

AGENDA ITEM NO. 4

PHASE 2 LOS VAQUEROS

EXPANSION CERTIFICATION OF

FINAL SUPPLEMENT AND

PROJECT APPROVAL

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Background

- The Phase 2 Expansion is a modification to the existing 160-TAF Los Vaqueros Reservoir Expansion, approved by the Board on March 31, 2010 with Resolution No. 10-05
- Approval in 2010 did not preclude future consideration of a second phase of expansion to 275 TAF under a Timing Variant which was analyzed in the previously certified March 2010 Final EIS/EIR

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Background (Cont.)

- A Supplement to the Final EIS/EIR was prepared in 2017 to ensure that refinements to the project description made since 2010 do not result in new or substantially more severe impacts, or require new mitigation or alternatives not previously identified

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Phase 2 Expansion

- Proposed Project is Alternative 1B
 - Facilities include 275-TAF reservoir expansion, new and expanded pump stations, new conveyance pipelines, and recreation facilities
 - Operations balance water deliveries for water supply reliability for Local Agency Partners and ecosystem uses for south-of-Delta wildlife refuges

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Phase 2 Expansion (Cont.)

- Continues to provide CCWD the benefits of the original project and Phase 1 Expansion to 160 TAF
- Increases recreational opportunities in the Watershed
- Remains consistent with the CCWD Board Principles

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Potential Partners

- Local Agency Partners - nine local water agencies
 - Alameda County Water District (ACWD)
 - Bay Area Water Supply and Conservation Agency (BAWSCA)
 - City of Brentwood
 - East Bay Municipal Utility District (EBMUD)
 - Santa Clara Valley Water District (SCVWD, or Valley Water)
 - San Francisco Public Utilities Commission (SFPUC)
 - San Luis & Delta-Mendota Water Authority (SLDMWA)
 - Grassland Water District
 - Alameda County Flood Control and Conservation District, Zone 7 (Zone 7)

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Potential Partners (Cont.)

- Member agencies currently participating through San Luis & Delta-Mendota Water Authority (SLDMWA)
 - Byron Bethany Irrigation District (BBID)
 - Del Puerto Water District (DPWD)
 - Panoche Water District (PWD)
 - Westlands Water District (WWD)

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State and Federal Beneficiaries

- Refuges – up to 14 south-of-Delta wildlife refuges
- Reclamation – Central Valley Project
- California Water Commission
 - California Department of Fish & Wildlife
 - California Department of Water Resources

Alternatives

- Three include the same physical facilities (i.e., 275-TAF reservoir, pump stations and pipelines) but varying operational scenarios
 - Alternative 1A – (Water Supply Reliability)
 - **Alternative 1B – (Environmental Water Management & Water Supply Reliability)**
 - Alternative 2A – (Environmental Water Management)

Alternatives (Cont.)

- One does not include a reservoir expansion or a new Delta-Transfer Pipeline, but is operated similarly to Alternative 1B
 - Alternative 4A – (Environmental Water Management & Water Supply Reliability)

Alternative Recommended for Approval

- Alternative 1B – (275-TAF Reservoir/Environmental Water Management & Water Supply Reliability)
 - Meets project objectives
 - Maximizes potential project deliveries to both Local Agency Partners and wildlife refuges
 - Other alternatives are either infeasible or do not meet the objectives as fully
 - As mitigated, Alternative 1B provides a reasonable balance between meeting project objectives and reducing environmental impacts

Proposed Project: Summary of Impacts

- Majority of impacts are from construction and reservoir inundation and are less than significant or less than significant with mitigation
- Mitigation strategy
 - Minimize and avoid construction-related impacts
 - Restore and enhance impacted habitats
 - Provide compensation for loss of habitat through acquisition, protection and management of habitat

Proposed Project: Summary of Impacts (Cont.)

- With adoption of Resolution No. 20-006, mitigation measures become conditions of approval and are implemented per the Mitigation Monitoring and Reporting Program

Proposed Project: Significant and Unavoidable Impacts

- Phase 2 Expansion: permanent loss of 0.5-acre of Important Farmland at the EBMUD-CCWD Intertie Pump Station site; requires a Statement of Overriding Considerations
- Phase 1 Expansion: permanent loss of a potential kit fox corridor on the west side of the Reservoir; Board adopted a Statement of Overriding Considerations in 2010
 - Phase 2 Expansion's incremental effects are less than significant; however, when combined with the Phase 1 Expansion, a Significant and Unavoidable Impact remains for the project as a whole

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Public Participation

- Draft Supplement
 - Public Comment Period: June 30 to September 5, 2017
 - July 2017 – six Public Hearings
 - Direct mailing of CEQA Notice of Availability to parties that previously commented
 - Posted to CCWD and Reclamation project websites and available at CCWD

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Public Participation (Cont.)

- Final Supplement
 - Published on February 28, 2020
 - CEQA Notice of Response to Public Agency comments and other parties who provided comments – May 1, 2020

Comments Received

- General topics covered
 - Alternative to additional storage
 - Alternative Transfer – Bethany Pipeline alignment
 - Mitigation ratios/measures
 - Expansion of allowed uses in the Watershed, including request for additional bike path from north to south
- All comments received on the Draft Supplement have been fully addressed

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Fiscal Impact

- This CEQA action does not have a direct fiscal impact on the District
- Approval of the Phase 2 Expansion does not authorize implementation of or funding for construction
- Project implementation will be determined by the Joint Powers Authority for the Phase 2 Expansion currently under development and guided by the principle of “beneficiary pays”

Fiscal Impact (Cont.)

- The Board will consider the District's specific benefits and cost share at a later date
- The District will continue to conduct ongoing planning and design activities with funding from the Multi-party Agreement with the Local Agency Partners and the Early Funding Agreement with the California Water Commission with additional cost share provided by Reclamation

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Project Schedule

May 13, 2020	Certify Final Supplement and Approve the Phase 2 Expansion Project
May 18, 2020	File Notice of Determination and/or Take Steps Identified by the Governor
June 17, 2020*	End of Statutory 30-day Legal Challenge Period
December 2020	Joint Powers Authority Formation
January 2022	California Water Commission Final Award Hearing
2023	Start of Construction

*Will be extended to as many as 90 days after the CA state of emergency related to COVID-19 is lifted

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Recommended Board Action

- Adopt Resolution 20-006:
 - Certifying the Final Supplement
 - Adopting as conditions of approval the mitigation measures set forth in the Final Supplement
 - Adopting the Mitigation Monitoring and Reporting Program
 - Adopting all the Findings including the Statement of Overriding Considerations
 - Approving Alternative 1B which includes a reservoir expansion to 275-TAF