

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

RESOLUTION NO. 21-

ESTABLISHING POLICY CRITERIA FOR PUBLIC TRAILS ON VALLEY WATER LANDS

WHEREAS Santa Clara Valley Water District (Valley Water) permits the use of its lands for appropriate public trails (Trail Projects) that are constructed, operated, and maintained by other public agencies and jurisdictions (Partner Agencies) through Joint Use Agreements with Valley Water; and

WHEREAS the Trails Policy Criteria (Policy Criteria) are evaluative standards that inform the Valley Water Board of Director's decision-making process for evaluating a Joint Use Agreement for a Trail Project; and

WHEREAS the Criteria ensure that Trail Projects support healthy communities, while maintaining operation of Valley Water facilities for water supply and flood control, sustaining water quality to meet regulatory standards, and meeting environmental objectives.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District, that it shall not permit any joint use of Valley Water lands for public trails which do not meet the following Criteria:

1. **Planning and Public Outreach.** The Partner Agency with authority over the use, management, and policing of the Trail Project shall have completed a public planning and community outreach process prior to Valley Water's consideration of a Joint Use Agreement.
2. **Flood Protection.** Trail Projects, at a minimum, must not reduce existing or design levels of flood protection provided by a Valley Water facility both from operation and maintenance perspectives, adversely affect existing FEMA flood mapping, increase the extent of flooding or increase the frequency of flooding. Trail Projects must be compatible with planned Valley Water capital projects.
3. **Water Quality.** Trail Projects will be designed to minimize erosion and the flow of pollutants, including trash and litter, into aquatic environments. Pervious trail surfaces are preferred.
4. **Channel Stability.** Trail Projects, including any in-channel project components, must not adversely affect channel stability or cause or exacerbate existing erosion problems.
5. **Habitat Protection.** Construction and use of Trail Projects must not result in serious or major disturbance to biological resources, including aquatic, riparian, and wetland habitat, and the streamside ecosystem.
6. **Maintenance and Security.** Maintenance, policing, and management of the Trail Project is at the sole cost and responsibility of the Partner Agency. Removal or alteration of trail infrastructure for any reason, shall be at the cost of the Partner Agency.

7. **Valley Water Access.** The Trail Project must not limit or constrain Valley Water access to maintain and operate its facilities.
8. **Regulatory Compliance.** The Partner Agency is responsible for completing environmental review pursuant to the California Environmental Quality Act and obtaining all necessary regulatory permits prior to trail construction and use.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on October 12, 2021:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

TONY ESTREMER
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors