



Board Agenda Item 30

DATE: February 6, 2018

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Central Valley Project Interim Renewal Contract

RECOMMENDED ACTION(S):

Adopt Resolution approving the Central Valley Project Interim Renewal Contract and authorize the Chairman of the Board of Supervisors to execute the Contract as the designated County Official.

The recommended action involves renewing, on an interim basis, the County's contract with the U.S. Department of Interior Bureau of Reclamation, for up to 3,000 acre-feet of Central Valley Project (CVP) water. The interim contract provides for continued service and supply until a long-term contract has been completed and executed. This contract must be renewed prior to the expiration of the 2016 Interim Agreement, which is February 28, 2018. This item pertains to properties in District 5.

ALTERNATIVE ACTION(S):

There is no viable alternative to the recommended action.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. All costs for administering the CVP Program under this contract are budgeted in County Service Area No 34 (CSA 34) Org 9174 (Millerton New Town, Exhibit A).

DISCUSSION:

In 1992, Congress passed the Central Valley Project Improvement Act (34 U.S.C.A., s3504, Public Law 102-575, hereinafter referred to as CVPIA) which addresses, among other things, renewal of the CVP water contracts. Long-term renewal of CVP water contracts is pending the resolution of the environmental review process. However, CVPIA provides for interim contracts on a short-term basis.

On December 12, 1995, your Board approved an amendatory Interim Renewal Contract, extending the original County contract to February 29, 1996. Since that time, your Board has approved several one or two-year interim contract renewals, the last being on February 9, 2016, which extended the contract period until February 28, 2018. The contract before your Board today, will extend the contract period until February 29, 2020.

The subject interim renewal contract is not significantly different from Interim Contract Renewals previously approved by your Board. Concurrent with the Interim Renewal Contract period, the long-term (25-year) contract is being negotiated with the Bureau of Reclamation and the environmental review is nearly

complete. Staff anticipates bringing the long-term 25-year contract to your Board for approval pending completion of the environmental process, and release by the Bureau within this next two-year interim renewal period.

It has been determined, pursuant to section 15061 (b) (3) of the State of California Environmental Quality Act (CEQA) Guidelines, that the project does not have the potential for causing a significant effect on the environment and is exempt from CEQA. A Notice of Exemption will be filed with the County Clerk upon execution of the Interim Renewal Contract. A National Environmental Policy Act (NEPA) Environmental Assessment on the Interim Contract, prepared by the U.S. Department of the Interior, Bureau of Reclamation, resulted in a Finding of No Significant Impact.

The Bureau of Reclamation has specified a requirement that a formal resolution be adopted approving the contract and authorizing a designated County official to sign the contract, which, in this case, is the Chairman of the Board of Supervisors. Staff has prepared a resolution for your Board's consideration, approving the contract and authorizing the Chairman to be the County signatory on the contract. County Counsel has reviewed and approved the Interim Renewal Contract. Should your Board not approve the Interim Renewal Contract; the County's CVP Water Contract will expire on February 28, 2018.

OTHER REVIEWING AGENCIES:

U.S. Department of Interior Bureau of Reclamation

REFERENCE MATERIAL:

BAI #36, February 9, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A

On file with Clerk - Resolution

On file with Clerk - CVC Interim Agreement

CAO ANALYST:

John Hays