

**BOARD OF DIRECTORS
SANTA CLARA VALLEY WATER DISTRICT**

RESOLUTION NO. 22-

**SETTING TIME AND DATE OF PUBLIC HEARING ON THE
ENGINEER'S REPORT AND FINAL MITIGATED NEGATIVE DECLARATION FOR
THE PACHECO/SANTA CLARA CONDUIT RIGHT-OF-WAY ACQUISITION PROJECT**

WHEREAS, the Santa Clara Valley Water District (Valley Water) has been duly and regularly established and exists pursuant to the provisions of the Santa Clara Valley Water District Act (District Act); and

WHEREAS, the Pacheco/Santa Clara Conduit Right-of-Way Acquisition Project (proposed Project) is included in the Board-approved fiscal years 2022-2026 Capital Improvement Program (Project No. 92144001); and

WHEREAS, on the 25th day of January 2022, the Engineer's Report for the proposed Project prepared by Valley Water's Engineers, titled "Pacheco/Santa Clara Conduit Right-of-Way Acquisition Project No. 92144001," dated December 2021, was made available to the Board of Directors, providing:

1. A general description of the proposed Project; and
2. A general description of and map showing the location of the proposed Project and land, right of way, and easement required therefor; and
3. An estimate of the cost of the proposed Project and means of financing the cost; and

WHEREAS, Section 12 of the District Act requires the Board to conduct a public hearing to hear testimony on a project when: (1) the project is new construction and (2) the project is funded by single or joint zones of benefits; and

WHEREAS, the California Environmental Quality Act (CEQA) Guidelines section 15202(b) requires environmental review to be a subject of the public hearing if a public hearing is being held on a lead agency's decision to carry out or approve a project. Since Valley Water must conduct a public hearing on the Engineer's Report, the CEQA compliance determination for the proposed Project will also be considered during the hearing; and

WHEREAS, Valley Water, the lead agency under CEQA, has prepared a Final Mitigated Negative Declaration (MND) for the proposed Pacheco/Santa Clara Conduit Right-of-Way Acquisition Project; and

WHEREAS, Valley Water received public comments on the Draft MND during the public review and comment period and has considered these comments and addressed them as appropriate prior to preparing the Final MND.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District:

1. That the 8th day of February 2022 at 1:00 p.m., by teleconference Zoom meeting, be fixed as the time and place for a public hearing on the Engineer's Report and the CEQA Final Mitigated Negative Declaration, and this Board of Directors will consider all written and oral comments to the proposed Project and CEQA Final Mitigated Negative Declaration; and
2. That the Engineer's Report for the proposed Project, titled "Pacheco/Santa Clara Conduit Right-of-Way Acquisition Project No. 92144001," dated December 2021, is available for public inspection by any interested person at Valley Water's website: <https://www.valleywater.org/public-review-documents>.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on January 25, 2022:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

GARY KREMEN
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors