29,000. In another section (page 4-21) there is a figure presented of 36,000 people in 2007 with discussion that population has slowed and/or declined since then and has leveled off. Why is this project necessary?

I believe that the most troubling findings in the Initial Study are those discussed in section IX Hydrology and Water Quality under letter "b" on pages 4-14 and 4-15.

IX Hydrology and Water Quality This section is marked as Potentially Significant Impact: "b. Would the project 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 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)?"

The Study states on page 4-15:

"The pumping rates and volumes anticipated for the Proposed Project, in conjunction with the already existing basin-wide declines in water levels, have the potential to significantly lower groundwater elevations over time, such that shallower private and commercial water wells may experience declining production to the point where they may no longer be capable of supporting existing uses. Complete analysis of this potential impact and preparation of detailed mitigation measures, if applicable, will be conducted as part of the EIR."

The Inyokern Community Services District as well as Navy wells could be impacted. What will happen to private and cooperative system wells located in neighboring and surrounding areas that are isolated and may not be able to connect to IWWWD distribution lines or even CSD distribution lines? The pipelines described for the project are stated to be for distribution only.

What happens to the property values that no longer "support existing land uses or planned uses for which permits have been granted" by Kern County or other jurisdictions? Landowners in the surrounding area will have their investments in home, wells and property threatened. The impacts from the project could directly lower the value of neighboring properties by diminishing, or perhaps even completely depleting, the quantity and quality of water pumped on that land.

This potentially significant impact discussed above is compounded by another described in IX Hydrology and Water Quality "f" on page 4-16

"f. Would the project otherwise substantially degrade water quality?" The discussion states: "There is the potential that increased groundwater pumping due to the Proposed Project could cause groundwater with elevated levels of TDS and/or arsenic to migrate toward the pumping well locations. Complete analysis of this potential impact and preparation of detailed mitigation measures, if applicable, will be conducted as part of the EIR."

I believe that it will be very difficult, if not impossible, for the IWWWD to mitigate intrusion of arsenic into private wells except perhaps to offer connection to District service which may not be a real possibility for some well owners. What about potential impacts on nearby Navy wells and Inyokern CSD wells?

These impacts constitute a failure of IWWWD to protect the public good. What the IWWWD is proposing to do in this Water Supply Improvement Project 2011 will not only potentially damage the water supply for other pumpers (private well owners, Inyokern CSD, Navy wells), but may also damage its own water supply through impacting its own nearby wells.

The most important consideration for private and co-op well owners has been omitted from consideration and discussion under IX Hydrology and Water Quality. Full recognition of the water rights of private well owners and co-op well owners as overlying users has not been addressed. Please refer to section VIII item B Hydrology and Water Quality in the attached letter from Kern County Planning dated August 9, 2007 which presents comments relating to overlying water rights. I believe that the mitigation proposed in the Kern County letter must be included in the EIR for this project.

Regarding other issues, I believe that under section IV Geology and Soils "c" on page 4-10, the topics of subsidence and liquefaction should be addressed. What about the potential for subsidence and liquefaction due to cumulative and long term drawdowns and declining groundwater levels that may increase soil instability?

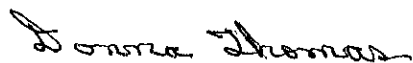
Under section VIII Hazards and Hazardous Materials page 4-11, the Initial Study and the EIR should address the issue of arsenic treatment in the proposed project wells, if needed, as well as in mitigation measures for private wells that may face the need for arsenic treatment. How will the waste products and products used for treatment be handled?

What about addressing potential drainage and flooding effects (section IX Hydrology and Water"d" on page 4-16) upon and from the Little Dixie Wash and Highway 395 in storm events?

I believe that Table 2-3 entitled Anticipated Agency Approvals and Reviews on page 2-10 omits some agencies that should be reviewing the Initial Study and EIR for this project. For example, Fish and Wildlife Service permits may be needed as well as review of impact on botanical endangered species or special status species by the California Native Plant Society. Tribal groups are not referenced for review of Cultural aspects.

Thank you for the opportunity to comment as part of the public hearing held on July 13, 2011 at the Indian Wells Valley Water District. Thank you for your serious consideration of these very important matters.

Sincerely,

A handwritten signature in cursive script that reads "Donna Thomas".

