Meeting Handout 4.1-A Appended to end of packet.

5750 Almaden Expressway, San Jose, CA 95118-3614 | (408) 265-2600 | www.valleywater.org

Santa Clara Valley Water District

April 6, 2017

NOTICE OF MEETING – REQUEST FOR RSVPS

Members of the Capital Improvement Program (CIP) Committee
Director Nai Hsueh, *Chairperson*
Director Tony Estremera, *Vice Chairperson*
Director Linda LeZotte, *Committee Member*

And Supporting Staff Members
Norma Camacho, Interim Chief Executive Officer
Leslie Orta, Senior Assistant District Counsel
Melanie Richardson, Interim Chief Operating Officer - Watersheds
Jim Fiedler, Chief Operating Officer – Water Utility
Susan Stanton, Chief Operating Officer – Administrative Services
Darin Taylor, Chief Financial Officer
Katherine Oven, Deputy Operating Officer
Vince Gin, Deputy Operating Officer
Ngoc Nguyen, Interim Deputy Operating Officer
Sudhanshu Tikekar, Deputy Administrative Officer
Chris Elias, Deputy Administrative Officer
Christopher Hakes, Assistant Officer
Nicole Berrocal, Budget Manager
David Cahen, Risk Manager
Beth Redmond, Technical Support Unit Manager

A meeting of the Santa Clara Valley Water District CIP Committee will take place at **10:00 a.m. on Monday April 10, 2017**, at the Santa Clara Valley Water District Headquarters Building Conference Room A-124, 5700 Almaden Expressway, San Jose, California.

Enclosed for your convenience is a copy of the appended agenda package, which includes additional materials not included in the agenda's previous distribution.

Please RSVP at your earliest convenience by calling 408-630-2557 or by email to mmeredith@valleywater.org.

Thank you!

Michelle Meredith

Michelle Meredith
Deputy Clerk of the Board
Santa Clara Valley Water District
Office of Clerk of the Board

enc:

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CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE
District 4 Director L. LeZotte, Committee Member
District 5 Director N. Hsueh, Chairperson
District 6 Director T. Estremera, Vice Chairperson

Santa Clara Valley Water District

APPENDED AGENDA
CIP COMMITTEE
Santa Clara Valley Water District Headquarters Building
Conference Room A-124
5700 Almaden Expressway
San Jose, CA 95118
MONDAY APRIL 10, 2017
10:00 AM

**Appendments Indicated by Asterisk (*)*

Time Certain:
10:00 a.m.

1. Call to Order/Roll Call

2. Time Open for Public Comment on Any Item Not on the 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.

*2-A Handout
Memo dated 03/29/17, Responding to Board Member Request No. R-17-0004, Staff is to look at how District flood protection projects performed during recent storms to protect properties, and investigate what impact the storms had on the community for projects not completed.

*2-B Handout
Letter dated 04/05/17, from Richard McMurtry, regarding request for policy action in light of document of closure of 1996 Water Rights Complaint.

3. Approval of Minutes

Recommendation: Approve the minutes of February 27 and March 10, 2017

4. Action Items:

***4.1** Status of Rock Springs Flood Risk Reduction Study and Coyote Creek, Montague Expressway to Highway 280 Projects. (N. Nguyen, V. Gin)

Recommendation:

A. Receive a status update on the Rock Springs Flood Risk Reduction Study and Coyote Creek, Montague Expressway to Highway 280 (Mid Coyote) Projects;
B. Discuss strategies; and
C. Formulate recommendation(s) to the Board.

***4.2** Capital Project Consultant Agreements. (K. Oven)

Recommendation:

Identify Board issues regarding Capital Project Consultant Agreements.

5. Review and Discuss 2017 Committee Work Plan

6. Discussion of Next Committee Meeting Agenda and Schedule

7. Adjourn.

REASONABLE EFFORTS TO ACCOMMODATE PERSONS WITH DISABILITIES WISHING TO ATTEND COMMITTEE MEETINGS WILL BE MADE. PLEASE ADVISE THE CLERK OF THE BOARD OFFICE OF ANY SPECIAL NEEDS BY CALLING (408) 630-2277.

Meetings of this committee will be conducted in compliance with all Brown Act requirements. 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 same time that the public records are distributed or made available to the legislative body, at the following location:

Santa Clara Valley Water District, Office of the Clerk of the Board
5700 Almaden Expressway, San Jose, CA 95118

CIP Committee Purpose:
The CIP Committee is established to provide a venue for more detailed discussions regarding capital project validation, including recommendations on prioritizing, deleting, and/or adding projects to the CIP, as well as monitoring implementation progress of key projects in the CIP.

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Santa Clara Valley Water District

MEMORANDUM

FC 14 (01-02-07)

TO: Melanie Richardson **FROM:** Ngoc Nguyen

SUBJECT: Information for Board Member Request R-17-0004 **DATE:** March 29, 2017

This memo provides information for Board Member Request R-17-0004. At the Board Meeting on February 14, 2017, Director Hsueh asked staff to: (1) look at how our flood protection projects performed during recent storms to protect properties; and (2) if a project hasn't been completed, investigate what impact the storms had on the community.

During the past few months of historical wet weather, our completed flood protection projects performed well in conveying flood flows and protecting adjacent properties. The summary of completed flood protection projects since the 1980s is in Attachment 1.

