



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

May 21, 2021

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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3	CEO Bulletin: Weeks of May 7 – May 20, 2021
	<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
	BMR/IBMR Weekly Reports: None
10	Memo from Michele King, COB, to the Board of Directors, dated 5/21/21, regarding 5/11/21 Board Meeting Public Communication Received after Distribution Cutoff.
	<u>INCOMING BOARD CORRESPONDENCE</u>
13	Board Correspondence Weekly Report: 05/20/21
14	Email from Deb Kramer, to Director Kremen, dated 5/14/21, regarding the Mini-Grant Application Process (C-21-0057).
15	Email from Ayme Vengas, to the Board of Directors, dated 5/17/21, regarding Homeless Activity along the Creek (C-21-0058)
23	Email from David Siegal, to the Board of Directors, dated 5/18/21, regarding Homeless Activity along the Creek (C-21-0059)
24	Email from Rochelle Leggett, to the Board of Directors, dated 5/18/21, regarding Homeless Activity along the Creek (C-21-0060).
25	Thank you, Email from Deb Kramer, to the Board of Directors, dated 5/18/21, regarding the Mini-Grant Application Process (C-21-0061).
	<u>OUTGOING BOARD CORRESPONDENCE</u>
29	Email from Chair Estremera, to Benjamin Ploederer, dated 5/14/21, regarding Lower Penitencia Creek Improvements Project Bid Protest (C-21-0055).
31	Email from Director Kremen, to Deb Kramer, dated 5/18/21, regarding the Mini-Grants Application Process (C-21-0057).

Board correspondence has been removed from the online posting of the Non-Agenda to protect personal contact information. Lengthy reports/attachments may also be removed due to file size limitations. Copies of board correspondence and/or reports/ attachments are available by submitting a public records request to publicrecords@valleywater.org.

CEO BULLETIN



To: Board of Directors
From: Rick L. Callender, CEO

Weeks of May 7 – May 20, 2021

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.

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1. **Central Valley Project Improvement Act Annual Best Management Practices Reports Update**

The U.S. Bureau of Reclamation (Reclamation) requires all Central Valley Project (CVP) water contractors to adopt a water conservation plan based on a specific set of reporting criteria developed by Reclamation per the Reclamation Reform Act of 1982 (RRA) and the Central Valley Project Improvement Act of 1992 (CVPIA). Failure to adopt a water conservation plan that meets Reclamation's criteria could jeopardize the continued delivery of CVP water. A CVPIA Water Management Plan must be submitted to the Bureau every five years, and updates on the implementation of Urban and Agricultural Best Management Practices (BMPs) are submitted to Reclamation annually in April.

The Urban and Agricultural BMP Annual Reports for 2020 were submitted to Reclamation on April 22, 2021 and can be viewed at the following link: <https://www.valleywater.org/your-water/water-supply-planning/your-water/water-supply-planning/cvpia-water-management-plan>.

The reports show that Valley Water continues to implement applicable BMPs to promote water conservation with strong public outreach and school education programs, tracking and managing water loss, optimizing conjunctive use of surface and groundwater, and encouraging the use of recycled water. Valley Water last submitted a CVPIA Water Management Plan in 2017, and the next full management plan update will be due in 2022.

For further information, please contact Kirsten Struve at (408) 630-3138.

2. County Inspection of Valley Water Dams

In early May 2021, Santa Clara County's Hazardous Material Compliance Division (HMCD) reached out to Valley Water about conducting inspections at the various Valley Water dam facilities. HMCD noted that during the COVID-19 pandemic, HMCD continued to assist the public and regulated facilities, both remotely and through limited field activities, but are now returning to a normal, pre-pandemic, facility inspection routine.

Since Valley Water dam facilities are in outdoor environments, HMCD thought these facilities ideal to inspect from a COVID-19 protection stand-point. In May 2021, HMCD inspected Anderson Dam, Calero Dam, Chesbro Dam, Coyote Dam, Stevens Creek Dam, and Uvas Dam. Regulated materials stored at Valley Water dams include hydraulic oil used to operate the inlet valves which control the release of water from the reservoir. Additionally, Calero Dam and Steven Creek Dam have oxygenation systems used to reduce methyl-mercury production which are also regulated by HMCD. Valley Water is reviewing the submitted HMCD reports for the inspected facilities for resolution and response of any noted discrepancies.

For further information, please contact Tina Yoke at (408) 630-2385.

3. May 1, 2021 Coyote Creek Cleanup Event a Success

After months of planning and collaboration with several community and local agency partners, Valley Water hosted the Coyote Creek Cleanup event on Saturday, May 1, 2021 to kick off National River Cleanup month. The cleanup efforts took place at two locations along Coyote Creek: 1) Coyote Creek at the Tully Ballfields and 2) Coyote Creek from Montague Expressway to E. Brokaw Road.

The event was a community-wide effort with multiple partners including City of San Jose, County of Santa Clara, Opening Doors, South Bay Clean Creeks Coalition, The Trash Punx, Saved by Nature, Zanker Recycling, and Republic Services. The cleanup started off with a press event at the Tully Ballfields where several local elected officials spoke about the importance of collaborating on a comprehensive approach towards finding respectful and humane solutions to the trash and pollution issues that impact the health of the local waterways due to homeless encampments. Valley Water Board Chair Tony Estremera and Director Richard Santos led off the press event, which also featured State Assembly members Alex Lee and Ash Kalra, Santa Clara County Board Supervisors Otto Lee and Cindy Chavez. San Jose Mayor Sam Liccardo and State Senator Dave Cortese also had staff present at the event to show support.

After the press event, 98 volunteers from both cleanup sites worked with staff from Valley Water and the City of San Jose to remove 27.25 tons (54,500 lbs) of trash and 64 gallons of biowaste along Coyote Creek. City of San Jose's Cash for Trash program was also operating at the Tully Ballfields to provide redemption cards to unhoused individuals for helping to cleanup and return filled trash bags. Additionally, outreach services from the City of San Jose Homeless Response Team and Opening Doors, a local non-profit group aimed at reducing general poverty in Santa Clara County, were provided to unhoused individuals to inform them of alternative housing opportunities outside of the creeks. Opening Doors provided hot meals to more than 50 unhoused individuals on the day of the event.

The cleanup efforts will continue in neighborhoods and local natural areas every Saturday in May from 9 a.m. to noon in recognition of National River Cleanup.

For further information, please contact Marta Lugo at (408) 630-2237.

4. Safe, Clean Water FY2018 Grant Closeout: Girl Scouts of Northern California's Green by Nature Project

In Fiscal Year (FY) 2018, Valley Water awarded Girl Scouts of Northern California a \$16,951.20 Safe, Clean Water Program B7 Grant for their Girl Scouts Green by Nature Project in Santa Clara County (Project). The Girl Scouts of Northern California completed the Project in March 2020, and their final invoice was paid in August 2020.

The Girl Scouts of Northern California (GSNorCal) implemented a 12-week environmental outreach and education program called "Don't Waste That Watershed," serving 267 girls at seven different school sites in Santa Clara County. The education program consisted of approximately eight 90-minute learning sessions, nature-based field trips, a local community service project, leadership building activities, and a family engagement event, totaling 12 weeks and more than 18 hours of experiential learning for participants.

Key Outcomes:

- A total of 267 girl scouts participated across seven school sites in Santa Clara County
- Post-survey results indicated that 80% of participants plan to take actions to protect the environment and encourage others to do the same, demonstrating environmental stewardship
- 75% of participants can explain why pollution is harmful when it enters our waterways
- 80% of participants developed resourceful problem-solving skills, and are willing to seek challenges, and collaborate with others, and feel empowered to make a difference in the world

For further information, please contact Marta Lugo at (408) 630-2237.

5. Status of Completed Uvas Creek Levee Rehabilitation Project, Phase 1 and Phase 2, Miller Avenue to Downstream end of Levee (Gilroy) (District 1)

Phase 1 and Phase 2 work on the Uvas Creek Levee Rehabilitation Project (Project) were completed in April and November of 2019, respectively and are to be monitored for 3-years on a quarterly basis. The 3-year monitoring is to conclude in April and November 2022, respectively. This is an update on the levee repair and plant establishment conditions of the Project.

In the late 1980s, the U. S. Army Corps of Engineers (USACE) constructed the Uvas Creek Levee from Santa Teresa Boulevard to southerly of West Luchess Avenue to protect the City of Gilroy (City) residents from a one-percent chance flood event. The City constructed a paved walking trail above the levee as part of the City's trail system. Since the early 2010s, the USACE annually identified portions of the original two and a half-mile levee length as gradually being damaged by burrowing animals, which would likely in the future cause levee seepage and undermine the structural integrity of the levee.