Donna Thomas

Attachment: Letter dated August 9, 2007 from Kern County Planning

7/12/2011

PLANNING DEPARTMENT

TED JAMES, AICP, Director

2700 "M" STREET, SUITE 100
BAKERSFIELD, CA 93301-2323

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RESOURCE MANAGEMENT AGENCY

DAVID PRICE III, RMA DIRECTOR

Community & Economic Development Department

Engineering & Survey Services Department

Environmental Health Services Department

Planning Department

Roads Department

August 9, 2007

File: IWVWD
2007/2008 Water Supply
Improvement Project

Indian Wells Valley Water District
Attn: Tom Mulvihill
500 West Ridgecrest Boulevard
Ridgecrest, California 93555

RE: Comment Letter – Initial Study and Draft Mitigated Negative Declaration for the
2007/2008 Water Supply Improvement Project (May 2007) (SCH 2007051044)

Dear Mr. Mulvihill,

Kern County appreciates the opportunity to provide comments on the Mitigated Negative Declaration (MND) prepared for the proposed 2007/2007 Water Supply Improvement Project (State Clearinghouse Number 2007051044). The Indian Wells Valley Water District is a retail supplier of water for domestic use, landscape irrigation and fire protection for the City of Ridgecrest, and specific areas in San Bernardino County. This project proposes to construct various facilities and pipelines to expand the District's domestic water supply on 40 acres in the unincorporated community of Inyokern. These properties and all water pipelines to be constructed are within the unincorporated area of Kern County. The Kern County Planning Department has been designated by the Board of Supervisors as the official resource and expert on implementation of CEQA for County Departments. Under this designation and the Home Rule resolution, the Planning Department reviews other agencies environmental documents for projects that may impact County residents, businesses and affect economic growth in unincorporated communities. Staff works closely with County Counsel's office in ensuring compliance with CEQA. Kern County is, as well, a participating member of the Indian Wells Valley Cooperative Groundwater Management Working Group. Staff has reviewed the proposed Mitigated Negative Declaration and provides the following comments for the record. As this department did not receive the MND for comment until July 18, 2007, well after the June 6, 2007 close of public comment, Staff requests this comment be provided to the Board of Directors and included as part of the official administrative record on this matter.

Public Notification and Hearing Process Inadequate

Members of the public hold a "privileged position" in the CEQA process; such status reflects both "a belief that citizens can make important contributions to environmental protection and... notions of democratic decision-making..." *Concerned Citizens of Costa Mesa, Inc v 32nd District Agricultural Association* (1986) 42 Cal.3d 929,936[231 Cal. Rptr. 748]. The process of soliciting comments on the MND involved minimal notification that may have met the strict interpretation of law, but not the intention of community outreach and meaningful public participation required under CEQA. The District's own documents make statements that imply a commitment to the public process and interest in public comments. Appendices E of the MND includes the District's Supply Enhancement Plan (2003) that states in part "District shall be cognizant of the local needs of community ... and intends to work closely with the community on any supplemental supply." The MND contains no list of agencies that were notified directly and this department did not receive a copy of the MND until after the comment period was closed. The MND clearly states on page 2 that the District is a member of the Indian Wells Valley Cooperative Groundwater Management Working Group. This group meets monthly and has publicly expressed interest in projects affecting groundwater in the Indian Wells Valley. The MND was not provided to any of the members of this group. Surrounding property owners were not mailed notices that would have alerted them to request the MND for review and comment. Although sent to the CEQA State Clearinghouse as required by law, OPR is only responsible for distribution to State agencies, not local or federal entities. The necessary filing with the Kern County Clerk was completed, but does not constitute notification of specific County departments who rely on direct notification.

A public hearing was held on this matter before the Board of Directors on July 9, 2007. At that time public testimony was taken on the environmental document and closed for public comment. The matter was then continued for further discussion to a meeting on August 13, 2007.

At that meeting a large number of citizens and others attended, but due to the size of the Board meeting room were not able to hear or speak. Further, two additional public opportunities for comment occurred as Board subcommittees met on August 7 and August 9 that had this CEQA document on the agenda. Neither of these two opportunities was widely known as to actually provide the public and agencies a meaningful opportunity to comment. Further the inclusion in the document of pre-drafted findings (Appendix A – Draft Mitigated Negative Declaration and Draft Mitigation Monitoring Program) that references the Board has reviewed all written comments and all impacts are less than significant sends a poor message to the public.