During this past winter, flooding that would have occurred if the following projects were not in place:

1. **Downtown and Lower Guadalupe River Projects (from Hwy 280 to Alviso)**

   On February 20, 2017, spills from Lexington Reservoir flowing down Los Gatos Creek coupled with sizable flows in Guadalupe River resulted in an estimated flow of 7,500 cubic feet per second (cfs) near downtown San Jose. In 1995, a recorded flow of 8,400 cfs flooded downtown San Jose and CA-87.

2. **Lower Coyote Creek Project (from the Bay to Montague Expressway)**

   On February 21, 2017, historical spillway flows from Anderson Reservoir resulted in an estimated 8,000 to 8,300 cfs flowing downstream into San Jose. After flooding many neighborhoods, such as Rock Springs, East William and South Bay Mobile Home Park, approximately 7,500 cfs passed through Montague Expressway into the Lower Coyote Creek Project reach.

   In 1983, a flow 5,000 to 6,000 cfs flooded an area of approximately 4,000 acres affecting businesses and homes downstream of I-280. Water covered much of the area between Lower Penitencia Creek and Guadalupe River and from Montague Expressway north to the Salt Pond levees. The project also provided flood protection for the areas downstream of Montague Expressway for the 1990's flood events.

3. **Uvas Creek Project (from Santa Teresa Blvd to W. Luchessa Avenue)**

   On January 8, 2017, an estimated flow of 9,000 to 10,000 cfs made its way down Uvas Creek, flooding the City of Gilroy downstream of the flood protection reach and US-101. In 1986, the creek overtopped upstream of Luchessa Avenue and inundated many residents in southwest Gilroy at an estimated peak flow of 14,000 cfs, which may have been inundated at 10,000 cfs as well. Since 1986, a 6-foot-high levee has been built to protect this area.

SUBJECT: Information for Board Member Request R-17-0004

Several projects that are in design and construction stages may have prevented much of the risk of flooding experienced this past winter:

1. **San Francisquito Creek – Reach 1 (from the Bay to US-101)**

   Construction of this reach broke ground last year and the project is currently in construction. However, on February 7, 2017, a flow of approximately 4,800 cfs under US-101 caused flooding of some local businesses on the downstream side. In addition, a section of existing levee experienced initial signs of failure that was repaired. Once the project is completed, the downstream reach will have 9,000 cfs capacity.

2. **West Little Llagas Creek**

   This creek experiences incidental flooding in Morgan Hill at many points, including inundating roadways and intersections. Damages are not severe, but flooding occurs very frequently along arterial roads due to creek overtopping this winter.

If you have questions or require additional information, please let me (extension 2632) or Liang Xu (extension 2780) know.

N. Nguyen

Ngoc Nguyen, P.E.
Interim Deputy Operating Officer
Watersheds Design & Construction Division

Attachment 1: Summary of Santa Clara Valley Water District Flood Protection Projects Completed Since the 1980s as of March 28, 2017

aj:tdb
0329a-mm.docx

Attachment 1
Summary of Santa Clara Valley Water District Flood Protection Projects Completed Since the 1980s as of March 28, 2017

Lower Peninsula Watershed

- Stevens Creek, Crittendon Lane to Highway 101: 1% protection per FEMA 2009 (constructed 1983)
- Barron/Matadero Creek, SF Bay to Foothill Expressway, constructed 1997, modified 2005: 1% protection per FEMA (2006)
- San Francisquito Creek, San Francisco Bay to Highway 101: Levees raised to As-Built conditions, not 1% (2002)
- Adobe Creek, Reaches 1-4 and Reach 5, El Camino Real to Edith Avenue (2009)

West Valley Watershed

- San Tomas Aquino Creek, Highway 237 to Highway 101: 1% protection per FEMA (~1995)
- Calabazas Creek, SF Bay to Miller Avenue: 1% protection per FEMA (2007)
- Calabazas Creek at Bollinger Road Bridge, Miller Avenue to Wardell Avenue: 1% protection (2009)
- Calabazas Creek, Miller Avenue to Wardell Road: 1% protection (2011)

Guadalupe Watershed

- Alamitos Creek, Lake Almaden to McKean Road: 1% protection, not to current FEMA standards (completed prior to promulgation of current FEMA standards, ~1983)
- Los Gatos Creek, near Lark Road: 1% protection per FEMA (2002)
- Lower Guadalupe River, SF Bay to Highway 101: 1% protection per FEMA (~2005)
- Downtown Guadalupe River, Highway 101 to Highway 280: 1% protection per FEMA (2005)
- Upper Guadalupe River, Reach 6, Highway 280 to Union Pacific Railroad:1% protection (2012)
- Upper Guadalupe River, Reach 12, Branham Lane to Blossom Hill Road: 1% protection (2015)

Coyote Watershed

- Lower Penitencia Creek, Coyote Creek Confluence to Milmont Drive: 1% protection (~1986)
- Lower Coyote Creek, SF Bay to Montague Expressway: 1% protection per FEMA (1995)
- Thompson Creek, Quimby Road to Aborn Road: 1% protection per FEMA (2001)
- Lower Berryessa Creek Phase 1, Lower Penitencia Creek Confluence to Abel Street: 1% protection completed (2016)
- Lower Silver Creek, Coyote Creek Confluence to Highway 680: 1% protection (2015)
- Lower Silver Creek, Highway 680 to Lake Cunningham: 1% protection (2017)

Pajaro Watershed

- West Branch Llagas, from Llagas Creek Confluence to Highway 101: 1% protection per FEMA (1995)
- Uvas Creek, City of Gilroy: 1% protection (constructed 1991, re-certified 2007)

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Santa Clara County Creeks Coalition

Advocates for living streams

Member Organizations

Friends of Coyote Creek

Western Waters Can

Environmentalists for Living Streams

Northern California Council Federation of Fly Fishers

5 April 2017

The Honorable Nai Hsueh
The Honorable Tony Estremera
The Honorable Linda Lezotte
Capital Improvement Plan Committee
Santa Clara Valley Water District
By email

Re: Request for Policy Action in Light of Documentation of Closure of 1996 Water Rights Complaint

Dear Mr. Hsueh, Mr. Estremera, and Ms. Lezotte

Attached is a letter from Ms. Kathy Mrowka, Program Manager, Enforcement Section, Division of Water Rights indicating that the FAHCE Complaint filed by the GCRCD and others was officially closed in December 2003. Though this is just an administrative technicality in that the complaint could be reactivated by simple notice by the Complainants, it nevertheless provides an opportunity for the Water District to affirm its commitment to a restored fishery in addition to its commitment to a resolved Water Rights Complaint.

We suggest that the "Finish FAHCE" strategy should not be the sole strategy with which the District seeks to address the issues raised for the past two decades. The FAHCE approach is to resolve the FAHCE Complaint without making any commitment to a schedule to complete any of the necessary projects to create the habitat conditions conducive to the restoration of the fishery. Hence the actual restoration would be delayed to an indefinite date.

The District has the option, in addition to seeking to "finish FAHCE", to make a renewed commitment to the environmental goal of the FAHCE agreement, which is to restore the fishery.

We recommend that the District adopt a strategy to restore the salmonid fishery to a healthy condition as follows:

Replace Ends Policy 4.1.6:

Declare henceforth that it is a policy goal to achieve the restoration of the salmonid fishery on Santa Clara County streams to a healthy condition within 15 years and it is an intermediate goal towards that end to, within 5 years, construct all high priority fish migration barrier remediations and habitat enhancements essential to achieve accessible spawning and rearing habitats necessary to the restoration of the fishery on Guadalupe River, including Los Gatos Creek, Stevens Creek and Coyote Creek, including Upper Penetencia Creek.

In 2012, the District Board adopted the following intention in its policy framework:

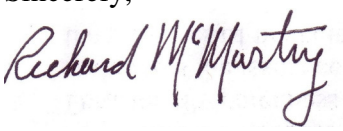
> Ends Policy 4.1.6. To the extent within practicable control of the District, adopt a strategy to restore the salmonid fishery on identified salmonid streams within fifteen years of strategy adoption by creating suitable accessible spawning and rearing habitats.

However, the Board never adopted this strategy. Instead, the District has focused on a "Finish FAHCE " strategy which is a programmatic approach that lacks a specific schedule to do any of the actual projects necessary to restore the fishery.

By adopting the above strategy, the Board would send a new message to staff, namely, that staff need to develop a staffing plan, budget, task and time schedule to achieve the goal of completing the projects necessary to restore the fishery. The previous directive of the Board to staff in June 2016 to come up with a plan, budget and schedule resulted in the attached spreadsheet. This was a response to the Board directive, but not responsive to the Board directive. The Board has the option of accepting the staff's "push back" or rejecting the "push back" by rephrasing the Board's June 2016 directive in stronger and more explicit terms, such as that suggested above.

The documentation of closure of the FAHCE complaint offers the Water District another opportunity to show strong environmental leadership by adopting a strong restoration oriented policy such as that described above. Continuing to focus solely on resolving the FAHCE complaint with a programmatic approach devoid of a credible schedule of implementation may not be in the best interests of the District's efforts to better integrate its water supply mission and its stewardship mission. Such a policy adoption as suggested above would require Capital Improvement Committee actions to facilitate implementation of the policy and so I am sending this to you for your review and comment.

Sincerely,



Richard McMurtry
408-442-4932
RMcMurtry@baymoon.com

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CALIFORNIA Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

MAR 24 2017

Richard McMurtry
24010 Summit Road
Los Gatos, CA 95033

Dear Mr. McMurtry,

1996 SANTA CLARA VALLEY WATER DISTRICT COMPLAINT

In your February 11, 2017 letter to State Water Resources Control Board (State Water Board) Member Steven Moore, you inquired about the status of the 1996 water rights complaint filed against the Santa Clara Valley Water District (District). This matter has been referred to the Division of Water Rights (Division) for response. The Division issued a letter on December 24, 2003 indicating that the complaint was closed. Although the language of the letter regarding complaint closure was somewhat ambiguous, the Division does not intend to interfere in the local settlement process described below. Accordingly, no additional actions are anticipated on the 1996 complaint and the complaint is considered closed.

To resolve the complaint regarding fishery concerns, the District and others participated in the Fisheries and Aquatic Habitat Collaborative Effort (FACHE) which resulted in a settlement agreement (FACHE agreement) regarding water rights of the District on Coyote, Guadalupe, and Stevens Creek. The Division is copying the parties to the FACHE agreement and asking that all parties make significant progress in its implementation. In 2003, the Division closed the complaint, based on the progress of settlement negotiations and pending receipt of anticipated petitions to modify the District's rights for the purpose of implementing the FACHE Agreement. On May 1, 2015, the District submitted petitions for change on 14 licenses and 1 permit. The petitions are currently pending, with action deferred until the District completes a California Environmental Quality Act (CEQA) document for the project. The District has been working with the signatories to the FACHE agreement to create reservoir release rule curves, a fish habitat restoration plan, and other modeling analysis which will be incorporated into the District's CEQA document. The District expects to release the CEQA document in mid-2018.

In December 2015 correspondence, the National Marine Fisheries Service (NMFS) and the California Department of Fish and Wildlife (CDFW) indicated that they are in agreement with the proposed reservoir release rule curves. NMFS and CDFW recommended that the District implement the proposed rule curves prior to completing the CEQA document. However, the District expressed concern about implementing the proposed rule curves prior to approval of the petitions. Division staff has previously indicated that the District could seek temporary authority to implement the reservoir releases through the temporary urgency change petition process.

If you have any questions, please contact Victor Vasquez at (916)323-9407 or via e-mail at victor.vasquez@waterboards.ca.gov. Written correspondence should be addressed as follows: State Water Resource Control Board, Division of Water Rights, Attn: Victor Vasquez,

P.O. Box 2000, Sacramento, CA 95812.

Sincerely,

ORIGINAL SIGNED BY:

Kathy Mrowka, Program Manager
Enforcement Section
Division of Water Rights

Cc: Norma Camacho, Interim Chief Executive Officer,
Santa Clara Valley Water District'
5750 Almaden Expressway,
San Jose, CA 95118-3686

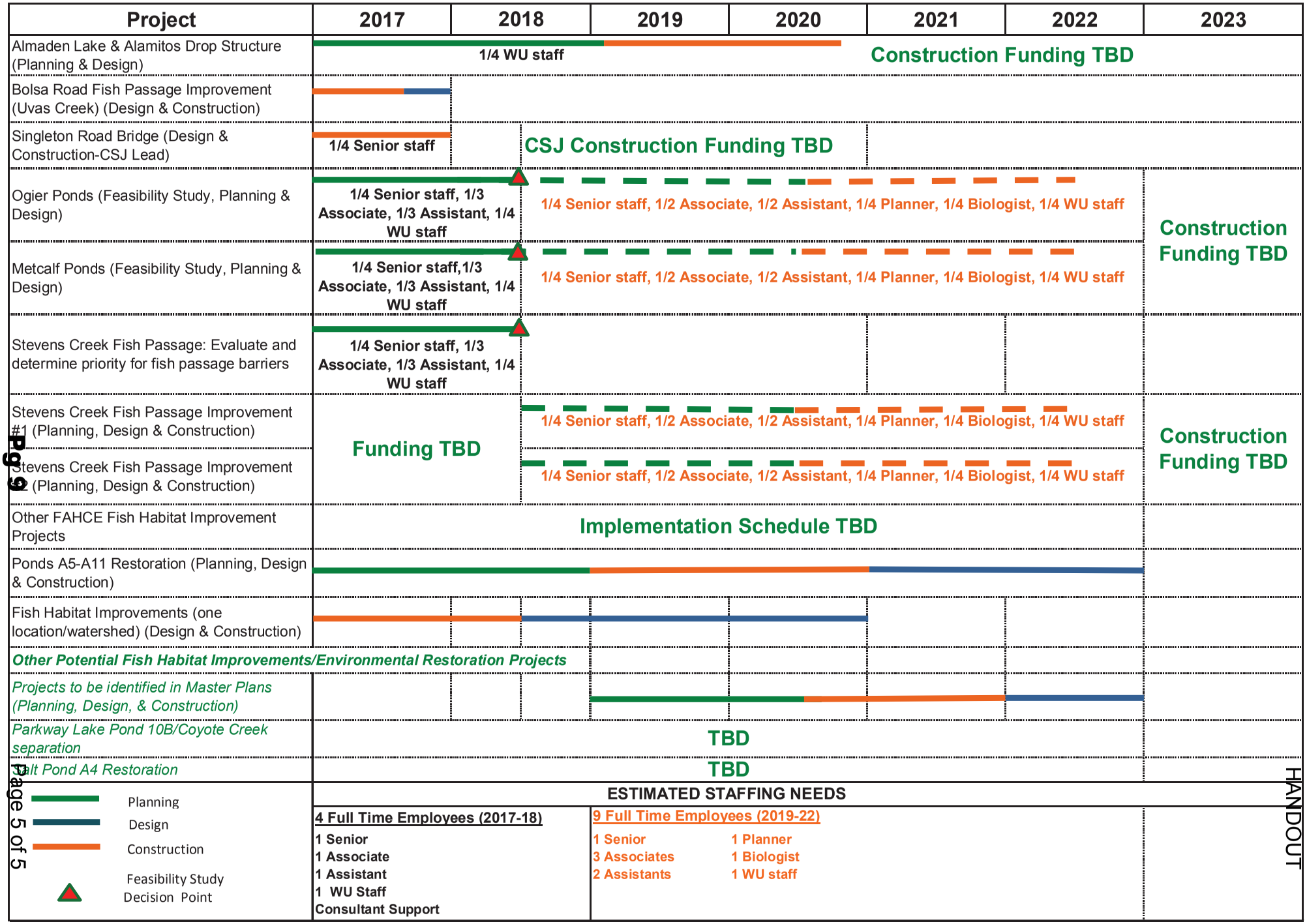
Jennifer Morris, United States Department of the Interior,
Fish and Wildlife Service 2800 Cottage Way, Rm W-2605,
Sacramento, CA 95825

