



Santa Clara Valley Water District Stream Planning & Operations Committee Meeting

5700 Almaden Expressway
San Jose, CA 95118

REGULAR MEETING AGENDA

Thursday, November 4, 2021
12:00 PM

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

SPOC COMMITTEE

Barbara Keegan - District 2
Linda J. LeZotte - District 4
Tony Estremera - District 6

During the COVID-19 restrictions, 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 to the public through the legislative body agenda web page 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 participate in the legislative body's 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
Stream Planning & Operations Committee**

**REGULAR MEETING
AGENDA**

Thursday, November 4, 2021

12:00 PM

IMPORTANT NOTICES

This meeting is being held in accordance with the Brown Act as currently in effect and Santa Clara Valley Water District Resolution 21-85, adopted on September 28, 2021, in compliance with the provisions of AB361 (Rivas), that allows attendance by members of the Board of Directors, Board Committees, District staff, and the public to conduct and participate in meetings of the legislative bodies by teleconference, videoconference, or both.

Members of the public wishing to address the Committee during a video conferenced meeting on an item not listed on the agenda, or any item listed on the agenda, should use the "Raise Hand" tool located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in the order requests are received and granted speaking access to address the Committee.

Santa Clara Valley Water District (Valley Water) in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Committee meetings to please contact the Clerk of the Board's office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <https://emma.msrb.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

Join Zoom Meeting:
<https://valleywater.zoom.us/j/98460637852>

Meeting ID: 984 6063 7852

Join by Phone:

1 669 900 9128 US (San Jose)

Meeting ID: 984 6063 7852

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: Members of the public who wish to address the Committee on any item not listed on the agenda should access the "Raise Hand" tool located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in order requests are received and granted speaking access to address the Committee. Speakers comments should be limited to three 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.

[21-0885](#)

Recommendation: Approve the September 9, 2021 Stream Planning and Operations Committee (SPOC) minutes.

Manager: Michele King 408-630-2711

Attachments: [Attachment 1: September 9, 2021 SPOC Minutes.](#)

4. INFORMATION AND ACTION ITEMS:

- 4.1. Receive Updates on Fish and Aquatic Habitat Collaborative Effort (FAHCE) Progress and Deliverables. [21-0886](#)
Recommendation: A. Receive updates on the FAHCE activities and progress; and
B. Receive updates on comment themes submitted during public comment period for the FAHCE Draft Environmental Impact Report (DEIR).
Manager: John Bourgeois, 408-630-2990 or 408-314-8859.
- 4.2. Receive update on Anderson Dam Seismic Retrofit Project and Incorporation of FAHCE Conservation Measures for Coyote Creek. [21-0888](#)
Recommendation: Receive updates on the incorporation of FAHCE Conservation Measures for the Coyote Creek Watershed in the Anderson Dam Seismic Retrofit Project (ADSRP).
Manager: Christopher Hakes, 408-630-3796
- 4.3. Review, Revise and Approve Stream Planning and Operations Committee (SPOC) Work Plan. [21-0884](#)
Recommendation: A. Review 2021 SPOC work plan, outcomes of Board action of Committee requests;
B. Review, revise and approve draft 2022 SPOC work plan; and
C. Schedule Committee meetings as appropriate.
Manager: Michele King, 408-630-2711
Attachments: [Attachment 1: 2021 SPOC Work Plan](#)
[Attachment 2: Draft 2022 SPOC Work Plan](#)

5. 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.

6. ADJOURN:

- 6.1. Adjourn to Regular Meeting at 12:00 p.m., on January 13, 2021.



Santa Clara Valley Water District

File No.: 21-0885

Agenda Date: 11/4/2021
Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM

Stream Planning and Operations Committee

SUBJECT:

Approval of Minutes.

RECOMMENDATION:

Approve the September 9, 2021 Stream Planning and Operations Committee (SPOC) minutes.

SUMMARY:

A summary of SPOC Committee discussions, and details of actions taken during an open and public meeting is submitted for review and approval.

Upon 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: September 9, 2021 SPOC Minutes.

UNCLASSIFIED MANAGER:

Michele King 408-630-2711



STREAM PLANNING AND OPERATIONS COMMITTEE

DRAFT MINUTES

THURSDAY, September 9, 2021
12:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. **CALL TO ORDER**

1.1 ROLL CALL

A meeting of the Santa Clara Valley Water District (Valley Water) Stream Planning and Operations Committee (SPOC) was called to order by Director Barbara Keegan at 12:00 p.m. on September 9, 2021.

Board members in attendance: Director Barbara Keegan-District 2, Director and Director Tony Estremera-District 6, constituting a quorum of the SPOC. Linda J. LeZotte-District 4 arrived as noted below.

Staff members in attendance: Aaron Baker, John Bourgeois, Rechelle Blank, Glenna Brambill, Anthony Fulcher, Chris Hakes, Ryan Heacock, Bassam Kassab, Michele King, Judy Nam, Eric Olson, Lisa Porcella, Afshin Rouhani, Tina Yoke and Sarah Young.

2. **TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT AN AGENDA**

Director Keegan declared time open for public comment on any item not on the agenda. There was no one present who requested to speak.

3. **APPROVAL OF MINUTES**

3.1 APPROVAL OF MINUTES

The SPOC considered the draft minutes from the July 8, 2021 meeting. It was moved by Director Estremera, seconded by Director Keegan, and unanimously carried by roll call vote to approve the minutes as presented. Director LeZotte was absent.

4. **INFORMATION AND ACTION ITEMS**

4.1 Receive Updates on Fish and Aquatic Habitat Collaborative Effort (FAHCE) Progress and Deliverables.

Staff provided updates on the following FAHCE progress and deliverables as listed below.

Mr. John Bourgeois, Deputy Operating Officer, provided updates on the following:

The Draft Environmental Impact Report (EIR). Virtual public meeting was held on July 21, 2021, and a recording of the meeting and presentation has been posted on the District's web page. In response to requests, the public review and comment period has been extended to October 15, 2021. Staff has provided notification as necessary.

The FAHCE Plus Pilot Flows Implementation at Guadalupe Creek and Stevens Creek. Staff continues to coordinate and implement, but due to the extreme drought conditions, pulse releases are not scheduled due to lack of water.

Informed that the FAHCE Initialing Parties hadn't met since July 2021.

The FAHCE Adaptive Management Team met on July 15, 2021 and discussed refinements to the charter and changes made to the adaptive management and monitoring program. The meeting presentation (Attachment 1 to the agenda memo) was based on the draft Fish Habitat Restoration Plan, which is part of the Draft EIR.

The FAHCE Contract with HDR Engineering (HDR) which includes processing an administrative no-cost one-year extension, and an amendment to enable HDR to assist with responses to public comments on the draft EIR, make revisions, and finalize. The new amendment will add up to \$1 million for consulting services. Staff's recommendation for contract amendment is scheduled to go to the full Board in fall of 2021.

Ms. Lisa Porcella reviewed the information on the Prioritization of Phase I Nonflow Measures, per the attached agenda memo and the corresponding PowerPoint presentation. Director LeZotte arrived during the presentation. The SPOC commented that the information on the completed measures should be included in public presentations.

4.2 Discuss District and Non-District Programs, Projects and Other Activities that May Affect the FAHCE Settlement Agreement and Implementation.

Mr. Bourgeois and Ms. Judy Nam, Senior Water Resource Specialist reviewed the information on this item, per the attached agenda memo and the corresponding PowerPoint presentation on the Large Woody Debris and gravel Augmentation Study and Implementation.

4.3 Review Stream Planning and Operations Committee (SPOC) Work Plan, Outcomes of Board Action of Committee Requests, and the Next Meeting Agenda.

Ms. Michele King, Clerk of the Board, reviewed the work plan and draft agenda for the November meeting. Mr. Bourgeois suggested, and the SPOC agreed, that the item on the District and Non-District Projects and Other Activities that May Affect the FAHCE Settlement Agreement and Implementation be removed from the November agenda to allow more time for presentation and discussion of the FAHCE Draft EIR themes submitted during public comment.

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

There were no SPOC requests.

6. ADJOURNMENT

Chair Keegan adjourned the meeting at approximately 1:00 pm. to the November 4, 2021 meeting.

Michele L. King
Clerk of the Board

Approved:



Santa Clara Valley Water District

File No.: 21-0886

Agenda Date: 11/4/2021

Item No.: 4.1.

COMMITTEE AGENDA MEMORANDUM

Stream Planning and Operations Committee

SUBJECT:

Receive Updates on Fish and Aquatic Habitat Collaborative Effort (FAHCE) Progress and Deliverables.

RECOMMENDATION:

- A. Receive updates on the FAHCE activities and progress; and
- B. Receive updates on comment themes submitted during public comment period for the FAHCE Draft Environmental Impact Report (DEIR).

SUMMARY:

Following the September 11, 2021 Stream Planning and Operations Committee (SPOC) meeting, FAHCE updates include:

Progress on Deliverables

FAHCE Plus Pilot Flows Implementation at Guadalupe Creek and Stevens Creek: Staff continue to coordinate the FAHCE Plus Pilot Flow Project for Guadalupe Creek and Stevens Creek initiated on October 1, 2020. The two-year Pilot Project provides storage-based releases from Guadalupe Reservoir and Stevens Creek Reservoir into Guadalupe and Stevens creeks, respectively. Current flow releases are implemented in accordance with the FAHCE Plus rule curves based on available reservoir storage. Pulse releases are not scheduled as we're currently outside of the possible pulse release timeframe of December 1 through mid-April.

FAHCE Initialing Parties meetings and Adaptive Management Meetings:

This year, Santa Clara Valley Water District (Valley Water) convened three meetings of the FAHCE Initialing Parties on February 8, April 19 and June 24, 2021. The next meeting is anticipated to occur this winter following review of DEIR comments.

Valley Water has convened three Adaptive Management Meetings for the FAHCE program, two of which occurred this year on February 10 and July 14, 2021. The next meeting is anticipated to occur this winter.

DEIR Comment Period Extended: Following the July 21, 2021 virtual public meeting, Valley Water has extended the public review and comment period from August 16 to October 15, 2021 at 5:00 PM. We have received about two dozen comments from resource agencies, California Department of Transportation, community or environmental groups and interested members of the general public.

All active Initialing Parties entities, including resources agencies such as US Fish and Wildlife Services, National Marine Fisheries Services, and California Department and Fish and Wildlife, provided comments on the DEIR. The San Francisco Bay Regional Water Quality Control Board also provided comments. Staff will provide a summary of the major comment themes received on the FAHCE DEIR and discuss next steps.

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

John Bourgeois, 408-630-2990 or 408-314-8859.



Santa Clara Valley Water District

File No.: 21-0888

Agenda Date: 11/4/2021

Item No.: 4.2.

COMMITTEE AGENDA MEMORANDUM

Stream Planning and Operations Committee

SUBJECT:

Receive update on Anderson Dam Seismic Retrofit Project and Incorporation of FAHCE Conservation Measures for Coyote Creek.

RECOMMENDATION:

Receive updates on the incorporation of FAHCE Conservation Measures for the Coyote Creek Watershed in the Anderson Dam Seismic Retrofit Project (ADSRP).

SUMMARY:

Coordination of the Fish and Aquatic Habitat Collaborative Effort (FAHCE) and ADSRP work remains an ongoing effort. This includes continuing monthly coordination and collaboration with the resource agencies and partners in support of federal and state permits for ADSRP. The update to the Committee on ADSRP progress since the July 8, 2021 Stream Planning and Operations Committee (SPOC) meeting includes the following:

1. The notice to proceed was issued to the contractor Flatiron West inc., for the Anderson Dam Tunnel Project (ADTP) on May 28, 2021. The contractor is undertaking mobilization activities including setting up site offices and preparing various required technical and regulatory submittals. Clearing and grubbing has also commenced.
2. Staff received California Department of Water Resources Division of Safety of Dams (DSOD) approval for Phase 2A and 2B of the ADTP on May 14, 2021. Staff also received ADTP Phase 2A and Phase 2B approval from Federal Energy Regulatory Commission (FERC) on September 28, 2021. The FERC approval included approval of some construction activities in the reservoir.
3. Staff is also working with both DSOD and FERC to expedite the approval of the remaining construction approval phases for the ADTP.
4. On September 24, 2021 Santa Clara Valley Water District (Valley Water) wrote to FERC requesting a temporary variance from the Anderson Reservoir drawdown level, allowing for additional storage of up to 20,000 acre-feet for a limited period, through November 2022, to enable Valley Water to better manage its limited water supplies in the current, unprecedented drought in California. FERC responded with a request for additional information from Valley Water. Valley Water is in the process responding to FERC.

