



December 12, 2016

Mr. Daniel R. Ferons  
General Manager  
Santa Margarita Water District  
26111 Antonio Parkway  
Rancho Santa Margarita, CA 92688

Re: Doheny Ocean Desalination Project  
Follow Up to Comments on Notice of Preparation of Draft Environmental Impact Report

Dear Mr. Ferons:

The South Coast Water District (District) appreciates the April 12, 2016 letter sent on behalf of the Santa Margarita Water District (SMWD). That letter provided SMWD's comments on the Notice of Preparation (NOP) for the Doheny Ocean Desalination Project (Project or Desalination Project) Environmental Impact Report (EIR), for which the District is the lead agency under the California Environmental Quality Act (CEQA). While the Draft EIR will address all issues raised as required by CEQA, this letter seeks further information on certain matters SMWD raised, as well as responds to its suggestion for a Program EIR.

**Program EIR:** In its letter, SMWD notes that the San Juan Basin Authority (SJBA) has completed its *Groundwater and Desalination Optimization Program Foundational Actions Fund Program Final Report* (Optimization Project), and suggests that the SJBA's Optimization Project may have similar impacts and potential mitigation as the District's Project. SMWD recommends that the District "consider working with the SJBA and/or its individual members in development of a Program EIR that considers all of the proposed projects currently contemplated within the watershed." The District appreciates SMWD's suggestion, but notes that the SJBA itself has not expressed interest in a Program EIR for the watershed. Instead, the SJBA has suggested the District consider unspecified "joint projects" with it or other public entities. The District has requested the SJBA clarify what specific "joint projects" may mitigate impacts, but the currently proposed Project is a stand-alone project without significant connection to any other water-supply project in the area.

Under CEQA, "[a] program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project" and are related geographically or otherwise. 14 Cal. Code Regs. §15168(a). In contrast, here the District's Project is a stand-alone project which is not dependent on the Optimization Project for approval or implementation. The District is the CEQA Lead Agency for its Desalination Project, but does not have primary approval authority over the SJBA's Optimization Project. The Draft EIR will analyze whether the Desalination Project could have potential impacts on the local watershed, and will thoroughly analyze, and

mitigate, any cumulative impacts with related projects as required under CEQA. Therefore, the District has decided to prepare an EIR that analyzes and mitigates the potential impacts of its individual Project, rather than a program EIR that also reviews the SJBA's Optimization Plan.

The District values SMWD's input on the CEQA review of the Project and welcomes its review of and comments on the upcoming Draft EIR. Please feel free to contact the District office with any questions or further comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Brunhart". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Andy Brunhart, Ph.D, PE  
General Manager  
South Coast Water District

cc: SCWD Board members