



Anderson Dam Seismic Retrofit Project Environmental and Permitting Process

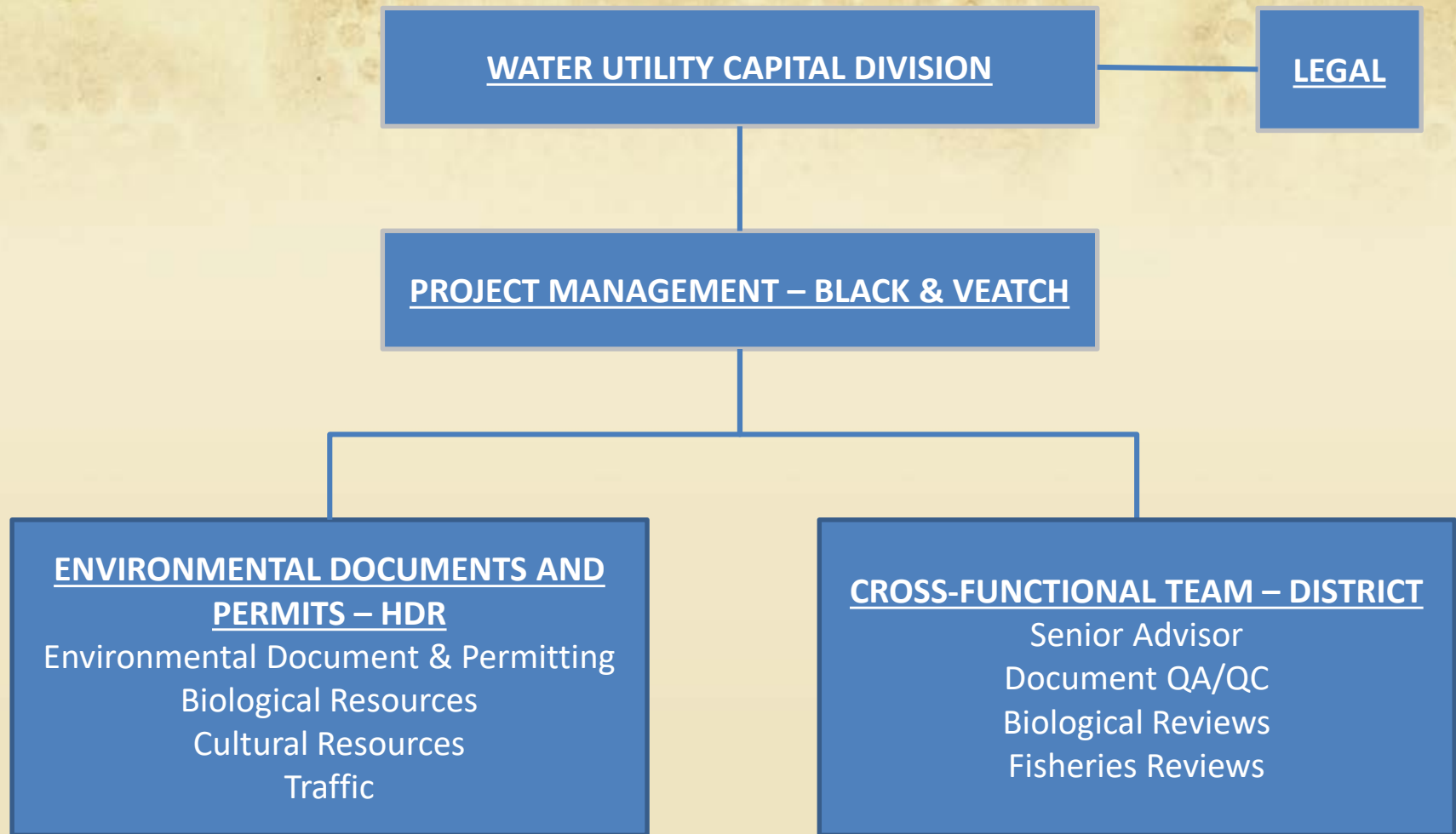
Presentation to the Board of Directors | April 10, 2018

Santa Clara Valley
Water District

Attachment 1
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ADSRP Environmental Team Organizational Chart



Documents to Prepare

- ▶ EIR (District lead)
- ▶ NEPA Document (FERC lead)
- ▶ Biological Assessment (District lead)
- ▶ Mitigation and Monitoring Plan (District lead)
- ▶ Biological Opinion [VHP] (USFWS lead)
- ▶ Biological Opinion [steelhead] (NMFS lead)
- ▶ Permit Applications (District lead)

VHP: Valley Habitat Plan

USFWS: U.S. Fish & Wildlife Service

NMFS: National Marine Fisheries Service

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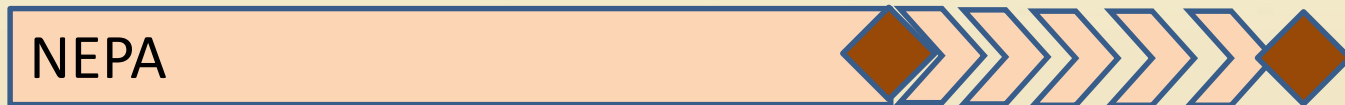
CEQA/NEPA/Permitting Timeline Overview

2017				2018				2019				2020			



Draft
EIR

Final
EIR



Draft

Final



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Glossary

- ▶ BO: Biological Opinion
- ▶ CDFW: California Department of Fish and Wildlife
- ▶ CEQA: California Environmental Quality Act
- ▶ CWA: Clean Water Act
- ▶ DSOD: California Department of Water Resources, Division of Safety of Dams
- ▶ EA: Environmental Assessment
- ▶ EIR: Environmental Impact Report
- ▶ ESA: Endangered Species Act
- ▶ FERC: Federal Energy Regulatory Commission
- ▶ LSAA: Lake and Streambed Alteration Agreement
- ▶ NEPA: National Environmental Policy Act
- ▶ NHPA: National Historic Preservation Act
- ▶ NMFS: National Marine Fisheries Service
- ▶ SFRWQCB: SF Regional Water Quality Control Board
- ▶ SHPO: State Office of Historic Preservation
- ▶ SWRCB: State Water Resources Control Board
- ▶ USACE: U.S. Army Corps of Engineers
- ▶ USFWS: U.S. Fish and Wildlife Service
- ▶ VHP: Santa Clara Valley Habitat Plan



Necessary Permits

▶ Federal

- ▶ FERC: Amendment to Exemption for Licensing
- ▶ USACE: CWA Section 404 Permit
- ▶ USFWS: Incidental take permit (VHP – see below)
- ▶ NMFS: Incidental take permit (steelhead trout)

▶ State

- ▶ DSOD: New dam application
- ▶ CDFW: LSAA
- ▶ VHP: Incidental take authorization (covered species for state and federal ESA)
- ▶ SWRCB: General Construction NPDES Stormwater Permit
- ▶ SWRCB/SFRWQCB: CWA Section 401 Water Quality Certification
- ▶ SHPO: Section 106 of the NHPA

- ▶ Local: municipal approvals, encroachment permits, temporary rights of way



Critical Elements of or Permits to Secure

1. FERC (Amendment to the Exemption)
2. Clean Water Act Section 401 by SWRCB/SFRWQCB
3. U.S. Army Corps of Engineers [Clean Water Act Section 404(b)(1)]; Endangered Species Act Section 7
 - A. Biological Opinion by National Marine Fisheries Service
 - B. Biological Opinion by U.S. Fish & Wildlife
 - C. Clean Water Act Section 401 by SWRCB/SFRWQCB
 - D. National Historic Preservation Act Section 106 Process



Informal Consultation Schedule

- ▶ Outreach to key stakeholders – initiate in April 2018.
- ▶ All resource agencies' meeting – April 2018.
- ▶ Follow-up meeting with NMFS, SWRCB, RWQCB – July 2018.
- ▶ Informal negotiations with NMFS – initiate in September 2018.
- ▶ Prepare permit applications Oct. 2018 – Jan. 2019.
- ▶ Submit permit applications (after EIR is certified) – Spring 2019.