Roger Castillo, Board President,
Guadalupe-Coyote Resource Conservation District
888 North First Street, Room 204
San Jose, Ca 95112

Mondy Lariz, Director
Santa Clara County Creeks Coalition
2353 Venndale Avenue,
San Jose, CA 95124

Ec: Steven.Moore@waterboards.ca.gov
John.O'Hagan@waterboards.ca.gov
Carl.Wilcox@wildlife.ca.gov
cwood@tu.org
noah@ifrfish.org
cknight@caltrout.org
Matt.McCarthy@waterboards.ca.gov

SCHEDULE OF ENVIRONMENTAL RESTORATION PROJECTS - FY 2017 - 2023



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CAPITAL IMPROVEMENT PROGRAM (CIP) AD HOC COMMITTEE MEETING

MINUTES

MONDAY FEBRUARY 27, 2017
1:00 PM

(Paragraph numbers coincide with agenda item numbers)

A regularly scheduled meeting of the Capital Improvement Program (CIP) Ad Hoc Committee was held at 1:00 p.m. on February 27, 2017, in the Santa Clara Valley Water District Headquarters Building Conference Room A-124, 5700 Almaden Expressway, San Jose, California.

1. CALL TO ORDER/ROLL CALL

Committee members in attendance were District 4 Director Linda LeZotte, District 6 Director Tony Estremera, and District 5 Director Nai Hsueh, Chairperson presiding, constituting a quorum of the Committee.

Staff members in attendance were Rechelle Blank, Debra Caldon, Christopher Hakes, Lin Moore, Ngoc Nguyen, Leslie Orta, Beth Redmond, Susan Stanton, Darin Taylor, and Sudhanshu Tikekar.

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

Chairperson Hsueh declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

3. APPROVAL OF MINUTES

The Committee considered the minutes of the January 30, 2017.

Chairperson Hsueh requested Page 2, Item 5.1, Bullet 1, Lines 4 through 11, be amended to read*: The Committee* ***~~requested that staff separate~~ discussed separating*** *the costs of this component of the Expedited Purified Water Program (Program) (approximately $600 million) from the remaining Program components, currently estimated to cost about $345 million****~~.~~*****, S****since the $345 million investment may not be necessary until closer to 2040****~~.~~*****. t****The Committee* ***~~suggested~~ concluded*** *that those Program components* ***~~be removed from~~ should remain in*** *the 5-year FY 2018-22 CIP* ***~~and re-allocated to future years~~ for the District to be ready for federal/state grants opportunities***.

It was moved by Chairperson Hsueh, seconded by Director Estremera, and unanimously carried that the minutes be approved as amended.

4. ACTION ITEMS

4.1 REVIEW AND DISCUSS THE WATERSHED CAPITAL PROGRAM (FUND 12) FOR THE FISCAL YEAR (FY) 2018-22 CAPITAL IMPROVEMENT PROGRAM (CIP).

Mr. Ngoc Nguyen, Assistant Officer, reviewed the information on this item, per the attached Committee Agenda Memorandum.

Mr. Richard McMurtry, Los Gatos resident, reviewed and submitted the attached materials identified as Handout 4.1-A herein. Copies of the Handout were distributed to the Committee and made available to the public.

Mr. Dave Poeschel, Sierra Club Loma Prieta Chapter Water Committee, discussed and submitted the attached photo identified as Handout 4.1-B herein. He requested flashboard use be discontinued on Alamitos Creek and expressed support for an Alamitos Creek fish passage issue feasibility study. Copies of the Handout were distributed to the Committee and made available to the public.

Mr. Steve Holmes, South Bay Clean Creeks Coalition, submitted the attached letter identified as Handout 4.1-C, herein. He encouraged the Committee to consider McBain Associates' recommendations as contained within his Handout. Copies of the Handout were distributed to the Committee and made available to the public.

The Committee requested that staff come back with a list of unfunded watershed CIP projects that includes unfunded projects from both Fund 12 and Fund 26, and which breaks down unfunded design and construction projects from unfunded feasibility study projects.

4.2 ALMADEN LAKE IMPROVEMENTS PROJECT, WATER OPTIONS.

Ms. Rechelle Blank, Capital Engineering Manager, reviewed the information on this item, per the attached Committee Agenda Memorandum and Attachment.

The Committee noted the information without formal action.

4.3 RESPONSE TO LETTER FROM MR. RICHARD MCMURTRY, DATED JANUARY 28, 2017, AND SUBMITTED TO THE COMMITTEE ON JANUARY 30, 2017 AS HADNOUT 2-A.

Mr. Christopher Hakes, Assistant Officer, reviewed the information on this item, per the attached Committee Agenda Memorandum and Attachment, and confirmed that he would follow up on a staff response to the letter.

It was noted that the published Committee agenda contained a typographical error, which erroneously identified the letter from Mr. Holms as being dated January 31, 2017.

The Committee noted the information without formal action.

5. DISCUSSION OF CIP AD HOC COMMITTEE PURPOSE

Chairperson Hsueh suggested the following revisions to the Committee's purpose: *The CIP **~~Ad Hoc~~** Committee is established to provide a venue for more detailed discussions regarding capital project validation, **~~as well as~~** **including** recommendations on prioritizing, deleting, and/or adding projects to the CIP**, as well as monitoring implementation progress of key projects in the CIP.***

It was moved by Director Estremera, seconded by Director LeZotte, and unanimously carried that the Committee recommend that the Board consider revising the Committee's status and purpose, as suggested herein.

