



## 2008-2009 SANTA CLARA COUNTY CIVIL GRAND JURY REPORT

### SANTA CLARA VALLEY WATER DISTRICT - PART 4

## GOLD STREET EDUCATION CENTER \$1.38M FOR WHAT?

### Issue

Should the Santa Clara Valley Water District (District) be building the Gold Street Education Center?

### Background

The Santa Clara Valley Water District is about to construct an educational center on Gold Street (GSEC) in Alviso. Its goals are to incorporate the following:

- A large open gazebo where children could come and be taught about the history of Alviso
- Interpretive displays
- Landscaping with native vegetation
- A trailhead that links to recreation trails
- Restrooms and lighting

The proposed GSEC location is at the primary entrance to Alviso on Gold Street and is highly visible. The building site is a vacant, half-acre parcel owned by the State Lands Commission along Gold Street, adjacent to the Guadalupe River and located at the entrance to the Summerset Mobile Estates, a mobile home park.

On June 24, 2008, the Board of Directors (BOD) approved \$1.380M plus \$30K annually in maintenance costs for the GSEC.

### PROJECT SUPPORT

While the GSEC has had very strong verbal support, particularly from Alviso community members, in the form of the Alviso Water Task Force (AWTF), representatives from the City of San Jose and Santa Clara County, it has received no funding support. The Parks and Recreation Departments of both the City of San Jose and Santa Clara County declined to participate in either the construction or the maintenance. Grants are being sought from State and Educational agencies, and Lowe's Hardware Stores. The land would be leased at low cost from the State Lands Commission.

## **Alternative Outdoor Classrooms**

The proposed GSEC is modeled on two other outdoor classrooms: one by the McGlincey Percolation Pond in Campbell and the other on Williams Street across from Williams Street Park in San Jose. Neither appears to present positive cases for the amount of use the GSEC would receive.

### **McGlincey Percolation Ponds**

In 2000, the District and the City of Campbell completed the 5-acre Edith Morley Park adjacent to the McGlincey Percolation Ponds in the Guadalupe Watershed adjacent to Los Gatos Creek. The park includes trails, a large grass area, an oak upland habitat, a marshland with separate pond and wooden path, wildflower gardens, and picnic tables. In 2001 the Board approved the Morley Park Outdoor Classroom. Santa Clara Valley Water District staff leads approximately five field trips per school year to Morley Park Outdoor Classroom. Groups of 20 to 30 students, accompanied by teachers and parents, learn about watersheds, groundwater, urban runoff, wetlands, weather, conservation and water quality. Restrooms are in the adjacent park run by the City of Campbell.

### **Coyote Creek Outdoor Classroom**

The Coyote Creek Outdoor Classroom, 791 Williams Street, San Jose, lies on a site where massive flooding destroyed three homes in 1997. When it opened in November 2001, it was estimated that there would be twenty field trips to the site per year. The District reported to the Grand Jury that they have averaged six field trips per year with a possible maximum of eleven. The \$515,000 project to build it was funded, in part, by tax dollars generated in the Coyote Watershed and through a grant from the state Department of Water Resources. Restrooms are available at the nearby community center within walking distance.

### **Don Edwards San Francisco Bay National Wildlife Refuge**

The Don Edwards Environmental Education Center is located two miles from the proposed GSEC site. It is surrounded by uplands, marshes salt ponds and a freshwater tidal slough. The building, designed for education, contains two classrooms, an auditorium, bathrooms, and an enclosed observation tower. An open pavilion, trails and a new boardwalk through the seasonal wetland habitat make it easy to see and explore the natural features of the south bay.

### **Alviso Marina County Park**

The Alviso Marina County Park is located on Mill Street in Alviso at the southern edge of San Francisco Bay and at the north edge of the community of Alviso, a half a mile from the GSEC location. The 29-acre park site includes a former marina (currently full of sediment), a boat launch ramp, picnic tables, a parking lot, a restroom and trails.

## **Orange County Model**

The Orange County Water District has public educational programs that reach far more people than the Santa Clara Valley Water District reaches through its Education Centers. The success of Orange County's lower cost alternatives suggests that the District should look at alternate approaches to education. Their Children's Annual Water Festival runs for two days and allows teachers to bring their students to learn about water-related and conservation issues that correspond to California Science Standards. It is free of cost and has local sponsorship. It attracts more than 6,000 students annually and is recognized nationally as the largest event of its kind. Orange County Water District also sponsors tours, a speaker's bureau, and classes, called Water 101, on water-related topics.

## **Not an Environmental Enhancement**

This project was proposed a Board policy regarding environmental enhancements: "Environmental enhancements are implemented to improve watersheds, streams, and the natural resources therein." (Board Ends Policy E3.2). It is clear that no watersheds, streams, or natural resources are "improved" by the GSEC from the perspective of the environment.

