Final Technical Memorandum

August 8, 2013

Subject: **Stanislaus Regional Water Authority Regional Surface Water Supply Project - CEQA Gaps Evaluation**

To: Dan Madden, Municipal Services Director, City of Turlock

Cc: Steve Stroud (SWRA Interim General Manager), Jack Bond (City of Modesto), and Michael Brinton (City of Ceres)

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Purpose

Horizon Water and Environment (Horizon) is contracted with the Stanislaus Regional Water Authority (SRWA), a joint powers authority comprised of three cities (Modesto, Turlock, and Ceres) and in partnership with the Turlock Irrigation District (TID), to evaluate the applicability of prior California Environmental Quality Act (CEQA) documentation and the identification additional CEQA documentation needs for implementation of the Regional Surface Water Supply Project (RSWSP). The RSWSP involves multiple facilities to provide treated surface water from the Tuolumne River to water users in the three participating cities' service areas. To date, CEQA documentation for the RSWSP has included the following:

- An Initial Study/Mitigated Negative Declaration (MND) addressing the existing infiltration gallery, future pump station, and raw water conveyance pipeline from the pump station to a TID irrigation canal (completed by TID in 2001);
- An Environmental Impact Report (EIR) addressing the RSWSP in general, including the Water Treatment Plant (WTP) and treated water transmission pipelines to each City, but not each City's terminal reservoirs (water tanks) and associated downstream facilities (completed by TID in 2006);
- A Programmatic level EIR (PEIR) for the City of Modesto's 2010 Water System Engineer's Report, which included their terminal reservoirs and related downstream facilities (completed by the City of Modesto in 2010); and
- An EIR for the City of Ceres Water and Sewer Master Plans, which included their terminal reservoirs and related downstream facilities (completed by the City of Ceres in 2013).

This evaluation provides a review of past CEQA documents, documents associated with the proposed updated project facilities, and other relevant plans and environmental documents. On this basis, the objectives of this evaluation are to:

1. Provide a background regarding the RSWSP and prior CEQA documentation.

2. Summarize the proposed updates to RSWSP components.
3. Identify aspects of the proposed RSWSP updates that were not (or were not adequately) addressed in the prior CEQA documents, which may necessitate additional CEQA documentation.
4. Present options for a CEQA compliance pathway moving forward, including identification of the type of CEQA document(s) needed, the appropriate lead agency(ies), and other legal/process requirements.
5. Provide recommendations and conclusions.

This evaluation builds off of a similar CEQA gap review of the RSWSP prepared by Horizon in 2009 (Attachment A).

Background

The Infiltration Gallery Project was evaluated under CEQA in 2001 and contained three components: 1) an Infiltration Gallery constructed in the Tuolumne River; 2) a raw water pump station; and 3) a raw water conveyance pipeline from the pump station to TID's "Ceres Main Canal" for irrigation purposes. An MND was adopted in 2001 and addressed construction and operation of the three components above, but noted that the components would be constructed in phases. The infiltration gallery was constructed in 2003 but has never been operated. The raw water pump station is currently planned to be constructed as part of the RSWSP and the raw water conveyance pipeline to the Ceres Main Canal would be constructed at some other time in the future.

The RSWSP was evaluated under CEQA in 2006 with the identified goal of providing treated surface water to the participating agencies using TID-supplied Tuolumne River water. The 2006 evaluation of the RSWSP involved two primary components to be constructed by TID: a WTP; and treated water transmission pipelines. .

Since 2006, a number of changes have been made to the RSWSP including, but not limited to: adjustments to the WTP capacity, design, and operations, updated design details for the raw water pump station, revised alignment of the raw water conveyance pipeline from the pump station to the Ceres Main Canal, and updated alignment and construction details for some segments of the treated water transmission pipelines. The known changes at the time were reviewed for adequacy of CEQA coverage by Horizon in a memorandum dated December 9, 2009 (Attachment A). The memorandum recommended either a CEQA Addendum or a Subsequent EIR to the 2006 RSWSP EIR be completed.

The SRWA was formed in 2012 and is now the entity which would construct, operate, maintain, and own the WTP and treated water transmission pipelines. TID will operate, maintain, and own the Infiltration Gallery, raw water pump station, and raw water conveyance pipeline from the pump station to the Ceres Main Canal. Each participating agency will be responsible for construction and operation of their respective terminal reservoirs and downstream facilities (i.e., booster pump stations, backup generators, run-to-waste retention basins, transmission and distribution pipelines, etc.).

At this time, the SRWA is seeking further guidance on CEQA coverage for, but not limited to, the

following project components that have been updated or added since previous CEQA evaluations were conducted:

1. Terminal reservoirs and associated downstream facilities for the Ceres' and Modesto's water systems (note that Turlock will be conducting their own separate environmental review of their proposed terminal reservoir , and so the Turlock terminal reservoir is not considered in this evaluation);
2. Design, location, construction, maintenance, and operational updates to the Infiltration Gallery, pump station, revised alignment of the raw water conveyance pipeline from the pump station to the Ceres Main Canal and its branched pipeline to supply raw water to the WTP. (Note: this pipeline extends from the raw water pump station past the turnout, all the way to the TID's Ceres Canal, not just to the WTP.);
3. Preparation for operation of the Infiltration Gallery to extract raw water from the Tuolumne River;
4. A new alignment for Turlock's treated water transmission pipeline;
5. Construction and operation of a Geer Road Intertie (pipeline) across the Tuolumne River that would connect the TID and Modesto Irrigation District's (MID) treated water transmission facilities;
6. Potential addition of future RSWSP partners, such as the City of Hughson and the communities of Denair, Keyes, and Delhi, and other potential water users in the RSWSP water service area;
7. Increased treatment capacity of the WTP beyond the 42.5 mgd limit identified in the 2006 EIR.

Evaluation of Updated Project Components

#1 Terminal Reservoirs and Associated Downstream Facilities for Modesto and Ceres

Terminal Reservoirs

Modesto and Ceres need to construct terminal reservoirs and downstream facilities (i.e., booster pump stations, transmission and distribution pipelines, etc.) in order to receive and efficiently distribute treated surface water from the RSWSP. A property located in Modesto at 1205 East Whitmore Avenue, at the corner of Morgan Avenue, has been identified for potential acquisition to accommodate the terminal reservoirs and booster pump stations for both cities (most of the downstream transmission and distribution pipelines will be off-site of this property). The 39-acre parcel is zoned for heavy industrial use, but is currently used for agricultural production. Approximately 9.5 acres of the 39-acre parcel would be acquired to construct three water storage tanks, two booster pump stations, production well, retention basin, access road, and other associated facilities. Modesto has developed planning level site plans and conducted a land appraisal of the site. The land has yet to be acquired for construction of the proposed facilities. The treated water pipelines and the terminal reservoirs will need a means for flushing of sterilization water, both during construction and the subsequent operation (i.e. cleaning). This is a means of discharge from the pipelines & tanks and a place to put the water and the equipment for dechlorination of same.

Modesto's 2010 Water System Engineer's Report EIR included an evaluation of two proposed 5-million gallon water storage tanks and a booster pump station at the subject parcel (part of the Proposed Contiguous Service Area Buildout "Option A" evaluated in that EIR). The analysis conducted in the EIR was programmatic in nature. Project-level evaluation of the property and proposed facilities has not been conducted.

Ceres would construct one 4-million gallon water storage tank and a booster pump station on the same property, adjacent to Modesto's tanks. Ceres' tank and pump station were recently evaluated at a project level in a CEQA document completed in March 2013.

Downstream Transmission Facilities

Booster pump stations, transmission and distribution pipelines, and other facilities (i.e., booster pump stations, backup generators, run-to-waste retention basins, etc.) are needed to convey treated RSWSP water from the Modesto and Ceres terminal reservoirs throughout their respective water systems. These downstream facilities are discussed below.

Modesto:

- 24-inch diameter transmission main from the two terminal tanks at Whitmore Avenue to a proposed connection at the intersection of Whitmore and Tuscon Avenues.
- 16-in diameter transmission pipeline from Tuscon Avenue to Carpenter Road and along Carpenter Road north to Hatch Road.
- 16-inch diameter connection point at Whitmore Avenue and Morgan Road.
- 12-inch diameter connection point at Whitmore Avenue and Nickerson Drive.
- 16-inch diameter connection point at Whitmore Avenue and Crows Landing Road.
- 12-inch diameter connection at Whitmore Avenue and Tuscon Avenue.
- 16-inch diameter connection at Hatch Road and Carpenter Road.

These pipelines were evaluated programmatically in the Water System Engineer's Report EIR.

Additionally, a new groundwater well may be constructed adjacent to the terminal reservoir and booster pump station on Whitmore Avenue.

Ceres:

Approximately 28,000 linear feet of 24-inch or larger transmission pipelines are needed to convey RSWSP water from the storage tank and booster pump station on E. Hatch Road, south along Faith Home Road, then west along Roeding and Kinser Roads to the joint Modesto/Ceres storage tank and booster pump station on E. Whitmore Avenue and Morgan Road. This transmission pipeline was evaluated at a project level in the Ceres 2013 Water and Sewer Master Plan EIR.

Additional distribution lines would be constructed in the long term (after 2022) to support full buildout of Ceres. Approximately 170,000 linear feet of 12- and 16-inch-diameter transmission mains would be installed in various locations throughout Ceres' service area in the long term to expand the water supply system and improve existing system flows and pressures. A list of pipeline segments was identified and evaluated programmatically in the 2013 Water and Sewer

Master Plan EIR. However, these pipelines have yet to be confirmed for construction and they are not all specifically associated with distribution of the RSWSP supply.

Evaluation:

Terminal Reservoirs

Project-level evaluation of the City of Modesto's proposed tanks and pump station needs to be conducted. In addition, the well and retention basin that is currently proposed for the site was not discussed in the Modesto or Ceres EIRs and also requires project-level CEQA evaluation. The evaluation should also include a review of Ceres' EIR for consistency with Ceres' facilities as currently planned.

Likely impacts of these project facilities requiring further CEQA evaluation include:

- Temporary construction-related impacts, which are expected to be able to be mitigated to less than significant (LTS) (air/dust controls, traffic controls, spoils disposal from retention basin excavation, etc.).
- Impacts of relocation of utilities (sewer, electrical, etc.), which are also expected to be mitigated to LTS with proper coordination with owners and service providers.
- Greenhouse gas emissions associated with increased energy use for the pump stations, considering any offsetting reductions in emissions due to reduced reliance on wells and groundwater treatment systems.
- Evaluation of the impacts of conversion of agricultural lands to non-agricultural uses at the proposed tank site. The impacts of conversion of agricultural use at the property were likely considered in a previously certified CEQA document, such as the City of Modesto Urban Area General Plan Master EIR, which covers buildout of their General Plan area, since the property is currently zoned for heavy industrial use. However, this needs to be confirmed.
- Growth inducement related to increased staff needed to operate the facility (anticipated to be LTS due to the small number of new staff).
- The combined impacts of these facilities (as compared to the individual impacts of each as considered in prior CEQA documents).

As part of this assessment, impact evaluations and mitigation measures contained in prior CEQA documents should be reviewed for applicability. For instance, while Modesto's Water System Engineer's Report EIR did not include a project-level evaluation of these facilities, it did evaluate impacts associated with construction of similar facilities, and identified mitigation measures for those impacts identified as potentially significant. Such analysis may be able to be leveraged for use here.

Downstream Transmission Facilities

Adequate details regarding the downstream transmission facilities do not currently exist to support a project-level analysis, particularly for Ceres' facilities. Our current recommendation is to leave CEQA coverage as-is (programmatic coverage) until sufficient details are available to support a project-level analysis.

#2 Infiltration Gallery, Pump Station, and Raw Water Conveyance Pipeline to the Ceres Main Canal and its Branched Pipeline to the RSWSP WTP

A branched pipeline connection to supply water to the WTP from the raw water conveyance pipeline running from the pump station to the Ceres Main Canal was not evaluated in the previously completed CEQA documents associated with the RSWSP. The RSWSP EIR included evaluation of a connection between the pump station and the Ceres Main Canal, but not between the raw water conveyance pipeline and the WTP. Without this branched pipeline connection, the WTP would not receive raw water from the infiltration gallery pump station.

Evaluation:

This branched pipeline is a minor facility. However, due to construction in close proximity to the Tuolumne River, installation of the pipeline could result in impacts to biological and cultural resources, and potentially other environmental impacts. The majority of these impacts would be temporary and construction-related, and mitigated to LTS with implementation of mitigation measures.

#3 Infiltration Gallery Cleaning and Hydraulic Analysis in Preparation for Operation

The infiltration gallery was constructed in 2003 but has never been operated. In the 10 years that have passed since the infiltration gallery was installed, river sediments (silt and gravel) may have collected in and around the infiltration screens. In order to install the pump station and operate the infiltration gallery, the infiltration screens need to be cleaned out and tested. The 2001 MND addressed construction and operation of the entire infiltration gallery project. Work required to clean and test the infiltration gallery prior to operation was not considered in the MND. However, the 2001 MND (page 2-5) states that the cleaning and maintenance plan for the infiltration gallery would be developed in the second phase of the project, after completion of the Tuolumne River Restoration Project (a separate TID project to restore fish habitat in the river). Our current understanding is that the operation and maintenance (O&M) plan for the infiltration gallery has yet to be developed. At present, the plans for cleaning and testing the facilities would involve shoring a 40-foot deep excavation of the pipelines that are connected to the intake. These pipelines terminate approximately 240 feet from the centerline of the Tuolumne River. The pipelines would be connected to temporary pumps, and water associated with dewatering and testing would be discharged either to the river, a nearby pond, or through some other means yet to be identified. At this time, it is not believed that the infiltration gallery itself would need to be excavated, or that other substantial work directly within the riparian area of the Tuolumne River would be needed, but it is possible (albeit unlikely) that this may become necessary, depending upon the outcome of the testing.

Evaluation:

The 2001 MND evaluated potential effects of periodic back-flushing of the infiltration gallery to clear fines from the pipes and intakes. Potential effects on water quality and aquatic habitat would result from suspension of fine sediment into the water column. Mobilized fine sediment during low summer flows were anticipated to be deposited immediately downstream of the gallery, whereas fine sediment released during high flows would be transported further downstream. Deposition of fine sediment immediately downstream of the gallery or further downstream in the river was not anticipated to result in substantial degradation of spawning

habitat. The impacts on water quality and aquatic habitat were identified to be less than significant due to the infrequent and short duration of back-flushing events (once in the spring or early summer and occasionally during the summer when the facility is in operation) and localized affected area.

It is likely that the effort to clean and test the gallery to initiate operation of the facility would result in similar impacts that were evaluated in the 2001 MND. However, the proposed work plan for this activity should be evaluated further to identify additional CEQA compliance needs, if any.

Authorization from federal, state, and local agencies will be required for the gallery clean out and testing activities proposed by TID in the near term. Discharges to the river from filter flushing and pump testing will require regulatory authorizations from the Central Valley Regional Water Quality Control Board and the California Department of Fish and Wildlife (CDFW). Impacts to special-status species, such as steelhead, elderberry bushes, etc. will require authorization from CDFW and the U.S. Fish and Wildlife Service. If excavation below the Ordinary High Water Mark of the Tuolumne River is necessary, approval from the U.S. Army Corps of Engineers and National Marine Fisheries Service will be necessary. Additionally, authorization from the Central Valley Flood Control Board may be necessary. CEQA compliance for clean out and testing activities, as described above, will support the regulatory agencies in issuing their approvals.

#4 Transmission Pipeline Realignment for the City of Turlock

The 2006 RSWSP EIR evaluated the transmission pipeline to the City of Turlock at a project level for the alignment envisioned at the time. Since the RSWSP EIR was certified, the alignment of the transmission pipeline to Turlock has been modified. Originally, the pipeline was planned to run south from the WTP on Aldrich Road, turn west on Fox Road, then run south on Euclid Avenue and Griffin Road, ending at Turlock's terminal reservoir located somewhere along Taylor Road. Turlock is now proposing an alignment running east on Fox Road and south on Berkeley Road to the terminal reservoir site at Taylor and Quincy Roads.

Evaluation:

The new proposed pipeline alignment would likely result in similar impacts as identified for the alignment considered in the RSWSP EIR. The pipeline would be constructed within existing road right-of-way and the majority of impacts would be temporary. However, evaluation of the new pipeline alignment is recommended to evaluate whether the revised alignment would result in any new or more significant impacts than were disclosed for the original alignment. Specifically, the evaluation should include the following steps:

- Review the RSWSP EIR and mitigation measures identified for the transmission pipelines in light of the resources which may be affected along the revised alignment.
- Review the Modesto 2010 Water System Engineer's Report EIR and Ceres Water and Sewer Master Plan EIR to identify whether these documents contain applicable impacts/mitigation measures identified for transmission pipelines.

#5 Geer Road Intertie

To improve water supply reliability, a pipeline intertie connection between the TID's treated water transmission facilities south of the Tuolumne River and the MID's treated water transmission pipeline north of the River is being considered. This intertie would not be constructed until after an agreement between the two Irrigation Districts is executed and the other RSWSP facilities have been completed, if constructed at all. The potential connection is called the Geer Road Intertie, and would consist of a pipeline that would run along Geer Road connecting the MID's treated water transmission pipeline from the Modesto Regional Treatment Plant (MRWTP) to the City of Modesto near Yosemite Avenue to the RSWSP WTP on the south side of the Tuolumne River. The pipeline would either be secured to the Geer Road Bridge, attached to a new and separate structure crossing the River, or constructed underneath the riverbed.

Evaluation:

It is likely that construction of the pipeline would result in a low level of impacts after implementation of standard construction BMPs, and impacts would primarily be temporary in nature.

Permanent, long-term, and cumulative effects may result from population growth inducement due to removal of water supply as an obstacle to growth, particularly in the areas south of the Tuolumne River.

#6 Future RSWSP Partners

The 2006 EIR for the RSWSP identified four cities and the unincorporated community of Keyes (located within the TID service area) that would receive treated surface water from the Proposed Project. Due to various reasons, the City of Hughson and the unincorporated community of Keyes have elected to no longer participate in the Project; leaving the cities of Ceres, Modesto, and Turlock as the remaining agencies actively involved in the SRWA and overseeing development of the RSWSP.

This reduces the scope of infrastructure that would be needed for the RSWSP at this time. However, should these agencies, or possibly even others such as Delhi and Denair, join or receive water from SRWA in the future, it would be expected that infrastructure will be needed to serve treated surface water to these communities (a portion to serve existing customers and a portion for future growth); thus, possibly creating impacts not directly related to the RSWSP.

Evaluation:

The reduced scope of infrastructure considered as part of the Proposed Project does not create any CEQA issues or concerns, because potential impacts would likely reduce. That said, if Hughson and Keyes have reasonably foreseeable plans to construct and operate water supply infrastructure, outside of the RSWSP, those facilities would need to be considered in combination with RSWSP facilities for potential cumulative impacts.

Future CEQA documents related to updates of the RSWSP should remove references to these two agencies along with any facilities originally identified as being needed to receive treated

surface water from the RSWSP; and state that to the extent the prior impact analysis addressed facilities proposed in Hughson and Keyes, that analysis is no longer relevant. The key point here is that additional CEQA documentation beyond an Addendum is required only when project changes result in new or more significant impacts.

In the cumulative impact analysis of a future CEQA document, the list of past, present, and reasonably foreseeable future projects will be expanded to include any reasonably foreseeable future infrastructure improvements for Hughson and Keyes, in the absence of their participation in the RSWSP. Note that the cumulative impact analysis does not need to speculate, and should only consider infrastructure that is reasonably foreseeable.

#7 Increased Treatment Capacity of the RSWSP WTP beyond the 42.5 mgd

Future WTP capacity was evaluated in the memorandum prepared by Horizon in 2009. Future WTP capacity increases were identified as follows:

- Phase 1 (2013): 29 mgd
- Phase 2 (2025): 42.5 mgd
- Phase 3 (Buildout): 55 mgd
- Ultimate Plant Capacity: 65 mgd

As stated in the 2009 memorandum, according to the RSWSP EIR (Section 4.2 *Hydrology, Water Quality, and Water Supply*), TID's pre-1914 water rights are conservatively quantified at 388,800 acre-feet per year (AFA). These water rights are either diverted for use or for storage. TID is statutorily authorized to provide water for all beneficial uses, including domestic uses.

The RSWSP EIR states that TID's post-1914 irrigation water rights are licensed for diversion and storage of water at Don Pedro Reservoir for irrigation and recreation uses within their service area. The maximum withdrawal allowed under TID's post-1914 rights is 716,639 AFA.

As stated in the RSWSP EIR, the quantity of TID's pre-1914 and post-1914 water entitlements are more than adequate to supply the proposed project (see Impact 4.2-10 on page 4.2-30 of the EIR).

The 2001 MND prepared for the Infiltration Gallery Project included withdrawal of 100 cfs (64.6 mgd) of water during the summer (April to September) for agricultural uses only. The RSWSP EIR project description identified 66 cfs year-round for domestic use and 34 cfs from April to September for agricultural use. In other words, 100 cfs will be withdrawn during the summer; however a portion of that supply will be used for domestic and not agricultural purposes.

<u>Evaluation:</u>

The 2009 memorandum identified the need to confirm TID's current application of pre-1914 and post-1914 water rights for domestic and agricultural use for future water demands (up to 65 mgd). While adequate water supplies appear to exist, the proportion of post-1914 water used for the project may affect necessary water rights actions on the part of the State Water

Resources Control Board (e.g., water transfers from TID to the SWRA; change in purpose of use).

Conclusions

Existing CEQA documentation addresses most of the project updates at a programmatic level, and some are covered at a project level. Without a more detailed evaluation, it is currently unclear whether there are new or more significant impacts requiring preparation of subsequent or supplemental CEQA documentation. However, since SRWA will have discretionary authority over construction and operation of a large portion of the RSWSP, SRWA, as a lead agency, must ensure that adequate CEQA coverage exists, considering the RSWSP changes evaluated in Horizon's 2009 memorandum and within this evaluation.

Our recommendation is to prepare an initial study which identifies all of the project changes and additions, changes in the environmental or regulatory setting, changes in CEQA requirements, and direction based on current CEQA case law, and uses the checklist from Appendix G of the CEQA Guidelines to make a determination as to whether any new or more significant impacts are possible. The initial study should cite applicable impact evaluations and mitigation measures from prior documents as appropriate.

Based on the conclusions of that initial study, several outcomes are possible:

(1) **Addendum.** The SRWA may conclude that a CEQA Addendum is the appropriate document. This is the appropriate CEQA document when the project's changes would not result in any new or more significant environmental impacts than described in the previous CEQA documents. The Addendum would attach the initial study and contain a justification as to why impacts would not be significant. The Addendum is not subject to public review, but must be considered by the SRWA at the time of project approval.

Due to potentially new and more significant impacts associated with items #5 and #6 (growth inducement and associated cumulative effects), we believe it is unlikely that the initial study will result in a determination that an addendum is the appropriate document.

(2) **Subsequent MND.** Should the initial study conclude that new or more significant impacts are possible, but can be mitigated to a level of less than significant, a subsequent MND would be the resulting CEQA document. This MND would focus only on those new or more significant impacts. We believe that it is likely that a Subsequent MND would adequately address any new or more significant impacts.

