

**RESOLUTION NO. SCV-177**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE SANTA CLARITA VALLEY WATER AGENCY  
APPROVING FUNDING FOR CONSTRUCTION CONTRACT  
AND CONSTRUCTION MANAGEMENT  
TO THE NEWHALL LAND AND FARMING COMPANY, LLC,  
FOR THE COMMERCE CENTER DRIVE PIPELINE PROJECT**

**WHEREAS**, Santa Clarita Valley Water Agency (SCVWA) desires to take steps to increase the reliability of its existing water system; and

**WHEREAS**, SCVWA's Capital Improvement Program includes new pipelines to connect SCVWA's future Replacement (Saugus 3 and 4) Wells Project to the Magic Mountain Pipeline, located in The Newhall Land and Farming Company, LLC, (Newhall Land)'s Mission Village project; and

**WHEREAS**, Newhall Land is constructing the Mission Village project, and would like to install/construct SCVWA's new pipelines, as part of Newhall Land's road improvements, subject to SCVWA's reimbursement; and

**WHEREAS**, any agreement with Newhall Land regarding the Mission Village project is independent of SCVWA's pre-existing plans to construct the pipeline as part of SCVWA's Capital Improvement Program to ensure a reliable supply of water; and

**WHEREAS**, on September 14, 2005, Castaic Lake Water Agency (CLWA), as the lead agency under California Environmental Quality Act (CEQA), adopted the Mitigated Negative Declaration for the Groundwater Containment, Treatment, and Restoration Project (MND) (State Clearinghouse #2005081053), and MND which evaluate the Commerce Center Drive Pipeline Project and approved the Mitigation Monitoring and Reporting Programs with the adoption of Resolution No. 2429; and

**WHEREAS**, CLWA, as a CEQA Lead Agency, filed the Notice of Determination with the Los Angeles County Clerk's Office and the State Clearinghouse on September 19, 2005; and

**WHEREAS**, as a result of the integration of CLWA into SCVWA, SCVWA is now the lead agency under CEQA for the Commerce Center Drive Pipeline Project; and

**WHEREAS**, in its role as lead agency SCVWA has now evaluated the adopted MND pursuant to CEQA Guideline 15162 to determine if, when taking subsequent discretionary actions in furtherance of a project for which an MND has been adopted, SCVWA is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and CEQA Guidelines section 15162 require additional environmental review; and

**WHEREAS**, based on that evaluation, and given that the proposed pipeline alignment and sizing have been updated in such a manner that the Project will now run through an existing right of way, SCVWA staff concluded that the MND fully analyzed and mitigated all potentially significant environmental impacts, if any, that would result from the Project, and therefore, no subsequent EIR or mitigated negative declaration is required; and

**WHEREAS**, the General Manager executed Amendment No. 1 to the Magic Mountain Water Pipeline Installation Agreement with Newhall Land for the construction of the Commerce Center Drive Pipeline on October 1, 2019; and

**WHEREAS**, all bid proposals submitted to Newhall Land, pursuant to the Magic Mountain Water Pipeline Installation Agreement, and SCVWA's construction contract documents, as amended by Addenda, were received by Newhall Land on Friday, April 17, 2020 by 2:00 p.m., in full accordance with the law and Newhall Land's customary procedures; and

**WHEREAS**, the Board of Directors finds, after considering the opinion of staff, that the total bid of Blois Construction, Inc. in the amount of \$891,139.70 is the lowest responsible bid of four bids submitted, and that said bid substantially meets the requirements of said construction contract documents as amended by Addenda; and

**WHEREAS**, under the terms of the Magic Mountain Water Pipeline Installation Agreement, Newhall Land will perform the construction management and miscellaneous construction support services for this project in an amount not to exceed \$84,100.

**NOW, THEREFORE, BE IT RESOLVED**, the SCVWA Board of Directors (Board) finds that the administrative record has been completed in compliance with CEQA, the CEQA Guidelines, and that the MND and supporting materials, taken together, reflect the Board's independent judgment.

Further, based on the substantial evidence set forth in the record, including but not limited to the MND and supporting materials the Board finds that, based on the whole record before it, none of the conditions under State CEQA Guidelines section 15162 requiring subsequent environmental review have occurred because the Project:

- a) will not result in substantial changes that would require major revisions of the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- b) will not result in substantial changes with respect to the circumstances under which the Project is developed that would require major revisions of the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- c) does not present new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the MND was adopted, as applicable, showing any of the following: (i) that the modifications would have one or more significant effects not discussed in the earlier environmental documentation; (ii) that significant effects previously examined would be substantially more severe than shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

Further, based on the substantial evidence set forth in the record, including but not limited to the MND and supporting materials, the Board finds that the applicable mitigation measures identified in the MND have been incorporated into a specific mitigation monitoring program for the Project and would ensure that any potential environmental impacts would be reduced to less than significant levels.

The Board re-adopts those mitigation measures identified in the MND that are relevant to the Project as detailed specifically in the Mitigation Monitoring Program and by this reference incorporated herein.

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at 27234 Bouquet Canyon Road, Santa Clarita CA 91350. The custodian for these records is the SCVWA Board Secretary. This information is provided in compliance with Public Resources Code section 21081.6.

A Notice of Determination shall be filed with the County of Los Angeles and the State Clearinghouse within 5 (five) working days of the Board's final Project approval.

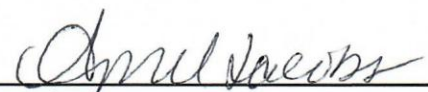
**RESOLVED FURTHER** that the Board does authorize its General Manager to accept said low bid and does therefore authorize SCVWA's General Manager or its Chief Operating Officer to approve the funding to Newhall Land for a reimbursement to Blois Construction, Inc., hereby found to be the "lowest responsible bidder" for the Commerce Center Drive Pipeline Project pursuant to said SCVWA's construction contract documents, as amended by Addenda, for a total construction budget not to exceed \$891,139.70.

**RESOLVED FURTHER** that the Board does authorize its General Manager or its Chief Operating Officer to approve the funding to Newhall Land for construction management and miscellaneous construction support services for the Commerce Center Drive Pipeline Project pursuant to the Magic Mountain Water Pipeline Installation Agreement in an amount not to exceed \$84,100.

  
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President

I, the undersigned, hereby certify: That I am the duly appointed and acting Secretary of the Santa Clarita Valley Water Agency, and that at a regular meeting of the Board of Directors of said Agency held on October 6, 2020, the foregoing Resolution No. SCV-177 was duly and regularly adopted by said Board, and that said resolution has not been rescinded or amended since the date of its adoption, and that it is now in full force and effect.

DATED: October 6, 2020

  
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Secretary

