

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

RESOLUTION NO. 20-

**SETTING TIME AND PLACE OF PUBLIC HEARING ON THE
ENGINEER'S REPORT AND CEQA EXEMPTION DETERMINATION FOR
THE ANDERSON DAM FEDERAL ENERGY REGULATORY
COMMISSION COMPLIANCE ORDER PROJECT**

WHEREAS, the Santa Clara Valley Water District (Valley Water) has been duly and regularly established and exists pursuant to the provisions of the Santa Clara Valley Water District Act (District Act); and

WHEREAS, the Anderson Dam Federal Energy Regulatory Commission Order Compliance Project (proposed Project) is included in the Board-approved fiscal years 2021–2025 Capital Improvement Program. Valley Water has proceeded with feasibility and alternatives analysis for the Project objectives to be attained, and has documented the alternatives analysis and decision criteria and comparisons in a Planning Study Report prepared by Valley Water's engineer, titled "Anderson Dam Seismic Retrofit Project," dated July 2013 and provided to Valley Water's Board of Directors by Non-Agenda on August 2013; and

WHEREAS, on the 9th day of June 2020, the Engineer's Report for the proposed Project prepared by Valley Water's Engineers, titled "Anderson Dam Federal Energy Regulatory Commission Order Compliance Project No. 91864005," dated May 2020, was made available to the Board of Directors, providing:

1. A general description of the proposed Project;
2. A general description of and maps showing the location of the proposed Project and lands, rights of way, and easements required therefor; and
3. An estimate of the cost of the proposed Project and means of financing these costs.

WHEREAS, Section 12 of the District Act requires the Board to conduct a public hearing to consider all written and oral objections to the proposed project when: (1) the project is new construction and (2) the project is funded by single or joint zones of benefits; and

WHEREAS, the California Environmental Quality Act (CEQA) Guidelines section 15202(b) requires environmental review to be a subject of the public hearing if a public hearing is being held on a lead agency's decision to carry out or approve a project. Since Valley Water must conduct a public hearing on the Engineer's Report, the CEQA exemption determination for the proposed Project will also be considered during the hearing.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District:

1. That the 23rd day of June 2020 at 6:00 p.m., by teleconference Zoom meeting, be fixed as the time and place for a public hearing on the Engineer's Report and the CEQA exemption determination, and this Board of Directors will consider all written and oral objections to the proposed Project and CEQA determination; and

2. That the Engineer's Report for the proposed Project, titled "Anderson Dam Federal Energy Regulatory Commission Order Compliance Project No. 91864005," dated May 2020 is available for public inspection by any interested person on Valley Water's website: <http://www.valleywater.org/PublicReviewDocuments.aspx>.

In compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to the COVID-19 pandemic, the Governor's Executive Order N-29-20, and the March 16, 2020 Shelter in Place Order of the County of Santa Clara Public Health Officer, Valley Water's offices are closed to the public. Therefore, the Engineer's Report is unavailable for public inspection at Valley Water's offices and only available online. Copies of the Engineer's Report are also being distributed to the City Clerks' offices in San Jose, Gilroy, and Morgan Hill and may be available on their respective web sites.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on June 9, 2020:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

NAI HSUEH
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors