

County of Santa Clara
Office of the County Clerk-Recorder
Business Division

County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5688



Santa Clara County - Clerk-Recorder Office
State of California

File Number: ENV21533

ENVIRONMENTAL FILING

No. of Pages: 9

Total Fees: \$50.00

File Date: 05/15/2018

Expires: 06/14/2018

CEQA DOCUMENT DECLARATION

REGINA ALCOMENDRAS, Clerk-Recorder

By: Mike Louie, Deputy Clerk-Recorder

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: Santa Clara Valley ~~Water~~ Water District
2. PROJECT TITLE: California Water Fix-Authorization to Execute Agreements, Designation of District Representative and adoption of CEQA Findings
3. APPLICANT NAME: Santa Clara Valley Water District PHONE: (408) 265-2607
4. APPLICANT ADDRESS: 5750 Almaden Expressway, San Jose, CA 95118
5. PROJECT APPLICANT IS A: ☐ Local Public Agency ☐ School District ☒ Other Special District ☐ State Agency ☐ Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.
7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- | | | |
|---|-------------|---------|
| <input type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152) | \$ 3,168.00 | \$ 0.00 |
| <input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,280.75 | \$ 0.00 |
| <input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ 0.00 |
| <input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u> | \$ 1,077.00 | \$ 0.00 |
| <input type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e) | \$ 50.00 | \$ 0.00 |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

- | | | |
|--|----------|----------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ 50.00 | \$ 0.00 |
| <input checked="" type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | | |
| DOCUMENT TYPE: <input checked="" type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION | \$ 50.00 | \$ 50.00 |

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

- | | | |
|--|--------|-----------|
| <input type="checkbox"/> NOTICE OF PREPARATION <input type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ NO FEE |
|--|--------|-----------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 50.00

*NOTE: "SAME PROJECT" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND TWO (2) COPIES. IF THERE ARE ATTACHMENTS, PLEASE PROVIDE THREE (3) SETS OF ATTACHMENTS FOR SUBMISSION. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

(Fees Effective 01-01-2018)

NOTICE OF DETERMINATION

Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118
(408) 265-2600

☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95818

☒ County of Santa Clara County Clerk
70 West Hedding Street
San Jose CA 95110

Subject:

Filing of Notice of determination in compliance with Section 21108 or 21152 of the Public Resource Code.

| | | |
|---|---------------------------------|---------------------------------------|
| Contact Person: Francis Brewster | Telephone No: (408) 306-2723 | State Clearinghouse No: 2008032062 |
| Project Title: California Water Fix -- Authorization to Execute Agreements, Designation of District Representative, and Adoption of CEQA Findings | | |
| Project Location: Counties of Sacramento, Solano, Contra Costa, San Joaquin, and Yolo (see attachment 1 Project Map: Figure 3-9 from Chapter 3 of the Final EIR and information provided in the attached Lead Agency NOD). | | |
| Project Description: The California Department of Water Resources (DWR), the Lead Agency under the California Environmental Quality Act (CEQA), certified the Environmental Impact Report (Final EIR), adopted Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program; and filed a Notice of Determination on July 21, 2017 for the California WaterFix, Alternative 4A (WaterFix). WaterFix, Alternative 4A would construct a new north Delta intake structure, fish screens and a dual conveyance system. The objective of the project is to increase water supply reliability and align water operations to better reflect natural seasonal flow regime. The new facility will reduce State Water Project (SWP) and Central Valley Project (CVP) reliance existing diversion facilities located in the southern area of the Delta. This alternative allows for greater operational flexibility to protect fish species and specifies extensive habitat restoration as compensatory mitigation resulting from likely impacts of construction and operations. See Attachment 2 - | | |


This is to advise that the Santa Clara Valley Water District, acting as a **Responsible Agency**, has approved the above described project on May 8, 2018, and has made the following determinations regarding the above described project:

1. The project ☒ will, ☐ will not, have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were, ☐ were not made a condition of the approval of the project. A mitigation reporting or monitoring plan was adopted for this project.
4. A statement of Overriding Considerations ☒ was, ☐ was not adopted for this project.
5. Findings ☒ were, ☐ were not made pursuant to the provision of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

the DWR website at: <http://baydeltaconservationplan.com/NoticeofDetermination.aspx>.