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5. On September 20 and October 12, 2021, Valley Water received FERC approval for the Water Temperature and Fish Monitoring Plan and Amphibian Disease and New Zealand Mudsnail Monitoring Plan respectively.

Coordination with Resource Agencies

Staff continues to hold and participate in regular technical and permitting discussions with resource agencies for FOCP and ADSRP. These meetings include bimonthly interagency meetings, monthly Technical Work Group meetings, regular technical sub-group meetings for instream design work, and several single agency meetings with National Marine Fisheries Service, California Department of Fish and Wildlife, US Fish and Wildlife, State Water Resources Control Board, Regional Water Quality Control Board, US Army Corp of Engineers to work through the permitting for the Federal Energy Regulatory Commission (FERC) Ordered Compliance Project (FOCP).

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

Christopher Hakes, 408-630-3796



Santa Clara Valley Water District

File No.: 21-0884

Agenda Date: 11/4/2021
Item No.: 4.3.

COMMITTEE AGENDA MEMORANDUM

Stream Planning and Operations Committee

SUBJECT:

Review, Revise and Approve Stream Planning and Operations Committee (SPOC) Work Plan.

RECOMMENDATION:

- A. Review 2021 SPOC work plan, outcomes of Board action of Committee requests;
- B. Review, revise and approve draft 2022 SPOC work plan; and
- C. Schedule Committee meetings as appropriate.

SUMMARY:

This item allows the SPOC to review its 2021 Work Plan, outcomes of Board action of Committee requests; review, revise and approve the draft 2022 work plan; and identify tasks and schedule meetings as appropriate.

ATTACHMENTS:

- Attachment 1: 2021 SPOC Work Plan
- Attachment 2: Draft 2022 SPOC Work Plan

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711

2021 Stream Planning and Operations Committee Work Plan

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 BOARD POLICY	MEETING DATE	INTENDED OUTCOME(S) (Action of Information Only)	ACCOMPLISHED DATE AND OUTCOME
1	Election of Chair and Vice Chair for 2021	January	<ul style="list-style-type: none"> Committee Elects Chair and Vice Chair for 2020. (Action) 	Completed 1/14/21 – Keegan elected Chair LeZotte elected Vice Chair
2	Review of Draft Committee Work Plan	January	<ul style="list-style-type: none"> Review draft 2021 Committee Work plan 	Completed 1/14/21 – Approved workplan as presented
3	Review Committee Work Plan, the Outcomes of Board Action of Committee Requests, and the Committee Next Meeting Agenda	March May July September November	<ul style="list-style-type: none"> Receive and review the 2020 Board-approved Committee work plan. (Action) Submit requests to the Board, as appropriate. 	Reviewed 3/11/21 Reviewed 5/13/21 Reviewed 7/8/21 Reviewed 9/9/21
4	Receive updates on FAHCE progress and deliverables	January March May July September November	<ul style="list-style-type: none"> Receive updates on FAHCE activities and progress. 	Update provided 1/14/21 Update provided 3/11/21 Update provided 5/13/21 Update provided 7/8/21 Update provided 9/9/21
5	Discuss District and Non-District Projects and Other Activities that May Affect the FAHCE Settlement Agreement and Implementation	January March May September November	<ul style="list-style-type: none"> Receive information on activities affecting the FAHCE Settlement Agreement and Implementation, as needed. Provide input on these activities to ensure their consistency with the intent of the FAHCE Settlement Agreement. (Action) 	Information provided 1/14/21 3/11/21 Update on Singleton Road Interim Project at Coyote Creek 5/13/21 Update on Almaden Lake Project 9/9/21 Update on Large Woody Debris and Gravel Augmentation (LWDGA) Program

6	Receive update on Anderson Dam Seismic Retrofit Project and Incorporation of FAHCE Conservation Measures for Coyote Creek	January March July November	<ul style="list-style-type: none"> Receive updates on the incorporation of FAHCE Conservation Measures for the Coyote Creek Watershed by the Anderson Dam Seismic Retrofit Project. (Information) 	Update provided 1/14/21 Update provided 3/11/21 Update provided 7/8/21
7	Receive FAHCE Draft EIR	July	<ul style="list-style-type: none"> Receive the FAHCE Draft EIR, when completed. (Information) <i>Draft EIR provided to SPOC members in June when made available to the public</i> 	Update and Discussion on Draft EIR was conducted on 7/8/21. Committee requested that comment themes be presented to the Committee in September.
8	Discuss Prioritization of FAHCE Phase 1 Non-Flow Measures in the Guadalupe River and Stevens Creek Watersheds	September	<ul style="list-style-type: none"> Receive information on prioritization of the Phase 1 non-flow measures in the Guadalupe River and Stevens Creek Watersheds. Provide input on prioritization of Phase 1 non-flow measures for consideration of the Initialing Parties. (Action) 	9/9/21 – Discussion Item on the prioritization of FAHCE Phase 1 non-flow measures in the Guadalupe River and Stevens Creek watersheds
9	Receive updates on consultant contracts for FAHCE	May September	<ul style="list-style-type: none"> Receive updates on FAHCE contracts requiring Board Approval. 	Update on FAHCE Contracts provided 9/9/21
10	Receive Updates on Discussions with the FAHCE Adaptive Management Team	March September	<ul style="list-style-type: none"> Receive updates on key discussions and decisions made by the FAHCE Adaptive Management Team. (Information) 	Update provided 3/11/21 Update provided 9/9/21
11	Field Tour	TBD	<ul style="list-style-type: none"> Attend an annual field tour of a FAHCE or FAHCE related site; invite public 	
12	FAHCE Draft EIR	September November	<ul style="list-style-type: none"> Review comment themes submitted during public comment period. 	Update provided 9/9/21

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2022 Stream Planning and Operations Committee Work Plan

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 BOARD POLICY	MEETING DATE	INTENDED OUTCOME(S) (Action of Information Only)	ACCOMPLISHED DATE AND OUTCOME
1	Election of Chair and Vice Chair for 2022	January	<ul style="list-style-type: none"> Committee Elects Chair and Vice Chair for 2020 (Action) 	
2	Review of Draft Committee Work Plan	January	<ul style="list-style-type: none"> Review and approve draft 2022 Committee Work plan (Action) 	
3	Review Committee Work Plan, the Outcomes of Board Action of Committee Requests, and the Committee Next Meeting Agenda	March May July September November	<ul style="list-style-type: none"> Receive and review the 2022 Committee work plan (Action) Submit requests to the Board, as appropriate 	
4	Receive updates on FAHCE progress and deliverables (including Initialing Parties and Adaptive Management Team meetings)	January March May July September November	<ul style="list-style-type: none"> Receive updates on FAHCE activities and progress Progress on addressing DEIR comments Key updates on discussions with the AMT 	
5	Discuss District and Non-District Projects and Other Activities that May Affect the FAHCE Settlement Agreement and Implementation	January March May July September November	<ul style="list-style-type: none"> Receive information on activities affecting the FAHCE Settlement Agreement and Implementation, as needed. Provide input on these activities to ensure their consistency with the 	

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			intent of the FAHCE Settlement Agreement. (Action)	
6	Receive update on Anderson Dam Seismic Retrofit Project and Incorporation of FAHCE Conservation Measures for Coyote Creek	January March May July September November	<ul style="list-style-type: none"> Receive updates on the incorporation of FAHCE Conservation Measures for the Coyote Creek Watershed by the Anderson Dam Seismic Retrofit Project. (Information) 	
7	Receive updates on consultant contracts for FAHCE	As Needed		
8	Field Tour	TBD	<ul style="list-style-type: none"> Attend an annual field tour of a FAHCE or FAHCE related site; invite public 	