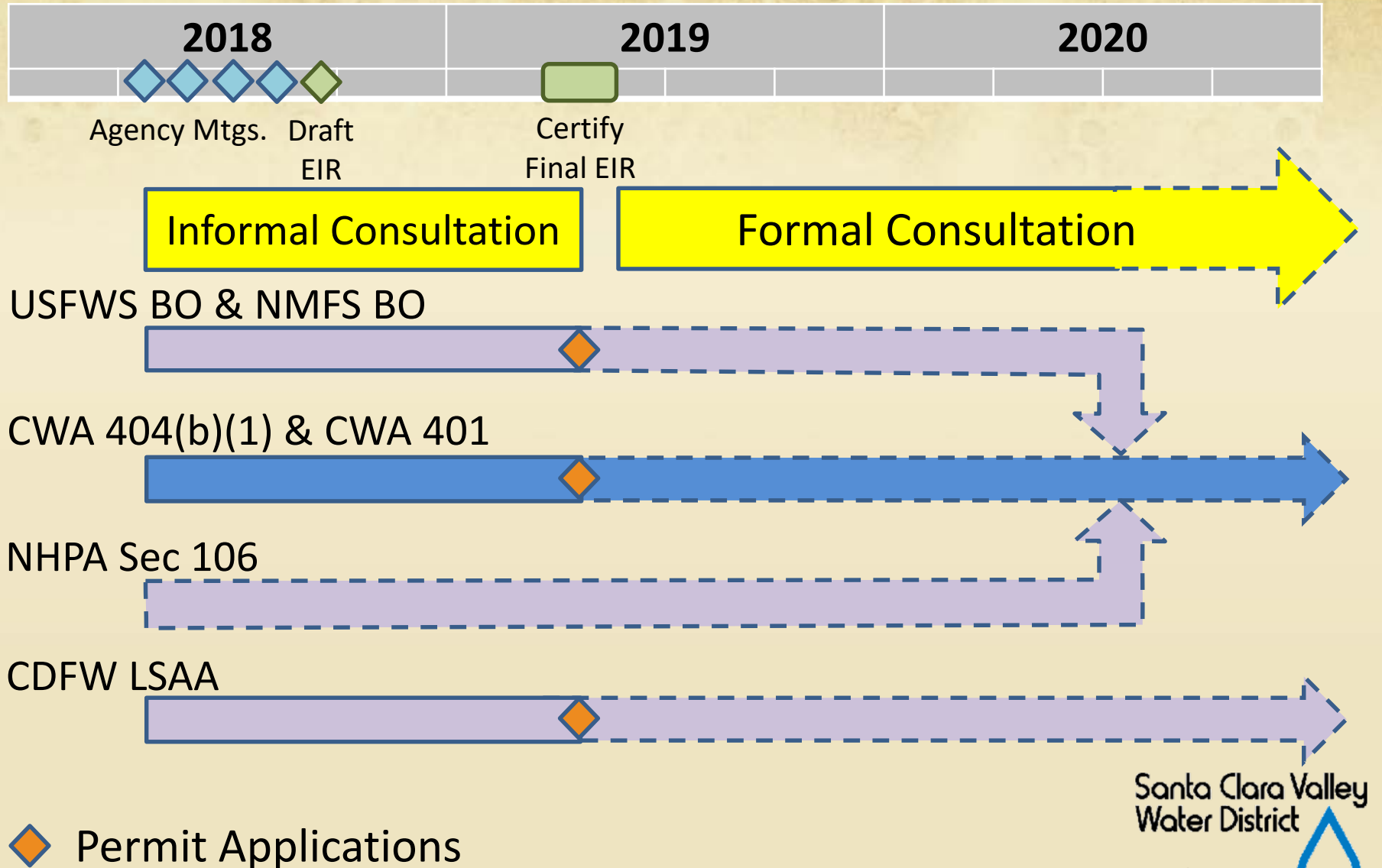


Formal Consultation Plans

- ▶ Formal consultations/negotiations: from Spring 2019 onwards
- ▶ District will continue discussions/meetings with all permitting agencies until permits are issued.



Permitting Process



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Summary of Permitting Strategy

- ▶ Informal Consultations w/ agencies begin Spring 2018
- ▶ Draft EIR released for public review – Sept. 2018
- ▶ Final EIR to Board for certification – Spring 2019
- ▶ Formal Consultations begin Spring 2019
- ▶ Continual outreach to DWR, DSOD and FERC to ensure their participation/support in permitting process
- ▶ Outreach on delegation visits to Washington, DC.



