




Date: June 4, 2020

To: **Water Resources and Watershed Committee**
B.J. Atkins, Chair
Edward Colley
William Cooper
Jeff Ford
E.G. "Jerry" Gladbach
Maria Gutzeit

From: Steve Cole, Assistant General Manager 

The **Water Resources and Watershed Committee** is scheduled to meet via teleconference on **Wednesday, June 10, 2020 at 6:00 PM**, dial information is listed below.

**TELECONFERENCE ONLY
NO PHYSICAL LOCATION FOR MEETING**

TELECONFERENCING NOTICE

Pursuant to the provisions of Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020, any Director may call into an Agency Committee meeting using the Agency's **Call-In Number 1 (877) 309-2073 Access Code 234-784-093** or **GoToMeeting by clicking on the link**

<https://global.gotomeeting.com/join/563561061>

without otherwise complying with the Brown Act's teleconferencing requirements.

Pursuant to the above Executive Order, the public may not attend the meeting in person. Any member of the public may listen to the meeting or make comments to the Committee using the call-in number or GoToMeeting link above. Please see the notice below if you have a disability and require an accommodation in order to participate in the meeting.

We request that the public submit any comments in writing if practicable, which can be sent to cfowler@scvwa.org or mailed to Cheryl Fowler, Administrative Analyst, Santa Clarita Valley Water Agency, 26501 Summit Circle, Santa Clarita, CA 91350. All written comments received before 4:00 PM the day of the meeting will be distributed to the Committee members and posted on the Santa Clarita Valley Water Agency website prior to the meeting. Anything received after 4:00 PM the day of the meeting will be posted on the SCV Water website the following day.

MEETING AGENDA

<u>ITEM</u>		<u>PAGE</u>
1.	Public Comments – Members of the public may comment as to items not on the Agenda at this time. Members of the public wishing to comment on items covered in this Agenda may do so now or at the time each item is considered. (Comments may, at the discretion of the Committee Chair, be limited to three minutes for each speaker.)	
2.	* Recommend Authorizing the General Manager to Extend the Site Control Agreement between SCV Water and Alamo Springs, LLC through December 31, 2021	3
3.	Water Resources Director’s Report	
	3.1 Review of Watershed Recharge Feasibility Study	
	3.2 Review of Water Management Options to Enhance Reliability	
4.	Update on Conservation Activities & Performance	
5.	* Committee Planning Calendar	7
6.	Adjournment	
*	Indicates Attachment	
◆	Indicates Handout	

NOTICES:

Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning (Insert Name and Title), at (insert Phone Number), or in writing to Santa Clarita Valley Water Agency at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that Agency staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the Agency to provide the requested accommodation.

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Committee less than seventy-two (72) hours prior to the meeting will be available for public inspection at the Santa Clarita Valley Water Agency, located at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350, during regular business hours. When practical, these public records will also be made available on the Agency’s Internet Website, accessible at <http://www.yourscvwater.com>.

Posted on June 4, 2020.

MGS



COMMITTEE MEMORANDUM

DATE: May 27, 2020

TO: Water Resources and Watershed Committee

FROM: Dirk Marks *DM*
Director of Water Resources

SUBJECT: Recommend Authorizing the General Manager to Extend the Site Control Agreement between SCV Water and Alamo Springs, LLC through December 31, 2021

SUMMARY

On April 23, 2015, the Agency executed a Site Control Agreement (Agreement) with SunPower Corporation (SunPower) for possible development of a large-scale solar power generation project on the Agency's Devil's Den property. On September 19, 2018, SunPower contacted SCV Water wishing to have their Agreement assigned to a new owner, Alamo Springs, LLC (Alamo). Upon Board approval, a new Reimbursement and Indemnification Agreement, Non-Binding Memorandum of Understanding (MOU) and Second Amendment to the Site Control Agreement between SCV Water and Alamo extended the Agreement through June 30, 2020. As the associated CEQA documentation has required more time than anticipated, staff requests the Board authorize the General Manager to extend the Site Control Agreement through December 31, 2021, with additional changes to the terms and conditions of the Agreement.

DISCUSSION

Staff has concluded that due to recent Covid-19 related circumstances, Alamo will only partially meet the milestones set forth in the Second Amendment to the Site Control Agreement to complete CEQA documentation.

Alamo has requested that the Site Control Agreement be extended to December 31, 2021 to give its consultants additional time to complete their CEQA documentation. This third amendment to the Site Control Agreement would extend the agreement term by 6 months upon payment of \$8,000, and provide Alamo with an option for two additional 6 month extensions in exchange for payments of \$8,500 each. The right to extend beyond June 30, 2021, is subject to Alamo's Kings County Conditional Use Permit being deemed complete and submission of a Draft CEQA IS/MND to the County for review.

At the end of the final extension to December 31, 2021 (if exercised), Alamo is required to have received final CEQA approval. Further, at that point, negotiations will have concluded for an option to lease the land for the generation facility.

Alamo has also requested additional site clearing not consistent with the Site Control Agreement. Alamo has agreed to pay the additional sum of \$16,080 for each disking of the 804 acres of land associated with the location of the solar generation facility during the 2020 growing season and \$18,000 for each disking in 2021. It is anticipated that there will be a total of 5 or 6

disking requests. The actual work will be completed by SCV Water's tenant farmer, Rolling Hills Farms.

Staff believes that Alamo has been diligently working towards completing the milestones set forth in the Site Control Agreement and has completed most of the work associated with the Agreement including, but not limited to, biological studies, the execution of an interconnection agreement with PG&E and submittal of their Conditional Use Permit. Staff anticipates that Alamo will continue to move this project forward.

The draft Third Amendment to the Site Control Agreement is attached hereto. There are no changes to the terms and conditions of either the Reimbursement and Indemnification Agreement or the MOU between SCV Water and Alamo Springs I, LLC.

FINANCIAL CONSIDERATIONS

There are no costs to the Agency to extend the Site Control Agreement.

RECOMMENDATION

That the Water Resources and Watershed Committee recommend the Board of Directors approve authorizing the General Manager to extend the Site Control Agreement between SCV Water and Alamo Springs, LLC through December 31, 2021.

RGV

Attachment

MBS

THIRD AMENDMENT TO SITE CONTROL AGREEMENT

This Third Amendment to the Site Control Agreement (“Third Agreement”) is made as of _____, 2020 (“Effective Date”), by and between Alamo Springs I, LLC, a Delaware limited liability company (“Alamo”) and Santa Clarita Valley Water Agency (“SCVWA”). Alamo and SCVWA are sometimes individually referred to as a “Party” and collectively referred to as the “Parties”.

RECITALS

A. SCVWA is the successor in interest to Castaic Lake Water Agency (“CLWA”) pursuant to operation of law as of January 1, 2018;

B. Clearway Energy Group, LLC, is a Delaware limited liability company (“Clearway”), is the successor in interest to SunPower Corporation Systems (“SunPower”) with respect to that certain solar energy project which is described in that certain Site Control Agreement between SunPower and CLWA dated effective April 23, 2015, as amended by that certain First Amendment to Site Control Agreement dated November 12, 2015 (the “Site Control Agreement”);

C. The Site Control Agreement applies to that certain property owned by SCVWA as defined in Exhibit A to the Second Amendment to the Site Control Agreement dated April 4, 2019;

D. Alamo was formed as the single purpose entity for the Project and SunPower has assigned all of its rights in the Site Control Agreement to Alamo;

E. Alamo and SCVWA desire to modify the Second Amendment to the Site Control Agreement to provide for further extensions of the term of the Site Control Agreement in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, the Parties agree as follows:

1. Renewal Options: The Term, as previously extended in the Second Amendment to the Site Control Agreement, is currently due to expire on June 30, 2020. Section 9 of the Site Control Agreement is hereby revised to provide that Alamo shall have the right to further extend the Term as follows (subject to payment for each such extension in accordance with Section 1 below):

- a. from July 1, 2020 to December 31, 2020;
- b. from January 1, 2021 to June 30, 2021, subject to confirmation that the Kings County Conditional Use Permit has been deemed complete and that a Draft CEQA IS/MND has been submitted to the County for review.
- c. from July 1, 2021 to December 31, 2021

It is anticipated that no later than December 31, 2021, Alamo will have received final approval for the Project with respect to the CEQA process and that Alamo and SCVWA will have executed an option to lease with the final form of lease attached.

2. Considerations. If Alamo exercises any of its extension rights as provided in Section 1 above, Alamo shall pay to SCVWA the sum of Eight Thousand Dollars (\$8,000.00) for

the first extension and Eight Thousand Five Hundred Dollars (\$8,500.00) for the remaining two extensions within ten (10) days of the applicable renewal notice described in Section 9 of the Site Control Agreement.

Alamo shall also pay the amount of Sixteen Thousand Eighty Dollars (\$16,080) for each requested disking mobilization to deter habitat from forming for the 2020 growing season, and Eighteen Thousand Dollars (\$18,000) for each disking mobilization for the 2021 growing season. The disking will be completed by Rolling Hills Farms and will consist of plowing to a depth of approximately 6" using a 24' wide disking apparatus. It is anticipated that there will be two or three diskings each year.

3. Notice. All notices given pursuant to the Site Control Agreement, including the notice of renewal pursuant to Section 9, shall be delivered in person or sent via commercial overnight delivery to the following addresses:

Alamo Springs I, LLC
100 California Street, Suite 400
San Francisco, CA 94111
Attn: General Counsel

Santa Clarita Valley Water Agency
27234 Bouquet Canyon Road
Santa Clarita, CA 91350
Attn: General Manager

Notices given pursuant to this Agreement shall be effective on receipt. The addresses for notices set forth in this Section may be changed upon written notice of such change to other Party.

4. Nature of Amendment. Except as expressly set forth in this Third Amendment, the terms of the Site Control Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have entered into this Third Amendment as of the Effective Date.

ALAMO SPRINGS I, LLC
a Delaware limited liability company

By: _____

Name: _____

Title: _____

SANTA CLARITA VALLEY WATER AGENCY

By: _____

Name: Matthew G. Stone

Title: General Manager

**Santa Clarita Valley Water Agency
Water Resources & Watershed Committee and Board Calendar**

**ITEM NO.
5**

FY 2019/20

Item	Jul 2 Board	Jul 10 Comm	Aug 6 Board	Aug 14 Comm	Aug 20 Board	Sep 3 Board	Sep 11 Comm	Oct 1 Board	Oct 9 Comm	Oct 15 Board	Nov 5 Board	Nov 13 Comm <i>Cancelled</i>	Dec 11 Comm	Dec 17 Board	Jan 7 Board	Jan 8 Comm <i>Cancelled</i>	Feb 4 Board	Feb 12 Comm	Mar 3 Board	Mar 11 Comm	Apr 7 Board	Apr 8 Comm	May 5 Board	May 13 Comm	Jun 2 Board	Jun 10 Comm
1 Update on Conservation Activities & Performance		C		C			C		C			CNL	C					C		C		C		CNT		P
2 Status of Delta Conveyance Facility Agreement in Principles Negotiations																								CNT		CNL
3 Review of Water Management Options to Enhance Reliability																										P
4 Review of Watershed Recharge Feasibility Study							C																	CNT		P
5 Recommend Authorizing the General Manager to Extend the Site Control Agreement between SCV Water and Alamo Springs, LLC through December 31, 2021																										P
6 Recommend Authorizing the General Manager to Enter Into a Contract with Geosyntec Consultants, Inc. to Provide Data Visualization Support Services																								C	C	
7 Recommend Authorizing the General Manager to Execute an Amendment to the Reservoir Agreement for Sites Reservoir to Fund Necessary Planning Costs																								C		
8 Recommend Authorizing the General Manager to Enter Into a Contract with Encompass Consultant Group, Inc. for Conservatory Garden Refurbishment Engineering Design Services																								C	C	
9 Update on Conservatory Garden & Pocket Park Pilot Projects		C				C																				
10 Update on Conservation Strategies																										
11 Update on Recycled Water New Drop Program							C																			
12 Devil's Den Semi-Annual Report		C																C								
13 Status of Water Supply and Water Banking Programs		C					C													C						
14 Status of Sustainable Groundwater Management Act Implementation				C								CNL	C							C				C		
15 Status of Sites Reservoir Project									C																	
16 Status of Water Supplies													C					C								
17 Update on Integrated Regional Water Management Plan Activities		C																								
18 Status of Integrated Regional Water Management Plan Update																										
19 Status of Upper Santa Clara River Salt and Nutrient Management Plan		C																C								
20 Status of Rosedale Rio-Bravo Water Storage District Banking and Exchange Program Extraction Facilities		C																								

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Water Resources & Watershed Committee and Board Calendar**

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FY 2019/20

Item	Jul 2 Board	Jul 10 Comm	Aug 6 Board	Aug 14 Comm	Aug 20 Board	Sep 3 Board	Sep 11 Comm	Oct 1 Board	Oct 9 Comm	Oct 15 Board	Nov 5 Board	Nov 13 Comm <i>Cancelled</i>	Dec 11 Comm	Dec 17 Board	Jan 7 Board	Jan 8 Comm <i>Cancelled</i>	Feb 4 Board	Feb 12 Comm	Mar 3 Board	Mar 11 Comm	Apr 7 Board	Apr 8 Comm	May 5 Board	May 13 Comm	Jun 2 Board	Jun 10 Comm
21 Presentation on the Rosedale-RioBravo Drought Relief Project											C															
22 Status of Devil's Den Solar Generation Facilities																		C								
23 Recommend Approval of a Resolution of Application by SCVWA Requesting Los Angeles LAFCO Initiate Proceedings For Annexation of Tesoro Del Valle, Making Responsible Agency Findings Pursuant to CEQA and Approving the Project in SCVWA's Limited Role as Responsible Agency		C	C																					C		
24 CLOSED SESSION: Water Transfer/Exchange				C	C	C																				
25 Status of Activities to Recover Stored Water from Existing Water Banking or Exchange Programs to Meet 2020 Imported Water Demands																		C								
26 Recommend Approval of a Resolution Authorizing the General Manager to Enter into a Funding Agreement with DWR for Preliminary Planning and Design Costs Related to a Potential New Delta Conveyance Option					C																					
27 Recommend Adopting a Resolution Approving an Agreement in Principle to Amend the Agency's Water Supply Contract with the California Department of Water Resources for a Delta Conveyance Facility and Authorizing the General Manager to Enter into a Cost Sharing Agreement for Facility Planning																										
28 CLOSED SESSION: Anticipated Litigation																				C	C					
29 Review and Discussion of FY 2019/20 and FY 2020/21 Water Resources Operating Budget and Minor and Major Capital Projects Budgets																						C				
30 Recommend Approval of a Resolution Authorizing the General Manager to (1) Apply for a Round 3 Sustainable Groundwater Management Program Grant on Behalf of the Santa Clarita Valley Groundwater Sustainability Agency, Identifying SCV Water as the Agency Responsible for the Local Cost Share and (2) Execute an Agreement with the State of California for a 2019 Sustainable Groundwater Management Planning Grant				C		C																				
31 Recommend Adoption of a Resolution Authorizing the General Manager to Submit an Application for a Round 1 Integrated Regional Water Management Implementation Grant and Execute a Grant Agreement with the California Department of Water Resources									C		C															
32 Recommend Approval of a Resolution Authorizing the General Manager to Enter Into a Contract with WaterWise Consulting, Inc.									C	C																

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Water Resources & Watershed Committee and Board Calendar**

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33	Adopt a Resolution Requesting LAFCO Initiate Proceedings for Annexation and Sphere of Influence Amendment for the Area Formerly Served by the Valencia Water Company												CNL		C													
34	Comparison of GSA, IRWM and Measure W Structures and Program Activities													C														

P = Planned
C = Completed
CNL = Cancelled
CNT = Continued Item

**Santa Clarita Valley Water Agency
Water Resources & Watershed Committee and Board Calendar**

**ITEM NO.
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FY 2020/21

	Item	Jul 7 Board	Jul 8 Comm	Aug 4 Board	Aug 12 Comm	Sep 1 Board	Sep 9 Comm	Oct 6 Board	Oct 14 Comm	Nov 3 Board	Nov 12 Comm <i>Rescheduled</i>	Dec 1 Board <i>Cancel or Move</i>	Dec 9 Comm	Jan 5 Board	Jan 13 Comm	Feb 2 Board	Feb 10 Comm	Mar 2 Board	Mar 10 Comm	Apr 6 Board	Apr 14 Comm	May 4 Board	May 12 Comm	Jun 1 Board	Jun 9 Comm
1	Recommend Authorizing the General Manager to Extend the Site Control Agreement between SCV Water and Alamo Springs, LLC through December 31, 2021	P																							
2	Update on Conservation Activities & Performance		P		P		P		P		P		P		P		P		P		P		P		P
3	Devil's Den Semi-Annual Report		P													P									
4	Recommend Authorizing the General Manager to Execute an Amendment to the Reservoir Agreement for Sites Reservoir to Fund Necessary Planning Costs		P	P																					
5	Recommend Approval of Resolution Adopting CEQA Findings for State Water Project Water Management Tools and Authorizing the General Manager to Execute a Contract Amendment for the State Water Project Water Management Tools		P	P																					
6	Recommend Approving a Resolution to Enter into an Agreement with Kennedy Jenks Inc for Preparation of the 2020 Urban Water Management Plan		P	P																					
7	Recommend Authorizing the General Manager to Exercise a 1-Year Extension of the Devil's Den Property Lease with Rolling Hills Farms		P	P																					
8	Recommend Approving a Resolution Adopting the SCV Water Grant Policy and Procedure Manual		P	P																					
9	Status of Sustainable Groundwater Management Act Implementation				P								P						P						
10	Status of Recycled Water Program				P																				
11	Status of Water Supply and Water Banking Programs						P												P						
12	Recommend Adopting a Resolution Approving an Agreement in Principle to Amend the Agency's Water Supply Contract with the California Department of Water Resources for a Delta Conveyance Facility and Authorizing the General Manager to Enter into a Cost Sharing Agreement for Facility Planning						P	P																	
13	Status of Efforts Relating to Groundwater Spreading Pilot Program								P																

**Santa Clarita Valley Water Agency
Water Resources & Watershed Committee and Board Calendar**

**ITEM NO.
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FY 2020/21

Item	Jul 7 Board	Jul 8 Comm	Aug 4 Board	Aug 12 Comm	Sep 1 Board	Sep 9 Comm	Oct 6 Board	Oct 14 Comm	Nov 3 Board	Nov 12 Comm <i>Rescheduled</i>	Dec 1 Board <i>Cancel or Move</i>	Dec 9 Comm	Jan 5 Board	Jan 13 Comm	Feb 2 Board	Feb 10 Comm	Mar 2 Board	Mar 10 Comm	Apr 6 Board	Apr 14 Comm	May 4 Board	May 12 Comm	Jun 1 Board	Jun 9 Comm
14 Update on the 2020 UWMP										P				P				P						
15 Status of Water Supplies												P				P								
16 Status of Sites Reservoir Project												P												
17 Status of Devil's Den Solar Generation Facilities												P												
18 Status of Integrated Regional Water Management Plan Update												P												
19 Status of Upper Santa Clara River Salt and Nutrient Management Plan												P												
20 Review of Watershed Recharge Feasibility Study														P										
21 Review and Discussion of FY 2021/22 and FY 2022/23 Water Resources Operating Budget and Minor and Major Capital Projects Budgets																				P				
22 Public Hearing: 2020 UWMP																			P				P	
23 Public Hearing: Water Shortage Congingency Plan (TBD)																								
24 Recommend Approval of a Resolution Adopting the Water Shortage Contingency Plan (TBD)																								

P = Planned
C = Completed
CNL = Cancelled
CNT = Continued Item