

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

RESOLUTION NO. 18-

**MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT TO USE THE INITIAL STUDY/MITIGATED NEGATIVE
DECLARATION PREPARED BY THE LEAD AGENCY TO APPROVE FUNDING A PORTION
OF THE COSTS OF THE BACON ISLAND LEVEE REHABILITATION PROJECT**

WHEREAS, the California Urban Water Agencies prepared a paper titled “Urban Water Agencies Strategy for Delta Levees—List of Priority Levee Projects,” which defined the levee rehabilitation projects that could provide water supply reliability benefits for all urban water agencies that receive water from supply that moves through the Delta levee channels or through pipeline infrastructure that crosses the Delta; and

WHEREAS, Bacon Island was included at the top of the list of proposed levee projects on the Old and Middle River freshwater corridor; and

WHEREAS, in July 2014, Reclamation District 2028 (RD 2028) submitted a conceptual grant proposal for the Bacon Island Levee Rehabilitation Project (the Project) in response to the California Department of Water Resources 2014 Delta Levees Special Flood Control Projects Program—Project Solicitation Package for Multi-Benefit Projects; and

WHEREAS, the Project was approved for funding by the Department of Water Resources (DWR) on February 17, 2015; and

WHEREAS, the Project would result in a more stable levee along a portion of Bacon Island, which would reduce the risk of a levee failure in the rehabilitated segment. This, in turn, would reduce other associated risks to water supply, such as the potential for salinity intrusion that could jeopardize the water supply for local in-Delta, State Water Project, and Central Valley Project export interests; and

WHEREAS, the estimated Project cost is \$10.527 million; and

WHEREAS, DWR has selected the Project for funding of 97 percent of the Project cost (State share); and

WHEREAS, RD 2028 and a coalition of seven urban water agencies have collaborated to develop funding partnerships for the non-State share of the Project costs. The urban water agencies benefit from improving urban water supply reliability and are willing to contribute to the Project to ensure this benefit is achieved. The urban water agencies are: Alameda County Water District, Contra Costa Water District, East Bay Municipal Utility District, San Francisco Public Utilities Commission, Santa Clara Valley Water District, Zone 7 Water Agency, and The Metropolitan Water District of Southern California (hereinafter each an Agency or collectively, the Agencies); and

WHEREAS, the Agencies agreed to execute a Letter of Mutual Understanding (LOMU) which identifies the total cost share for each Agency toward the non-State cost share of the Project; and

WHEREAS, the District approved the LOMU and signed it on January 10, 2017; and

WHEREAS, under the LOMU, the District agreed to fund up to \$32,018 of the Project costs; and

Making Responsible Agency Findings Pursuant to the California Environmental Quality Act to
Use the Initial Study/Mitigated Negative Declaration Prepared by the Lead Agency to Approve
Funding a Portion of the Costs of the Bacon Island Levee Rehabilitation Project
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WHEREAS, as a condition precedent to the District's funding commitment, RD 2028 had to complete its review of the Project in compliance with the California Environmental Quality Act (CEQA) and allow the District to take any additional CEQA actions it determines are required for its participation in the LOMU; and

WHEREAS, RD 2028 has prepared and adopted an Initial Study/Mitigated Negative Declaration ("IS/MND") and filed a Notice of Determination on May 30, 2017, pursuant to the California Environmental Quality Act ("CEQA") for the Project; and

WHEREAS, the District, as a Responsible Agency pursuant to CEQA, must consider the IS/MND prepared by RD 2018 before reaching its conclusion on whether and how to approve funding the District's share of the Project's costs.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of Santa Clara Valley Water District does hereby find:

1. The Board has reviewed and considered the environmental effects of the Project as shown in the IS/MND prepared by Reclamation District No. 2028.
2. The Board finds that the IS/MND is adequate for use by the District to approve funding a portion of the costs of the Project.
3. The Chief Executive Officer is hereby authorized and directed, on behalf of the District's Board of Directors, to execute any such documents and to perform any such acts as may be deemed necessary or appropriate to accomplish the intent of this resolution.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District by the following vote on April 10, 2018:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

By: _____
RICHARD P. SANTOS
Chair/Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk/Board of Directors