

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

RESOLUTION NO. 21-

**WATER STORAGE INVESTMENT PROGRAM FUNDING COMMITMENT FOR THE
PACHECO RESERVOIR EXPANSION PROJECT**

WHEREAS, the Santa Clara Valley Water District ("Valley Water"), is a flood control and water district duly organized and existing under and pursuant to the Constitution and laws of the State of California; and

WHEREAS, Valley Water applied under the State of California's Water Storage Investment Program ("WSIP") for funding with respect to the Pacheco Reservoir Expansion Project (the "Pacheco Reservoir Expansion Project"); and

WHEREAS, the State of California (the "State") acting through the California Water Commission (the "CWC") determined that Valley Water was conditionally eligible for funding under WSIP on July 24, 2018, of up to \$484,550,000; and

WHEREAS, Valley Water entered into a "Funding Agreement between the State of California (California Water Commission) and Santa Clara Valley Water District For Pacheco Reservoir Expansion Water Storage Program (WSIP) - Early Funding Agreement Number 4600012891 dated December 10, 2018" (the "Early Funding Agreement"); and

WHEREAS, on February 3, 2021, the CWC adjusted the maximum conditional eligibility determination for the Pacheco Reservoir Expansion Project to \$496,663,750; and

WHEREAS, to remain eligible for funding under WSIP, Valley Water is required to provide to the Director of the Department of Water Resources, on or prior to January 1, 2022, a commitment for not less than 75% of the non-public benefit cost share of the Pacheco Reservoir Expansion Project, as well as completing feasibility studies for the Pacheco Reservoir Expansion Project and making draft environmental documents for the Pacheco Reservoir Expansion Project available for public review; and

WHEREAS, Valley Water is currently preparing an Environmental Impact Report (EIR) for the proposed Pacheco Reservoir Expansion Project as required by the California Environmental Quality Act (CEQA), and would consider project approval following completion of the CEQA process.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Santa Clara Valley Water District does hereby find, determine, declare, and resolve as follows:

Section 1. Funding Commitment. Valley Water hereby commits to CWC for not less than 75% of the non-public benefit costs share of the Pacheco Reservoir Expansion Project from Water Utility Revenues, Safe, Clean Water and Natural Flood Protection Program Revenues (to the extent authorized by such program), other Valley Water funds, and from Pacheco Reservoir Expansion Project partners, as applicable.

Section 2. Other Actions. The Chief Executive Officer, the Assistant Chief Executive Officer, Deputy Operations Officer, Dam Safety and Capital Delivery Division, the Chief Financial Officer or the designees thereof are authorized and directed, acting singly, to do any and all things and to execute and deliver any and all documents which such officers may deem necessary or advisable in order to comply with WSIP requirements with respect to the commitment to funding of the non-public benefit costs of the Pacheco Reservoir Expansion Project, and such actions in connection therewith previously taken by such officers and other Valley Water staff are hereby ratified and confirmed.

Section 3. Regulatory Citation. This resolution is intended to comply with Section 6013(f) of Title 23, Division 7, Chapter 1 of the California Code of Regulations.

Section 4. Effect. This resolution shall take effect immediately.

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

Affix Seal Here

I hereby certify that the foregoing is a full, true and correct copy of the original thereof on file in my office.

DATED: November 9, 2021

MICHELE L. KING
Clerk, Board of Directors
Santa Clara Valley Water District

THIS PAGE INTENTIONALLY LEFT BLANK