

January 17, 2019

**MEETING NOTICE & REQUEST FOR RSVP**

**TO: ENVIRONMENTAL AND WATER RESOURCES COMMITTEE**

<b><u>Jurisdiction</u></b>	<b><u>Representative</u></b>	<b><u>Representative</u></b>	<b><u>Representative</u></b>
District 1	Bonnie Bamburg	Loren Lewis	Rita Norton
District 2	Charles Ice	Elizabeth Sarmiento	
District 3	Hon. Dean Chu	Rev. Jethroe Moore, II	Charles Taylor
District 4	John Bourgeois	Bob Levy	
District 5	Hon. Tara Martin-Milius	Mike Michitaka	Marc Rauser
District 6	Hon. Patrick Kwok		
District 7	Tess Byler	Arthur M. Keller, Ph.D.	Stephen A. Jordan

The regular meeting of the Environmental and Water Resources Committee is scheduled to be held on **Monday, January 28, 2019, at 6:00 p.m.** in the Headquarters Building Boardroom located at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California. Dinner will be served.

Enclosed are the meeting agenda and corresponding materials. Please bring this packet with you to the meeting. Additional copies of this meeting packet are available on-line at <https://www.valleywater.org/how-we-operate/committees/board-advisory-committees>

A majority of the appointed membership is required to constitute a quorum, which is fifty percent plus one. A quorum for this meeting must be confirmed at least 48 hours prior to the scheduled meeting date or it will be canceled.

Further, a quorum must be present on the day of the scheduled meeting to call the meeting to order and take action on agenda items.

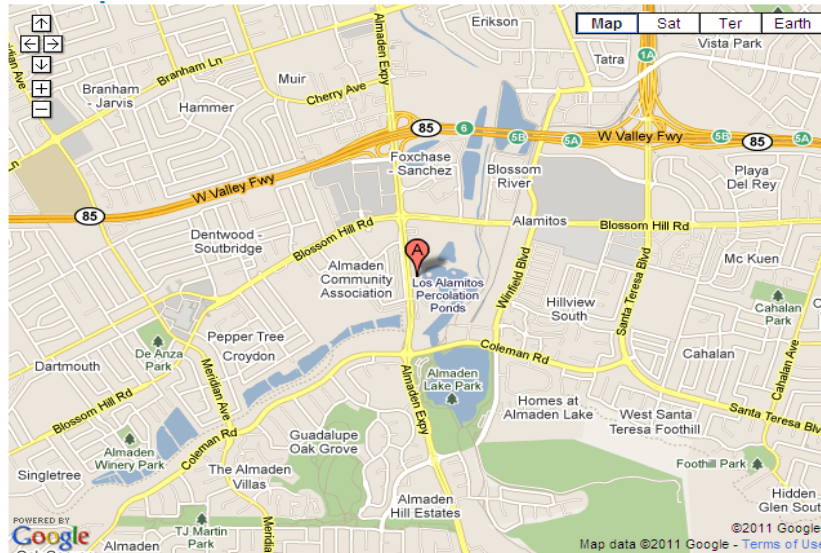
Members with two or more consecutive unexcused absences will be subject to rescinded membership.

Please confirm your attendance **no later than Thursday, January 24, 2019, 4:30 p.m.** by contacting Ms. Glenna Brambill at 1-408-630-2408, or [gbrambill@valleywater.org](mailto:gbrambill@valleywater.org).

Enclosures



**Santa Clara Valley Water District - Headquarters Building,  
5700 Almaden Expressway, San Jose, CA 95118**



**From Oakland:**

- Take 880 South to 85 South
- Take 85 South to Almaden Expressway exit
- Turn left on Almaden Plaza Way
- Turn right (south) on Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From Morgan Hill/Gilroy:**

- Take 101 North to 85 North
- Take 85 North to Almaden Expressway exit
- Turn left on Almaden Expressway
- Cross Blossom Hill Road
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From Sunnyvale:**

- Take Highway 87 South to 85 North
- Take Highway 85 North to Almaden Expressway exit
- Turn left on Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From San Francisco:**

- Take 280 South to Highway 85 South
- Take Highway 85 South to Almaden Expressway exit
- Turn left on Almaden Plaza Way
- Turn right (south) on Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From Downtown San Jose:**

- Take Highway 87 - Guadalupe Expressway South
- Exit on Santa Teresa Blvd.
- Turn right on Blossom Hill Road
- Turn left at Almaden Expressway
- At Via Monte (first traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From Walnut Creek, Concord and East Bay areas:**

- Take 680 South to 280 North
- Exit Highway 87-Guadalupe Expressway South
- Exit on Santa Teresa Blvd.
- Turn right on Blossom Hill Road
- Turn left at Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance



# **Santa Clara Valley Water District Environmental and Water Resources Committee Meeting**

**HQ Boardroom  
5700 Almaden Expressway  
San Jose CA 95118**

## **REGULAR MEETING AGENDA**

**Monday, January 28, 2019  
6:00 PM**

**District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.**

All public records relating to an item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

**Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.**

**Santa Clara Valley Water District**  
**Environmental and Water Resources Committee**  
**REGULAR MEETING**  
**AGENDA**

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Monday, January 28, 2019

6:00 PM

HQ Boardroom

5700 Almaden Expressway, San Jose CA 95118

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**1. CALL TO ORDER:**

1.1. Roll Call.

**2. Time Open for Public Comment on any Item not on the Agenda.**

*Notice to the public: This item is reserved for persons desiring to address the Committee on any matter not on this agenda. Members of the public who wish to address the Committee on any item not listed on the agenda should complete a Speaker Form and present it to the Committee Clerk. The Committee Chair will call individuals in turn. Speakers comments should be limited to two minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Committee may take action on any item of business appearing on the posted agenda.*

**3. APPROVAL OF MINUTES:**

3.1. Approval of Minutes.

[19-0073](#)

Recommendation: Approve the October 24, 2018, Meeting Minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 101518 EWRC DRAFT Mins](#)

Est. Staff Time: 5 Minutes

**4. ELECTION OF CHAIR AND VICE HAIR**

4.1. Election of Chair and Vice Chair.

[18-1105](#)

Recommendation: Elect 2019 Chair and Vice Chair

Manager: Michele King, 408-630-2711

Est. Staff Time: 5 Minutes

**5. ACTION ITEMS:**

- 5.1. Review and Approve 2018 Annual Accomplishments Report for Presentation to the Board (Committee Chair). [19-0075](#)
- Recommendation: 1. Approve the 2018 Accomplishments Report for presentation to the Board.  
2. Provide comments to the Committee Chair to share with the Board as part of the Accomplishments Report presentation pertaining to the purpose, structure, and function of the Committee.
- Manager: Michele King, 408-630-2711
- Attachments: [Attachment 1: 2018 EWRC Accomplishments Report](#)
- Est. Staff Time: 5 Minutes
- 5.2. Review and Comment to the Board on the Fiscal Year 2019-20 Preliminary Groundwater Production Charges. [19-0076](#)
- Recommendation: Discuss and consider the attached preliminary groundwater production charge analysis and provide comment to the Board on policy implementation, as necessary.
- Manager: Darin Taylor, 408-630-3068
- Attachments: [Attachment 1: Prelim CIP - GW charges](#)
- Est. Staff Time: 20 Minutes
- 5.3. Open Space Credit. [19-0077](#)
- Recommendation: This is an information item and no action is required.
- Manager: Darin Taylor, 408-630-3068
- Attachments: [Attachment 1: PowerPoint Presentation](#)
- Est. Staff Time: 20 Minutes
- 5.4. Update from Environmental and Water Resources Committee's Working Groups. [19-0095](#)
- Recommendation: Provide comments to the Board on implementation of District mission applicable to working groups' recommendations.
- Manager: Michele King, 408-630-2711
- Attachments: [Attachment 1: 2019 Working Groups Spreadsheet](#)  
[Attachment 2: Working Groups Guidelines v2](#)
- Est. Staff Time: 10 Minutes

- 5.5. Review Environmental and Water Resources Committee (EWRC) Work Plan, the Outcomes of Board Action of Committee Requests; and the Committee's Next Meeting Agenda. [19-0078](#)

Recommendation: Review the EWRC work plan to guide the commission's discussions regarding policy alternatives and implications for Board deliberation.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 2019 EWRC Work Plan](#)  
[Attachment 2: 041519 EWRC Draft Agenda](#)

Est. Staff Time: 5 Minutes

**6. Clerk Review and Clarification of Committee Requests.**

*This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.*

**7. REPORTS:**

*Directors, Managers, and Committee Members may make brief reports and/or announcements on their activities. Unless a subject is specifically listed on the agenda, the Report is for information only and not discussion or decision. Questions for clarification are permitted.*

7.1. Director's Report

7.2. Manager's Report

7.3. Committee Member Report

**8. ADJOURN:**

8.1. Adjourn to Regular Meeting at 6:00 p.m., on April 15, 2019, in the Santa Clara Valley Water District HQ Boardroom, 5700 Almaden Expressway, San Jose, California.

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**File No.:** 19-0073

**Agenda Date:** 1/28/2019

**Item No.:** 3.1.

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## COMMITTEE AGENDA MEMORANDUM

### Environmental and Water Resources Committee

**SUBJECT:**

Approval of Minutes.

**RECOMMENDATION:**

Approve the October 24, 2018, Meeting Minutes.

**SUMMARY:**

A summary of Committee discussions, and details of all actions taken by the Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the District's historical records archives and serve as historical records of the Committee's meetings.

**ATTACHMENTS:**

Attachment 1: 101518 EWRC Draft Mins.

**UNCLASSIFIED MANAGER:**

Michele King, 408-630-2711







ENVIRONMENTAL AND WATER RESOURCES COMMITTEE MEETING

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# DRAFT MINUTES

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**MONDAY, OCTOBER 15, 2018  
6:00 PM**

(Paragraph numbers coincide with agenda item numbers)

A regular scheduled meeting of the Environmental and Water Resources Committee (Committee) Meeting was held on October 15, 2018, in the Headquarters Building Boardroom at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

**1. CALL TO ORDER/ROLL CALL**

Chair Loren Lewis called the meeting to order at 6:16 p.m.

Members in attendance were:

<b><u>District</u></b>	<b><u>Representative</u></b>
District 1	Bonnie Bamburg Loren Lewis Rita Norton
District 2	Charles Ice Elizabeth Sarmiento
District 3	Hon. Dean Chu* Charles Taylor*
District 4	Bob Levy
District 5	Mike Michitaka* Marc Rauser
District 7	Tess Byler Stephen A. Jordan Arthur M. Keller, Ph.D.

Members not in attendance were:

<b><u>District</u></b>	<b><u>Representative</u></b>
District 3	Rev. Jethroe Moore, II
District 4	John Bourgeois Richard Zahner
District 5	Hon. Tara Martin-Milius
District 6	Maya Esparza Hon. Patrick S. Kwok

\*Committee members arrived as noted below.

Board member in attendance was: Director Nai Hsueh, Board Alternate.

Staff members in attendance were: Kurt Arends, Glenna Brambill, Vincent Gin, Garth Hall, Tony Mercado, Lisa Porcella and Afshin Rouhani.

Guest in attendance was: Mr. Doug Muirhead.

**2. PUBLIC COMMENT**

There was no one present who wished to speak.

Mr. Charles Taylor arrived at 6:17 p.m.

**3. APPROVAL OF MINUTES**

It was moved by Ms. Bonnie Bamberg, seconded by Ms. Tess Byler and carried by majority vote, to approve the July 16, 2018, Environmental and Water Resources Committee meeting minutes, as presented. Ms. Tess Byler and Ms. Elizabeth Sarmiento abstained.

**4. ACTION ITEMS**

**4.1 UPDATE ON THE FISH AND AQUATIC HABITAT COLLABORATIVE EFFORT (FAHCE)**

Mr. Vincent Gin introduced Ms. Lisa Porcella who reviewed the materials as outlined in the agenda item.

Mr. Mike Michitaka at 6:22 p.m. and Hon. Dean Chu arrived at 6:36 p.m.

Mr. Mike Michitaka, Ms. Tess Byler, Mr. Bob Levy, Ms. Elizabeth Sarmiento, Arthur M. Keller, Ph.D., Mr. Loren Lewis and Ms. Rita Norton, had questions regarding the following items: general budget, draft EIR released, modeling, technical groups, legal challenges, water rights for fish, settlement agreement, removal of barriers-timeline, CEQA, endangered species and new strategies implemented,

Hon. Dean Chu left at 7:16 p.m. and did not return.

Mr. Doug Muirhead from Morgan Hill commented on FAHCE projects

Mr. Vincent Gin and Mr. Garth Hall were available to answer questions.

**The Committee took the following action:**

It was moved by Arthur M. Keller, Ph.D., seconded by Ms. Elizabeth Sarmiento and carried by majority vote, the Committee approved receiving the draft FAHCE EIR when available. Two Members abstained.

**4.2 UPDATE FROM WORKING GROUPS**

Mr. Loren Lewis stated there were no reports from any working group.

No action was taken.

#### **4.3 REVIEW OF ENVIRONMENTAL AND WATER RESOURCES COMMITTEE WORK PLAN, THE OUTCOMES OF BOARD ACTION OF COMMITTEE REQUESTS AND THE COMMITTEE'S NEXT MEETING AGENDA**

Mr. Loren Lewis reviewed the materials as outlined in the agenda item.

##### **The Committee took the following action:**

It was moved by Mr. Bob Levy, seconded by Loren Lewis. and unanimously carried, to request that Committee add further discussion on the fisheries projects within the District's boundaries/purview and an update on Water Supply to the 2019 work plan. Also, to have staff review the Climate Change items so they arrange them in an order that will make sense to the Committee for 2019.

#### **5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE'S REQUESTS TO THE BOARD**

Ms. Glenna Brambill reported there were two action items for the Board consideration.

##### **Agenda 4.1**

The Environmental and Water Resources Committee approved receiving the draft FAHCE EIR when available.

##### **Agenda 4.3**

The Environmental and Water Resources Committee approved the request that Committee add further discussion on the fisheries projects within the District's boundaries/purview and an update on Water Supply, to the 2019 work plan. Also, to have staff review the Climate Change items so they arrange them in an order that will make sense to the Committee for 2019.

Ms. Rita Norton left at 8:00 p.m. and did not return.

Mr. Marc Rauser left at 8:02 p.m. and did not return.

Mr. Mike Michitaka left at 8:06 p.m. and did not return.

(Loss of quorum).

#### **6. REPORTS**

##### **6.1 DIRECTOR'S REPORT**

Director Nai Hsueh reported on the following

- Thanked Vice Chair Keller for attending the Board Policy and Planning Committee meetings

##### **6.2. MANAGER'S REPORT**

Mr. Garth Hall reported on the following:

- Water Supply Master Plan

### **6.3 COMMITTEE MEMBER REPORTS**

Arthur M. Keller, Ph.D.

- Requested that the Committee receive the Board Policy and Planning Committee's work plan document.
- Meeting with Director Kremen along with JPA and SCVWD Staff regarding flood gates in Palo Alto and Sea Level Rise

### **7. ADJOURNMENT**

Chair Mr. Loren Lewis adjourned at 8:20 p.m. to the next regular meeting on Monday, January 28, 2019, at 6:00 p.m., in the Santa Clara Valley Water District Headquarters Boardroom.

Submitted by:

Glenna Brambill  
Board Committee Liaison  
Office of the Clerk of the Board

Approved:

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**File No.:** 18-1105

**Agenda Date:** 1/28/2019

**Item No.:** 4.1.

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## COMMITTEE AGENDA MEMORANDUM

### Environmental and Water Resources Committee

**SUBJECT:**

Election of Chair and Vice Chair.

**RECOMMENDATION:**

Elect 2019 Chair and Vice Chair.

**SUMMARY:**

Per the Board Resolution, the duties of the Chair and Vice-Chair are as follows:

The officers of each Committee shall be a Chairperson and Vice-Chairperson, both of whom shall be members of that Committee. The Chairperson and Vice-Chairperson shall be elected by the Committee, each for a term of one year commencing on January 1 and ending on December 31 and for no more than two consecutive terms. The Committee shall elect its officers at the first meeting of the calendar year. All officers shall hold over in their respective offices after their term of office has expired until their successors have been elected and have assumed office.

The Chairperson shall preside at all meetings of the Committee, and he or she shall perform other such duties as the Committee may prescribe consistent with the purpose of the Committee.

The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In case of the unexpected vacancy of the Chairperson, the Vice-Chairperson shall perform such duties as are imposed upon the Chairperson until such time as a new Chairperson is elected by the Committee.

Should the office of Chairperson or Vice-Chairperson become vacant during the term of such office, the Committee shall elect a successor from its membership at the earliest meeting at which such election would be practicable, and such election shall be for the unexpired term of such office.

Should the Chairperson and Vice-Chairperson know in advance that they will both be absent from a meeting, the Chair may appoint a Chairperson Pro-tempore to preside over that meeting. In the event of an unanticipated absence of both the Chairperson and Vice-Chairperson, the Committee may elect a Chairperson Pro-tempore to preside over the meeting in their absence.

**BACKGROUND:**

The District Act provides for the creation of advisory boards, committees, or commissions by resolution to serve at the pleasure of the Board.

Accordingly, the Board has established Advisory Committees, which bring respective expertise and

Accordingly, the Board has established Advisory Committees, which bring respective expertise and community interest, to advise the Board, when requested, in a capacity as defined: prepare Board policy alternatives and provide comment on activities in the implementation of the District's mission for Board consideration. In keeping with the Board's broader focus, Advisory Committees will not direct the implementation of District programs and projects, other than to receive information and provide comment.

Further, in accordance with Governance Process Policy-3, when requested by the Board, the Advisory Committees may help the Board produce the link between the District and the public through information sharing to the communities they represent.

The Board may also establish Ad-hoc Committees to serve in a capacity as defined by the Board and will be used sparingly.

**ATTACHMENTS:**

None

**UNCLASSIFIED MANAGER:**

Michele King, 408-630-2711

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**File No.:** 19-0075

**Agenda Date:** 1/28/2019

**Item No.:** 5.1.

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## COMMITTEE AGENDA MEMORANDUM

### Environmental and Water Resources Committee

**SUBJECT:**

Review and Approve 2018 Annual Accomplishments Report for Presentation to the Board (Committee Chair).

**RECOMMENDATION:**

1. Approve the 2018 Accomplishments Report for presentation to the Board.
2. Provide comments to the Committee Chair to share with the Board as part of the Accomplishments Report presentation pertaining to the purpose, structure, and function of the Committee.

**SUMMARY:**

The Accomplishments Report summarizes the committee's discussions and actions to prepare Board policy alternatives and implications for Board deliberation throughout 2018. The Committee Chair, or designee, presents the Accomplishments Report to the Board at a future Board meeting.

The Committee may provide feedback to the Committee Chair, at this time, to share with Board as part of the Accomplishments Report presentation pertaining to the purpose, structure, and function of the Committee.

**BACKGROUND:**

**Governance Process Policy-8:**

The District Act provides for the creation of advisory boards, committees, or commissions by resolution to serve at the pleasure of the Board.

Accordingly, the Board has established Advisory Committees, which bring respective expertise and community interest, to advise the Board, when requested, in a capacity as defined: prepare Board policy alternatives and provide comment on activities in the implementation of the District's mission for Board consideration. In keeping with the Board's broader focus, Advisory Committees will not direct the implementation of District programs and projects, other than to receive information and provide comment.

Further, in accordance with Governance Process Policy-3, when requested by the Board, the Advisory Committees may help the Board produce the link between the District and the public

through information sharing to the communities they represent.

**ATTACHMENTS:**

Attachment 1: EWRC 2018 Accomplishments Report

**UNCLASSIFIED MANAGER:**

Michele King, 408-630-2711



## 2018 Annual Accomplishments Report: Environmental and Water Resources Committee

Update: December 2018

The annual work plan establishes a framework for committee discussion and action during the annual meeting schedule. The committee work plan is a dynamic document, subject to change as external and internal issues impacting the District occur and are recommended for committee discussion. Subsequently, an annual committee accomplishments report is developed based on the work plan and presented to the District Board of Directors.

ITEM	WORK PLAN ITEM	INTENDED OUTCOME(S) (Action or Information Only)	ACCOMPLISHMENT DATE AND OUTCOME
1	Election of Chair and Vice Chair for 2018	<ul style="list-style-type: none"> <li>Committee Elects Chair and Vice Chair for 2018. <b>(Action)</b></li> </ul>	<p><b><u>Accomplished January 22, 2018:</u></b> The Committee elected Mr. Loren Lewis as the Chair for 2018 and Arthur M. Keller, Ph.D. as the Vice Chair for 2018.</p>
2	Annual Accomplishments Report	<ul style="list-style-type: none"> <li>Review and approve 2017 Accomplishments Report for presentation to the Board. <b>(Action)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	<p><b><u>Accomplished January 22, 2018:</u></b> The Committee reviewed and approved the 2017 Accomplishments Report for presentation to the Board</p>
3	Civic Engagement	<ul style="list-style-type: none"> <li>Receive feedback from Committee per Transparency Audit. <b>(Action)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	<p><b><u>Accomplished January 22, 2018:</u></b> The Committee received information on Civic Engagement and took no action.</p>
4	Winter Preparedness Update	<ul style="list-style-type: none"> <li>Receive information on the District's Winter Preparedness. <b>(Information)</b></li> </ul>	<p><b><u>Accomplished January 22, 2018:</u></b> The Committee received information on Winter Preparedness and took no action.</p>

*Blue = Action taken by the Board of Directors*

Attachment 1  
Page 1 of 5

**2018 Annual Accomplishments Report:  
Environmental and Water Resources Committee**

Update: December 2018

ITEM	WORK PLAN ITEM	INTENDED OUTCOME(S) (Action or Information Only)	ACCOMPLISHMENT DATE AND OUTCOME
5	Receive information on shallow aquifers, dewatering, recharge, well pumping (when to use or not).	<ul style="list-style-type: none"> <li>Receive information on shallow aquifers, dewatering, recharge, well pumping (when to use or not). <b>(Information)</b></li> </ul>	<p><b><u>Accomplished January 22, 2018:</u></b> The Committee received information on shallow aquifers, dewatering, recharge, well pumping (when to use or not) and took no action.</p>
6	Status of Working Groups	<ul style="list-style-type: none"> <li>Receive updates on the status of the working groups. <b>(Action)</b></li> <li>Submit requests to the Board, as appropriate.</li> </ul>	<p><b><u>Accomplished January 22, 2018:</u></b> The Committee received an update on the working groups and will update the spreadsheet for 2018.</p> <p><b><u>Accomplished April 16, 2018:</u></b> The Committee received an update from Dr. Arthur Keller on Climate Change Mitigation and Climate Change and Sea Level Rise Adaptation working groups to set meeting dates.</p> <p><b><u>Accomplished January 22, 2018:</u></b> The Committee received an update on the working groups and took no action.</p>
7	Review of Environmental and Water Resources Committee Work Plan, the Outcomes of Board Action of Committee Requests and the Committee's Next Meeting Agenda	<ul style="list-style-type: none"> <li>Receive and review the 2018 Committee work plan. <b>(Action)</b></li> <li>Submit requests to the Board, as appropriate.</li> </ul>	<p><b><u>Accomplished January 22, 2018:</u></b> The Committee reviewed the 2018 work plan and took the following action:</p> <ul style="list-style-type: none"> <li>✓ Receive information on Salmonid in the District's waterways.</li> <li>✓ Overview of District's Flood Protection Management Plan to an action item.</li> <li>✓ Remove Habitat Conservation Plan and add receive FAHCE Update as an action item.</li> </ul>

*Blue = Action taken by the Board of Directors*

Attachment 1  
Page 2 of 5

**2018 Annual Accomplishments Report:  
Environmental and Water Resources Committee**

Update: December 2018

ITEM	WORK PLAN ITEM	INTENDED OUTCOME(S) (Action or Information Only)	ACCOMPLISHMENT DATE AND OUTCOME
			<p><b>Accomplished April 16, 2018:</b> The Committee reviewed the 2018 work plan and through the Chair added the One Water Plan for January 2019, moved FAHCE Update to October 15, 2018, agenda and moved the Salmonid in the District's waterways referencing Dr. Jerry Smith's Letter (distributed at 1/22/18, meeting) to July 16, 2018, agenda.</p> <p><b>Accomplished July 16, 2018:</b> The Committee reviewed the 2018 work plan and took the following action:</p> <ul style="list-style-type: none"> <li>• Requested to add to the Committee's work plan an update on the Pacheco Reservoir Expansion Project</li> <li>• To defer the following work plan items to January 2019; #12-Climate Change Mitigation – Carbon Neutrality by 2020 Program Update, #16- Receive information on Climate Change and the District's policy response regarding flooding, sea level rise, wildfires and #17- Climate Change and Sea Level Rise Adaptation – Water Supply, Flood Protection, Ecosystems Protection. Also, retain agenda items #13 – Energy Use Policy Discussion, #14- Discussion on Environmental Issues-Endangered Species, Drought Environmental impacts, #15-FAHCE Update for October.</li> </ul>

*Blue = Action taken by the Board of Directors*

Attachment 1  
Page 3 of 5

**2018 Annual Accomplishments Report:  
Environmental and Water Resources Committee**

Update: December 2018

ITEM	WORK PLAN ITEM	INTENDED OUTCOME(S) (Action or Information Only)	ACCOMPLISHMENT DATE AND OUTCOME
			<p><b><u>Accomplished October 25, 2018:</u></b> The Committee reviewed the 2018 work plan and took the following action: Add the following items to the 2019 Work Plan</p> <ol style="list-style-type: none"> <li>1. Add further discussion on the fisheries projects within the District's boundaries/purview</li> <li>2. An update on Water Supply</li> <li>3. Also, have staff review the Climate Change items so they group them in an order that will make sense to the Committee.</li> </ol>
8	Habitat Conservation Plan	<ul style="list-style-type: none"> <li>• Update on the Habitat Conservation Plan <b>(Action)</b></li> </ul>	<p><b><u>Accomplished January 22, 2018:</u></b> The Committee chose to remove agenda item HCP and add FAHCE as an action item.</p>
9	Update on Flood Protection Management Plan	<ul style="list-style-type: none"> <li>• Receive information on the Flood Protection Management Plan. <b>(Action)</b></li> </ul>	<p><b><u>Accomplished April 16, 2018:</u></b> The Committee received information on the Flood Protection Management Plan and asked that they receive an update in October.</p>
10	Review and Comment to the Board on the Fiscal Year 2019 Proposed Groundwater Production Charges	<ul style="list-style-type: none"> <li>• Review and comment to the Board on the Fiscal Year 2019 Proposed Groundwater Production Charges. <b>(Action)</b></li> <li>• Provide comments to the Board, as necessary.</li> </ul>	<p><b><u>Accomplished April 16, 2018:</u></b> The Committee reviewed and commented on the Fiscal Year 2019 Proposed Groundwater Production Charges. A vote to approve staff's recommendations failed.</p>

*Blue = Action taken by the Board of Directors*

Attachment 1  
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**2018 Annual Accomplishments Report:  
Environmental and Water Resources Committee**

Update: December 2018

ITEM	WORK PLAN ITEM	INTENDED OUTCOME(S) (Action or Information Only)	ACCOMPLISHMENT DATE AND OUTCOME
11	Receive information on Salmonid in the District's waterways referencing Dr. Jerry Smith's Letter (distributed at 1/22/18, meeting).	<ul style="list-style-type: none"> <li>Receive information on Salmonid in the District's waterways. <b>(Action)</b></li> </ul>	<p><b><u>Accomplished July 16, 2018:</u></b> The Committee received information on Salmonid in the District's waterways referencing Dr. Jerry Smith's Letter (distributed at 1/22/18, meeting). Dr. Jerry Smith was also available to answer questions.</p> <p><b><u>Committee action:</u></b> Committee requested to have an update on Salmonid in January 2019.</p>
12	FAHCE Update	<ul style="list-style-type: none"> <li>Receive an update on FAHCE <b>(Action)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	<p><b><u>Accomplished October 25, 2018:</u></b> The Committee received information an update on FAHCE.</p> <p><b><u>Committee action:</u></b> Committee requested receiving the Draft EIR when available and have further discussion on the fisheries projects within the District's boundaries/purview in the future!</p>

*Blue = Action taken by the Board of Directors*

Attachment 1  
Page 5 of 5

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**File No.:** 19-0076

**Agenda Date:** 1/28/2019

**Item No.:** 5.2.

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## COMMITTEE AGENDA MEMORANDUM

### Environmental and Water Resources Committee

**SUBJECT:**

Review and Comment to the Board on the Fiscal Year 2019-20 Preliminary Groundwater Production Charges.

**RECOMMENDATION:**

Discuss and consider the attached preliminary groundwater production charge analysis and provide comment to the Board on policy implementation, as necessary.

**SUMMARY:**

***Summary of Groundwater Production Charge Analysis:***

Staff has prepared the preliminary FY 2019-20 groundwater production charge analysis, which includes a current water use projection and several scenarios for Board review. Staff has developed two basic scenarios that align with the 90% and 80% level of service goals according to the January 2019 Water Supply Master Plan update, along with several other scenarios for Board consideration.

The groundwater production charge recommendation will be detailed in the Annual Report on the Protection and Augmentation of Water Supplies that is planned to be filed with the Clerk of the Board on February 22, 2019. The public hearing on groundwater production charges is scheduled to open on April 9, 2019. It is anticipated that the Board would set the FY 2019-20 groundwater production charges by May 14, 2019, that would become effective on July 1, 2019.

The FY 2019-20 groundwater production charge and surface water charge setting process will be conducted consistent with the District Act, and Board resolutions 99-21 and 12-10. (Attachments 3-4).

### ***Water Use Assumptions***

District managed water use for FY 2017-18 is estimated to be approximately 226,000 acre-feet (AF), which is roughly 9,000 AF higher than budgeted that year and is roughly a 21% reduction versus calendar year 2013. (District-managed water use excludes Hetch Hetchy, and San Jose Water Company owned water supplies). For the current year, FY 2018-19, staff estimates that water usage will meet the budgeted water use of 226,000 AF, which is again roughly a 21% reduction versus calendar year 2013. For purposes of the preliminary analysis, staff is assuming a water usage of 239,000 AF for FY 2019-20, which is a 5.7% increase relative to the estimated FY 2018-19 water usage, and a 16% reduction versus calendar year 2013.

Staff will carefully monitor monthly water use actuals and work closely with the water retailers during the upcoming rate setting process to modify the water usage forecast as necessary.

***Groundwater Production Charge Projections***

Staff has prepared several preliminary groundwater production charge projection scenarios for Board review. The increase in the North County Municipal and Industrial (M&I) groundwater production charge ranges from 4.7% to 8.1% for FY 2019-20 depending on the scenario, and from 5.7% to 7.7% in the South County.

The overall impact of the preliminary analysis scenarios for FY 2019-20 to the average household would be an increase ranging from \$2.09 to \$3.60 per month in North County and from \$0.88 to \$1.19 per month in South County.

Staff anticipates no changes to the current contract treated water surcharge and the non-contract treated water surcharge for FY 2019-20.

***Other Assumptions***

All scenarios assume the continued practice of relying on the State Water Project (SWP) Tax to pay for 100% of the SWP contractual obligations. Pursuant to Water Code Section 11652, the District, whenever necessary, is required to levy on all property in its jurisdiction not exempt from taxation, a tax sufficient to provide for all payments under its SWP contract with the California Department of Water Resources (DWR). All scenarios assume no change in the SWP Tax for FY 2019-20, which would remain at \$18 M. The SWP Tax for the average household in Santa Clara would remain at about \$27 per year. Note that the SWP tax projection for FY 2019-20 under all scenarios does not include any costs for the CWF.

All scenarios also assume the continued practice to set the South County agricultural groundwater production charge at 6% of the M&I charge.

All scenarios assume Water Utility operations cost growth of 5% to \$186.4 M in FY 2019-20 versus the FY 2018-19 adopted budget.

A PowerPoint presentation will be provided at the meeting.

**ATTACHMENTS:**

Attachment 1: Prelim CIP - GW charges PowerPoint Presentation

**UNCLASSIFIED MANAGER:**

Darin Taylor, 408-630-3068



# Preliminary FY 20 Groundwater Production Charge Analysis

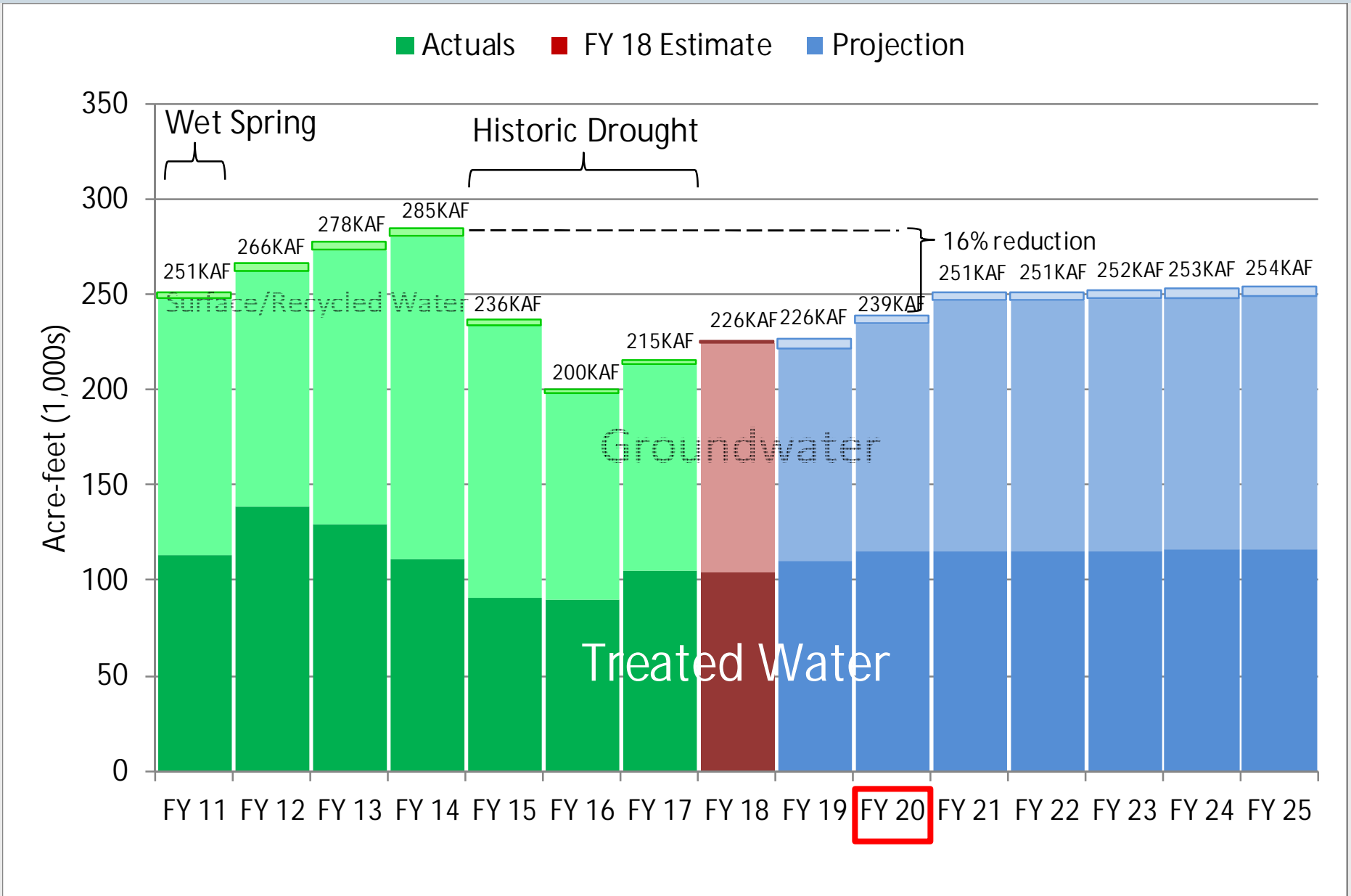
January 28, 2019



# Presentation Outline

1. Water Use
2. Financial Analysis
  - ▶ FY 20 Analysis Scenario Assumptions
  - ▶ Scenarios
  - ▶ Other Information
3. Schedule

# Water Usage (District Managed)



# Financial Analysis: Scenario Assumptions

## 1) WSMP 90% Level Of Service

- ▶ Baseline Projects
- ▶ CWF (State side)
  - ▶ Paid for by water charges, not SWP Tax
- ▶ CWF (CVP side)
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF by FY 28
  - ▶ Based on \$690M capital project, District contributes 30% “pay as you go”
  - ▶ P3 reserve at \$8M in FY 20 growing to \$20M by FY 28
- ▶ Pacheco Reservoir
- ▶ Transfer-Bethany Pipeline
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29

### Also Includes:

- ▶ \$200M warranty placeholder for dams & RWTP
- ▶ Guiding Principle #5

## 2) WSMP 80% Level Of Service

- ▶ Baseline Projects
- ▶ CWF (State side)
  - ▶ Paid for by water charges, not SWP Tax
- ~~▶ CWF (CVP side)~~
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF by FY 28
  - ▶ Based on \$690M capital project, District contributes 30% “pay as you go”
  - ▶ P3 reserve at \$8M in FY 20 growing to \$20M by FY 28
- ▶ Pacheco Reservoir paid for by special tax
- ~~▶ Transfer-Bethany Pipeline~~
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29

### Also Includes:

- ▶ \$200M warranty placeholder for dams & RWTP
- ▶ Guiding Principle #5

## 3) WSMP 80%, Reduce Potable Reuse

- ▶ Baseline Projects
- ▶ CWF (State side)
  - ▶ Paid for by water charges, not SWP Tax
- ~~▶ CWF (CVP side)~~
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF before FY 40
  - ▶ Based on \$345M capital project, District contributes 15% “pay as you go”
  - ▶ Delay remaining \$345M to beyond FY 29
  - ▶ P3 reserve at \$4M in FY 20 growing to \$10M by FY 28
- ▶ Pacheco Reservoir paid for by special tax
- ▶ Transfer-Bethany Pipeline
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29

### Also Includes:

- ▶ \$200M warranty placeholder for dams & RWTP
- ▶ Guiding Principle #5

# Financial Analysis: Scenario Assumptions

## 4) WSMP 80%, No CWF, Reduce Potable Reuse

- ▶ Baseline Projects
- ~~▶ CWF (State side)~~
- ~~▶ CWF (CVP side)~~
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF before FY 40
  - ▶ Based on \$345M capital project, District contributes 15% "pay as you go"
  - ▶ Delay remaining \$345M to beyond FY 29
  - ▶ P3 reserve at \$4M in FY 20 growing to \$10M by FY 28
- ▶ Pacheco Reservoir paid for by special tax
- ▶ Transfer-Bethany Pipeline
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29

### Also Includes:

- ▶ \$200M warranty placeholder for dams & RWTP
- ▶ Guiding Principle #5

## 5) WSMP 80%, Reduce Potable Reuse, + LV + Sites

- ▶ Baseline Projects
- ▶ CWF (State side)
  - ▶ Paid for by water charges, not SWP Tax
- ~~▶ CWF (CVP side)~~
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF before FY 40
  - ▶ Based on \$345M capital project, District contributes 15% "pay as you go"
  - ▶ Delay remaining \$345M to beyond FY 29
  - ▶ P3 reserve at \$4M in FY 20 growing to \$10M by FY 28
- ▶ Pacheco Reservoir paid for by special tax
- ▶ Transfer-Bethany Pipeline
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29
- ▶ Sites & Los Vaqueros

### Also Includes:

- ▶ \$200M warranty placeholder for dams & RWTP
- ▶ Guiding Principle #5

# Board Member Comments on January 8, 2019

- ▶ Scenario 4 should be eliminated
  - ▶ Does not meet 80% level of service goal
  
- ▶ Separate potential investments in Sites and Los Vaqueros reservoirs
  - ▶ include most viable option in scenario
  
- ▶ Little support for reducing investment in potable reuse prior to FY 29, & delaying remaining investment to beyond FY 29
  
- ▶ Support for Scenario 1, achieves 90% LOS goal
  - ▶ General support indicated for scenarios that achieve 80% LOS goal

# Financial Analysis: Additional Scenario Assumptions

## 1) WSMP 90% Level Of Service (LOS)

- ▶ Baseline Projects
- ▶ CWF (State side)
  - ▶ Paid for by water charges, not SWP Tax
- ▶ CWF (CVP side)
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF by FY 28
  - ▶ Based on \$690M capital project, District contributes 30% “pay as you go”
  - ▶ P3 reserve at \$8M in FY 20 growing to \$20M by FY 28
- ▶ Pacheco Reservoir
- ▶ Transfer-Bethany Pipeline
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29

### Also Includes:

- ▶ \$200M warranty placeholder for dams & WTP's
- ▶ Guiding Principle #5

North 8.1%, South 7.7% avg annual incr.

## 6) WSMP 90% LOS, Pacheco paid by other sources

- ▶ Baseline Projects
- ▶ CWF (State side)
  - ▶ Paid for by water charges, not SWP Tax
- ▶ CWF (CVP side)
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF by FY 28
  - ▶ Based on \$690M capital project, District contributes 30% “pay as you go”
  - ▶ P3 reserve at \$8M in FY 20 growing to \$20M by FY 28
- ▶ **Pacheco Reservoir paid for by other sources**
- ▶ Transfer-Bethany Pipeline
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29

### Also Includes:

- ▶ \$200M warranty placeholder for dams & WTP's
- ▶ Guiding Principle #5

North 6.4%, South 7.2% avg annual incr.

## 7) WSMP 80% with Transfer-Bethany Pipeline

- ▶ Baseline Projects
- ▶ CWF (State side)
  - ▶ Paid for by water charges, not SWP Tax
- ~~▶ CWF (CVP side)~~
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF by FY 28
  - ▶ Based on \$690M capital project, District contributes 30% “pay as you go”
  - ▶ P3 reserve at \$8M in FY 20 growing to \$20M by FY 28
- ▶ Pacheco Reservoir paid for by other sources
- ▶ Transfer-Bethany Pipeline
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29

### Also Includes:

- ▶ \$200M warranty placeholder for dams & WTP's
- ▶ Guiding Principle #5

North 5.9%, South 6.4% avg annual incr.

# Financial Analysis: Additional Scenario Assumptions

## 8) WSMP 80% with Transfer-Bethany Pipeline, + LV

- ▶ Baseline Projects
- ▶ CWF (State side)
- ~~▶ CWF (CVP side)~~
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF by FY 28
  - ▶ Based on \$690M capital project, District contributes 30% "pay as you go"
  - ▶ P3 reserve at \$8M in FY 20 growing to \$20M by FY 28
- ▶ Pacheco Reservoir paid for by other sources
- ▶ Transfer-Bethany Pipeline
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29
- ▶ **Los Vaqueros**

Also Includes:

- ▶ \$200M warranty placeholder for dams & WTP's
- ▶ Guiding Principle #5

North 6.0%, South 6.8% avg annual incr.

## 9) WSMP 80%, Pacheco w/ \$250M WIIN, WIFIA loan & Partners Pay 20%

- ▶ Baseline Projects
- ▶ CWF (State side)
- ~~▶ CWF (CVP side)~~
- ▶ No Regrets Package
- ▶ Potable Reuse Phase 1 to produce 24KAF by FY 28
  - ▶ Based on \$690M capital project, District contributes 30% "pay as you go"
  - ▶ P3 reserve at \$8M in FY 20 growing to \$20M by FY 28
- ▶ **Pacheco Reservoir**
  - ▶ **\$250M WIIN funding + WIFIA loan**
  - ▶ **Partner Agencies pay 20% of project**
- ▶ Transfer-Bethany Pipeline
- ▶ South County Recharge
  - ▶ Timing = beyond FY 29
- ~~▶ Los Vaqueros~~

Also Includes:

- ▶ \$200M warranty placeholder for dams & WTP's
- ~~▶ Guiding Principle #5~~

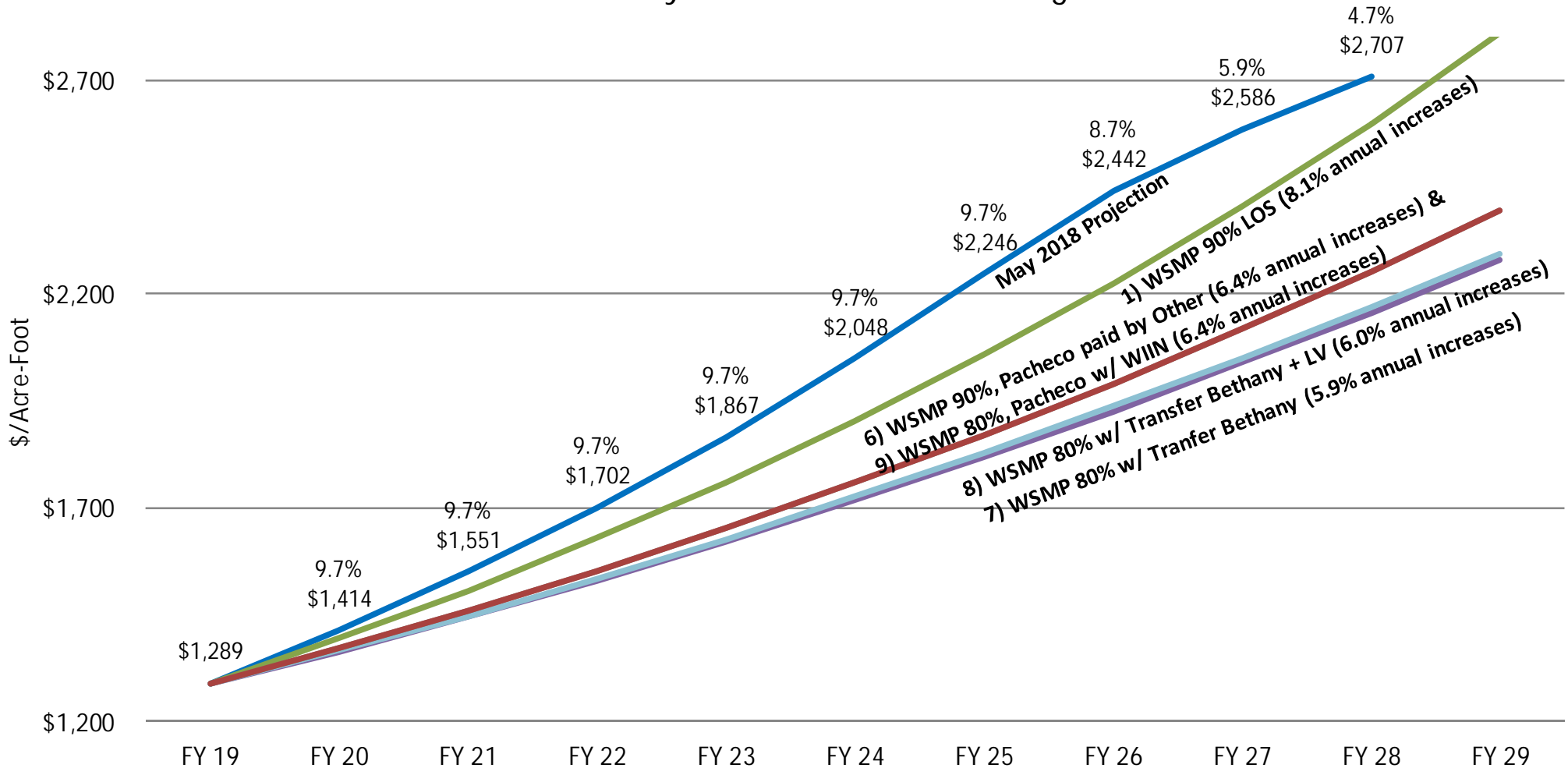
North 6.4%, South 6.6% avg annual incr.



# Financial Analysis: Preliminary

## Groundwater Production Charge Projections

### North County M&I Groundwater Charge



# Financial Analysis: Preliminary Water Supply Investment Scenarios

## No. County M&I Groundwater Charge Y-Y Growth %

	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29
May 2018	9.7%	9.7%	9.7%	9.7%	9.7%	9.7%	8.7%	5.9%	4.7%	
1) WSMP 90% LOS	8.1%	8.1%	8.1%	8.1%	8.1%	8.1%	8.1%	8.1%	8.1%	8.1%
6) WSMP 90% LOS, Pacheco paid by Other	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
7) WSMP 80% LOS w/ Xfer Bethany	5.9%	5.9%	5.9%	5.9%	5.9%	5.9%	5.9%	5.9%	5.8%	5.8%
8) WSMP 80% LOS w/ Xfer Bethany + LV	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	5.8%	5.8%	5.8%
9) WSMP 80% LOS w/ Xfer Bethany + WIIN	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%

## So. County M&I Groundwater Charge Y-Y Growth %

	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29
May 2018	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	
1) WSMP 90% LOS	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%
6) WSMP 90% LOS, Pacheco paid by Other	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%
7) WSMP 80% LOS w/ Xfer Bethany	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
8) WSMP 80% LOS w/ Xfer Bethany + LV	6.8%	6.8%	6.8%	6.8%	6.8%	6.8%	6.8%	6.8%	6.8%	6.8%
9) WSMP 80% LOS w/ Xfer Bethany + WIIN	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%

# Financial Analysis: Preliminary Water Supply Investment Scenarios

## No. County Increase per Month per Avg Household\*

	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29
May 2018	\$4.31	\$4.72	\$5.18	\$5.68	\$6.24	\$6.84	\$6.73	\$4.96	\$4.19	
1) WSMP 90% LOS	\$3.60	\$3.89	\$4.20	\$4.54	\$4.91	\$5.31	\$5.74	\$6.20	\$6.71	\$7.25
6) WSMP 90% LOS, Pacheco paid by Other	\$2.84	\$3.02	\$3.22	\$3.42	\$3.64	\$3.87	\$4.12	\$4.39	\$4.67	\$4.97
7) WSMP 80% LOS w/ Xfer Bethany	\$2.62	\$2.77	\$2.94	\$3.11	\$3.29	\$3.49	\$3.69	\$3.91	\$4.07	\$4.31
8) WSMP 80% LOS w/ Xfer Bethany + LV	\$2.66	\$2.82	\$2.99	\$3.17	\$3.36	\$3.56	\$3.78	\$3.87	\$4.10	\$4.33
9) WSMP 80% LOS w/ Xfer Bethany + WIIN	\$2.84	\$3.02	\$3.22	\$3.42	\$3.64	\$3.87	\$4.12	\$4.39	\$4.67	\$4.97

## So. County Increase per Month per Avg Household\*

	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29
May 2018	\$1.19	\$1.29	\$1.38	\$1.49	\$1.61	\$1.73	\$1.86	\$2.01	\$2.16	
1) WSMP 90% LOS	\$1.19	\$1.29	\$1.38	\$1.49	\$1.61	\$1.73	\$1.86	\$2.01	\$2.16	\$2.33
6) WSMP 90% LOS, Pacheco paid by Other	\$1.12	\$1.20	\$1.28	\$1.37	\$1.47	\$1.58	\$1.69	\$1.82	\$1.95	\$2.09
7) WSMP 80% LOS w/ Xfer Bethany	\$0.99	\$1.06	\$1.12	\$1.19	\$1.27	\$1.35	\$1.44	\$1.53	\$1.63	\$1.73
8) WSMP 80% LOS w/ Xfer Bethany + LV	\$1.05	\$1.13	\$1.20	\$1.28	\$1.37	\$1.46	\$1.56	\$1.67	\$1.78	\$1.91
9) WSMP 80% LOS w/ Xfer Bethany + WIIN	\$1.02	\$1.09	\$1.16	\$1.24	\$1.32	\$1.41	\$1.50	\$1.60	\$1.71	\$1.82

\* Calculated based on groundwater production charge

# FY 2019-2020 Schedule

Jan 8	Board Meeting: Preliminary Groundwater Charge Analysis
Jan 16	Water Retailers Meeting: Preliminary Groundwater Charge Analysis
Jan 23	Water Commission Meeting: Prelim Groundwater Charge Analysis
Jan 28	Environmental and Water Resources Committee (EWRC) Meeting: Prelim Groundwater Charge Analysis
Feb 12	Board Meeting: Review draft CIP & Budget development update
Feb 22	Mail notice of public hearing and file PAWS report
Mar 20	Water Retailers Meeting: FY 20 Groundwater Charge Recommendation
Mar 26	Board Meeting: Budget development update
Apr 1	Ag Water Advisory Committee
Apr 2	Landscape Committee Meeting
Apr 9	Open Public Hearing
Apr 10	Water Commission Meeting
April 15	Environmental and Water Resources Committee (EWRC) Meeting
Apr TBD	Continue Public Hearing in South County
Apr 23	Conclude Public Hearing
Apr 24-26	Board Meeting: Budget work study session
May 14	Adopt budget & groundwater production and other water charges

# Summary of Preliminary Analysis

- Scenario 1 plus additional scenarios range from 5.9% to 8.1% annual increases in North County M&I groundwater charge, & 6.4% to 7.7% in South County
- Potential FY 20 increase ranges from \$2.62 to \$3.60 per month for the average household in North County, and \$0.99 to \$1.19 per month in South County
- Board direction to be incorporated into Report on Protection and Augmentation of Water Supplies (PAWS) scheduled for release on February 22, 2019

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**File No.:** 19-0077

**Agenda Date:** 1/28/2019

**Item No.:** 5.3.

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## COMMITTEE AGENDA MEMORANDUM

### Environmental and Water Resources Committee

**SUBJECT:**

Open Space Credit.

**RECOMMENDATION:**

This is an information item and no action is required.

**SUMMARY:**

The purpose of this item is to obtain Environmental and Water Resources Committee comments and input on the Board's Open Space Credit Policy, specifically a staff proposal to implement an Agricultural Charge Adjustment for Williamson Act and Conservation Easement Properties.

**Background**

The District Board has historically recognized that agriculture brings value to Santa Clara County in the form of open space and local produce. In an effort to help preserve this value, the District Act limits the agricultural charge to be no more than 25% of the M&I charge. In 1999, to further its support for agricultural lands, a policy was put into place further limiting the agricultural groundwater production charge to no more than 10% of the M&I charge. The agricultural community currently benefits from low groundwater charges that are 2% of M&I charges in North County and 6% of M&I charges in South County. According to Section 26.1 of the District Act, agricultural water is "water primarily used in the commercial production of agricultural crops or livestock."

The credit to agricultural water users has become known as an "Open Space Credit." It is paid for by fungible, non-rate related revenue. To offset lost revenue that results from the difference between the adopted agricultural groundwater production charge and the agricultural charge that would have resulted at the full cost of service, the District redirects a portion of the 1% ad valorem property taxes generated in the Water Utility, General and Watershed Stream Stewardship Funds. The South County Open Space Credit is currently estimated to be \$8.0 million in FY 2018-19 and projected to continually increase in the years that follow.

Since 2013, the Board has continued the past practice of setting the agricultural charge at 6.0% of the South County M&I charge. On September 18, 2017, in response to the President's Day Flood event, the Board's Capital Improvement Program Committee analyzed scenarios to decrease the Open Space Credit and therefore provide more funding for flood protection projects. Accordingly, alternatives were prepared to reduce the Open Space Credit by increasing the agricultural charge to

10% or 25% of the M&I charge over a multi-year timeframe. For FY 2018-19, staff recommended increasing the agricultural charge to 6.8% of the M&I charge. On May 8, 2018, the Board chose to continue the past practice of setting the agricultural charge at 6.0% of the South County M&I charge for FY 2018-19.

**Background on the Williamson Act and Conservation Easement Classification**

The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. Under these voluntary contracts, landowners gain substantially reduced property tax assessments. A land owner whose property is devoted to agricultural use and is within an agricultural preserve may file an application for a Williamson Act contract with the County. Per the Santa Clara County of Ordinances section C13-12, to be eligible for a Williamson Act contract:

1. The property proposed for inclusion in the contract is at least ten acres in size in the case of prime agricultural land, and 40 acres in size in the case of nonprime agricultural land;
2. All parcels proposed for inclusion in the contract are devoted to agricultural use; and
3. There are no existing or permitted uses or development on the land that would significantly displace or interfere with the agricultural use of the land.

Even if all of the criteria are met, the Board of Supervisors may, in its discretion, choose not to approve the application.

Conservation easement is a power invested in a qualified organization or government to constrain, as to a specified land area, the exercise of rights otherwise held by a landowner so as to achieve certain conservation purposes. For example, a land owner whose property constitutes open-space land as defined in Government Code §§ 51075(a) and 65560 may file an application for an agreement with the County.

Per the Santa Clara County of Ordinances section C13-36, to be eligible for an Open Space Easement Agreement with the County:

1. The land proposed for inclusion in the agreement is at least 20 acres in size;
2. All parcels proposed for inclusion in the agreement are devoted to open-space;
3. There are no other existing or permitted uses or development on the land that would significantly impair the open-space value of the land; and
4. The Board of Supervisors makes the required findings in Government Code § 51084.

Even if all of the criteria in are met, the Board of Supervisors may, in its discretion, choose not to approve the application.

There are also three open space authorities that have jurisdiction to enter into conservation easements in Santa Clara County.



There are 174 Williamson Act parcels and 10 conservation easement parcels in the combined Zone W-2 and Zone W-5. The parcels comprise roughly 33% of total agricultural water use on average.

**Consideration of an Agricultural Water Charge Adjustment**

An agricultural water charge adjustment could be predicated on Williamson Act or conservation easement participation and paid for by the Open Space Credit. Staff recommends implementing an adjustment such that if the District were to increase the agricultural water charge to something greater than 6% of the M&I charge, then an adjustment would be applied to all Williamson Act and conservation easement properties, that would result in a net agricultural charge of 6% of M&I charges for those properties. The Williamson Act or Conservation Easement property classification would be determined by the authorities managing those programs, not the District. There would be no need for an application process, and as such the incremental costs associated with the adjustment would be negligible. The District currently receives from the County the list of Williamson Act properties and would use properties of record in February and August for the upcoming billing cycle. Staff would obtain the conservation easement property information direct from the open space organizations in parallel during the February and August timeframe. Property status changes occurring after staff data collection would be handled on a case-by-case basis for the potential proration of rates, if applicable. Agricultural wells are predominately charged bi-annually in areas in January and June.

If the District were to increase the agricultural charge to 10% of the M&I charge over a 7-year timeframe, and adjust back to 6% of the M&I charge for Williamson Act and conservation easement properties, then staff anticipates a cumulative savings to the Open Space Credit of roughly \$2.1 million over that 7-year timeframe. Savings would be \$1.4M if the transition occurred over a 5-year timeframe, and would be \$3.4M if the transition occurred over a 10-year timeframe. The savings could be reduced if additional eligible properties were to change status to be classified as Williamson Act or Conservation Easement properties. Staff estimates that there are 245 agricultural properties that may qualify, but are not classified as Williamson Act or Conservation Easement properties.

**ATTACHMENTS:**

Attachment 1: PowerPoint Presentation

**UNCLASSIFIED MANAGER:**

Darin Taylor, 408-630-3068



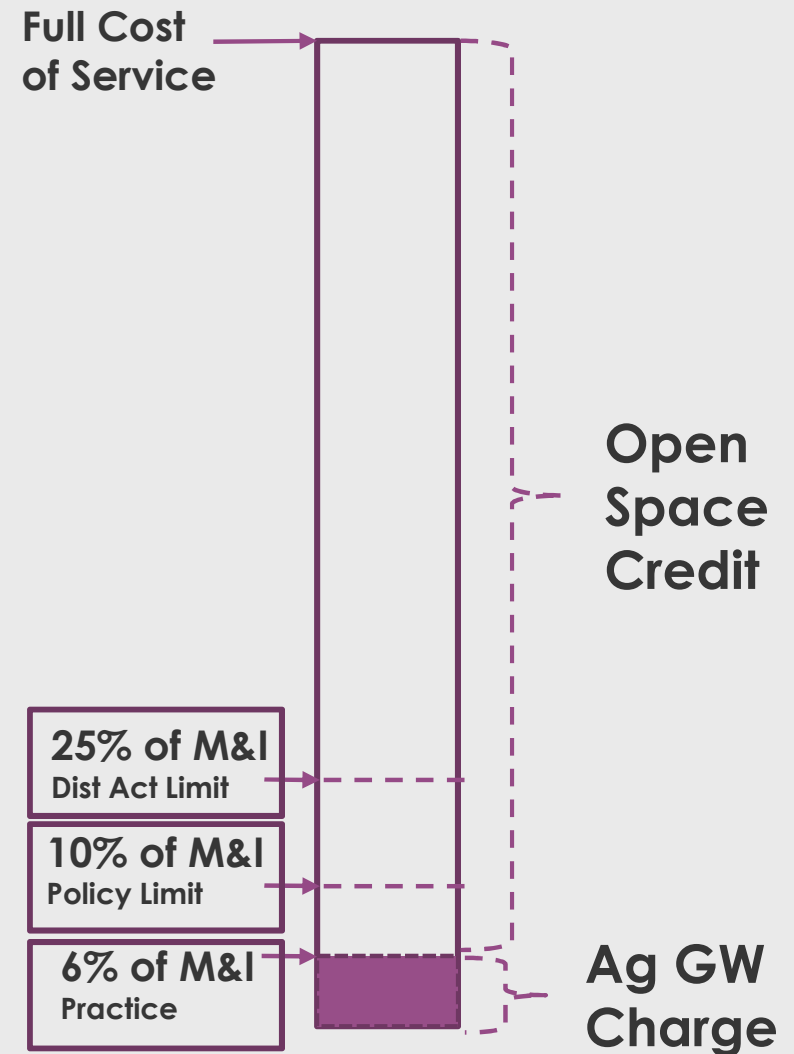
# Open Space Credit Policy Discussion

January 28, 2019

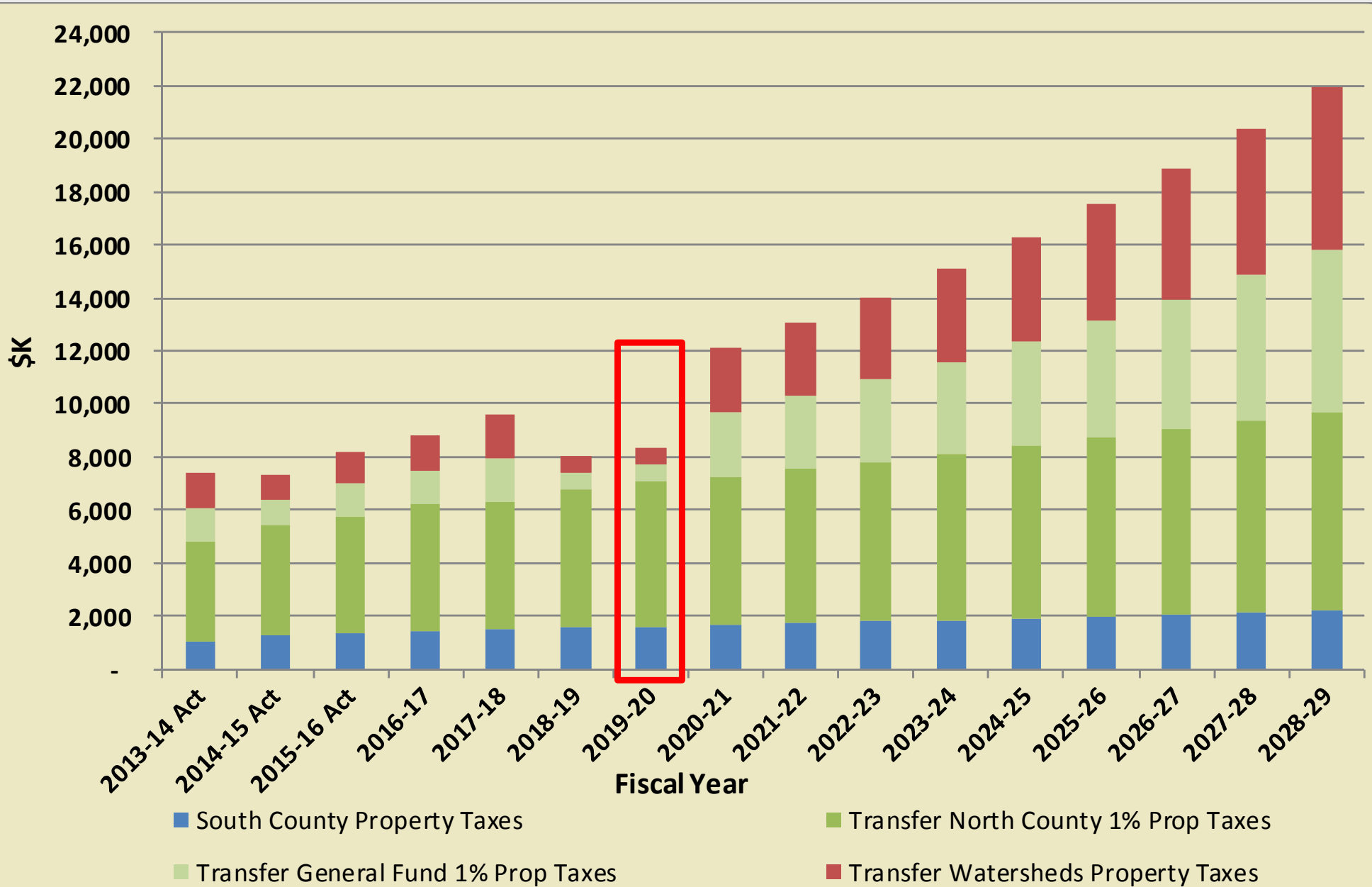


# What is the Open Space Credit (OSC)?

- ▶ **Formal definition: “The use of non-rate related revenue to offset reduced agricultural revenue as a result of keeping agricultural rates lower than needed to recoup the full cost of service”**
- ▶ **Applies to agricultural water users only, not to all open space**



# Open Space Credit: Preliminary Projection



# Background on OSC Policy Discussions

**April 2018**

▶ **Board directs staff to:**

1. **Analyze ag water usage trend scenarios and potential impact on Open Space Credit projection**
2. **Research feasibility of a reduced ag charge for Williamson Act participants**
3. **Seek contributions from local private companies or other governmental agencies to fund Open Space Credit**

# Williamson Act & Conservation Easements

- ▶ Williamson Act provides tax benefits to property owners who do not develop their land
- ▶ Conservation Easements permanently extinguish development rights

	<b>Williamson Act Parcels</b>	<b>Conservation Easement Parcels</b>	<b>Average % of Total Ag Water Use</b>
<b>North County</b>	3	0	1%
<b>South County</b>	171	10	32%
<b>Total</b>	<b>174</b>	<b>10</b>	<b>33%</b>

# Williamson Act & Conservation Easements

- ▶ **Ag Charge Adjustment Program Alternative for Consideration**
  - ▶ **Predicated on Williamson Act or Conservation Easement participation**
  - ▶ **If: Ag charge increased to >6% of M&I**
  - ▶ **Then: Adjust back to 6% for Williamson Act and Conservation Easement properties**
  - ▶ **Staff could implement with minimal effort**



# Williamson Act & Conservation Easements

## 5-Year Transition

### Current 6% of M&I

	FY 19	FY 24
<b>South County</b>		
Municipal & Industrial	\$450	\$652
Ag Rate % of M&I Rate	6.0%	6.0%
Agricultural	\$27.02	\$39.15

### 10% of M&I by FY 24

	FY 19	FY 24
<b>South County</b>		
Municipal & Industrial	\$450	\$652
Ag Rate % of M&I Rate	6.0%	10.0%
Agricultural	\$27.02	\$65.39

Total Anticipated 5-Year Savings to Open Space Credit \$1.4M

### 25% of M&I by FY 24

	FY 19	FY 24
<b>South County</b>		
Municipal & Industrial	\$450	\$652
Ag Rate % of M&I Rate	6.0%	25.0%
Agricultural	\$27.02	\$163.07

Total Anticipated 5-Year Savings to Open Space Credit \$6.5M

# Williamson Act & Conservation Easements

## 7-Year Transition

### Current 6% of M&I

	FY 19	FY 26
<b>South County</b>		
Municipal & Industrial	\$450	\$757
Ag Rate % of M&I Rate	6.0%	6.0%
Agricultural	\$27.02	\$45.41

### 10% of M&I by FY 26

	FY 19	FY 26
<b>South County</b>		
Municipal & Industrial	\$450	\$757
Ag Rate % of M&I Rate	6.0%	10.0%
Agricultural	\$27.02	\$75.65

Total Anticipated 7-Year Savings to Open Space Credit \$2.1M

### 25% of M&I by FY 26

	FY 19	FY 26
<b>South County</b>		
Municipal & Industrial	\$450	\$757
Ag Rate % of M&I Rate	6.0%	25.0%
Agricultural	\$27.02	\$189.08

Total Anticipated 7-Year Savings to Open Space Credit \$9.8M

# Williamson Act & Conservation Easements

## 10-Year Transition

### Current 6% of M&I

	FY 19	FY 29
<b>South County</b>		
Municipal & Industrial	\$450	\$898
Ag Rate % of M&I Rate	6.0%	6.0%
Agricultural	\$27.02	\$53.87

### 10% of M&I by FY 29

	FY 19	FY 29
<b>South County</b>		
Municipal & Industrial	\$450	\$898
Ag Rate % of M&I Rate	6.0%	10.0%
Agricultural	\$27.02	\$89.95

Total Anticipated 10-Year Savings to Open Space Credit \$3.4M

### 25% of M&I by FY 29

	FY 19	FY 29
<b>South County</b>		
Municipal & Industrial	\$450	\$898
Ag Rate % of M&I Rate	6.0%	25.0%
Agricultural	\$27.02	\$224.72

Total Anticipated 10-Year Savings to Open Space Credit \$16.0M

- ▶ **Study prepared by ERA Economics LLC**
- ▶ **Constructed an economic model of agriculture in Santa Clara County**
  - ▶ **3 scenarios with 10 year phase-in**
    - ▶ **Baseline (Maintain Ag Charge at 6% of M&I rate)**
    - ▶ **10 % of M&I rate**
    - ▶ **25 % of M&I rate**
- ▶ **Economic Evaluation Conclusions:**
  - ▶ **A 10% increase in Ag Rates over 10 years would cause permanent fallow of 0.11% of irrigated acres**
  - ▶ **A 25% increase in Ag Rates over 10 years would cause permanent fallow of 3.5% of irrigated acres**

# Open Space Credit: 2013 Economic Study Overview

## ► Staff Analysis of Economic Evaluation Conclusions:

Calendar Year	Fruit and Nuts	Field Crops	Onions and Garlic	Vegetables	Processed Tomatoes	Grapes	Dryland Hay	Total
	<i>Acres Harvested</i>							
2011	1,197	1,339	520	9,248	1,060	1,550	3,510	18,424
2017	1,613	1,195	784	13,224	322	1,601	4,044	22,783
Acres Delta	<b>416</b>	<b>(144)</b>	<b>264</b>	<b>3,976</b>	<b>(738)</b>	<b>51</b>	<b>534</b>	<b>4,359</b>
Acres Delta %	35%	-11%	51%	43%	-70%	3%	15%	24%

## ► Potential factors contributing to the 24% increase in harvested acreage:

- Drought
- Central Valley water management
- Transition to higher value crops
- Irrigation efficient technologies
- SCVWD Ag Rates

# Staff Recommendation

- ▶ **Increase Agricultural Rates to 10% of M&I over a 7-Year period**
- ▶ **Proceed with an adjustment program for Williamson Act and Conservation Easement participants that would hold their agricultural water charge to 6% of M&I**

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**File No.:** 19-0095

**Agenda Date:** 1/28/2019

**Item No.:** 5.4.

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## COMMITTEE AGENDA MEMORANDUM

### Environmental and Water Resources Committee

**SUBJECT:**

Update from Environmental and Water Resources Committee's Working Groups.

**RECOMMENDATION:**

Provide comments to the Board on implementation of District mission applicable to working groups' recommendations.

**SUMMARY:**

At the Committee's January 2017 meeting, the Committee would like to see the working groups more aligned with the issues and policies that the Board of Directors has on their work plan and calendar for this year.

The Board approved the Committee's request to keep the Committee informed of the working groups' activities and results.

This will be a standing agenda item.

**BACKGROUND:**

The District Act provides for the creation of advisory boards, committees, or commissions by resolution to serve at the pleasure of the Board.

Accordingly, the Board has established Board Committees, which bring respective expertise and community interest, to advise the Board, when requested, in a capacity as defined: prepare Board policy alternatives and provide comment on activities in the implementation of the District's mission for Board consideration. In keeping with the Board's broader focus, Board Committees will not direct the implementation of District programs and projects, other than to receive information and provide comment.

Further, in accordance with Governance Process Policy-3, when requested by the Board, the Board's Committees may help the Board produce the link between the District and the public through information sharing to the communities they represent.

**ATTACHMENTS:**

Attachment 1: 2019 Working Groups Spreadsheet  
Attachment 2: Working Groups Guidelines V2

**UNCLASSIFIED MANAGER:**

Michele King, 408-630-2711



## 2019 EWRC Independent Working Groups

Name	1. District's Communications Programs/Civic Engagement (Review Transparency Report)	2. Winter Preparedness	3. Climate Change Mitigation	4. Climate Change and Sea Level Rise Adaptation	5. Riparian Corridor Ordinance, Encroachment Process	6. Endangered Species (Drought/Environmental Impacts)	7. Joint Use of Trails	8. Open Space Credit/Rate Setting Process	Total Groups Joined
<b>New Groups to Align with Board's Calendars/Work Plans</b>									
Bonnie Bamburg									0
John Bourgeois				1		1			2
Tess Byler	1			1					2
Hon. Dean Chu			1				1		2
Charles Ice									0
Stephen A. Jordan									0
Arthur M. Keller, Ph.D.			1	1					2
Hon. Patrick S. Kwok									0
Loren B. Lewis									0
Bob Levy									0
Tara Martin-Milius	1		1	1					3
Sachihiko Michitaka					1				1
Rev. Jethroe Moore II				1			1		2
Rita Norton	1		1		1				3
Marc Rauser									0
Elizabeth Sarmiento			1			1			2
Charles Taylor									0
<b>Total Members</b>	3	0	5	5	2	2	2	0	19
Lead									

No District Staff hours are provided to support the working groups

Members should limit the number of working groups they participate in because of possible Brown Act Violations (2-3 groups only)

Please Note: You will be sharing your phone number and email address with the other members when signing up.

When planning meetings, the Group Chair (Lead) should contact Glenna via email with meeting date/time and location and how many members are expected to attend.

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To: Members of the Santa Clara Valley Water District Environmental and Water Resources Committee (ERWC)

From: Nancy Smith, ERWC Chair

Date: July 7, 2014

Subject: Guidelines for ERWC Informal Work Groups

This document provides guidelines for the smooth functioning of any informal work groups who draw their membership from the Santa Clara Valley Water District Environmental and Water Resources Committee.

The informal work groups are accountable to the EWRC Chair who has the discretion of whether or not to put items from the work groups on the agenda for at EWRC meetings. While the Chair will make reasonable efforts to accommodate requests from the work groups, such requests may be denied or delayed due to considerations of time, relevance, interest to the Board or compliance with these guidelines. All members of the EWRC serve at the discretion of the Santa Clara Valley Water District Board of Directors,

The guidelines in this document are intended to clarify the expectations from the Board of Directors, Water District staff and the EAWRC Chair so that the work groups may function smoothly and provide the best input possible to the Board of Directors.

**Table of Guideline Topics**

Before Each Informal Work Group (IWG) Meeting..... 2

Select a Leader ..... 2

Brown Act Considerations..... 2

    Notify Staff of Upcoming Meetings ..... 2

    Work Group Participation..... 2

    Interaction with Board of Directors ..... 2

Chair’s Considerations ..... 3

    Priorities for Hearing Agenda Items..... 3

    Preferred Format of Informal Work Group Reports to ERWC..... 4

Interactions with Board of Directors ..... 4

Interactions with Water District Staff ..... 4

Interactions with Outside Individuals and Groups ..... 4

Timelines ..... 5

Changes to the Guidelines ..... 5

List of Work Groups ..... 5

**Before Each Informal Work Group (IWG) Meeting**

Contact Glenna via email at [gbrambill@valleywater.org](mailto:gbrambill@valleywater.org) and provide the names of the people who are invited.

**Select a Leader**

Choose a liaison for your informal work group and let both the Chair and Glenna know who that person is.

**The liaison will be the main point of contact for the work group, so the Chair and staff (Glenna) do not need to call everyone in the group.**

The leader will organize IWG meetings, will invite all IWG to each meeting, and will inform staff (Glenna) prior to each meeting.

This is an important role because the Chair can use non-compliance to deny or delay requests for work group topics to be put on an EWRC meeting agenda.

**Brown Act Considerations**

**Notify Staff of Upcoming Meetings**

Staff requests that you advise them of any pending meeting, rather than afterwards. In case there are Brown Act concerns, they can be resolved ahead of time. Be aware that there must be FEWER than a quorum. Since a quorum is 14, to be safe they should NEVER have more than 13. If you fail to notify the staff of meetings in advance, the ERWC Chair has the option to postpone putting your work group reports, findings, or recommendations on the agenda for the EAWRC meetings.

**Work Group Participation**

To prevent inadvertent serial meetings, EWRC members are advised to work on two (2) or at most three (3) workgroups at any one time. The Chair will inform EWRC members when they need to scale back.

**Interaction with Board of Directors**

Do not discuss work group topics with any Board Members other than the ERWC Board liaisons, Chair Estremera, Board Member LeZotte, or Board Member Schmidt. If members of your group speak with

additional Board members, the ERWC Chair has the option to deny or delay requests from an informal work group to present reports, findings, or recommendations at the ERWC meetings.

### **File Sharing Sites and Social Media**

Because the work groups are governed by the Brown Act, the Chair and staff advise against using file sharing or social media for sharing information. Email, telephone calls and meetings among working group members are acceptable.

### **Chair's Considerations**

The Chair of the EWRC, serving in a volunteer capacity, balances the priorities of the Board with the interests of the EWRC members. This section describes the Board's priorities for the work groups and the Chair's preferences for how to integrate work group reports in the ERWC meetings.

The Board has charged the Chair of the EWRC that groups are working on topics:

1. That the Committee has taken action or has an interest in pursuing
2. The working groups give feedback to the EWRC first and foremost Committee (not to staff and not to the Board of Directors)
3. Staff will not assist the working groups unless approved by the Board

The work groups may not present topics to the Board of Directors without first receiving approval of the Committee. The EWRC must vote on an item that goes to the Board. Once the Board approves a request, the Committee can undertake that particular topic or request with staff support.

### **Priorities for Hearing Agenda Items**

The Board of Directors has instructed the Chair of the EWRC that the items of business requested by the Board are to be heard first and, in the time remaining, the EWRC can hear reports from the informal work groups. The Board of Directors is interested in identifying gaps in current policies and in improving Water District policies with input from informed and committed citizens. The Board members who advise the EWRC are at present most interested in policy recommendations from the following work groups:

- Environmental Justice
- Protect Instream Beneficial Uses of Streams During Drought

The Board has already approved the Committee working on the policies that were requested at the April 2014 meeting. The Committee may prioritize topics as well and may make its own 'work schedule' on how they will accomplish each of those topics. Such a work schedule should include required input from outside agencies and a timeline for how soon the working group can commit to bringing information back to the Committee for action.

These working groups are listed later in this document.

## Preferred Format of Informal Work Group Reports to ERWC

The informal work groups present at the EWRC meetings at the pleasure of the Chair. To ensure the orderly and informed considerations of the informal work group recommendations, the Chair's preferred format for reports from the independent work groups is as follows:

- I. Work Group Information
  - a. Name of Work Group
  - b. Members of Work Group
- II. Executive Summary
  - a. Type of Policy Recommendation (new policy or change to an existing policy)
  - b. Summary of proposed change
  - c. Request for EWRC Action
- III. Support for request
- IV. Conclusion

The actions the EWRC can reasonably take from a work group report included requests to 1) form a new work group regarding a new policy, 2) abolish a work group for lack of interest 3) add a further action or milestone to an EWRC-controlled work plan, 4) change the name of a work group, 5) approve a policy change for presentation to the Board of Directors.

As you create your reports, remember that we have more leeway and can be more creative than merely suggesting wording changes to existing Water District policies and documents.

## Interactions with Board of Directors

If members of an informal work group wish to address the Board during the period allocated for public comment about any topic, but especially related to an informal work group topic, please state you are speaking on part of the 'informal working group' and that you are not speaking on behalf of the EWRC.

Any information coming from the Committee goes to the Board via vote from the Committee.

## Interactions with Water District Staff

Staff will not assist the working groups unless approved by the Board

## Interactions with Outside Individuals and Groups

The work groups should limit their interaction with outside individuals and groups as much as possible. If the members of the working group need information to assist with coming back to the Committee with better information, then inform staff (Glenna) and the Chair that your meeting will include outside groups.

Try to limit meetings with outside agencies as much as possible. Working groups exist to gather information and discuss items to help facilitate Committee discussion.

When you work with outside groups or individuals, your focus should be on gathering and preparing information to share with the ERWC as a whole.

If a work group wishes to invite an outside person or agency to address the entire Committee, work with the Chair to get the agency visit on the Committee work plan and to issue the formal invitation to appear before the Committee.

## Timelines

Notify the Chair, Nancy Smith at [ncsmith@gmail.com](mailto:ncsmith@gmail.com), at least **30 days** before an EWRC meeting if you want to be included in the agenda for the upcoming meeting.

If the Chair approves your request for your work group topic request approved for addition to the agenda, send materials to distribute in the packet to Nancy Smith and to Glenna Brambill at [gbrambill@valleywater.org](mailto:gbrambill@valleywater.org) at least **20 days** before the upcoming meeting to ensure clearance from the EWRC chair to be included with the packet.

If you miss the deadline for your materials to be included in the packet, please bring **40 copies** of any materials you wish to distribute to the meeting.

## Changes to the Guidelines

To recommend changes to these guidelines, contact Chair Nancy Smith at [ncsmith@gmail.com](mailto:ncsmith@gmail.com).

## List of Work Groups

The list of work groups to date is as follows

Work Group Name	Number of members
Promote Environmental Justice	6
Protect Instream Beneficial Uses of Streams During Drought	8
Policies to Encourage Water Conservation	5
Policies For Addressing Homeless Pollution of Streams	7
Policies for Removal of Non-native Species in Streams	2
Policies For District Activity On Private Property To Protect In-Stream Beneficial Uses Of Streams	2
Policies For Engaging In Flood Control (Protection) Efforts	1
Salmonid Fishery Restoration Strategy	4

Yours,

Nancy Smith  
Chair, EWRC





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**File No.:** 19-0078

**Agenda Date:** 1/28/2019

**Item No.:** 5.5.

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## COMMITTEE AGENDA MEMORANDUM

### Environmental and Water Resources Committee

**SUBJECT:**

Review Environmental and Water Resources Committee (EWRC) Work Plan, the Outcomes of Board Action of Committee Requests; and the Committee's Next Meeting Agenda.

**RECOMMENDATION:**

Review the EWRC work plan to guide the commission's discussions regarding policy alternatives and implications for Board deliberation.

**SUMMARY:**

The attached Work Plan outlines the Board-approved topics for discussion to be able to prepare policy alternatives and implications for Board deliberation. The work plan is agendaized at each meeting as accomplishments are updated and to review additional work plan assignments by the Board.

Special discussion from Director Nai Hsueh from the Board Policy and Planning Committee regarding aligning the EWRC's work plan to the Board's 2019 Work Plan.

**BACKGROUND:**

**Governance Process Policy-8:**

The District Act provides for the creation of advisory boards, committees, or commissions by resolution to serve at the pleasure of the Board.

Accordingly, the Board has established Advisory Committees, which bring respective expertise and community interest, to advise the Board, when requested, in a capacity as defined: prepare Board policy alternatives and provide comment on activities in the implementation of the District's mission for Board consideration. In keeping with the Board's broader focus, Advisory Committees will not direct the implementation of District programs and projects, other than to receive information and provide comment.

Further, in accordance with Governance Process Policy-3, when requested by the Board, the Advisory Committees may help the Board produce the link between the District and the public through information sharing to the communities they represent.

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**File No.:** 19-0078

**Agenda Date:** 1/28/2019  
**Item No.:** 5.5.

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**ATTACHMENTS:**

Attachment 1: EWRC 2019 Work Plan  
Attachment 2: EWRC April 15, 2019, Draft Agenda

**UNCLASSIFIED MANAGER:**

Michele King, 408-630-2711

# 2019 Work Plan: Environmental and Water Resources Committee

Update: January 2019

The annual work plan establishes a framework for committee discussion and action during the annual meeting schedule. The committee work plan is a dynamic document, subject to change as external and internal issues impacting the District occur and are recommended for committee discussion. Subsequently, an annual committee accomplishments report is developed based on the work plan and presented to the District Board of Directors.

ITEM	WORK PLAN ITEM	MEETING	INTENDED OUTCOME(S) (Action or Information Only)	ACCOMPLISHMENT DATE AND OUTCOME
1	Election of Chair and Vice Chair for 2019	January 28	<ul style="list-style-type: none"> <li>Committee Elects Chair and Vice Chair for 2019. <b>(Action)</b></li> </ul>	
2	Annual Accomplishments Report	January 28	<ul style="list-style-type: none"> <li>Review and approve 2018 Accomplishments Report for presentation to the Board. <b>(Action)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	
3	Review and Comment to the Board on the Fiscal Year 2019-20 Preliminary Groundwater Production Charges.	January 28	<ul style="list-style-type: none"> <li>Review and Comment to the Board on the Fiscal Year 2019-20 Preliminary Groundwater Production Charges. <b>(Action)</b></li> </ul>	
4	Open Space Credit	January 28	<ul style="list-style-type: none"> <li>Receive information on Open Space Credit <b>(Action)</b>.</li> </ul>	
5	Status of Working Groups	January 28 April 15 July 15 October 21	<ul style="list-style-type: none"> <li>Receive updates on the status of the working groups. <b>(Action)</b></li> <li>Submit requests to the Board, as appropriate.</li> </ul>	

Yellow = Update Since Last Meeting

Blue = Action taken by the Board of Directors

Attachment 1

Page 1 of 4

# 2019 Work Plan: Environmental and Water Resources Committee

Update: January 2019

ITEM	WORK PLAN ITEM	MEETING	INTENDED OUTCOME(S) (Action or Information Only)	ACCOMPLISHMENT DATE AND OUTCOME
6	Review of Environmental and Water Resources Committee Work Plan, the Outcomes of Board Action of Committee Requests and the Committee's Next Meeting Agenda	January 28 April 15 July 15 October 21	<ul style="list-style-type: none"> <li>Receive and review the 2019 Committee work plan. <b>(Action)</b></li> <li>Submit requests to the Board, as appropriate.</li> </ul>	
7	Review and Comment to the Board on the Fiscal Year 2020 Proposed Groundwater Production Charges	April 15	<ul style="list-style-type: none"> <li>Review and comment to the Board on the Fiscal Year 2020 Proposed Groundwater Production Charges. <b>(Action)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	
8	Climate Change Mitigation – Carbon Neutrality by 2020 Program Update/ Energy Use Policy Discussion	April 15	<ul style="list-style-type: none"> <li>Receive information on climate change mitigation – carbon neutrality by 2020 program update. <b>(Action)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	
9	Pacheco Reservoir Expansion Project Update	April 15	<ul style="list-style-type: none"> <li>Receive an update on the Pacheco Reservoir Expansion Project <b>(Information)</b></li> </ul>	
10	Water Supply Update	TBD	<ul style="list-style-type: none"> <li>Receive an update on the Water Supply <b>(Information)</b></li> </ul>	

Yellow = Update Since Last Meeting

Blue = Action taken by the Board of Directors

Attachment 1

Page 2 of 4

ITEM	WORK PLAN ITEM	MEETING	INTENDED OUTCOME(S) (Action or Information Only)	ACCOMPLISHMENT DATE AND OUTCOME
11	Update on Flood Protection Management Plan	TBD	<ul style="list-style-type: none"> <li>Receive information on the Flood Protection Management Plan. <b>(Action)</b></li> </ul>	
12	Discussion on Environmental Issues- Endangered Species, Drought Environmental Impacts	TBD	<ul style="list-style-type: none"> <li>Discuss the environmental issues- endangered species, drought environmental impacts. <b>(Action)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	
13	Discussion on the District's Water Resources Protection Ordinance	TBD	<ul style="list-style-type: none"> <li>Discuss the District's Water Resources Protection Ordinance. <b>(Action)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	
14	District's environmental audit of disposable (paper and plastic ware) products pertaining to their food services.	TBD	<ul style="list-style-type: none"> <li>Receive information of the District's environmental audit of disposable (paperware) products pertaining to their food services. <b>(Information)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	
15	Receive information on Climate Change And the District's policy response regarding flooding, sea level rise, wildfires.	TBD	<ul style="list-style-type: none"> <li>Receive information on climate change and the District's policy response regarding flooding, sea level rise, wildfires. <b>(Action)</b></li> <li>Provide comments to the Board, as necessary.</li> </ul>	

Yellow = Update Since Last Meeting

Blue = Action taken by the Board of Directors

ITEM	WORK PLAN ITEM	MEETING	INTENDED OUTCOME(S) (Action or Information Only)	ACCOMPLISHMENT DATE AND OUTCOME
16	Climate Change and Sea Level Rise Adaptation – Water Supply, Flood Protection, Ecosystems Protection	TBD	<ul style="list-style-type: none"> <li>• Receive information on climate change and sea level rise adaptation, Water Supply, Flood Protection and Ecosystems Protection. <b>(Action)</b></li> <li>• Provide comments to the Board, as necessary.</li> </ul>	
17	Receive update information on Salmonid	TBD	<ul style="list-style-type: none"> <li>• Receive update information on Salmonid. <b>(Action)</b></li> </ul>	
18	Receive Draft FAHCE EIR	TBD	<ul style="list-style-type: none"> <li>• Receive the draft FAHCE EIR when completed.</li> </ul>	

Yellow = Update Since Last Meeting

Blue = Action taken by the Board of Directors



**Committee Officers**  
, Committee Chair  
Committee Vice Chair

**Board Representative**  
Tony Estremera, Board Representative  
Nai Hsueh, Board Alternate  
Linda J. LeZotte, Board Representative

**DRAFT AGENDA**

**ENVIRONMENTAL AND WATER RESOURCES COMMITTEE**

**MONDAY, APRIL 15, 2019**  
**6:00 p.m. – 8:00 p.m.**

**Santa Clara Valley Water District  
Headquarters Building Boardroom  
5700 Almaden Expressway  
San Jose, CA 95118**

**Time Certain:**  
**6:00 p.m.**

- 1. Call to Order/Roll Call**
- 2. Time Open for Public Comment on Any Item Not on Agenda**  
*Comments should be limited to two minutes. If the Committee wishes to discuss a subject raised by the speaker, it can request placement on a future agenda.*
- 3. Approval of Minutes**  
3.1 Approval of Minutes – January 28, 2019, meeting
- 4. Action Items**
  - 4.1 Review and Comment to the Board on the Fiscal Year 2019 - 2020 Proposed Groundwater Production Charges (Darin Taylor)  
**Recommendation: Provide comment to the Board in the implementation of the District’s mission as it applies to staff’s groundwater production charge recommendation for FY 2019-2020.**
  - 4.2 Climate Change Mitigation – Carbon Neutrality by 2020 Program Update (Kurt Arends)  
**Recommendation: This is a discussion item and the Committee may provide comments, however, no action is required**
  - 4.3 Pacheco Reservoir Expansion Project Update (Christopher Hakes)  
**Recommendation: This is a discussion item and the Committee may provide comments, however, no action is required**
  - 4.4 Update from Working Groups (Committee Chair)  
**Recommendation: Provide comment to the Board in the implementation of the District’s mission as it applies to the working groups’ recommendations.**
  - 4.5 Review Environmental and Water Resources Committee Work Plan, the Outcomes of Board Action of Committee Requests and the Committee’s Next Meeting Agenda (Committee Chair)  
**Recommendation: Review the Board-approved Committee work plan to guide the committee’s discussions regarding policy alternatives and implications for Board deliberation.**

5. **Clerk Review and Clarification of Committee Requests to the Board**  
*This is a review of the Committee's Requests, to the Board (from Item 4). The Committee may also request that the Board approve future agenda items for Committee discussion.*
  
6. **Reports**  
*Directors, Managers, and Committee members may make brief reports and/or announcements on their activities. Unless a subject is specifically listed on the agenda, the Report is for information only and not discussion or decision. Questions for clarification are permitted.*
  - 6.1 Director's Report
  - 6.2 Manager's Report
  - 6.3 Committee Member Reports
  
7. **Adjourn:** Adjourn to next regularly scheduled meeting at 6:00 p.m., **July 15, 2019**, in the Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, CA 95118.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarter Building, 5700 Almaden Expressway, San Jose, CA., 95118, at the same time that the public records are distributed or made available to the legislative body.

The Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend committee meetings. Please advise the Clerk of the Board office of any special needs by calling 1-408-630-2277.

**Environmental and Water Resources Committee's Purpose and Duties**

The Environmental and Water Resources Committee of the Santa Clara Valley Water District is established to assist the Board of Directors (Board) with policies pertaining to water supply, flood protection and environmental stewardship.

The specific duties are:

- Prepare policy alternatives;
- Provide comment on activities in the implementation of the District's mission; and
- Produce and present to the Board an Annual Accomplishments Report that provides a synopsis of the annual discussions and actions.

In carrying out these duties, Committee members bring to the District their respective expertise and the interests of the communities they represent. In addition, Committees may help the Board produce the link between the District and the public through information sharing to the communities they represent.