Date Received for Filing and Posting at OPR:

| | | |
|---|---------------------------------|------------------|
| Signature (Public Agency):  | Title: Norma J. Camacho, CEO | Date: 5/15/18 |
|---|---------------------------------|------------------|

Attachment 2 Project Description (continued from cover sheet)

Key elements of WaterFix Alternative 4A include:

- Three new intakes on the east bank of the Sacramento River in the northern Delta near Cortland;
- Three 13.5 mile tunnels connecting these intakes to a new 30-acre intermediate forebay;
- Two 30-mile long tunnels conveying water from the forebay to a new pumping plant connected to an expanded and modified Clifton Court Forebay.

From the Clifton Court Forebay water would be transported to existing SWP and CVP pumping plants located in the south Delta. The total maximum north Delta diversion intake capacity would be 9,000 cubic feet per section (cfs).

Under the California Water Code, DWR is responsible for the construction, maintenance and operations of the SWP, of which California WaterFix is a part, and for securing funding for SWP-related costs. The SWP share of the WaterFix costs would be paid by SWP Contractors in accordance with their respective long-term delivery contracts with DWR. Santa Clara Valley Water District (SCVWD) is a water contractor with long-term water supply contracts that would affected the project and a share of the costs and potential benefits from the project has been evaluated.

On May 8, 2018, the SCVWD Board of Directors voted to support the continued development of the Waterfix and approved or authorized a number of agreements relating to the project, including: a Capacity Interest Option Agreement with Metropolitan Water District of Southern California, an agreement between the Department of Water Resources and the District to provide funding for preconstruction capital costs, and a joint powers agreement to form a joint powers agency for the construction and design of the project. The SCVWD Board also directed or delegated authority to the Chief Executive Officer to negotiate terms and conditions for future agreements relating to financing of the project.

In the same action, the SCVWD Board adopted Resolution 18-23 authorizing the District's support of and participation in the project and making Responsible Agency findings, adopting a mitigation monitoring and reporting program, and adopting statements of overriding considerations for the project. The Board action is available for public review at www.valleywater.org or by request to the SVWD Clerk of the Board via email at Board@valleywater.org.

The Final Environmental Impact Report (EIR) for WaterFix with comments and responses and a record of project approval, is on file at: California Department of Water Resources, 901 P Street, Fourth Floor, Sacramento, CA 95814 or online the DWR website at: <http://baydeltaconservationplan.com/NoticeofDetermination.aspx>.

