

## RESOLUTION NO. 23-01

**A RESOLUTION OF THE SANTA MARIA VALLEY WATER CONSERVATION DISTRICT APPROVING THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR DEBRIS AND SEDIMENT REMOVAL FROM TWITCHELL DAM AND RESERVOIR, AND FINDING THAT EMERGENCY PROCUREMENT CAN CONTINUE UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT VIA PRIOR ISSUANCE OF PERMIT RGP 63, AND FINDING THAT EMERGENCY PROCUREMENT IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

### RECITALS

**WHEREAS**, the Santa Maria Valley Water Conservation District (“District”) is organized and operates pursuant to California Water Code §§ 74000, *et. seq.*; and

**WHEREAS**, the District is responsible for operation and maintenance of Twitchell Dam and Reservoir, under contract with the United States of America, Department of the Interior, Bureau of Reclamation, in coordination and consultation with the United States Army Corps of Engineers, for the purpose of preventing flooding and recharging of water to the Santa Maria Valley Groundwater Basin; and

**WHEREAS**, significant sedimentation and debris deposits have occurred that can impede and have actually impeded the ability of Twitchell Dam’s outlet mechanisms to effectively release flows when necessary, thus interfering with the District’s flood control efforts; and

**WHEREAS**, significant sedimentation and debris deposits have occurred that can and have actually reduced the storage capacity of Twitchell Reservoir significantly, thus interfering with the District’s groundwater recharge efforts; and

**WHEREAS**, this sedimentation and debris situation commenced before, due to weather events and disasters—for example, following the storms of 1998, which brought fire-induced sediment loads into Twitchell Reservoir. At that time, under the general declaration of emergency by the County of Santa Barbara, the District cleared the sediment in the Cuyama River below the dam for a distance of approximately 2900 feet; and

**WHEREAS**, additionally, in summer and fall 2009 after wildfires, an unprecedented flow of sediment through the outlet works plugged the 16-foot diameter outlet tunnel for a distance of approximately 1,000 feet. To avert a disaster, the District hired excavators to work within the tunnel for nearly five months to clear it before the next rainy season; and

**WHEREAS**, recent weather events have created additional flow of sediment and debris, and diminished releases have had, and will have exacerbated future impacts: reduced water for downstream uses; reduced water conservation; significantly hampered flushing operations with attendant operational impediments to safe Dam operations by obstruction of the outlet works; and most importantly, loss of flood protection for the Santa Maria Valley, increasing the risk of loss of life and property; and

**WHEREAS**, due to recent and ongoing weather events, which have prompted the Governor of the State of California to issue and amend proclamations of States of Emergency that include the entire District and Twitchell Dam and Reservoir, sedimentation and debris deposits continue, with the added complication of high water elevations not recorded in well over a decade. This, in turn, increases risk to District operation and maintenance of the Dam and Reservoir, and interferes with the District's ability to carry out its obligations to appropriately release flows for flood control purposes, and to appropriately manage water storage for groundwater recharge purposes.; and

**WHEREAS**, the District recognizes and incorporates the Proclamation of State of Emergency issued by the Governor of the State of California on March 1, 2023; and

**WHEREAS**, the District now seeks to solicit and release a Request for Proposals. for sediment and debris removal at Twitchell Dam and Reservoir, for emergency and non-emergency procurement.

**NOW THEREFORE, THE SANTA MARIA VALLEY WATER CONSERVATION DISTRICT HEREBY RESOLVES AS FOLLOWS:**

### **RESOLUTION**

**Section 1.** The above recitals are found to be true and correct in all respects and are incorporated herein by this reference.

**Section 2.** The District wishes to solicit Requests for Proposals (RFPs) for sediment and debris removal at Twitchell Dam and Reservoir. The primary responsibility of the Contractor for emergency work and procurement would be to remove earthen and vegetative material from an approximate 6-acre submerged area around the Dam intake structure and control gate areas of the Twitchell Reservoir to restore the function of the dam. Non-emergency work and procurement will be to remove sedimentation and debris from the Dam and Reservoir to restore storage capacity.

**Section 3.** The District has prepared an RFP and attachments, which are attached hereto.

**Section 4.** The District has obtained National Environmental Policy Act (NEPA) permits through Barnett Southern Company, Mitigation Solutions, Inc., and Synergy Disaster Recovery, issued on an emergency basis and under a RGP 63 permit, which states that

the emergency work and procurement is confirmed by the State of California as exempt under the California Environmental Quality Act. This work is exempt from CEQA under California Pub. Res. Code 21080 and CEQA Guideline Section 15269. NEPA exemption 23 CFR 771.117(c)(9) also applies.

**Section 5.** Any winning bidder will be required to complete and obtain all applicable environmental permits, approvals, and clearances for non-emergency work and procurement, prior to receiving any Notice to Proceed.

**Section 6.** The Board President or his/her designee is authorized to issue and publish the RFP for sediment and debris removal in substantially similar form to the RFP and attachments attached hereto, which will remain open for three weeks ensuring at least two bids/proposals are received before the closing time and date.

**Section 7.** If any section, subsection, paragraph, sentence, clause, or phrase of this resolution is declared unconstitutional or invalid for any reason, such decision shall not effect the validity of the remaining portions of this resolution.

**Section 8.** This Resolution shall take effect immediately upon adoption.

PASSED at a regular open public meeting and in conformance with Brown Act by the Board of Directors of the Santa Maria Valley Water conservation District, State of California this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Keith Hadick, President  
Santa Maria Valley Water Conservation District

ATTEST:

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Andy Adam, Secretary  
Santa Maria Valley Water Conservation District

APPROVED AS TO FORM:

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ALESHIRE & WYNDER, LLP  
G. Ross Trindle, III  
District Counsel