



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

October 4, 201

Board Policy EL-7 Communication and Support to the Board
The BAOs shall inform and support the Board in its work.

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	<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
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8	Community Update; Department of Toxic Substances Control, dated 9.2019, regarding Proposed Low-Threat Underground Storage Tank Case Closure NASA Ames Area of Investigation 4
11	Memo from David Cahen to the Board, dated 9.26.19, regarding Risk Management
16	Memo from Rick Callender to Norma Camacho, dated 9.30.19, regarding 35th Annual Coastal Cleanup Day Final Results
	<u>INCOMING BOARD CORRESPONDENCE</u>
21	Board Correspondence Weekly Report: 10/03/19
22	Email from Marsey Kahn to Chair LeZotte, dated 9.30.19, regarding Thousand Oaks Neighborhood Association/Creek Monitoring Proposal (C-19-0238)
25	Email from Karishma Borkar to the Board, dated 9.2.19, regarding LAFCO Meeting on 10.2.19; Agenda Item: "Comment Letters on City of Gilroy's Consideration of Providing City Water Service Outside City Boundaries Without Seeking LAFCO Approval" (C-19-0239)
36	Email from George Pla to the Board, dated 10.3.19, regarding Sacramento Power Shift Book Event (C-19-0240)
	<u>OUTGOING BOARD CORRESPONDENCE</u>
41	Email from Vice Chair Nai Hsueh to Ms. Miyakawa, dated 10.01.19, regarding Creeks and Flood; control ditches/public land (C-19-0231)
46	Email from Dir. Keegan to Jean-Marie White, dated 10.1.19, regarding Anderson Rule Curves (C-19-0233)
52	Email from Chair LeZotte to Supervisor Cortese, M Franzino and Mr. Ni, dated 10.3.19, regarding Construction debris into storm drains (C-19-0236)

CEO BULLETIN/ NEWSLETTERS

To: Board of Directors
From: Norma J. Camacho, CEO

Week of September 27 – October 3, 2019

Board Executive Limitation Policy EL-7:

The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

Item	IN THIS ISSUE
<u>1</u>	35th Annual Coastal Cleanup Day - Final Results
<u>2</u>	Environmental Working Group Releases PFAS Data in California
<u>3</u>	San Francisquito Creek Joint Powers Authority September 26 Board Meeting – Upstream of Highway 101 Final EIR Approval
<u>4</u>	Temporary Lease Extension Agreement for Intel's Freedom Bridge

1. 35th Annual Coastal Cleanup Day - Final Results

Valley Water, in partnership with the Creek Connections Action Group (CCAG)*, coordinated a milestone 35th Annual Coastal Cleanup Day (CCD) event throughout Santa Clara County on Saturday, September 21, 2019.

The final cleanup event results include:

- 47 sites hosted
- 2,166 volunteers participated (previous record was at 2,028 in the year 2017)
- 58 miles of creek and shoreline cleaned
- Approximately 53,297 pounds of trash removed, which included 4,405 pounds of recyclables.

For more information, including participating organizations, items found during the cleanup, and a breakdown of data by Board district area and city, please see this week's Non-Agenda packet.

*The Creek Connections Action Group (CCAG) is a consortium of public agencies and non-profit organizations that share a goal of protecting Santa Clara County's waterways. These agencies include Valley Water (Chair), Santa Clara County Parks and Recreation, and the City of San José (Parks Recreation and Neighborhood Services, Environmental Services Department), City of Santa Clara, City of Palo Alto, City of Sunnyvale, City of Milpitas, City of Cupertino, and West Valley Clean Water Program (Campbell, Monte Sereno, Saratoga and the Town of Los Gatos).

For further information, please contact Rick Callender at (408) 630-2017.

2. Environmental Working Group Releases PFAS Data in California

On September 25, 2019, the Environmental Working Group (EWG) released information indicating that drinking water sources for up to 74 community water systems have detected Per- and polyfluoroalkyl substances (PFAS), according to EWG's review of data from the State's database. PFAS are a large group of man-made chemicals widely used in firefighting foams and non-stick coatings such as food paper packaging and cookware.