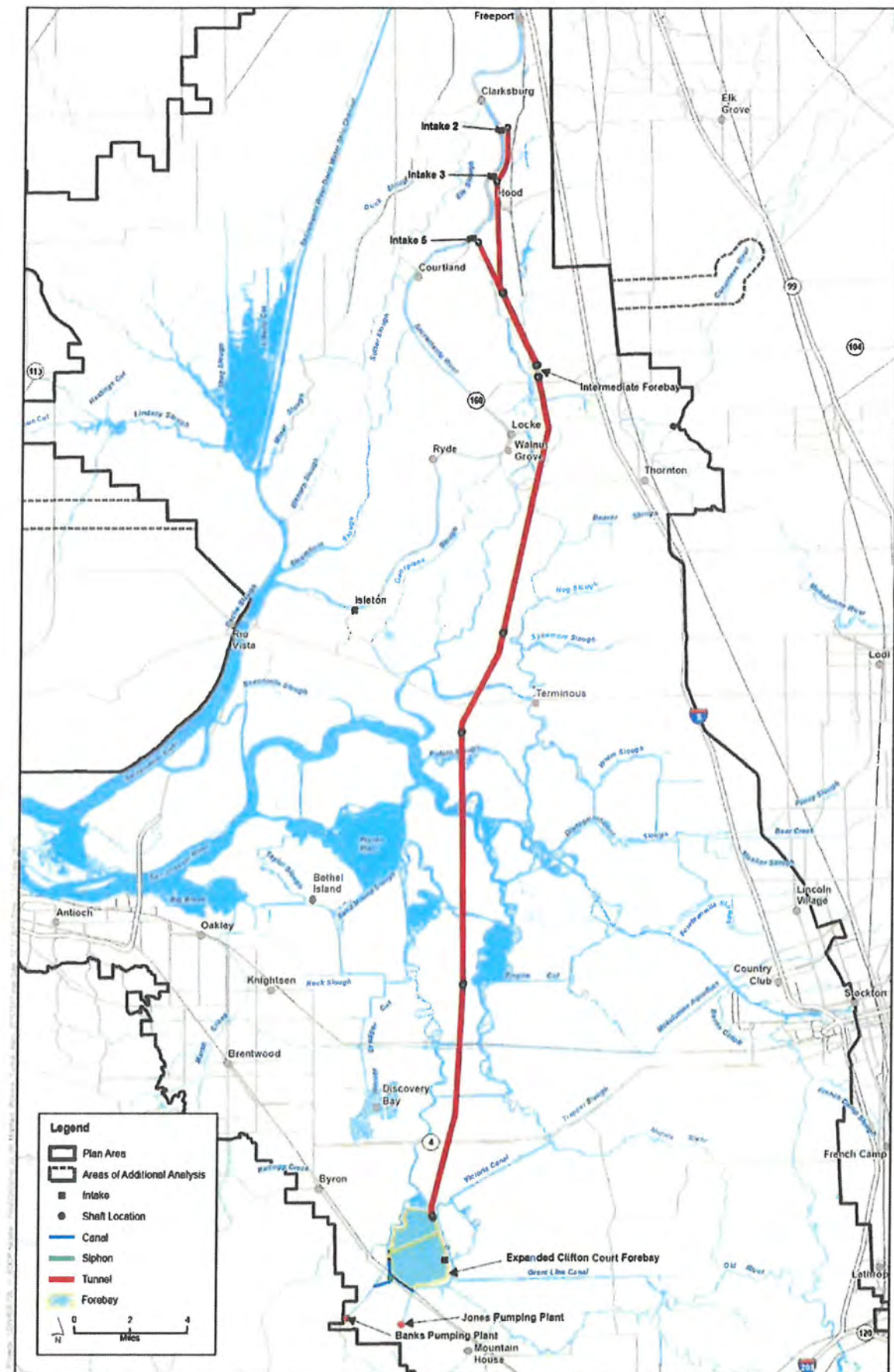


Figure 3-9
Modified Pipeline/Tunnel Alignment Overview (Alternative 4 and 4A)

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research

U.S. Mail:

Street Address:

P.O. Box 3044

1400 Tenth St., Rm 113

Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk

County of: _____

Address: _____

From:

Public Agency: Department of Water Resources

Address: 901 P Street, Fourth Floor

Sacramento, CA 95814

Contact: Marcus Yee

Phone: (916) 651-6736

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2008032062

Project Title: California WaterFix Final EIR/EIS

Project Applicant: California Department of Water Resources

Project Location (include county): See Attachment 1 and Figure 1

Project Description:

See Attachment 2

This is to advise that the California Department of Water Resources has approved the above
(☒ Lead Agency or ☐ Responsible Agency)described project on 7/21/2017 and has made the following determinations regarding the above
(date)
described project.

1. The project [☒ will ☐ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☒ was ☐ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

901 P Street, Fourth Floor, Sacramento, CA 95814 or <http://baydeltaconservationplan.com/Home.aspx>Signature (Public Agency):  Title: Acting Director

Date: 7/21/2017

Date Received for filing at OPR: _____

Governor's Office of Planning & Research

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

JUL 21 2017

Revised 2011

STATE CLEARINGHOUSE

Attachment 1 – Project Location

The project area for the actions evaluated in the Bay Delta Conservation Plan/California WaterFix Final Environmental Impact Report/ Environmental Impact Statement (EIR/EIS) includes the following three geographic regions.

- Upstream of the Delta region.
- Delta Region (referred to as the Plan Area, and distinct from the larger Delta region considered for some areas, consists generally of the statutory Delta, the Yolo Bypass north of the statutory Delta, and Suisun Marsh, as well as the Areas of Additional Analysis, which apply to several BDCP EIR/EIS alternatives).
- SWP and CVP Export Service Areas.

See Figure 1 for a map of the project location.

Figure 1 - Project Location

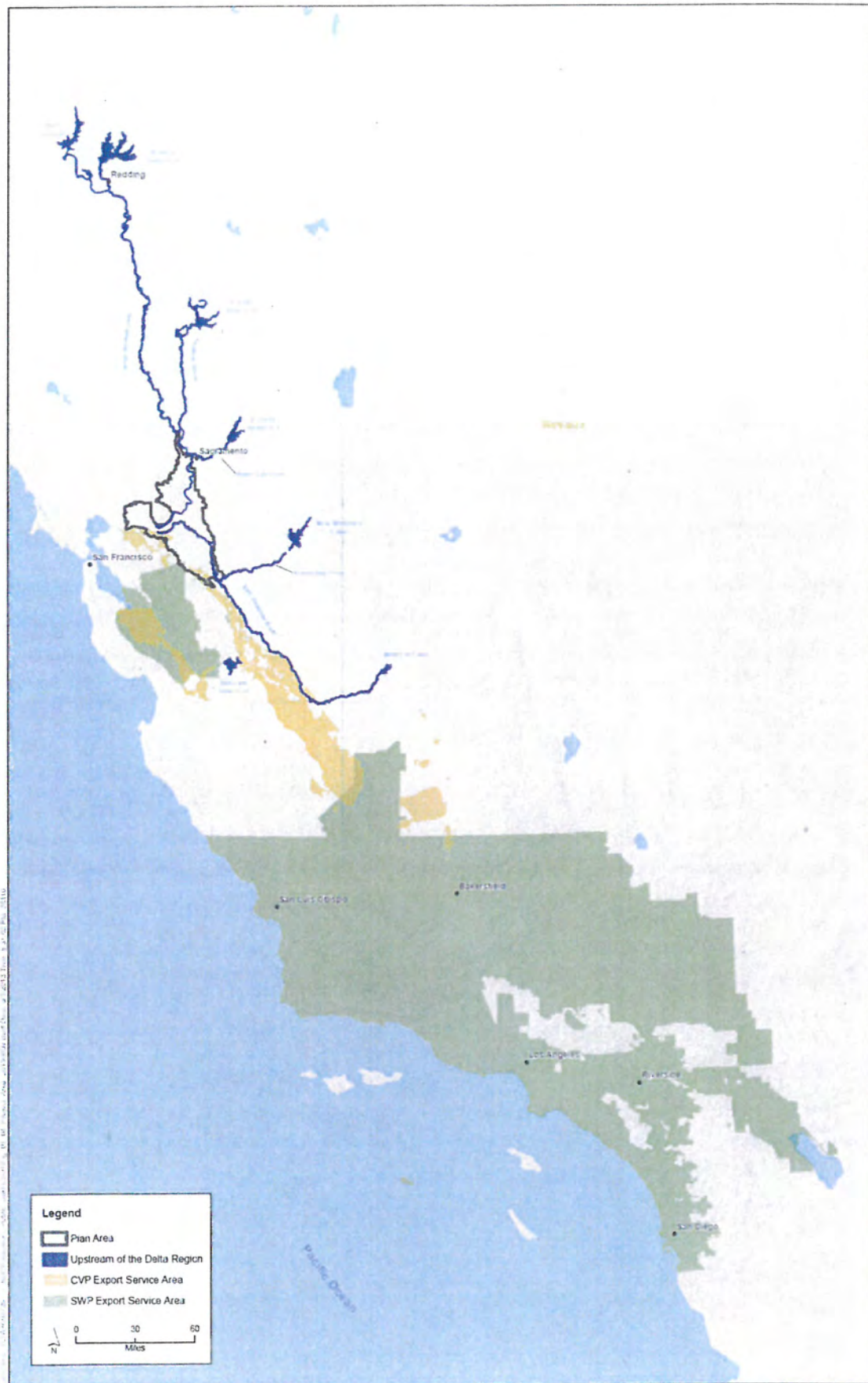


Figure 1-4
Project Area

Attachment 2 – Project Description

The California WaterFix (Project) planning process started in 2006 and was initially proposed as the Bay Delta Conservation Plan (BDCP). In December 2013, a draft environmental impact report/environmental impact statement (EIR/EIS) to analyze the BDCP and its alternatives was released. In July 2015, the California Department of Water Resources (DWR) and U.S. Bureau of Reclamation (Reclamation), the lead agencies under CEQA and NEPA, respectively, added three sub-alternatives to the BDCP that would update the SWP without the large-scale conservation efforts that were included in the BDCP. DWR and Reclamation, released the Bay Delta Conservation Plan/California WaterFix Partially Recirculated Draft EIR/Supplemental Draft EIS (RDEIR/SDEIS) for the BDCP Draft EIR/EIS to address certain issues raised in comments received on the Draft EIR/EIS. The California WaterFix¹, Alternative 4A, became DWR's CEQA preferred project under the California Environmental Quality Act (CEQA) and Reclamation's preferred alternative under the National Environmental Policy Act (NEPA) with the publication of the RDEIR/SDEIS. It is now the Project being approved by DWR. The Project involves the construction of new north Delta intake structures with state-of-the-art fish screens that, when coupled with dual conveyance, will increase water supply reliability and align water operations to better reflect natural seasonal flow patterns. These intakes will reduce the SWP's and CVP's ongoing reliance on existing