

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2001 - 036**

**CONSISTENCY DETERMINATION FOR THE PROPOSED
SACRAMENTO VALLEY WATER MANAGEMENT PROJECT:
“PLANNING INVESTIGATION FOR IMPLEMENTATION OF PHASE 8
SETTLEMENT AGREEMENT”**

WHEREAS:

1. The State Water Resources Control Board (SWRCB) adopted the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) under Resolution No. 95-24 on May 22, 1995.
2. In November 1996, the voters approved the Safe, Clean, Reliable, Water Supply Act (Act) which included provisions to provide funding for projects under the “Sacramento Valley Water Management and Habitat Protection Measures Program” (Sacramento Valley Water Program). (Wat. Code, Ch. 6, Art. 5, § 78681 et seq.)
3. The California Department of Water Resources (DWR) is the designated State agency responsible for administration of the Sacramento Valley Water Program under the Act. (Wat. Code, § 78681.4)
4. The SWRCB is charged with providing adequate public review for proposed projects and determining that proposed projects will assist in the implementation of the Bay-Delta Plan, prior to any award of funding. (Wat. Code, § 78681.8) On February 28, 2001, the DWR requested that the SWRCB review the proposed project titled, “Planning Investigation for Implementation of Phase 8 Settlement Agreement”, and determine if the project is consistent with the Bay-Delta Plan. The Northern California Water Association is proposing the project and the project is not an obligation of the federal Central Valley Project or the State Water Project. (Wat. Code, § 78681.9)
5. The proposed project is the development of two workplans to investigate potential water supply projects that meet the goals of the proposed Agreement Regarding Resolution of Phase 8 Issues, Development and Management of Water Supplies, and a Binding Commitment to Proceed Pursuant to Specified Terms (Settlement Agreement). One workplan will investigate short-term projects, those that can provide benefits for water years 2002 and 2003. The other workplan will investigate medium-term and long-term projects. Medium-term projects are those that will be operational by December 31, 2005, and long-term projects are those that will be operational by December 31, 2010.

6. The SWRCB notified a list of interested parties of that it would consider this matter at its April 4, 2001, Workshop Session. (Wat. Code, § 78681.8)
7. The proposal will assist in the implementation of the Bay-Delta Plan by making available additional water supplies that can be used for implementation of the Bay-Delta Plan or to replace water that is used for implementation of the Bay-Delta Plan. The proposal supports the proposed Settlement Agreement, which will provide a framework for establishing long-term voluntary implementation of the objectives in the Bay-Delta Plan.

THEREFORE BE IT RESOLVED THAT:

1. The SWRCB finds that the project titled “Planning Investigation for Implementation of the Phase 8 Settlement Agreement” will assist in the implementation of the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.
2. Further, the SWRCB finds that this project is consistent with the requirements of the Safe, Clean, Reliable, Water Supply Act. (Wat. Code, Ch. 6, Art. 5, § 78681 et seq.)

CERTIFICATION

The undersigned Administrative Assistant to the Board, does hereby certify that that the foregoing is a full, true, and correct copy of a resolution duly adopted at a meeting of the State Water Resources Control Board held on April 4, 2001.

/s/

Maureen Marché

Administrative Assistant to the Board.