Chairperson Hsueh requested that staff prepare an item for the next available Board of Directors meeting, to convey the Committee's recommendation to the Board.

6. REVIEW AND DISCUSSION OF 2017 COMMITTEE WORK PLAN:

Chairperson Hsueh requested that 2017 Committee Work Plan be revised to add a continued discussion of the Watershed Capital Program (including both Funds 12 and 26) at the next meeting, and discussion on additional funding opportunities that may result from the City of San Jose's declaration of an emergency, to an undetermined future meeting date.

7. DISCUSSION OF NEXT COMMITTEE MEETING AGENDA AND SCHEDULE:

Chairperson Hsueh confirmed the Committee's next meetings would be held at 1:00 p.m. on Monday April 17, 2017, in the District Headquarters Building A-124.

8. ADJOURNMENT

Prior to the adjournment, Chairperson Hsueh declared a special meeting would be held for discussion of the Committee's purpose, at 10:00 a.m. on Friday March 10, 2017, in the Santa Clara Valley Water District Headquarters Building Conference Room A-124.

Chairperson Hsueh adjourned the meeting at 2:30 p.m. to the next meetings on Friday March 10, 2017 at 10:00 a.m., and Monday April 17, 2017, at 1:00 p.m., in the Santa Clara Valley Water District Headquarters Building Conference Room A-124.

Michelle Meredith
Deputy Clerk of the Board

Approved:

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CAPITAL IMPROVEMENT PROGRAM (CIP) AD HOC COMMITTEE MEETING

MINUTES

FRIDAY MARCH 10, 2017
10:00 PM

(Paragraph numbers coincide with agenda item numbers)

A meeting of the Capital Improvement Program (CIP) Ad Hoc Committee was held at 10:00 a.m. on March 10, 2017, in the Santa Clara Valley Water District Headquarters Building Conference Room A-124, 5700 Almaden Expressway, San Jose, California.

1. CALL TO ORDER/ROLL CALL

Committee members in attendance were District 4 Director Linda LeZotte, District 6 Director Tony Estremera, and District 5 Director Nai Hsueh, Chairperson presiding, constituting a quorum of the Committee.

Staff members in attendance were Christopher Hakes, Michelle Meredith, Ngoc Nguyen, Leslie Orta, Katherine Oven, and Beth Redmond.

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

Chairperson Hsueh declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

3. COMMITTEE WORK PLAN

The Committee participated in a working meeting to establish their 2017 Work Plan. A summary of outcomes is contained in the attached Flip Chart Notes.

During the work session, Chairperson Hsueh distributed the attached Safe, Clean Water project E3 and Coyote Creek Flood Protection materials, identified as Handout 3-A herein.

Copies of the materials were distributed to the Committee and made available to the public.

The Committee concluded the work session, without formal action.

4. DISCUSSION OF NEXT COMMITTEE MEETING AGENDA AND SCHEDULE:

The Committee established a regular meeting schedule for the remainder of 2017, with regular meetings occurring on the second Monday, monthly, from 10:00 a.m. to 12:00 p.m.

Chairperson Hsueh cancelled the 1:00 p.m., Monday April 17, 2017 meeting, and confirmed that the next regular meeting would be held at 10:00 a.m. on Monday April 10, 2017, in the District Headquarters Building A-124.

5. ADJOURNMENT

Chairperson Hsueh adjourned the meeting at 11:15 a.m. to the next meeting at 10:00 a.m., on Monday April 10, 2017, in the Santa Clara Valley Water District Headquarters Building Conference Room A-124.

Michelle Meredith
Deputy Clerk of the Board

Approved:

Committee:	CIP Ad Hoc
Meeting Date:	04/10/17
Item No.:	4.1
Unc Mgr:	V. Gin, N. Nguyen
Email:	vgin@valleywater.org, nnguyen@valleywater.org

COMMITTEE AGENDA MEMO

SUBJECT: Status of Rock Springs Flood Risk Reduction Study and Coyote Creek, Montague Expressway to Highway 280 Projects.

RECOMMENDED ACTION:

A. Receive a status update on the Rock Springs Flood Risk Reduction Study and Coyote Creek Flood Protection - Montague Expressway to Highway 280 (Mid-Coyote) Projects;

B. Discuss strategies; and

C. Formulate recommendation(s) to the Board.

SUMMARY:

Rock Springs Flood Risk Reduction Study – SCW Project E3

The Rock Springs neighborhood along Coyote Creek is included in the Safe, Clean Water and Natural Flood Protection Program (SCW) as part of the Flood Risk Reduction Studies Project E3. The project scope includes developing an engineering study to understand the actual flood risk at the Rock Springs neighborhood and to develop options for managing and/or reducing the flood risks.

The following work has been completed for the Rock Springs neighborhood study:

1) A hydrologic study for the Coyote watershed was completed and used for the Rock Springs study.

2) A hydraulic study for Coyote Creek from Montague Expressway to Anderson Dam was completed. This includes a floodplain map for the Rock Springs neighborhood.

3) The problem definition report, which is used to identify the flood risk for the Rock Springs neighborhood, was completed using the above information.

The project team will now investigate and include cost estimates for different engineering alternatives to manage and/or reduce the flood risks to the Rock Springs neighborhood. This information will be included in a feasibility study report which is scheduled to be completed by December 31, 2017.

