

## SUPPLEMENTAL WATERSHED AGREEMENT NO. 3

for

### LOWER SILVER CREEK WATERSHED, CALIFORNIA

by

#### Exchange of Correspondence

The original watershed agreement was signed on September 23, 1983. That agreement has been modified by supplemental watershed agreements numbered 1 and 2, dated September 27, 1991 and April 16, 2001. It has now become necessary to further modify the plan in order to carry it out.

The plan includes 4.64 miles of channel work on Lower Silver Creek. The upstream end of this work is at the Cunningham Avenue bridge. Immediately upstream from the bridge is Lake Cunningham Regional Park, which serves as both a recreational area and a floodwater detention facility. Low flows in Lower Silver Creek and in the Flint and Ruby Creek tributaries are carried around the main part of the park to the bridge in small channels. During high flows, the park provides floodwater detention storage so that the outflow under the bridge will not exceed the capacity of the new channel downstream. Existing levees on the edges of the park direct the high flows to the bridge and into the constructed channel.

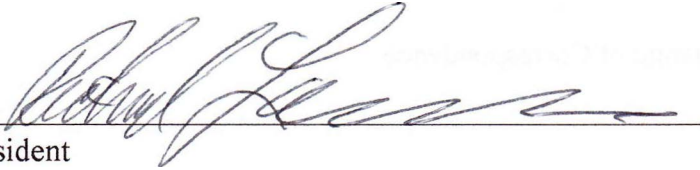
It has been found that the existing levees do not provide enough freeboard to meet federal requirements, so they will need to be raised to ensure that the project will function as planned. This will be done by increasing the height of about 3,200 feet of existing Lower Silver Creek levee along the northern and western sides of the park and constructing about 1,300 feet of concrete floodwall along Flint Creek between the bridge and the northeastern corner of the park. Details of the proposal may be found in the following two documents:

Santa Clara Valley Water District, *Planning Study Report, Cunningham Flood Detention Facility Certification Project*, December 2015.

Santa Clara Valley Water District, *Cunningham Flood Detention Facility Certification Project, Draft Initial Study and Mitigated Negative Declaration*, July 2017.

The estimated construction cost is \$3,743,516. Estimated real property rights cost is \$350,250 for modification or relocation of existing facilities.

This supplemental agreement documents the inclusion of this work as part of the inlet to the constructed channel. There is no change in purpose, scope, or major features of the project. All other terms, conditions, and stipulations of the watershed agreement not modified herein remain the same and are agreed to.



President  
Guadalupe-Coyote Resource Conservation District

\_\_\_\_\_  
Chief Executive Officer  
Santa Clara Valley Water District

\_\_\_\_\_  
Date

\_\_\_\_\_  
State Conservationist  
Natural Resources Conservation Service