(3) **Subsequent EIR.** Should the initial study conclude that new or more significant impacts are possible that cannot be mitigated to a level of less than significant, a subsequent EIR would be the appropriate CEQA document. This EIR would focus only on the new or more significant impacts.

(4) **New Comprehensive EIR.** An approach which attempts to tier from multiple CEQA documents and stitch them together could have potential to be a very complicated document set for implementation as the individual improvement projects move forward. It appears that there are a half-dozen or so documents, some of them somewhat out of date

To address this, an approach could be used whereby a new EIR is prepared based on the existing documents, but which is comprehensive and draws down all the impacts and mitigation into a single, well-organized source document. As with (3) above, use of an EIR would provide the opportunity to address significant and unavoidable impacts, if any remain (such as agricultural land conversion).

(5) **Separate CEQA Documents for Each Agency.** since there are multiple agencies responsible for various parts of the project, the CEQA documentation could be organized by agency, with base material to address the broader impacts of the whole made available to each. Under this alternative, TID would have a CEQA document addressing the Infiltration Gallery, pipeline to the Pumping Station, the Pumping Station, and the pipeline to the WTP, and would include discussion of the balance of the project downstream. The SRWA would have a document addressing the WTP and pipelines connecting to the terminal reservoirs, and any appurtenant pumping, and would include discussion of upstream and downstream facilities. The Cities would each have CEQA documents to address the terminal reservoirs/tanks and downstream piping, and would include discussion of all the upstream facilities serving them. This approach would be consistent with the approach that Turlock is using for their facilities.

As part of this decision-making process, SRWA should consider the potential for legal challenge to the environmental documentation. An EIR is the strongest document from a legal standpoint, and also provides the flexibility to identify significant and unavoidable impact, if appropriate. Our recommendation is to pursue Option 4, since it would provide the cleanest and most clear pathway for CEQA compliance.

At the time SRWA (and/or other agencies) adopts the new CEQA document(s), SRWA (and/or other agencies) should also issue Findings on the prior CEQA documents that serve as the basis for the analysis, and adopt any relevant mitigation measures from those documents. Substitution of mitigation measures are also possible, where appropriate for consistency purposes or other reasons. In other words, SRWA (and/or other agencies) would take action on all new and past CEQA documents as a bundle, make findings as a "responsible agency" on the prior documents, and act as a "lead agency" on the new document that builds off the foundation documents. With this approach, the SRWA (and/or other agencies) would act on the RSWSP as a whole. The only exception to this approach would be in the case of approach #4, in which case the new CEQA document would replace the past CEQA documentation, making this step unnecessary.

Documents Reviewed

Documents reviewed for this Technical Memorandum evaluation included:

- AECOM. 2013. *City of Ceres Water and Sewer System Master Plans Environmental Impact Report*. Final. SCH#2012072034. Prepared for: City of Ceres Engineering Services Department. March.
- Brown and Caldwell. 2009. Select intake drawings related to the Turlock Irrigation District Raw Water Supply Project. Infiltration gallery and pump station site work plan schematics. Prepared for: Turlock Irrigation District. January.

- EDAW Inc., 2001. *Initial Study/Mitigated Negative Declaration Infiltration Gallery Project in Special Run Pool 9*. Prepared for: Turlock Irrigation District.
- EIP Associates. 2006. *Final Environmental Impact Report Turlock Irrigation District Regional Surface Water Supply Project*. SCH# 2006022073. Prepared for: Turlock Irrigation District Civil Engineering Department. December.
- ICF International. 2010. *2010 Water System Engineer's Report Final Program Environmental Impact Report*. February. (ICF Project 00049.08.) Sacramento, CA. Prepared for the City of Modesto Public Works Department, Modesto, CA.
- West Yost Associates. 2010. Technical Memorandum prepared for the City of Modesto, Jack Bond. City of Modesto's 2010 Water System Engineer's Report Evaluation of the Buildout Water System for the Contiguous Service Area – Option A (Buildout System Evaluation TM), Appendix E. March 30, 2010. Project No: 418-02-07-22.