In March 2019, Valley Water received a monitoring order for the Campbell Well-field requiring four consecutive quarters of testing for PFAS. The State Water Resources Control Board - Division of Drinking Water (DDW) issued the monitoring orders in an effort to quantify occurrence of PFAS chemicals in drinking water sources around the State. The three Campbell Wells (A, B and C), along with 22 other wells in Santa Clara County, were targeted by DDW for an initial phase of monitoring, for being located within a 2-mile radius of the airport.

Valley Water has already conducted three rounds of well water sampling since August 2018. Low levels of PFAS were detected on both wells B and C in August 2018 and May 2019. Well A was non-detect for PFAS. The levels detected were below Notification Levels established by DDW. Valley Water also voluntarily tested its treated water at the three treatment plants and the results were non-detect.

Although low levels of PFAS were detected at the Campbell Wells, no water from the Campbell Wells has been delivered to our retailers since the wells were constructed, because they are intended for emergency use only.

For further information, please contact Bhavani Yerrapotu at (408) 630-2735.

3. San Francisquito Creek Joint Powers Authority September 26, 2019 Board Meeting – Upstream of Highway 101 Final EIR Approval

On Thursday, September 26, 2019, the San Francisquito Creek Joint Powers Authority (SFCJPA) Board held its monthly board meeting to discuss the San Francisquito Creek Flood Protection Project Upstream of Highway 101 reach. The board took public comment and held a discussion on approving the Final Environmental Impact Report (EIR) and Upstream of Highway 101 project reach. As one of the five-member agencies of the SFCJPA, Valley Water provides significant financial, staff and outreach support to the SFCJPA on flood protection projects.

During the board meeting, SFCJPA staff reviewed key project details and the comprehensive outreach effort with the board, including how outreach surpassed the requirements of CEQA and how the project evolved following consideration of public feedback. Members of the SFCJPA Board commended how exemplary the community outreach was during this process and that it went above and beyond expectations.

The SFCJPA Board voted unanimously to certify the Final Environmental Impact Report and passed a resolution approving the Upstream of Highway 101 reach of the San Francisquito Creek Flood Protection Project. The resolution allows SFCJPA staff to proceed with necessary planning and move the project forward.

The Upstream of Highway 101 reach is an important second phase of a larger effort designed to provide flood protection to more than 5,700 homes and businesses along San Francisquito Creek.

The first phase of this project, also known as the Bay to Highway 101 reach, completed major construction activities in December 2018. Construction on the Upstream of Highway 101 reach is expected to start in 2020 and last approximately two years.

For further information, please contact Rick Callender at (408) 630-2017.

4. Temporary Lease Extension Agreement for Intel's Freedom Bridge

Valley Water recently issued a 3-month temporary extension to January 1, 2020, to Intel for their Freedom Bridge crossing San Tomas Aquino Creek in the City of Santa Clara. The extension of the lease is to allow Intel time to develop a scope of work for removing the existing bridge and restoring the levees to their original conditions. It is anticipated that Intel will also need additional time to complete adequate environmental evaluation and obtain permits from various water resources agencies before they can begin construction work to remove the bridge and restore the levees to their original conditions.

For further information, please contact Ngoc Nguyen at (408) 630-2632.

BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
R-19-0012	08/27/19	Lezotte	Yoke	Gordon	Staff is to coordinate a mock active shooter exercise replicating an active shooter at a Board Meeting scenario, and investigate, bringing on-site CERT Training (Community Emergency Response Team)	09/25/19		

COMMUNITY UPDATE

The mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products.

Proposed Low-Threat Underground Storage Tank Case Closure NASA Ames Area of Investigation 4

The California Department of Toxic Substances Control (DTSC) is overseeing ongoing operation and maintenance (O&M) at the National Aeronautics and Space Administration (NASA), Ames Research Center, Area of Investigation (AOI) 4 (Site), located at Moffett Field, Mountain View, California 94035. A Draft Underground Storage Tank Low-Threat Closure Evaluation has been prepared describing investigations and groundwater monitoring conducted at the Site. The Low-Threat Closure Evaluation describes how the Site meets criteria for case closure under the State Water Resources Control Board's Low-Threat Underground Storage Tank (UST) Case Closure Policy. DTSC invites you to review and comment on the Low-Threat Closure Evaluation.

The Site is located in the southwest portion of the NASA Ames Research Center, a federal aerospace facility. AOI 4 is mostly comprised of the National Full-Scale Aerodynamics Complex (NFAC), a large wind tunnel complex.

This community update provides you with:

- Site history and background;
- Contaminants found in soil and groundwater;
- Summary of the Low-Threat Closure Evaluation;
- and Next steps.

Site History and Background

The NFAC was constructed in the 1940's, and modified in the 1970's. An additional tunnel wing was added in the 1980's. NASA established a Center-Wide Sampling and Analysis Program in 1994, and AOI 4 was established as part of this program. Between September 1994 and January 1994, NASA conducted a comprehensive investigation of AOI 4. A total of 12 known USTs were located within AOI 4, along with temporary aboveground storage tanks and drum storage areas. Site investigations revealed localized soil and groundwater contamination. Periodic groundwater sampling has been conducted at the Site since 1990.

Public Comment Period



**September 27 – November
14, 2019**

DTSC invites you to review and comment on the Low-Threat Closure Evaluation Report for the NASA Ames AOI 4 Site. All comments must be postmarked, faxed, or e-mailed no later than 5:00 pm on November 14, 2019.

Send comments to:

Sagar Bhatt
DTSC Project Manager
700 Heinz Avenue
Berkeley, CA 94710
Sagar.Bhatt@dtsc.ca.gov

For information about public participation, please contact:

Alejandro Vivas
DTSC Public Participation
Specialist
700 Heinz Avenue
Berkeley, CA 94710
(510) 540-3911
toll free at 1-866-495-5651
Alejandro.Vivas@dtsc.ca.gov



In 1995, NASA entered into a Voluntary Cleanup Agreement with DTSC for AOI 4. In 2005, NASA and DTSC entered in an O&M Agreement under which groundwater monitoring would be performed pursuant to an O&M Plan approved by DTSC in 2004. In 2006, a land use covenant was placed on the Site prohibiting sensitive usages, and includes additional requirements for transfer of the Site to Non-Federal Government entities.

What is the Contamination?

Based on the results of the soil and groundwater investigations, it appears that there was a release from one of the USTs, Tank 1, at the Site. Total petroleum hydrocarbons (TPH) as jet fuel (TPH-JP5 and TPH-JP8), diesel (TPH-d), gasoline (TPH-g), motor oil (TPH-mo) and benzene, toluene, ethylbenzene, and xylenes (BTEX) are the primary chemicals of concern in both soil and groundwater.

Low-Threat Case Closure

NASA evaluated current Site conditions based on the State Water Board's Low-Threat UST Case Closure Policy and presented the evaluation in a Closure Request submitted to DTSC in June 2017. The Low-Threat Closure Evaluation Report prepared by NASA includes a checklist of how the Site meets the closure criteria including general criteria and media-specific criteria. DTSC determined that NASA's request for case closure meets the general and media-specific criteria established in the Low-Threat UST Case

Closure Policy. Based on this determination, DTSC proposes to close this case.

What Happens Next?

DTSC will review all public comments received during the public comment period prior to making a final decision on the case closure request. DTSC will provide a Notice of Decision and Response to Comments as DTSC's official response to the public comments received. These documents will list the comments received and how DTSC considered prior to making a final decision on the case closure. Additionally, these documents will become part of the Site Administrative Record and a copy will be placed in the information repositories and sent to all those who submitted comments.

If there is no revision of DTSC's determination based on the comments received, DTSC would approve the Draft Low-Threat Closure Evaluation and accept it as final within 30 days after closure of the comment period. DTSC would also issue a uniform closure letter for the UST case, pursuant to Health and Safety Code Section 25296.10.

Should the case closure request be approved, NASA would decommission the groundwater monitoring wells installed at the Site. Well decommissioning and related waste disposal would be conducted in accordance with local, state, and regulatory requirements. The O&M agreement between DTSC and NASA would be terminated, but land use restrictions would remain in place.

Information Repositories

The draft Low-Threat Closure Evaluation is available to review at the following locations:

Mountain View Public Library
585 Franklin Street
Mountain View, CA 94041
(650) 903-6887; call for hours

DTSC File Room
700 Heinz Avenue
Berkeley, California 94710
(510) 540-3800; call for appointment



For More Information

Information about the Site can also be found on DTSC's EnviroStor website:
https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=43370008

If you would like DTSC to notify you via email when new EnviroStor documents are available online, click on the "Sign Up for Email Alerts" link on the upper right side of the screen. To learn more about DTSC, please visit our website at www.dtsc.ca.gov.

Contact Information

For more information about the cleanup process or Site-related documents, contact

Sagar Bhatt
Project Manager
Phone: (510) 540-3844
Sagar.Bhatt@dtsc.ca.gov

Alejandro Vivas
Public Participation Specialist
(510) 540-3911
Toll free: 1-866-495-5651
Alejandro.Vivas@dtsc.ca.gov

For media inquiries only:
Gamaliel Ortiz
Public Information Officer
(916) 327-4383
Gamaliel.Ortiz@dtsc.ca.gov

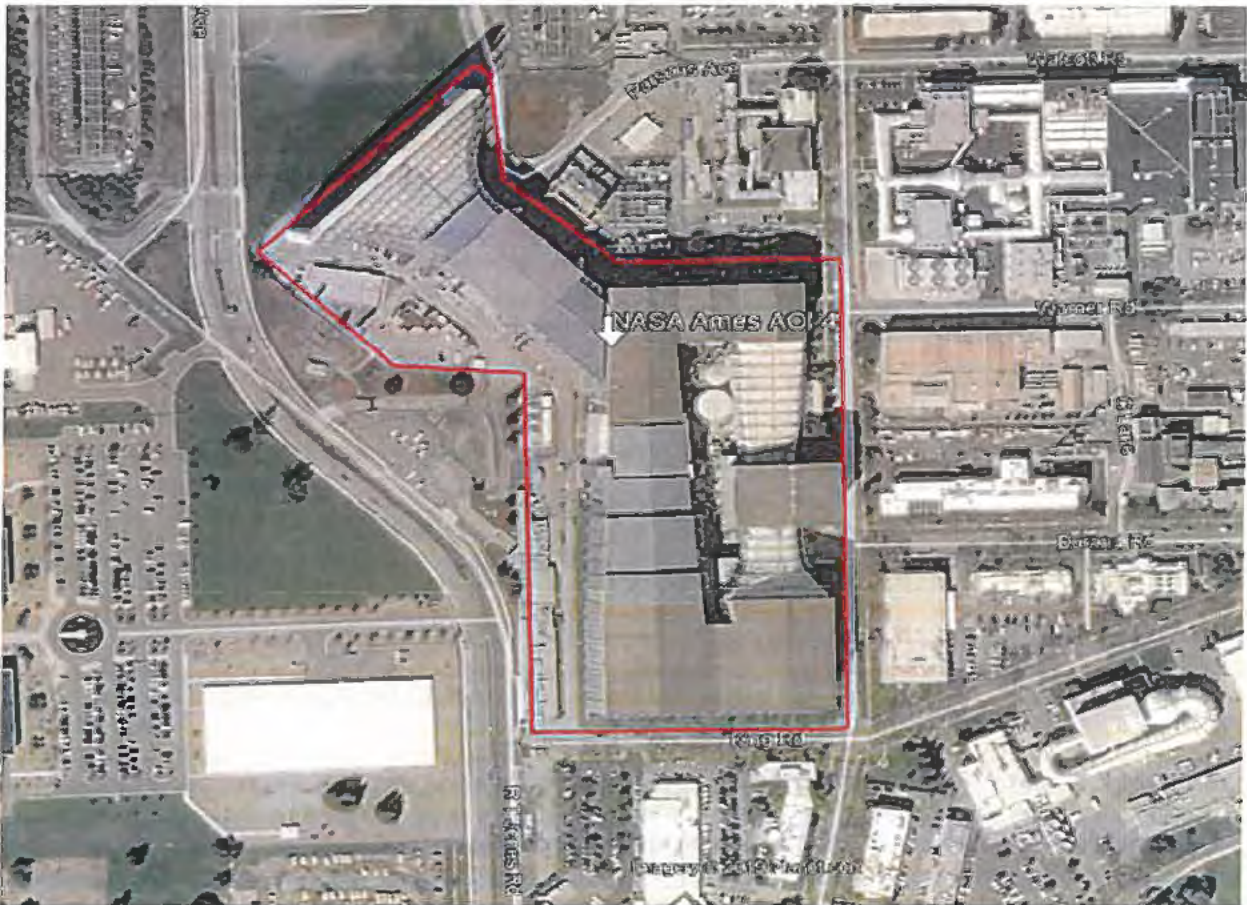


Figure 1: Location of the NASA Ames Area of Investigation 4





MEMORANDUM

FC 14 (02-08-19)

TO: Board of Directors

FROM: David Cahen
Risk Manager

SUBJECT: Risk Management Communication

DATE: September 26, 2019

The purpose of this memorandum is to provide you a copy of recent Risk Management staff's communication with individuals that have filed a claim against the District.

Please find the following attachments:

- 1) September 26, 2019 late claim letter to Mr. Francisco Galvan (District 3)
- 2) September 26, 2019 late claim letter to Ms. Phi Phung Nguyen (District 3)
- 3) September 26, 2019 late claim letter to Mr. Buu Ton (District 1)
- 4) September 26, 2019 late claim letter to Ms. My Hanh Huynh (District 3)

For additional information, please contact me at 408-630-2213.

A handwritten signature in black ink, appearing to read "David Cahen", written over a horizontal line.

David Cahen
Risk Manager

September 26, 2019

Buu Ton
59 Southport Court
San Jose, CA 95138

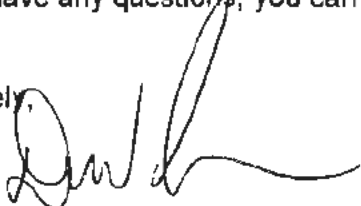
Re: Claim

Dear Mr. Ton,

The claim which was presented to the Santa Clara Valley Water District on September 23, 2019 is being returned because it was not presented within one (1) year after the event or occurrence as required by law. See Sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action was taken on the claim.

If you have any questions, you can contact me at (408) 630-2213.

Sincerely,



David Cahen
Risk Manager

Enc: Claim Packet

September 26, 2019

Phi Phung Nguyen
900 Golden Wheel Parkway #97
San Jose, CA. 95112

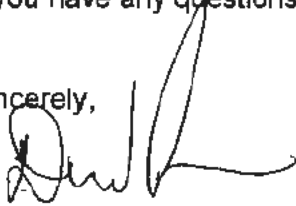
Re: Claim

Dear Ms. Nguyen,

The claim which was presented to the Santa Clara Valley Water District on September 23, 2019 is being returned because it was not presented within one (1) year after the event or occurrence as required by law. See Sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action was taken on the claim.

If you have any questions, you can contact me at (408) 630-2213.

Sincerely,



David Cahen
Risk Manager

Enc: Claim Packet

September 26, 2019

Mr. Francisco Galvan
900 Golden Wheel Park Drive #110
San Jose, CA 95112

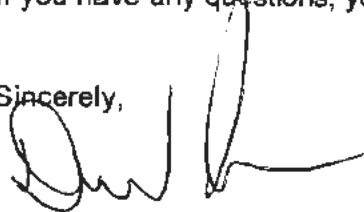
Re: Claim

Dear Mr. Galvan,

The claim which was presented to the Santa Clara Valley Water District on September 17, 2019 is being returned because it was not presented within six (6) months after the event or occurrence as required by law. See Sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action was taken on the claim.

If you have any questions, you can contact me at (408) 630-2213.

Sincerely,



David Cahen
Risk Manager

Enc: Claim Packet

September 26, 2019

My Hanh Huynh
1350 Oakland Rd. #60
San Jose, CA 95112

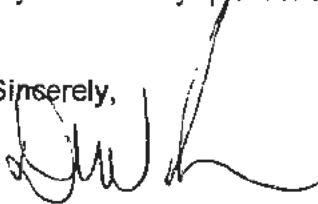
Re: Claim

Dear Ms. Huynh,

The claim which was presented to the Santa Clara Valley Water District on September 23, 2019 is being returned because it was not presented within six (6) months after the event or occurrence as required by law. See Sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action was taken on the claim.

If you have any questions, you can contact me at (408) 630-2213.

Sincerely,



David Cahen
Risk Manager

Enc: Claim Packet



MEMORANDUM

FC 14 (08-21-19)

TO: Norma Camacho

FROM: Rick L. Callender

SUBJECT: 35th Annual Coastal Cleanup Day Final Results

DATE: September 30, 2019

Valley Water, in partnership with the Creek Connections Action Group (CCAG)*, coordinated a milestone 35th Annual Coastal Cleanup Day (CCD) event in Santa Clara County on Saturday, September 21, 2019.

Throughout the county, from Palo Alto to San Jose to Gilroy, the final results include:

- 47 sites hosted
- 2,166 volunteers participated (*previous record was at 2,028 in the year 2017*)
- 58 miles of creek and shoreline cleaned
- Approximately 53,297 pounds of trash removed, which included 4,405 pounds of recyclables.

The final results are being shared with Coastal Cleanup Day site-coordinators and volunteers, on cleanacreek.org, and with the California Coastal Commission to be included in the state-wide tracking. They will be publicized using friendly infographics that provide context to the results on social media (see images below). Results will be included in the Santa Clara Valley Urban Runoff Pollution Prevention (SCVURPPP) Annual Report in compliance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit.

The final results are presented by Board district area and city as seen in the tables below. The cleanup data is collected by volunteer site-coordinators who do their best to estimate the amounts by using an average weight of 30 pounds per bag for the number of bags collected; the bags aren't weighed for exact measurements.

Results by Board District Area

BOARD DISTRICT AREA	VOLUNTEERS	MILES	TRASH	RECYCLABLES	TOTAL
1	252	15	5115	230	5345
2	400	6.1	9115	950	10065
3	240	8.3	5966	1705	7671
4	437	8.3	16359	290	16649
5	229	4.5	867	8	875
6	307	4.2	9860	0	9860
7	301	11.8	1610.1	1221.5	2831.6
TOTALS	2166	58.1	48892.1	4404.5	53296.6

Results by City

CITY	VOLUNTEERS	MILES	TRASH	RECYCLABLES	TOTAL
SUNNYVALE	41	1.5	300	0	300
SANTA CLARA	90	3	1140	150	1290
PALO ALTO	108	5.5	703	802	1505
MOUNTAIN VIEW	25	2	400	200	600
MORGAN HILL	56	5	1710	220	1930
MILPITAS	44	2	110	5	115
LOS GATOS	27	1	1000	0	1000
LOS ALTOS	45	0.75	12.1	14.5	26.6
GILROY	89	7	1905	10	1915
SAN JOSE	1373	24.3	35760	2835	38595
CAMPBELL	97	1	5555	0	5555
CUPERTINO	171	5	297	168	465
TOTALS	2166	58.1	48892.1	4404.5	53296.6

Other organizations that participated in Coastal Cleanup Day included: Adobe, Church of Scientology of San Jose, City of Cupertino, City of Milpitas, City of Morgan Hill, City of Mountain View, City of Palo Alto, City of San Jose, City of Santa Clara, City of Sunnyvale, Comerica Bank, Cub Scout Pack 328, Cub Scout Pack 335, DeMattei Construction, Don Edwards San Francisco Bay National Wildlife Refuge, Gilroy Compassion Center, Girl Scouts Troop 60510, Grassroots Ecology, GreenTown Los Altos, IBEW Local 332, Keep Coyote Creek Beautiful, PricewaterhouseCoopers, Salas O'Brien, San José Fairmont, Santa Clara County Parks and Recreation, Santa Clara County Water Ski Club, Saved by Nature, South Bay Clean Creeks Coalition, Star Fellowship, The Rotary Club of San Jose, West Valley Clean Water Program Authority, and West Valley College.

Volunteers cleared many interesting items from the creeks, which included: 20' rebar, a basketball, a kids race car shopping cart, a mannequin, a rake, a washcloth, aluminum siding, bathroom mat, beach balls, bicycle frames, bicycle tires, bicycles, big spoon, blanket, broken umbrella, burned homework, cat scratching post, chair, chicken wire, Christmas lights, Christmas trees, cigarette butts, electronic paint mixer, engine block, epi pen, Facebook bike baskets, frisbee, front pumper to a sedan, furnace filter, glass, golf balls, gun locker, homemade bow, homemade nunchucks, horse-shoe, iPhone, lawn edger, lawn mower, lawn sections, lighter, Lyft scooters, mattress, metal fork, microwave, mini lava lamp, monofilament line, motor cycle frame, net fishing kit, old faucets and sink, old kiddie pool, oven, phone, pink flamingo, plastic bags, political signs, purse, rain gutter, shopping carts, shopping carts, shovels, stroller cart, Styrofoam floats, tennis balls, tile wall, tire, toy soldier, unopened Hershey bars, and volleyballs.

Staff will be leveraging the momentum from this event to further encourage volunteers to sign up for the upcoming National River Cleanup Day in May 2020, year-round Adopt-A-Creek Program, and to support other Valley Water volunteer efforts.

*The Creek Connections Action Group (CCAG) is a consortium of public agencies and non-profit organizations that share a goal of protecting Santa Clara County's waterways. These agencies include Valley Water (Chair), Santa Clara County Parks and Recreation, and the City of San José (Parks Recreation and Neighborhood Services, Environmental Services Department), City of Santa Clara, City of Palo Alto, City of Sunnyvale, City of Milpitas, City of Cupertino, and West Valley Clean Water Program (Campbell, Monte Sereno, Saratoga and the Town of Los Gatos).

2019 COASTAL CLEANUP DAY
52,997 Pounds
of trash cleared from local waterways by volunteers.

That's equivalent to the weight of **25 narwhals!**

#CCAG #CCD2019

The infographic features a scuba diver on the left and a narwhal in the center. A circular logo for the Coastal Cleanup Day is in the bottom right corner.

2019 COASTAL CLEANUP DAY
58 Miles
of local waterways cleaned by volunteers.

That's equivalent to **43,749 surfboards** lined up end to end!

#CCAG #CCD2019

The infographic shows three surfboards on a beach with a man and a woman. A circular logo for the Coastal Cleanup Day is in the bottom left corner.

Rick L. Callender
Chief of External Affairs
External Affairs Division

cc: Board of Directors


rb/ky


Citrix ShareFile


Colleen Trostle ,

Rick Callender has approved Version 3 of CCD 2019 CEO BULLETIN_ Final Results.pdf

 **CCD 2019 CEO BULLETIN_ Final Results.pdf v3**

 **Kristen Yasukawa**
Approved on 09/30/19, 5:57PM -05

 **Marta Lugo**
Approved on 09/30/19, 7:43PM -05

 **Rick Callender**
Approved on 09/30/19, 8:21PM -05

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