diversion facilities located at the far southern part of the Delta, allow for greater operational flexibility to protect fish, and capture water during high flow events when pumping in the south Delta would otherwise be restricted. Alternative 4A also includes habitat restoration commensurate with CEQA's mitigation requirements.

Under the Project, Alternative 4A, water would primarily be conveyed from the north Delta to the south Delta through pipelines/tunnels. Water would be diverted from the Sacramento River through three fish-screened intakes on the east bank of the Sacramento River between Clarksburg and Courtland. Water would travel from the fish-screened intakes through a gravity fed tunnel system to reach pumping plants at the expanded Clifton Court Forebay, feeding into the Banks and Jones Pumping Plants. Alternative 4A would include the continued use of the SWP/CVP south Delta export facilities.

California WaterFix is one element of Governor Brown's California Water Action Plan, which seeks to bolster regional self-sufficiency in water supplies, reduce reliance on the Delta, recover native fish populations and, overall, bring reliability, restoration, and resilience to California's water supply systems.

¹ For a detailed description of California WaterFix please see Chapter 3 of Final EIR/EIS.



State of California - Department of Fish and Wildlife

2017 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/01/17) Previously DFG 753.5a

Print

Start Over

Finalize & Email

RECEIPT NUMBER:

59 — 07/21/17 — 076

STATE CLEARINGHOUSE NUMBER (If applicable)

2008032062

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

Department of Water Resources

LEAD AGENCY EMAIL

DATE

07/21/17

COUNTY/STATE AGENCY OF FILING

OPR/SCH

DOCUMENT NUMBER

PROJECT TITLE

California WaterFix Final EIR/EIS

PROJECT APPLICANT NAME

Marcus Yee

PROJECT APPLICANT EMAIL

PHONE NUMBER

(916) 651-6736

PROJECT APPLICANT ADDRESS

901 P St, Fourth Floor

CITY

Sacramento

STATE

CA

ZIP CODE

95814

PROJECT APPLICANT (Check appropriate box)

