

EXEMPTION, ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE REPORT, and ORDINANCE FIRST CONSIDERATION relative to Resolution No. 023-009 of the Board of Water and Power Commissioners (Board) approving the South State Water Project (SWP) Hydropower Federal Energy Regulatory Commission (FERC) Project No. P-2426 Cost Sharing Agreement.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that in accordance with the California Environmental Quality Act (CEQA), it has been determined that the Cost Sharing Agreement itself, is exempt pursuant to CEQA Guidelines 15060(c)(3). In accordance with this section, an activity is not subject to CEQA if it does not meet the definition of a project. Section 15378(b)(4) states that government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment do not meet the definition of a "project" under the CEQA Guidelines.
2. CONCUR with the Board's action of July 12, 2022, Resolution No. 023-009, approving the SWP Hydropower FERC Project No. P-2426 Cost Sharing Agreement by and between the City, acting by and through the Los Angeles Department of Water and Power (LADWP), and the California Department of Water Resources as co-licensees of the South SWP Hydropower Project, LADWP Agreement No. BP 21-001.
3. PRESENT and ADOPT the accompanying ORDINANCE dated August 4, 2022, approving the South SWP Hydropower FERC Project No. P-2426 Cost Sharing Agreement by and between the City, acting by and through the LADWP, and the California Department of Water Resources as co-licensees of the South SWP Hydropower Project, LADWP Agreement No. BP 21-001; and delegating to the Board limited authority to amend said agreement.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that the proposed Cost Sharing Agreement will authorize on-going annual FERC license charges, and up to \$43.13 million in additional new costs for implementation of the PM&E measures identified. Approximately, \$2,748,100 in funding is budgeted in the 2022-23 Power Revenue Fund Proposed Budget for the license charges and additional funding will be provided in subsequent budgets for the protection, mitigation, and enhancement measures. Approval of the proposed Resolution and Ordinance will have no impact on the City's General Fund.

Financial Policies Statement: The CAO reports that the proposed request complies with LADWP's adopted Financial Policies.

Community Impact Statement: None submitted.

Summary:

On September 15, 2022, your Committee considered reports from the City Attorney, LADWP, and Ordinance relative to Board Resolution No. 022-203, authorizing the sale of City property to the City of Bishop. The reports attached to the Council file include some background on the matter.

After providing an opportunity for public comment, the Committee moved to approve the recommendations reflected above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
O'FARRELL:	YES
KORETZ:	ABSENT
CEDILLO:	YES
DE LEON:	YES
KREKORIAN:	YES

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-NOT OFFICIAL UNTIL COUNCIL ACTS-