Although the USACE constructed the levee, Valley Water is responsible for maintaining the levee, including any repairs to the levee. In 2017, Valley Water identified that most damage occurred where the levee slopes were the steepest (2-to-1 or steeper), which mostly were observed from Miller Avenue to the downstream end of the levee, the southernmost one-mile reach of the two and a half-mile USACE-constructed levee.

To maintain the levee's certified USACE "Acceptable" ranking during inspections, Valley Water mitigated the damage and prevented future impacts from burrowing animals by re-constructing the levee side slopes from Miller Avenue to the downstream end of the levee. The mitigation was implemented in two Phases with the first Phase along the outboard levee face and the second Phase along the inboard levee face. Mitigation consisted of excavating the existing levee sides slopes and importing new soil materials to re-build the levee to as-built or better conditions.

To prevent future burrowing from animals, chain-link fabric, akin to a chain-link fence but with smaller openings and heavier gage material, was draped and anchored on top of both levee side slopes. Once the chain-link fabric was securely installed in-place, a thick layer of slightly compacted topsoil was added to allow re-vegetation growth of hydroseeded materials. Additionally, as a bonus feature, since the City trail was also deteriorating, Valley Water installed a new asphalt-paved trail in conjunction with the rehabilitated levee areas, which the City also cost-shared.

Based on this month's quarterly monitoring report, the current condition of the levee indicates lush and established vegetation, requiring minor weed abatement. There are traces of attempted animal burrowing on the surface only, indicating the anchored heavy steel-gage chain-link fabric blanketing the levee side slopes is successfully protecting the levee's structural integrity.

In 2018, two similar projects were constructed by Valley Water along the Coyote Creek levee upstream and downstream of SR237 to address USACE's inspection concerns about the rodent damages along the levee. Based on the monitoring reports, both projects exhibited success in the restoration of the damaged levee and plant establishment. With four successful projects, this type of innovative levee repair including fence fabric draping and anchoring along the levee slope with plant establishment can be successfully used in the future to deter the burrowing animal damage along the levees.

For further information, please contact Rechelle Blank at (408) 630-2615.

6. StormReady Certification for Valley Water 2021

The National Weather Service (NWS) re-certified the Santa Clara Valley Water District (Valley Water) as a National Oceanic and Atmospheric Administration StormReady Community.

The certification process consists of the Valley Water's weather event communications and emergency planning capability. StormReady certification helps communities to better prepare for and mitigate the effects of extreme weather-related events. Certification also reflects a commitment by Valley Water to create infrastructure and systems that will save lives and protect property.

Valley Water and the NWS have collaborated to improve information sharing and coordination of emergency preparedness and response to weather related events. The forecast information provided by NWS helps Valley Water establish a risk profile for incoming storm events. This profile is shared with Valley Water operations, local emergency managers and the Santa Clara County Office of Emergency Management to facilitate the establishment of a common operating picture and coordination of resources and information.

For further information, please contact Alexander Gordon at (408) 630-2637.

7. Updated Bay Area Regional Reliability (BARR) - Shared Water Access Program (SWAP) Water Transfer Pilot Project

Valley Water participates in the Bay Area Regional Reliability (BARR) Partnership to address water supply reliability and drought preparedness on a mutually beneficial and regionally focused basis. The Shared Water Access Program (SWAP) is a BARR effort to facilitate water transfers and exchanges within the Bay Area by leveraging existing infrastructure and institutional agreements. It is funded in part by a Water Marketing Strategy Grant through the Bureau of Reclamation (Reclamation). The objective of SWAP is to define the process for how Bay Area water agencies could perform water transfers and exchanges and resolve associated barriers, resulting in the development of a strategy report.

As part of SWAP, Valley Water and Contra Costa Water District (CCWD) have been working with Reclamation to secure approvals for a water transfer pilot. With the unfolding dry conditions this year, this pilot was revised as part of Valley Water's effort to secure additional water to meet water supply needs. The revised pilot project has two parts — first for CCWD to transfer up to 5,000 acre-feet of its Central Valley Project (CVP) allocation to Valley Water in 2021, and then for Valley Water to transfer the same amount of its CVP water to CCWD at a later time. The revised pilot will continue to meet the objective of SWAP to define the process towards water transfers and exchanges.

