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**File No.:** 18-0515

**Agenda Date:** 6/27/2018

**Item No.:**

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Santa Clara Valley Water District Update on Fisheries and Aquatic Habitat Collaborative Effort.

### **RECOMMENDATION:**

Receive and discuss update on Fisheries and Aquatic Habitat Collaborative Effort.

### **SUMMARY:**

This item provides a status update on the water rights complaint pending with the State Water Resources Control Board (SWRCB) as specified by the Settlement Agreement, in a process known as the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE). This item will provide an overview of the FAHCE Program, modeling work, and update on the preparation of Environmental Impact Report (EIR).

### **FAHCE Program**

The FAHCE process aims at resolving a water right complaint before the SWRCB filed by the Guadalupe-Coyote Resource Conservation District (GCRCD). The FAHCE process is expressed in the 2003 Settlement Agreement (SA) initialed by the District, GCRCD, Trout Unlimited, the California Department of Fish and Wildlife (CDFW), U. S. Fish and Wildlife Service (USFWS), and National Marine Fisheries Service (NMFS), collectively referred to as the Initialing Parties.

The Santa Clara Valley Water District is preparing an EIR along with the FAHCE Fish Habitat Restoration Plan (FHRP) for the Guadalupe River, Coyote Creek, and Stevens Creek watersheds for which the District holds water rights licenses. The FHRP was intended to identify specific and programmatic actions to support the overall management objectives to restore and maintain healthy steelhead trout and salmon populations as appropriate to each of the Three Creeks, by providing suitable spawning and rearing habitat within each watershed and adequate passage for adult steelhead trout and salmon to reach suitable spawning and rearing habitat and for out-migration of juveniles. The FHRP proposes modifications to reservoir operations and programmatic actions to improve, as appropriate, habitat conditions in three watersheds. Biological monitoring and an adaptive management plan are also proposed to monitor that management objectives are met.

## **Modeling Work**

To address California Environmental Quality Act (CEQA) requirements, an environmental review and evaluation of the effects of the FHRP, especially changes in the reservoir operations, must be conducted. Technical experts from Initialing Parties worked together in a Technical Work Group (TWG) and developed a modeling approach to evaluate how fish habitat varies with water availability and reservoir releases. This approach qualitatively compares potential effects of reservoir-reoperations. The approach integrated the Water Evaluation and Assessment Planning (WEAP) modeling tool, the District's hydraulic model and a Habitat Availability Estimation Methodology to compare scenarios. Since June 2017, the modeling tool has been refined. The team has been validating and updating the model. The updated results will be used to inform the development of an additional alternative to be considered under CEQA.

## **Update on EIR and Schedule**

A public scoping meeting was held on June 19, 2017. Comments were received and are being considered in the preparation of the Draft EIR. A draft FHRP is being developed.

Since June 2017, five TWG and/or Initialing Parties meetings or conference calls have been held. Topics included updates to the model, modeling results, and concepts for improving the FAHCE rule curves. Members of the TWG provided comments on the modeling results and ideas for improving FAHCE rule curves.

## **Next Steps**

The new target for an internal draft of EIR is January 2019, with the public draft EIR in Spring 2019. The schedule has extended to accommodate the refinement and corrections to the model and incorporation of a scenario developed and proposed by members of TWG, e.g., technical leads of GCRCD, CDFW and NMFS, as well as development and evaluation of an additional alternative that reflects potential improvements of the FAHCE rule curves. Key upcoming milestones include convening a TWG/Initialing Parties meeting for review of the additional alternative and model results in Summer 2018 and distributing a draft EIR and hosting informational meetings on the Draft EIR in Spring 2019.

## **FINANCIAL IMPACT:**

There is no financial impact associated with this item.

**CEQA:**

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

**ATTACHMENTS:**

Attachment 1: PowerPoint

**UNCLASSIFIED MANAGER:**

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