However, the governing law for the District (District Act), describes, more clearly, the actions that may be taken. (See Appendix B). As discussed with one of the Directors, it does not allow the District to arbitrarily pick a site and "enhance" it. Section 4, items (1)-(6), all describe only flood or water management activities. Section 4 (7) says it may "Enhance, protect, and restore streams, riparian corridors, and natural resources in connection with carrying out the purposes set forth in this section." It may also (8) Preserve open space in Santa Clara County and support the county park system in a manner that is consistent with carrying out the powers granted by this section.

The GSEC does not "enhance, protect, or restore streams, riparian corridors, and natural resources."

## **Conclusions**

The Alviso Gold Street Education Center is not an Environmental Enhancement. Further, even if it were blessed by the District Act, and even if education were part of the District's mission, the under-utilization of the two existing outdoor classrooms indicates this would be another poor use of District funds. The Alviso flooding story could better be integrated into the education presented by the Marina kiosks and the Don Edwards Center.

While Alviso historically has been neglected and underserved by San Jose, county and district agencies, the District is not within its charter to use funds to correct issues that go so far outside flood control and water management. Funds are needed for other flood control and infrastructure projects. The lack of financial support from the City of San Jose and Santa Clara County is an indication of lower priority relative to other public needs.

It is admirable that the District looks for opportunities to educate and inform the public. That effort must be tied to specific District goals and the District should ensure that the results justify the expense.

### **Need for Public Education on Water Topics**

The need for public education goes beyond school-age children. The District has conducted many polls of the public. The District's 2008 Consumer Awareness and Perception Survey reported that only 2% thought that the District's role was to prevent flooding, whereas 44% thought its role was to supply water to the county, and 24% did not know what the District's role was. It also pointed out that the public's perception has changed little in comparison with surveys done starting in 2002. The public would benefit from understanding the complete picture of how water is managed in Santa Clara County and not just what comes from their faucets.

### **Findings and Recommendations**

Findings have been reviewed with the subject agency.

#### **Finding 1**

The Gold Street Education Center will not improve watersheds, streams or the natural resources therein. It is not an Environmental Enhancement as described in Board Policy E-3.2.

#### **Recommendation 1**

Educational efforts should no longer be masqueraded as Environmental Enhancements. Irrespective of educational goals, the District should communicate with the public as to its full purpose and mission beyond water supply.

#### **Finding 2a**

None of the Directors interviewed had knowledge of the effectiveness or use of the Coyote Creek Outdoor classroom. It was originally expected to be used 20 times per year, but is only used an average of six times a year. The Morley Park outdoor classroom is used as a classroom five times a year.

## **Recommendation 2a**

If the District's goal is truly to educate the public, the educational content should be related to the District mission and Board policy should include clearly defined objectives and metrics.

## **Finding 2b**

No estimates have been published as to how often the Gold Street Education Center would be used as a classroom.

## **Recommendation 2b**

The District should consider more cost-effective and creative educational channels. For example, as an alternative to the Gold Street Education Center, the District should consider partnering with the Don Edwards San Francisco Bay National Wildlife Refuge and Environmental Education Center and the Santa Clara County Marina. It should also explore outreach activities that reach all of Santa Clara County as a whole such as the Orange County Annual Children's Water Festival.

## **Finding 3**

The majority of Directors interviewed was unsure whether the Gold Street Education Center had been approved, and none knew the source of funding.

## **Recommendation 3**

The District should not expend further funds or resources on the Gold Street Education Center project.