Coyote Creek Flood Protection – Montague Expressway to Interstate 280 – San José

Originally part of the Clean, Safe Creeks and Natural Flood Protection Plan (CSC), a special parcel tax approved by voters in November 2000, the Mid-Coyote Creek Project planning study was initiated in 2002. In November 2012, voters approved the SCW Program to replace the CSC Plan prior to its sunset date. The Coyote Creek Flood Protection Project was one of the CSC projects that was incorporated into the SCW Program, which began implementation in Fiscal Year 2014. All the remaining CSC funds allocated to the Coyote Creek Project were retained and rolled into the SCW Program, and work continued seamlessly.

The project purpose was to plan, design, and partially build a project to provide 1-percent flood protection to Coyote Creek from Montague Expressway to Hwy 280. At that time, the CSC budget for the project was approximately $32 million. Over the next few years, a significant amount of work was done to develop information regarding the creek's historical ecology, hydrology, hydraulics, sediment transport, water quality, vegetation, wildlife and fisheries. Numerous community meetings were held during this period to collect public input. Based on this information, alternatives were developed to address the project objectives. Unfortunately, all alternatives significantly exceeded the project's available budget, with project costs ranging between $500 million to $1 billion. The District attempted on several occasions to seek U.S. Army Corps of Engineers (USACE) support for the project, but were not successful.

With the limited available funding, the District proceeded with a design for the downstream reaches of the project (Montague Expressway to Hwy 880). Due to uncertainty about the results of upstream project impacts on the Coyote Creek project, which would have impacts both on project design and associated permits acquisition, on April 29, 2016, staff recommended, and the Board approved, putting the project on hold until 2019.

Given the continued risk of flooding to the community, as demonstrated by the February 2017 flood, staff proposes a plan to move forward to achieve flood risk reduction:

1) In coordination with the City of San Jose, develop an Emergency Action Plan for Coyote Creek to establish appropriate communication and coordination of efforts in the future. At the same time, look for immediate, implementable, short-term flood relief solutions, that are permittable and do not exacerbate flooding elsewhere.

2) Develop a plan for the project reach (expanded to include the Rock Springs neighborhood area) to provide a 20- to 25-year-event level of flood protection as rapidly as possible. The remaining SCW funds are unlikely to be adequate to cover all needed construction; therefore, funding will be sought from the USACE, the State of California, various grant programs, and other potential sources.

At the July 9, 2013 Board Meeting, staff presented an update on the Anderson Dam Seismic Retrofit Project. The proposed project components were described, and they included the construction of a high-level outlet that would discharge to the existing spillway, with a maximum discharge of about 4,600 cubic feet per second (cfs). This outlet would be installed to meet DSOD emergency drawdown requirements. At that time, staff stated that this high-level outlet could be used in the future to improve flood management in Coyote Creek.

The water district intends to perform a detailed analysis to determine the potential flood management benefits for Coyote Creek if this high-level outlet could be used to draw down the reservoir's storage in advance of large storm events. Such an operation may reduce the frequency and/or severity of uncontrolled flows via the reservoir's spillway. The report from the analysis would serve as an opportunity for the Board to provide direction on water supply management and flood management as part of the future operations at Anderson Dam.

Staff proposes to recommend to the Board to adopt a resolution setting the time and place for a formal public hearing, as required by the SCW change control process, to modify the Coyote Creek Flood Protection Project to extend the project boundary to include the Rock Springs neighborhood. Extending the project boundary will require changing the project name, description, and benefits. In addition, staff recommends proposing new Key

Performance Indicators (KPIs), that align with the plan as described above, to replace the project's existing KPI.

BACKGROUND:

At its March 10, 2017, meeting the CIP Committee discussed its work plan for 2017. Updates on the status of Rock Springs Flood Risk Reduction Study and Coyote Creek, Montague Expressway to Highway 280 were identified as topics for discussion on April 10, 2017 at its next meeting.

ATTACHMENT(S):

Attachment 1: DRAFT Coyote Creek 100-year Flood Zones Map

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Coyote Creek FEMA 100-year Flood Zones and February 2017 Flood Inundation

N

Golden Wheel Mobile Home Park

South Bay Mobile Home Park

Watson Park

Naglee Park Neighborhood

William St. Park

Selma Olinder Park

Kelley Park

Rock Springs Neighborhood

Montague Expy
Capitol Ave
Berryessa Rd
Oakland Rd
Mabury Rd
Jackson Ave
Lenfest Rd
Mckee Rd
Younger Ave
St James St
King Rd
1st St
Washington St
Julian St
Kammerer Ave
Virginia Ave
16th St
Santa Clara St
E William St
Story Rd
Midfield Ave
Senter Rd
Phelan Ave
Monterey Rd
Alma Ave
Tully Rd

880 680 101 87 280

Santa Clara Valley Water District

February 2017 Flooding
100 Year Flood Zone
Nextdoor Neighborhoods
Coyote Creek

GIS themes are for illustration and general analysis purposes only and are not accurate to surveying or engineering standards. Information is not guaranteed to be accurate, current, or complete and use of this information is your responsibility.

For SCVWD Use Only
Plotted 4/4/2017
Flooding data provided by FEMA
Flood inundation data provided by SCVWD
Neighborhood boundaries provided by City of San Jose

ATTACHMENT 1

Committee:	CIP Ad Hoc
Meeting Date:	04/10/17
Item No.:	4.2
Unc Mgr:	K. Oven
Email:	koven@valleywater.org,

COMMITTEE AGENDA MEMO

SUBJECT: Capital Project Consultant Agreements.

