



Santa Clara Valley Water District

File No.: 20-1000

Agenda Date: 10/27/2020

Item No.: *2.7.

BOARD AGENDA MEMORANDUM

SUBJECT:

Conduct Public Hearing on the Engineer's Report and CEQA Exemption Determination for the Penitencia Water Treatment Plant Rehabilitation of Flocculation and Sedimentation Basins Project, Approve CEQA Exemption Determination, Adopt Resolution Approving the Engineer's Report, and Approve the Penitencia Water Treatment Plant Rehabilitation of Flocculation and Sedimentation Basins Project, Project No. 93764004 (San Jose) (District 3). (PREVIOUSLY LISTED AS ITEM 2.6)

RECOMMENDATION:

- A. Conduct Public Hearing on the Engineer's Report and the CEQA Exemption Determination for the Penitencia Water Treatment Plant Rehabilitation of Flocculation and Sedimentation Basins Project (Project);
- B. Close the Public Hearing;
- C. Approve the CEQA exemption determination for the Project;
- D. Adopt the Resolution APPROVING THE ENGINEER'S REPORT FOR THE PENITENCIA WATER TREATMENT PLANT REHABILITATION OF FLOCCULATION AND SEDIMENTATION BASINS PROJECT; and
- E. Approve the Project.

SUMMARY:

The objective of the Penitencia Water Treatment Plant (PWTP) Rehabilitation of Flocculation and Sedimentation Basins Project is to extend the useful life and increase the reliability of the PWTP. The Project will remove and replace all process-related mechanical and electrical equipment, inspect and refurbish the basin concrete coatings, and upgrade the drive motor assemblies in all three (3) of the flocculation and sedimentation basins at the PWTP.

CEQA Exemption

CEQA provides a Categorical Exemption for the restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety (CEQA Guidelines § 15301; Existing Facilities [Class 1 - operation, repair, maintenance, minor alteration of existing structures and facilities]).

Filing of Notice of Exemption

Staff has reviewed the proposed Project for CEQA compliance and concluded that it qualifies for CEQA's Class 1 Categorical Exemption. Consistent with Valley Water's CEQA procedures, a draft Notice of Exemption (NOE) (Attachment 1) is attached for Board consideration. If the Board approves the proposed Project, staff will file the NOE with the County of Santa Clara Office of the Clerk/Recorder.

Engineer's Report

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 a single or joint zone of benefit. As the proposed Project meets both conditions, staff prepared an Engineer's Report (Attachment 2) for the purpose of public disclosure. The Notice of Public Hearing for the Engineer's Report (Attachment 3) was published in accordance with the District Act; posted outside Valley Water's Offices at 5700 Almaden Expressway, San Jose, California, 95118; and on Valley Water's website at <https://www.valleywater.org/public-review-documents>. A copy of the Report has been provided to the City Clerk's office in the City of San Jose and may be available on its web site.

On October 13, 2020, the Board adopted Resolution No. 20-83 Setting Time and Place of Public Hearing on the Engineer's Report and CEQA Exemption Determination for the Project. As stated in the Resolution, the Board was provided with the Engineer's Report dated "August 2020."

Attachment 4 provides the resolution approving the Engineer's Report.

Attachment 5 contains a presentation on the proposed Project.

Prior Board Action(s)

October 13, 2020: the Board adopted Resolution No. 20-83 setting the time and place for the public hearing on the Engineer's Report to take place on October 27, 2020.

Next Steps

If the Board approves the proposed Project, the future Project milestones are:

1. Board adoption of plans and specifications for construction
2. Board award of construction contract

FINANCIAL IMPACT:

The proposed Project is included in the Board-approved Fiscal Year 2021-25 Capital Improvement Program. The estimated total cost of the proposed Project is \$4.2 million. There are sufficient funds in the FY2020-21 Water Treatment Small Cap Project, Project No. 93764004, budget to fund the proposed Project. The proposed Project would be funded by the Water Enterprise Fund, with 100%

of the costs allocated to Zone W-2 (North County).

CEQA:

CEQA provides a categorical exemption for projects within existing facilities, which include specific actions necessary for the restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment (CEQA Guidelines §15301(d)). After analysis of the facts and applicable law, staff has concluded that the proposed Project qualifies for this categorical exemption.

ATTACHMENTS:

- Attachment 1: Draft Notice of Exemption
- Attachment 2: Engineer's Report
- Attachment 3: Notice of Public Hearing
- Attachment 4: Resolution
- Attachment 5: PowerPoint
- *Supplemental Agenda Memorandum
- *Supplemental Attachment 1: Revised PowerPoint

UNCLASSIFIED MANAGER:

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