As this department, as well as others, did not have either a copy of the MND or notification of the public hearing on July 9, 2007, it is appropriate and required that public testimony be taken on the adequacy of the environmental document at the August 13, 2007 hearing. While public hearings on the proposed negative declaration are not required under CEQA, the Courts have held that it is an error to hold a hearing on the project, but not on the environmental document for the project. (CEQA Guidelines Section 15202(b), *Bakersfield*

Citizens for Local Control v City of Bakersfield (5th Dis. 2004) 124 Cal. App.4th 1184 1200-1202 [22 Cal. Rptr 3d 203]. Staff requests that you provide a place that will accommodate a large number of people, reopen the public hearing and accept written and oral testimony on the document, as well as the project.

Environmental Analysis, Project Description and Determination of Significance Incomplete and Inadequate

Project Description

The project description does not include complete details of the project so that an adequate evaluation of the impacts can be completed. The following actions and components are mere statements in the documents with no explanation, maps or other diagrams showing the location or extent of the activity. They include, but are not limited to : site grading, construction of a 1 acre discharge pond, pipelines and any related pumps, motors and control facilities and disinfection and treatment facilities. There is no explanation of construction scheduling, duration, phasing or equipment required for grading, excavation, well drilling or construction of treatment facilities. These details are required to be discussed and evaluated for environmental effects of implementing the project. CEQA case law notes:

“ A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal’s benefit against its environmental cost, consider mitigation measures, and assess the advantage of terminating the proposal.. and weigh other alternatives in the balance.”

County of Inyo v City of Los Angeles (3d Dist 1977) 71 Cal. App. 3d 185, 193 [139 Cal. Rptr. 396]

III Air Quality

There is no information or study provided in the comments to the checklist to support the conclusion that the project will have a less than significant impact on air quality. In fact the checklist appears to state there will be impacts “.. Aside from short-term, impacts during construction...”(p. 19) Without air quality modeling to provide quantification, Staff is unable to determine if the impacts are below the adopted Kern County Air Pollution Control District thresholds for CEQA analysis NO_x (25 t/y) ROG (25 t/y) and PM₁₀ (15 t/y). (Guidelines for Implementation of the California Environmental Quality Act (CEQA) of 1970 for Kern County Air Pollution Control District amended July 1, 1999) A full air quality modeling by an accepted model (EMFAC 2007 or Urbemis 9.1) along with appropriate other air models for construction and truck traffic associated with construction activities should be completed for an adequate CEQA document. The activities that need analysis include, but are not limited to: site grading, construction of a 1 acre discharge pond, pipelines and any related pumps, motors and control facilities, including the use of temporary diesel pumps, well drilling and disinfection and treatment facilities. Given the project’s location within the Joint Service R-2508 Airspace and within ½ mile of China Lake Naval Weapons Station, impacts on visibility from fugitive dust also should be evaluated. In addition, the studies should address the related health impacts on surrounding property owners from construction activities and on-going project operations.

All studies and recommended mitigation measures to reduce impacts on air quality should be included and recirculated for comment before the documents determination that the impacts are less than significant impacts can be substantiated.

V. Cultural Resources

It is unclear from the short description in the checklist and attached study if the pipeline right of way was surveyed for cultural resources. The document appears to rely on a simple statement that the pipelines will be "...generally within existing dirt roads." (pg 11). The document includes no aeriels or other diagrams showing the location of the purposed pipelines. . As noted in the Appendices C Cultural Resources Overview, Water System General Plan, Indian Wells Valley Water District (CRM Tech 1997) " records search results show that less than 5% of the study area has been systematically surveyed for archaeological resources, leaving a hugh question mark for Indian Wells Valley in terms of presence or absence of sites." (p. 6). A full archeological survey of all areas that could be disturbed by implementation of this project needs to be completed for inclusion in the environmental document and circulated for public comment. Further the recommendations of the cultural resource study that was completed for the actual well site properties have not been included as fully enforceable mitigation measures. The mitigation measures should be revised and recirculated for inclusion of all recommended measures for the protection of archeological resources before the determination of less than significant impacts cannot substantiated.