CCWD and Valley Water have been working with Reclamation to obtain and incorporate feedback to the revised scope and proposed transfer operations since March 2021. The BARR Partnership was also informed of the new scope and is supportive. CCWD and Valley Water are currently working on the draft transfer agreement and CEQA/NEPA documentation for the revised BARR-SWAP pilot water transfer. The water transfer process is expected to begin this Summer 2021.

For further information, please contact Kirsten Struve at (408) 630-3138.

8. Valley Water Meeting with the Environmental Community

On May 3, 2021, Valley Water met with leaders of several environmentally focused stakeholders to discuss issues of mutual interest. Valley Water appreciated the opportunity to hear directly from meeting attendees on their environmental priorities and how they might align with the work Valley Water does, such as the Safe, Clean Water-funded grants, environmental public benefits/access, capital project development, and environmental mitigation efforts.

Items discussed during the meeting included the current conditions surrounding the drought, the current Purified Water Project effort underway to expand the capacity to produce advanced purified water, and an overview of the One Water Plan. At this meeting, participants were also encouraged to raise other topics that their organizations feel are potential items for joint discussion or collaboration.

Through these meetings, Valley Water hopes to engage with stakeholders who have an interest in environmental advocacy while also ensuring environmental justice and social equity are accomplished. The long-term goal is to continue to hold reoccurring meetings where we can identify common issues of mutual interest and work together to accomplish our goals.

The next meeting is currently planned for late Summer 2021.

For further information, please contact Don Rocha at (408) 630-2338.

9. Valley Water Participation in an Expert Panel to Discuss the Criteria for Direct Potable Reuse (DPR) Regulations

On March 22, 2021, the State Water Board Division of Drinking Water (DDW) released the Addendum to the Direct Potable Reuse (DPR) Framework 2nd Edition. This Addendum contains draft language of the criteria for DPR and is a step towards developing uniform water recycling criteria for DPR on or before December 2023 (per AB 574).

Valley Water has been very involved in the efforts to get to this point through coordination and collaboration with internal and external stakeholders and organizations. As an example, Valley Water contributed to the development of a recently published guiding document by National Water Research Institute (NWRI) titled “Implementation of Direct Potable Reuse – A Guide for California Utilities,” which can be found at the following link:

<https://protect-us.mimecast.com/s/JPMvCJ6rgBt7Y2ztG7xmR?domain=nwriusa.sharepoint.com>.

Valley Water was part of an expert panel that convened on April 14, 2021, by WaterReuse California. In addition to Valley Water, the panel members included staff from Los Angeles Department of Water and Power, City of San Diego, and Metropolitan Water District of Southern California. This workshop analyzed the proposed DPR Regulations, and the panel members discussed the implications for future DPR projects. In addition, Valley Water attended a public hearing on the released Addendum on DPR held on April 22, 2021, by the State Water Board.

Valley Water will review the proposed criteria for DPR Regulations and prepare a comment letter to the State Water Board by the due date of June 25, 2021. Valley Water will also coordinate with other interested organizations throughout the process of preparing the comment letter.

For further information, please contact Kirsten Struve at (408) 630-3138.

BOARD MEMBER REQUESTS and Informational Items



MEMORANDUM

FC 14 (02-08-19)

TO: Board of Directors

FROM: Michele King, COB

SUBJECT: 5/11/21 Board Meeting Public
Communication Received after Distribution
Cutoff

DATE: 5/21/21

Attached public communication for May 11, 2021 Board agenda item received after the 9:00am cutoff.

Michelle Critchlow

From: Board of Directors
Subject: FW: Unjustified rate increase

From: altobass@sbcglobal.net <altobass@sbcglobal.net>
Sent: Thursday, May 13, 2021 1:32 PM
To: Board of Directors <board@valleywater.org>
Subject: Unjustified rate increase

To the board of Valley Water,

I am writing to protest the decision you made to raise, again, the rates paid by your constituents. You need to roll back this decision, immediately! First, the plan to build the Pacheco reservoir on unsafe soil makes no sense from a watershed, engineering, or safety standpoint. Second, you have raised our rates to cover fixed costs numerous times over the past several years while at the same time requiring us to reduce our water use. As an engineer at IBM, we were required to live by our allowed funding and budgets to complete projects. We were never allowed to increase our costs. We just had to live with the available funds. You need to learn the same principles. Just because you are a government agency doesn't give you the right to increase your funding. Sound budgeting is the cornerstone of any agency--private or public.

As I said above, you need to roll back this rate increase immediately!!

Hugh McDevitt
Almaden Valley