## **Finding 4**

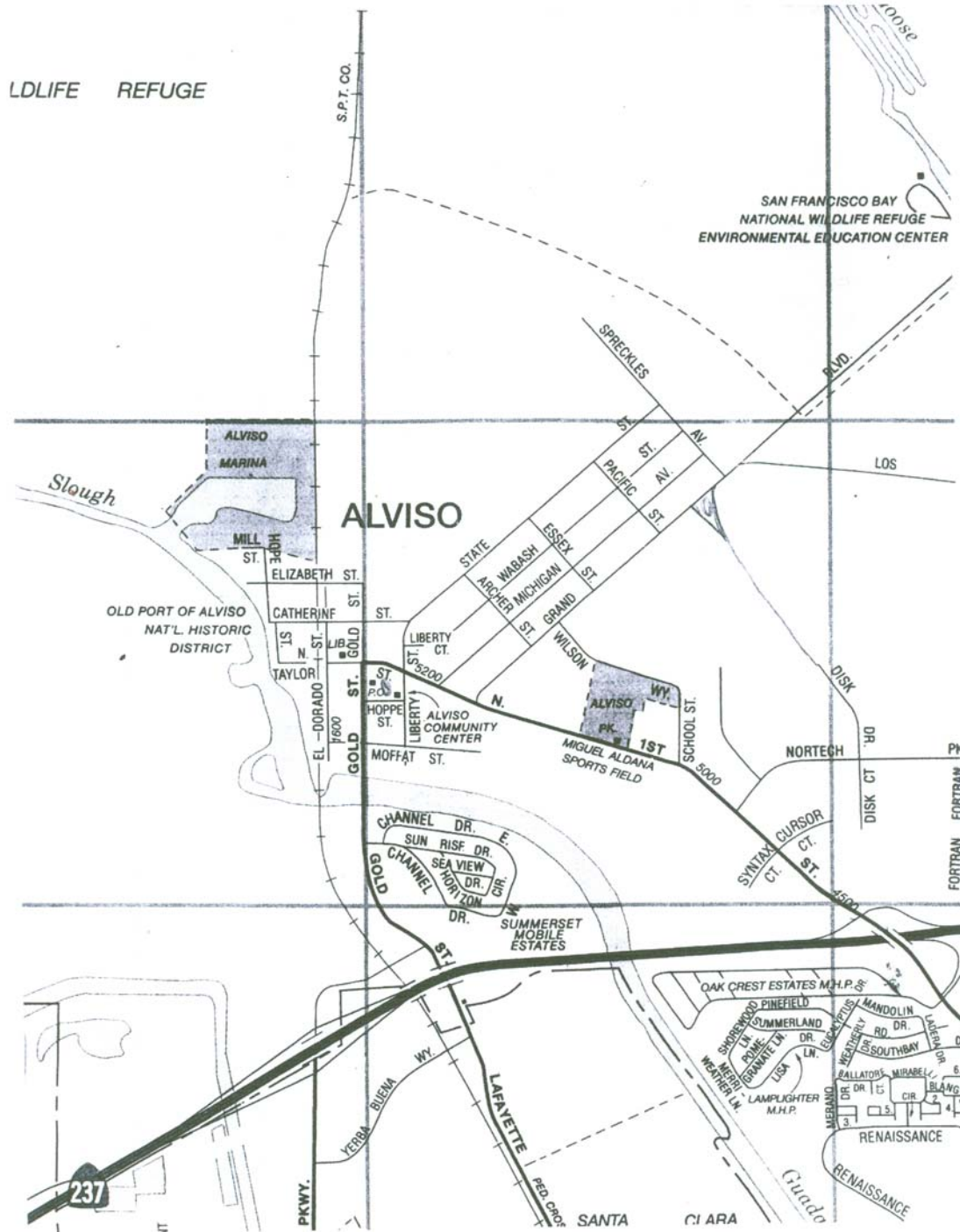
The GSEC site is at the entrance to the Summerset Mobile Estates, a mobile home park that has been owned for many years by the family of the Board member from District 3. In June, 2006, the same Board member recused himself, upon advice of District Counsel, from participating in any manner on the GSEC because his family owns property near the site. He had failed to recuse himself from voting on the GSEC at earlier Board meetings.

## **Recommendation 4**

No recommendation.

# Appendix A

## Map of Gold Street Education Center Proposed Site (including County Marina and Don Edwards).



## **Appendix B**

### **District Act - Section 4 Purposes and Intent**

#### § 4. Purposes and intent

Sec. 4. (a) The purposes of this act are to authorize the district to provide comprehensive water management for all beneficial uses and protection from flooding within Santa Clara County.

(b) It is the intent of the Legislature that the district work collaboratively with other appropriate entities in Santa Clara County in carrying out the purposes of this act.

(c) The district may take action to do all of the following:

(1) Protect Santa Clara County from floodwater and stormwater of the district, including tidal floodwater and the floodwater and stormwater of streams that have their sources outside the district, but flow into the district.

(2) Protect from that floodwater or stormwater the public highways, life and property in the district, and the watercourses and watersheds of streams flowing within the district.

(3) Provide for the conservation and management of floodwater, stormwater, or recycled water, or other water from any sources within or outside the watershed in which the district is located for beneficial and useful purposes, including spreading, storing, retaining, and causing the waters to percolate into the soil within the district.

(4) Protect, save, store, recycle, distribute, transfer, exchange, manage, and conserve in any manner any of the waters.

(5) Increase and prevent the waste or diminution of the water supply in the district.

(6) Obtain, retain, protect, and recycle drainage, stormwater, floodwater, or treated wastewater, or other water from any sources, within or outside the watershed in which the district is located for any beneficial uses within the district.

(7) Enhance, protect, and restore streams, riparian corridors, and natural resources in connection with carrying out the purposes set forth in this section.

(8) Preserve open space in Santa Clara County and support the county park system in a manner that is consistent with carrying out the powers granted by this section.

This report was **PASSED** and **ADOPTED** with a concurrence of at least 12 grand jurors on this 16<sup>th</sup> day of April, 2009.

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Don Kawashima  
Foreperson

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June Nishimoto  
Foreperson pro tem