



# Santa Clara Valley Water District

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**File No.:** 20-0876

**Agenda Date:** 11/10/2020

**Item No.:** 4.1.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Proposed Conversion of Santa Clara Valley Water District (Valley Water) Fish and Aquatic Habitat Collaborative Effort (FAHCE) Ad Hoc Committee to a Standing Board Committee.

### **RECOMMENDATION:**

Consider and approve the Fish and Aquatic Habitat Collaborative (FAHCE) Ad Hoc Committee's recommendations to:

- a. Convert the FAHCE Ad Hoc Committee to a Standing Board Committee;
- b. Expand the purpose of the Committee by adding a third purpose to identify and track progress of District and non-District activities that may affect the FAHCE Settlement Agreement and implementation; and
- c. Name the Standing Board Committee the "Stream Planning and Operations Committee".

### **SUMMARY:**

On April 12, 2016, the Board established the FAHCE Ad Hoc Committee to expedite the resolution of the water rights complaint pending before the State Water Resources Control Board (SWRCB). The Board tasked the FAHCE Ad Hoc Committee with two purposes:

- (1) Track the progress of Valley Water and other parties (Initialing Parties) of the FAHCE Settlement Agreement in completing requirements enabling dismissal of the water rights complaint and commencement of the restoration program.
- (2) Identify and recommend actions the Board can take to ensure expeditious completion of the requirements defined in Purpose 1, including engagement with appointed boards and senior officials of the other Initialing Parties.

On February 11, 2020, the Board took action to: 1) disband the Coyote Flood Risk Reduction Committee (CFRRC) and transfer any remaining CFRRC work items to the FAHCE Ad Hoc Committee; and 2) refer to the FAHCE Ad Hoc Committee to review its purpose and consider including Anderson Dam and Coyote Creek issues and return to the Board with a proposed new committee purpose and name.

Subsequently, the FAHCE Ad Hoc Committee reviewed its purpose, and considered the inclusion of related issues that may impact implementation of the FAHCE Settlement Agreement. In addition, the

FAHCE Ad Hoc Committee convened a public committee meeting on October 8, 2020, to receive public input before formulating its recommendations to the Board. Based on the public meeting and consistent with Board Governance Policy GP-8 (Attachment 1), the FAHCE Ad Hoc Committee recommends:

- a. Converting the FAHCE Ad Hoc Committee to a Standing Board Committee;
- b. Expanding the purpose of the Committee by adding the following third purpose to its two existing purposes:

“Identify and track progress of District and non-District activities that may affect the FAHCE Settlement Agreement and implementation.”

This additional purpose incorporates the February 11, 2020, Board direction and provides the Committee with a broader perspective to consider proposals, activities and projects that may affect the successful implementation of the FAHCE program to reasonably balance the use of Stevens Creek, Guadalupe River and Coyote Creek (Three Creeks) waters for all beneficial uses, including stream stewardship, water supply and flood protection; and

- c. Changing the name of the Committee from the “FAHCE Ad Committee” to the “Stream Planning and Operations Committee” (SPOC). This name change reflects the broader purpose of the Committee as described in item b above.

**FINANCIAL IMPACT:**

There are funds budgeted in the Fiscal Year 2021 Clerk of the Board budget to support board committees.

**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: Board Governance Policy GP-8

**UNCLASSIFIED MANAGER:**

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