

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ESTERO MUNICIPAL IMPROVEMENT DISTRICT APPROVING THE WATER SUPPLY ASSESSMENT (WSA) REPORT FOR THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE HOUSING AND SAFETY ELEMENTS UPDATE; AND FINDING THE APPROVAL OF THIS RESOLUTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15262, 15061(b)(3) AND CALIFORNIA WATER CODE SECTION 10652

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

WHEREAS, the City of Foster City, has prepared a Program EIR for the 2023-31 Housing Element Update in accordance with California Environmental Quality Act (CEQA), implementing the CEQA Guidelines, relevant case law, and City procedures to plan for 1,896 housing units in the 2023-2031 plus a buffer and a Water Capacity Study (WCS) and Water Supply Assessment (WSA) has been completed as part of the EIR process; and

WHEREAS, the WSA Report provides information for use in the California Environmental Quality Act (CEQA) analysis for the future development projects; and

WHEREAS, the requirements for the WSA Report are described in the California Water Code Sections 10910 through 10915, amended by the enactment of Senate Bill 610 in 2002; and

WHEREAS, SB 610 requires an assessment of whether available water supplies are sufficient to serve the demand generated by the projects, as well as the reasonably foreseeable cumulative demand during normal year, single dry year, and multiple dry year conditions over the next 20 years; and

WHEREAS, the WSA was developed and completed by the collaborative efforts of the project team consisting of Urban Planning Partners, Maddaus Water Management Inc., EMID, Foster City Community Development Department, Public Works Departments, and City of San Mateo Planning Department; and

WHEREAS, the WSA assumed the EMID 2020 Urban Water Management Plan baseline water use and estimated demand from all post 2020 development projects including completed, entitled, under construction, in application review, and/or estimated/planned for after the year 2020; and

WHEREAS, the WSA concludes that there is not “sufficient water supply” (per Government Code 664737.7 (a)(2)) available to meet the demands of the 2023-2031 Housing Element, in addition to the existing and planned future uses evaluated in this WSA, during single-dry and multiple dry water years within a 20-year projection; and

WHEREAS, per Water Code Section 10911, EMID shall consider this projected insufficiency and shall provide the City with its plans to acquire and develop additional water supplies; and

WHEREAS, Prior to issuance of future development project entitlements, utility analyses shall be performed by the project developer to determine whether existing transmission/distribution infrastructure has adequate capacity to deliver the needed water to the development project sites.

WHEREAS, the City's Draft EIR for the Housing Element 2023-31 and Safety Element identified the adoption of a Water Neutrality Growth Policy as a mitigation measure to manage EMID's potable water supply in the short and long term and to avoid or minimize the effects of drought and shortage within the EMID service area; and

WHEREAS, on March 20, 2023, EMID Board of Directors directed staff to prepare an ordinance that sets forth regulations that offset the new water demand with water efficiency measures to create a neutral (or net zero) impact on the overall site (or account) water use demand in accordance with Water Code section; and

WHEREAS, on May 1, 2023, EMID Board of Directors adopted Ordinance No. 138 adding a new Chapter 8.90, Water Neutrality Growth, within Title 8, Water and Sewer Service, of the EMID Code.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Estero Municipal Improvement District hereby approves the updated WSA Report.

PASSED AND ADOPTED as a resolution of the Board of Directors of the Estero Municipal Improvement District at the regular meeting held on the 15th day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JON FROOMIN, PRESIDENT

ATTEST:

PRISCILLA SCHAUS, DISTRICT SECRETARY