☐

Local Public Agency

☐

School District

☐

Other Special District

☒

State Agency

☐

Private Entity

CHECK APPLICABLE FEES:

☒

Environmental Impact Report (EIR)

\$3,078.25

\$

3,078.25

☐

Mitigated/Negative Declaration (MND)(ND)

\$2,216.25

\$

0.00

☐

Certified Regulatory Program document (CRP)

\$1,046.50

\$

0.00

☐

Exempt from fee

☐

Notice of Exemption (attach)

☐

CDFW No Effect Determination (attach)

☐

Fee previously paid (attach previously issued cash receipt copy)

☐

Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☐

County documentary handling fee

\$

☐

Other

\$

PAYMENT METHOD:

☐

Cash

☐

Credit

☒

Check

☐

Other

TOTAL RECEIVED

\$

3,078.25

SIGNATURE

Charissa
X MartinezDigitally signed by Charissa
Martinez
Date: 2017.07.21 10:02:06
-07'00'

AGENCY OF FILING PRINTED NAME AND TITLE

Charissa Martinez, CEQA Tech



Regina Alcomendras
Santa Clara County
Clerk-Recorder
(408) 299-5688
<https://www.clerkrecorder.org>

Receipt: 18-96599

| Product | Name | Extended |
|---------------|-----------------------------------|-----------------------------------|
| CEQA | ENVIRONMENTAL FILING | \$50.00 |
| | # Pages | 9 |
| | Document # | ENV21533 |
| | Document Info: | SANTA CLARA VALLEY WATER DISTRICT |
| | Filing Type | J |
| Total | | \$50.00 |
| Tender (Cash) | | \$50.00 |
| Paid By | SANTA CLARA VALLEY WATER DISTRICT | |

PLEASE KEEP FOR REFERENCE

1



State of California - Department of Fish and Wildlife

2018 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 10/31/17) Previously DFG 753.5a

RECEIPT NUMBER:

ENV21533

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

| | | |
|--|-------------------|--------------------|
| LEAD AGENCY SANTA CLARA VALLEY WATER DISTRICT | LEAD AGENCY EMAIL | DATE 05/15/2018 |
| COUNTY/STATE AGENCY OF FILING SANTA CLARA | DOCUMENT NUMBER | |

| | | | |
|--|-------------------------|-------------|--------------------------------|
| PROJECT TITLE CALIFORNIA WATER FIX-AUTHORIZATION TO EXECUTE AGREEMENTS, DESIGNATION OF DISTRICT | | | |
| PROJECT APPLICANT NAME SANTA CLARA VALLEY WATER DISTRICT | PROJECT APPLICANT EMAIL | | PHONE NUMBER (408) 265-2607 |
| PROJECT APPLICANT ADDRESS 5750 ALMADEN EXPRESSWAY | CITY SAN JOSE | STATE CA | ZIP CODE 95118 |

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency ☐ School District ☒ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR) \$3,168.00 \$ _____
☐ Mitigated/Negative Declaration (MND)(ND) \$2,280.75 \$ _____
☐ Certified Regulatory Program document (CRP) \$1,077.00 \$ _____

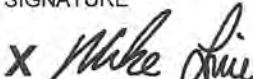
☐ Exempt from fee☐ Notice of Exemption (attach)☒ CDFW No Effect Determination (attach)☐ Fee previously paid (attach copy of previously issued Environmental Filing Fee Cash Receipt (DFW 753.5a))

☐ Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
☒ County documentary handling fee \$ _____ \$50.00
☐ Other \$ _____

PAYMENT METHOD:

☒ Cash ☐ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 50.00

| | |
|---|---|
| SIGNATURE  | AGENCY OF FILING PRINTED NAME AND TITLE Mike Louie, Deputy County Clerk-Recorder |
|---|---|

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