

**STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES**

**STATEMENT OF FINDINGS REGARDING THE
APPROVAL OF
THE MISSION CREEK SUBBASIN ALTERNATIVE**

The Department of Water Resources (Department) is required to evaluate and assess whether submitted alternatives to groundwater sustainability plans satisfy the objectives of the Sustainable Groundwater Management Act (SGMA) pursuant to Water Code Section 10733.6. This Statement of Findings explains the Department's decision regarding the alternative (Alternative) submitted by the Coachella Valley Water District, Desert Water Agency, and the Mission Springs Water District¹ (collectively referred to as Agencies) for the Mission Creek Subbasin (Basin No. 7-021.02). The Alternative was submitted under Water Code Section 10733.6(b)(1), which allows for the submittal of alternate plans developed pursuant to Part 2.75 (commencing with Water Code Section 10750) or other law authorizing groundwater management.

Department management has reviewed the Department staff report, entitled Sustainable Groundwater Management Program Alternative Assessment Staff Report – Mission Creek Subbasin (Staff Report), attached as Exhibit A, recommending approval of the Alternative. Based on its review of the Staff Report, Department management is satisfied that staff have conducted a thorough evaluation and assessment of the Alternative and concurs with staff's recommendation and all the recommended actions, and thus hereby approves the Alternative on the following grounds:

1. The Alternative was submitted within the statutory deadline of January 1, 2017. (Water Code Section 10733.6(c)).
2. The Alternative is within a subbasin that is in compliance with Part 2.11 (commencing with Water Code Section 10920) as required by Water Code Section 10733.6(d).
3. The Alternative has been submitted by the Agencies pursuant to Water Code Section 10733.6(b)(1) and a copy of the groundwater management plan was submitted as required by 23 CCR Section 358.2(c)(1).
4. The Agencies explained how the elements of the Alternative are functionally equivalent to the elements of a groundwater sustainability plan required by Articles 5 and 7 of the GSP Regulations, 23 CCR Section 350 et seq., in the

¹ In a letter dated November 1, 2018, Mission Springs Water District requested that the Department not approve the Alternative.

SGMA Alternative Groundwater Sustainability Plan – Bridge Document for the Mission Creek Subbasin.

5. Based on Paragraphs 3 and 4 above, the Alternative is considered complete and includes the information required by SGMA and the GSP Regulations, sufficient to warrant an evaluation by the Department. 23 CCR Section 358.4(a)(3).
6. The Alternative applies to and covers the entire Subbasin as required by 23 CCR Section 358.2(a) and 358.4(a)(4), respectively, and as discussed in Section IV.D of the Staff Report.
7. The Agencies have the legal authority and financial resources necessary to implement the Alternative.
8. The Department has received public comments on the Alternative and has considered them in the evaluation of the Alternative as required by 23 CCR Section 358.2(f).

Department management makes the following specific findings based on the evaluation and assessment of the Alternative prepared by Department staff:

9. The Alternative includes a reasonable assessment of overdraft conditions and the criteria for correcting groundwater problems caused by overdraft are supported by the best available information and best available science.
10. The Alternative's projects and management actions designed to eliminate overdraft, including conservation, importing water and artificial recharge, are commensurate with the level of understanding of the basin setting, as described in the Alternative, and are feasible and likely to prevent undesirable results and ensure that the Mission Creek Subbasin is operated within its sustainable yield.
11. The Alternative's focus on eliminating long-term overdraft is reasonable and is likely to have a beneficial effect with regard to groundwater levels, groundwater storage, and subsidence. The continued investigations into ways to reduce water quality impacts associated with importing Colorado River water and implementation of an approved Salt and Nutrient Management Plan appears to represent a reasonable near-term path toward sustainability with regard to salt management.
12. In light of Paragraphs 1-11 above, the Alternative satisfies the objectives of SGMA.

In addition to the grounds listed above, the Department also finds that:

1. The Alternative has demonstrated a reasonable path toward eliminating long-term overdraft, sufficient to avoid undesirable results, and is consistent with the state policy regarding the human right to water (Water Code Section 106.3) and the public trust doctrine.
2. The evaluation and assessment of whether the Alternative submitted by the Agencies for the Mission Creek Subbasin satisfies the objectives of SGMA is a project under CEQA, but that the project is exempt from CEQA under the common sense exemption for the following reasons.

No physical change to the environment is associated with the evaluation and assessment of the alternatives undertaken by the Department. The Alternative submitted by the Agencies is based on a Groundwater Management Plan and projects and management actions that were previously adopted and the Agencies have already begun implementing.

By finding that the Alternative satisfies the objectives of SGMA, the Agencies are authorized to continue to manage the Subbasin subject to that Alternative, without the need to develop a GSP. As a result, the evaluation and assessment of the Alternative undertaken by the Department creates no foreseeable indirect impacts, and any impacts that might occur would be difficult to predict with any accuracy and too speculative to allow the Department to provide for meaningful analysis and review.

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Mission Creek Subbasin (Basin No. 7-21.02)

Based on the above, the Alternative submitted by the Agencies for the Mission Creek Subbasin is approved. The recommended actions identified in the Staff Report will assist the Department's review of the Alternative's implementation for consistency with SGMA and are thus recommended to be included in the resubmitted Alternative, due on January 1, 2022, as required by Water Code Section 10733.6(c).

Signed:

A handwritten signature in black ink, appearing to read "Karla Nemeth", is written above a horizontal line.

Karla Nemeth, Director

Date: July 17, 2019

Exhibit A: Sustainable Groundwater Management Program Alternative Assessment
Staff Report – Mission Creek Subbasin