

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
(1) ADOPTING THE POWER THE SOUTH BAY PROJECT
ENVIRONMENTAL IMPACT REPORT, PREPARED BY THE
CALIFORNIA PUBLIC UTILITIES COMMISSION (A.24-05-014;
SCH NO. 2024071095); (2) MAKING CERTAIN FINDINGS AS THE
RESPONSIBLE AGENCY FOR PURPOSES OF AND PURSUANT
TO THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT OF 1970; AND (3) ADOPTING A RELATED
MITIGATION MONITORING AND REPORTING PROGRAM AND
CONSTRUCTION IMPACT MITIGATION PLAN, IN CONNECTION
WITH THE APPROVAL OF DISCRETIONARY ACTIONS BY THE
CITY NECESSARY FOR THE CONSTRUCTION AND OPERATION
OF THE POWER THE SOUTH BAY PROJECT**

WHEREAS, the California Independent System Operator, a non-profit Independent System Operator that oversees the operation of California’s bulk electric power system, transmission lines, and electricity market generated and transmitted by its member utilities, selected LS Power Grid California, LLC (“LS Power”) to develop, construct, and own a high-voltage transmission line to improve the reliability of the electrical grid in the greater South Bay, known as the Power the South Bay Project (“Project”), a 12-mile high-voltage electric transmission project connecting the existing Pacific Gas and Electric Company (“PG&E”) Newark Substation in Fremont to Silicon Valley Power’s Northern Receiving Station Substation in Santa Clara;

WHEREAS, portions of the Project and associated discretionary approvals are located within or affect the jurisdiction of the City of Santa Clara (“City”);

WHEREAS, the City will be considering proposed discretionary actions necessary to support the implementation of the Project within its jurisdiction, including an ordinance granting a non-exclusive electric franchise to LS Power pursuant to Chapter 5.20 of the Santa Clara Municipal Code for the installation, construction, operation, maintenance, relocation, repair, renewal, and removal of electric transmission facilities and appurtenances within the City’s public streets and rights-of-way;

WHEREAS, approval of the Project would constitute a project under the provisions of the

California Environmental Quality Act of 1970, together with related State and local implementation guidelines and policies promulgated thereunder, all as amended to date (collectively, “CEQA”);

WHEREAS, on March 19, 2026, the California Public Utilities Commission (“CPUC”), acting as the Lead Agency for the Project, approved and certified the Final Environmental Impact Report (“FEIR”), A.24-05-014; SCH No. 2024071095, evaluating the potential environmental effects of the development of the Project, in compliance with CEQA, the State CEQA Guidelines (California Code of Regulations section 15000 et seq.), the Warren-Alquist Act, and applicable CPUC requirements;

WHEREAS, the FEIR concluded that implementation of the Project could result in certain significant effects on the environment and identified mitigation measures that would reduce those significant effects to a less-than-significant level;

WHEREAS, pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097, when an agency adopts mitigation measures as part of a project approval, the agency is required to adopt a mitigation monitoring and reporting program to ensure compliance with those measures;

WHEREAS, the CPUC, as Lead Agency, has adopted a Mitigation Monitoring and Reporting Program for the Project;

WHEREAS, the City, as a Responsible Agency under CEQA, desires to approve the Mitigation Monitoring and Reporting Program and related Construction Impact Mitigation Plan, and conditions of approval and applicable City permit processes, as well as compliance with the Construction Impact Mitigation Plan, will be incorporated into the franchise ordinance and/or subsequent encroachment permits and approvals;

WHEREAS, LS Power will be responsible for implementing all applicable mitigation measures and applicant-proposed measures identified in the FEIR, as well as complying with City requirements, including finalization and implementation of the Construction Impact Mitigation

Plan for work within the public right-of-way; and

WHEREAS, prior to approving discretionary actions necessary to support the implementation of the Project within its jurisdiction, the City Council, as the decision-making body of the City and as a Responsible Agency under CEQA, desires to make certain findings pursuant to Title 14 of the California Code of Regulations, sections 15091 and 15096, in connection with the reasonably foreseeable discretionary actions to be considered and taken by the City in connection with implementation of the Project within the City's jurisdiction.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the above recitals are true and correct.
2. That the City has reviewed the information contained in the FEIR that is relevant to its approval of discretionary actions within the City's jurisdiction necessary to support the construction, operation, and maintenance of the Project as described in the FEIR prior to acting on the Franchise Ordinance.
3. That the City has reviewed the CEQA Findings, and the City Council hereby determines and concludes all of the following:

A. The CPUC has identified, disclosed, and adopted the mitigation measures recommended in the FEIR; and

B. The City retains its responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the Project which the City decides to implement, finance, or approve; and

C. The City Council has reviewed and considered the FEIR together with the related CEQA Findings and determines that the information and analyses contained in the FEIR, together with the related CPUC CEQA Findings, are adequate for its use as a decision-making body acting as a Responsible Agency under CEQA and for its consideration of discretionary

actions necessary to implement the Project within its jurisdiction; and

D. Approval of the discretionary actions within the City is within the scope of the activities described and evaluated in the FEIR; and

E. The City has not identified any feasible alternative or additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant environmental effect that the Project would have on the environment; and

4. That, therefore, based upon all of the foregoing, the City as a Responsible Agency under CEQA, hereby adopts the CPUC's CEQA Findings for the Project as its own findings under CEQA to the fullest possible extent that said findings are relevant to the City's approval of a franchise ordinance, encroachment permits, agreements, and any other discretionary actions necessary to implement the Project within the City's jurisdiction.

5. That the City Council was presented with, and has independently reviewed and analyzed the FEIR and other information in the record and has considered the information contained therein, and has found that the FEIR represents the independent judgment of the City, as Responsible Agency for the Project, and designates the Public Works Department at 1500 Warburton Avenue, Santa Clara, CA 95050 as the custodian of documents and record of proceedings on which the decision of the City is based.

6. That the significant environmental impacts identified in the FEIR will be mitigated through implementation of the mitigation measures identified in the FEIR.

7. That the implementation and monitoring of the mitigation measures identified in the FEIR will be carried out by the CPUC as the Lead Agency or by other agencies with jurisdiction, and the City hereby adopts the Mitigation Monitoring, Compliance and Reporting Program and Construction Impact Mitigation Plan for the Project and requires LS Power to comply with all

applicable mitigation measures, permit conditions, and environmental commitments identified therein as conditions of the City's discretionary approvals.

8. That the City Council therefore relies on the mitigation monitoring and reporting programs adopted by the CPUC as Lead Agency to ensure implementation of the mitigation measures identified in the FEIR.

9. That, the City, as a Responsible Agency under CEQA, also adopts the CPUC's Statement of Overriding Considerations and incorporates it herein by reference. The City Council further reiterates the benefits of the Project, including improving electric system reliability and resiliency, increasing regional electric transmission capacity, supporting California's clean energy and electrification goals, enhancing the reliability of power delivery to residents and businesses, and supporting the continued provision of reliable electric service within Silicon Valley Power's service territory.

10. The Director of Public Works or designee is directed to file a Notice of Determination for the Project as required by Section 15096 of the CEQA Guidelines.

11. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 20__, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK

CITY OF SANTA CLARA

Attachments incorporated by reference: None
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