VIII Hazard and Hazardous Materials

Item e. (p. 35-36) The document notes the project is within the Joint Service Restricted R-2508 Air Space, references the Kern County Airport Land Use Compatibility Plan and states that China Lake and EAFB will be notified. It is not clear from the record that these installations ever received the document. Impacts on shared water resources for the China Lake installation, along with potential air quality impacts on visibility make it critical that the military have a full opportunity to review all relevant information. Based on the lack of information provided in the document the conclusion of less then significant impacts are not substantiated.

VIII Hydrology and Water Quality

Item a. (p.37) On July 23 ,2007 notification was made to Kern County by the District (attached Exhibit A) that an unregulated contaminant had been detected associated with disinfection and/or treatment facilities (including arsenic treatment) at well sites. This information raises a question as to the potential for contamination of the groundwater and surrounding water wells as this project includes these same types of facilities. This is a potentially significant impact that requires a full discussion as well as new information that requires revision and recirculation of the document.

Item b. (p. 38) The conclusion that the project will not substantially deplete groundwater supplies or affect surrounding land uses is based on incomplete information. The report included in the document only simulated the effects of production wells on the new facilities and does not show the effects on the surrounding property owners' wells. A full modeling study needs to be completed on the potential impacts to all surrounding water wells.

Further the MND should provide the public with information regarding the Districts water rights in relation to the groundwater basin. Surrounding property owners of existing homes and wells have overlying rights to sufficient water which supercede the rights of the District to extract water, as your rights would be appropriative rights to attach only surplus waters. (*California Water Service Co v Edward Sidebotham & Son, Inc* (1964) [224 Cal. App. 2d 715, 725.] The courts have further confirmed the overlying users (surrounding property owners) right to reasonable protection against pumping that lowers groundwater levels in the overlying owner's wells. (*Burr v Maclay Rancho Water Co,* (1908) 154 Cal. [428, 435-436]. A mitigation measure should be included that determines, if water levels drop to levels that render the existing well either unuseable or results in cost to redrill for the owner, that the District will adjust operations to prevent such impacts. Absent such a mitigation measure, the impacts to surrounding properties owners they may substantially deplete nearby wells to levels that cannot support a single-family residence are significant and unavoidable.

Along with the absence of a complete analysis of the potential pumping of groundwater at the levels stated in the document (two wells, each with a capacity of pumping 2, 500 gpm) are any mitigation measures to protect and minimize impacts on surrounding private well owners. The following are recommended mitigation measures that could be imposed to lessen the potentially significant impacts on surrounding water well owners. These mitigation measures have been included in a water supply and recharge project EIR approved by the Board of Supervisors and have been successfully implemented in other areas of Kern County.

Proposed Mitigation Measures

1. Create a monitoring committee to monitor the impact of operations on groundwater levels and quality and to ensure that adjacent landowners are protected. The monitoring committee would be responsible for development of a detailed monitoring and operational constraints plan and would ensure that it is implemented. Composition of the monitoring committee shall include, at a minimum, the following representatives: District , Inyokern Community Services District, China Lake, neighboring landowners and/or other selected representatives, and Kern County. The monitoring committee would meet regularly and provide reports to the property owners as well as the Lahontan Regional Water Quality Control Board. All cost for the committee operation are to be borne by the District.
2. To ensure that Project operations do not adversely impact the quality of nearby resident's drinking water, the monitoring committee shall offer to sample and analyze water from domestic drinking water wells located within two or three miles of the operations. In order to assess the results of these analyses, samples will need to be collected before and after operations begin. The sampling and analysis protocols shall be defined in the monitoring and operational constraints plan. If analytical results reveal that the project operations may adversely affect a resident's drinking water well, then operations will be adjusted to prevent such effect or the owner of the well shall be provided compensation of an alternate source of water in the event that adverse effects do occur.

The conclusionary statements regarding the amount and adequacy of water supply available for future use is based on a single report done in 1993 by the US Bureau of Reclamation. This 14 year old document does not include an cumulative analysis of current conditions that could affect water demands such as the City of Ridgecrest General Plan update, Kern County General Plan update completed in 2004, Current update of San Bernardino General Plan, and the districts own admission of growth on page 2. A complete analysis of demands and availability of water needs to be included in the document so that the public and decision makers can understand the need or other feasible alternatives for the project.

Item e (page 40). There are no "planned storm water drainage systems" in the area. There is, however, dirt and county maintained roads that could be undermined or eroded by releases of water. Analysis should be provided to substantiate this conclusionary statement of "no impact".

Item d (page 40) As previously noted, there is new evidence of the release of an unregulated contaminant from existing water wells. Without a complete project description and analysis of the construction and operation of the disinfection and treatment facilities (including arsenic treatment) the conclusion of "no impact" to water quality is unsupported by the record.

IX Land Use and Planning

Item b (p. 42) The MND uses Section 53091 of the California Government Code to state " General Plan designations and zoning restrictions are not applicable to water facilities." In fact this Government Code Section only references zoning. While saying the district is exempt from the requirements of the General Plan, the document discusses General Plan requirements in a number of places and then appears to be using compliance with the plan to justify minimal analysis and no mitigation.

While the District may be exempt from the General Plan requirements, CEQA does require analysis of indirect impacts of the implementation of a project. The Kern County General Plan Circulation Element requires that section and midsection lines be reserved for a roadway network. No maps were provided showing the location of the recharge ponds or water wells. It is not clear if these facilities would be located within an eventual road right of way to implement the circulation impact. Absent this level of analysis, the impacts are potentially significant for the eventual build out and access to adjacent parcels as well as regional circulation.

IX Population and Housing

Item a (p 46-47) Enhancing the capacity of the Indian Wells Valley Water District to provide for an expanded population and growth in the City of Ridgecrest is clearly growth inducing. In fact page 2 of the document states that the project is intended to "plan for moderate growth of the community". As there is no evidence in the document that there is any current emergency for the District in providing water to current customers, the project is wholly intended to accommodate growth. In addition the activities listed on page 2 and 3 of the MND that are being done by the District to manage growth demands on the water supply are not described in sufficient detail to justify the project as the only alternative. The full growth inducing impacts of increasing the water supply through implementation of this project need to be included in a revised environmental document for review and comment.

XVII Mandatory Findings of Significance

Item a (p. 55) Field studies of the pipeline alignments have not been completed. The recommendations for reduction of impacts on archeology have not been included as mitigation measures to support the conclusion of less than significant with mitigation incorporated.

Item b (p. 56) The conclusion of no impacts for cumulative impacts is conclusionary and unsubstantiated by the record. As detailed in previous comments, the cumulative impacts from growth on water supply quantity and quality have not been addressed. This impact is potentially significant and may require the preparation of an Environmental Impact Report.

Conclusion

The Kern County Planning Department requests that the Board of Directors reopen the public hearing on August 13, 2007 to take public testimony and refer this project back to staff for preparation and circulation of an adequate environmental document. The Mitigated Negative Declaration is inadequate, not in compliance with CEQA and can not be used for approval of the project. The analysis and studies requested in this comment letter, specifically on archeology, air quality and hydrology should be conducted and recommended mitigation measures identified and imposed. Based on the growth inducing and air quality impacts this project is potentially significant and pending the results of additional studies it is not clear that a Mitigated Negative Declaration is sufficient. If the air quality impacts or the project is found to be growth inducing, an Environmental Impact Report may be required. The appropriate document should be prepared and recirculated for a new comment period. All persons who have submitted letters of comment as well as all agencies and parties of interest on the mailing list for the IWV Water District should be mailed copies of the document for review. All surrounding property owners within 1000 feet of the project boundaries, including the pipeline alignments, should also receive direct notification of the availability of the document.

Kern County Planning requests copies and notifications of all actions and hearings on this project, including any resolutions and the filing of any Notice of Determination on the project. If you have any questions regarding these comments please contact Lorelei Oviatt at (661) 862-8866. Thank you for the opportunity to participate in the environmental review process.

Sincerely,

Lorelei H. Oviatt, AICP
Special Projects Division Chief

cc: Resource Management Agency
Environmental Health Services Department
Supervisor Mc Quiston
Craig Peterson
County Counsel – Bruce Divelbiss

received
7/12/11

11 July 2011

Board of Directors
Indian Wells Valley Water District
PO Box 1329
Ridgecrest, California 93555

Dear Directors:

We are writing in reference to the *Indian Wells Valley Water District, Draft Environmental Impact Report for Water Supply Improvement Project*.

This letter of protest is based on the failure of the Water District to follow best engineering practices in the scoping of the Water Supply Improvement Project.

The Water Supply Improvement Project and peak pumping requirements have been based on a false premise. The premise that "thousands" of new positions were to be added to the Naval Air Weapons Center (NAWC) and these new employees would be accompanied by thousands of family members as a result of the Base Realignment and Closing (BRAC) has now been proven to be false. The false premise continued that additional Defense Contractor personnel would also be added, thereby necessitating additional water demands on the Water District. It is now well understood, by all, that a huge spike in the Ridgecrest population, as predicted by the Water District did not, and will not happen. Most all of the new positions at NAWC that will be filled, have already been filled. By the Water District's own admission, no perceptible spike in water use could be or has been detected. Therefore in the Draft Initial Study, it has been noted that the requirements for additional pumping noted in Paragraph 2.3 and Table 2-1 were based on this false premise.

The additional facts of the new Water District higher rate schedules for Water District customers to offset the costs of arsenic treatment and, public conservation efforts has already reduced water consumption by the Water District customers by 17% in the past year. This has had such a significant impact on Water District revenues that Water District employees are being laid off due to the significant shortfalls in the Water District's operating budget.

The pursuit of this Water Supply Improvement Project does not appear to be based on sound requirements and just does not make any prudent sense.

When the above false premises are evaluated with the current state and federal economic situations, and the extremely high probability of significant Defense Budget reductions, any predictions of new growth in the Indian Wells Valley in the next number of years is totally out of touch with reality.

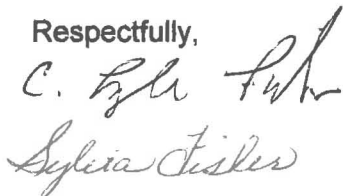
Instead of new wells and increased pumping capacities the Water District should be pursuing alternative water sources from outside this valley. As a minimum, the Water

District should be pursuing the blending of the lower quality water with the high quality water that is currently being pumped. Just the adding of additional storage capacity to meet any new peak demand requirements would be far more cost effective than drilling and outfitting new wells.

We strongly recommend the Water District Board of Directors reject the Water Supply Improvement Project as being totally out of step with the times.

We respectfully request that this letter be entered into the official comment record of the formal Public Hearing of the Environmental Impact Report. We request acknowledgement of this letter.

Respectfully,

Handwritten signatures of C. Lyle Fisher and Sylvia Fisher. The signature of C. Lyle Fisher is written in a cursive style, and the signature of Sylvia Fisher is also in cursive.

C. Lyle Fisher and Sylvia Fisher
354 N. Strecker St.
Ridgecrest, California 93555 (Ph. (760)377-4613)

CC: Mr. Jon McQuiston, Kern County District 1 Supervisor
Ms. Lorelei Oviatte, AICP, Division Chief, Kern County Planning Department

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



July 8, 2011

Mr. Tom Mulvihill, General Manager

Indian Wells Valley Water District

500 W. Ridgecrest Boulevard
Ridgecrest, CA 93555

Re: SCH#2011071010 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the "Water Supply Improvement Project," located west of the City of Ridgecrest; southeast and east of Inyokern and south of the NAWS China Lake in eastern Kern County, California

Dear Mr. Mulvihill:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604.. The NAHC wishes to comment on the above-referenced proposed Project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within one-half mile of the project site, the 'area of potential effect (APE), based on the USGS coordinates provided. The absence of archaeological items at the surface level does not preclude their existence at the subsurface level once ground-breaking activity is underway.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to C" A Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore we recommend, also, that you contact the California Historic Resources Information System (CHRIS) California Office of Historic Preservation for pertinent archaeological data within or near the APE, at (916) 445-7000 for the nearest Information Center in order to learn what archaeological fixtures may have been recorded in the APE.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

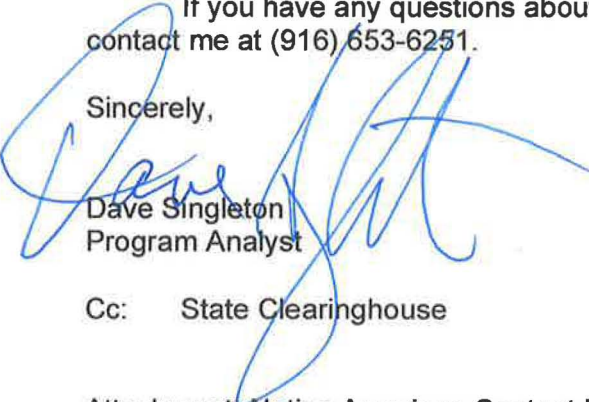
To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

The response to this search for Native American cultural resources is conducted in the NAHC Sacred Lands Inventory, established by the California Legislature (CA Public Resources Code 5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code 6254.10) although Native Americans on the attached contact list may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance" may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places and there may be sites within the APE eligible for listing on the California Register of

Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

California Native American Contact List

Kern County

July 8, 2011

Tubatulabals of Kern Valley
Donna Begay, Tribal Chairwoman
P.O. Box 226 Tubatulabal
Lake Isabella, CA 93240
drbegay@aol.com
(760) 379-4590
(760) 379-4592 FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011071010; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Water Supply Improvement Project; located west of the City of Ridgecrest; east of Inyokern and south of the NAWS China Lake federal facility; Kern County, California.

received
8/10/11

August 4, 2011

MISS ROSE -

I KNOW THIS IS LATE BUT
THOUGHT I WOULD BRING
YOU A COPY ANYWAY.
HAVE A GREAT DAY!

DIANA

Attn: Tom Mulvihill
Indian Wells Valley Water District
500 W Ridgecrest Blvd
Ridgecrest CA 93555

I request that my letter be included in the Public Record.

RE: IWV Water District Water Supply Improvement Project 2011

Dear Mr. Mulvihill:

I am a private well owner and have recently acquired my grandparents' two parcels on West Ridgecrest Blvd. I moved with my grandparents (Willis and Louise Grossardt) as an infant to our current location in 1973. It was purchased for them to raise livestock and *enjoy living the American life*. My grandfather moved to Ridgecrest in 1942 and helped create Ridgecrest as it is known today. He created/designed a beautiful location for his family including his future great-granddaughter Samantha. I remember our place being green, healthy and beautiful with many cottonwood and pine trees. We also enjoyed our pond with geese, ducks, peacocks, and turkeys etc. With the drought that we know today our pond has been filled with dirt and 95% of our trees have died.

With the passing of Roy Tipton my grandparents purchased the adjoining parcel which I now own. It also was beautiful with flowing grapevines and at one time had the tallest cottonwood trees in the area that could be viewed from as far as Jacks Ranch Road or Inyokern Road! Everything is now dead! I own two wells, one on each parcel. I remember that an earthquake came through one year and damaged the well on this property. My grandparents had to repair it which was not inexpensive!

The water table is dropping and what the IWVWD wants to do is irresponsible and totally unacceptable! We have been in OVERDRAFT for 50 years folks!! They came up with a practically identical proposal in 2007! Drilling more wells and increasing pumping capacity is nothing short of criminal!! They must not be allowed to ignore the facts to the detriment of all private well owners, co-ops and mutual water companies in the entire valley that have overlying water rights.

After the passing of my grandfather in April 2002, my grandmother sold property located on Highway 14 to your place of employment (IWVWD). She was told that it was going to be used for a drill site for more wells. *I believe she would have reconsidered selling to IWVWD if she knew they were more concerned with making a profit over her grandchildren!*

We will all need drinking water in the future! My family does its part by the usual water-saving tips like turning the water off while brushing our teeth, only doing full loads of laundry etc. I am happy to see that Ridgecrest has finally implemented laws and started educating people who decide to wash the desert sand off of their driveways and water their lawns during peak hours of the day when the water is evaporated. If they had only done it sooner!

Sincerely,

Diana L Rodriguez

Diana L Rodriguez (Grossardt)
3641 W Ridgecrest Blvd
Ridgecrest CA 93555

Cc: IWVWD Board
Supervisor Jon McQuiston
Kern County Planning Dept
Senator Jean Fuller
Assemblywoman Shannon Grove