RECOMMENDED ACTION:

Identify Board issues regarding Capital Project Consultant Agreements.

SUMMARY:

Staff will facilitate a discussion with the committee to identify the issues related to consultant agreements for capital projects that the committee would like to have staff provide additional information on at future meetings.

BACKGROUND:

At the February 28, 2017 meeting, the Board of Directors raised some questions regarding the current processes for procuring or amending Consultant Agreements for Capital Project. They also asked if the recommendations for improvements to the consultant process that were identified in the internal audit performed by Navigant Consulting, Inc., in March 2015, had been implemented. These questions were referred to the CIP Ad Hoc Committee to for further discussion and resolution.

During the March 10, 2017 meeting, the CIP Ad Hoc Committee determined that the review would be conducted over two Committee meetings. At the first meeting there will be a discussion to identify the Board's issues regarding Consultant Agreements for Capital Project. At the June 12, 2017 meeting staff, will provide responses to the issues identified by the Board. Additional future meetings will be identified to continue the discussion as needed.

ATTACHMENT(S):

None

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The CIP Committee was enacted by the Board on January 24, 2012. It purpose was initially defined by the Committee on April 17, 2012 and revised on March 10, 2017. On March 28, 2017 the Board of Directors approved the Committee's revised purpose as follows: *The CIP Committee is established to provide a venue for more detailed discussions regarding capital project validation, including recommendations on prioritizing, deleting, and/or adding projects to the CIP, as well as monitoring implementation progress of key projects in the CIP.*

The CIP Ad Hoc Committee defined its priorities in fulfilling its purpose during its March 11, 2016 meeting, as follows:

Priority	Subject	Details	Desired Outcome
1	Prioritization	• Priority criteria process • Representation of under-represented areas	Hold a daytime, single-focus, Board work study session on CIP prioritization and funding combined.
2	Funding	• Funding unfunded, high priority projects • Holding encumbered, approved project funds in reserves and how this is communicated to the Board and public	
3	Permitting	• Changing the strategy for managing permitting issues • Changing the "Kill the Goose" regulatory agency strategy • Informing the public of regulatory impacts on ability to perform projects	Hold permitting strategy discussion with the Board, including engagement of Board members in regulatory issues.
4	Resources	• Analysis of staff vs. consultant work • Identifying where in the staffing plan it becomes more efficient to hire and develop employees vs. executing contracts with external consultants	Conduct staff vs. consultant resource cost and benefit analysis reviews with the CIP Ad Hoc Committee, prior to recommending the Board approve large dollar value consultant agreements to the Board.

The Board of Directors further identified the following Issues/Challenges, and desired Board Discussion Outcomes, during their October 4, 2016 Priorities and Strategic Directions Work/Study Session, and referred to the CIP Ad Hoc Committee to develop Strategies/Opportunities for the following:

Issue/Challenge	Board Discussion Outcomes
Regulatory Permits and individual agencies exceeding statutory authority limits.	Use Board members' political connection w/communities they represent and local/state/federal elected officials to resolve project issues, such as permits/funding. Leverage Board connections and leave the politics to the Board. Specific suggestions are: • Communication of staff (including legal) to Board on status of permits, federal funding, etc.; • Communication with stakeholders for their support of regulatory permits/issues; • Encourage staff to have dialogue with Board members during the planning of public meetings so all interested groups can be notified; • Continue to meet with local/federal delegation; and • Continue to have ceremonies for completed projects (elected officials).
Projects do not have consistent criterion of sensitive design that has art form and function.	Committee should evaluate ways of addressing environmental justice and sensitive design and bring back to the Board for discussion.
Slow/No progress on fish barrier removal projects. Environmental Stewardship is a "step child," should be equal. Funding competition for Stream Stewardship funds.	Committee to discuss issue/challenge and provide recommendations to the Board.

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.

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
04/10/17	Approval of Minutes, 02/27/17, 03/10/17	M. Meredith	Approve minutes.	
	Status of Rock Springs Flood Risk Reduction Study (2012 SCW Program) and Mid-Coyote Creek from Montague Expressway to Hwy 280 (2000 CSC Program) **Assigned at 2/28 Board meeting, Board Agenda Item 6.1*	N. Nguyen/ V. Gin	Receive a status on the Rock Springs Flood Risk Study and Mid Coyote Creek Projects Discuss Strategies Formulate recommendation to the Board **Staff to provide large map showing street names, Coyote Creek, identification of various neighborhoods, and project impact areas.*	
	Capital Project Consultant Agreements **Assigned at 2/28 Board meeting*	K. Oven, A. Comelo	Identify Board issues regarding Capital Project Consultant Agreements.	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	
05/08/17	Approval of Minutes, 04/10/17	M. Meredith	Approve minutes.	
	Watershed Capital Projects Funding (Flood & Stewardship) **Continued from 2/27/17*	N. Nguyen	Analyze funding requirements for Capital Projects funded by stream Stewardship Fund (12) and SCW/CSC Fund (26) Identify funding issues Formulate recommendation to the Board	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
06/12/17	Approval of Minutes, 05/08/17	M. Meredith	Approve minutes.	
	Capital Project Consultant Agreements **Continued from 4/10/17*	K. Oven, A. Comelo	Analyze and discuss identified issues Formulate recommendation to the Board	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	
07/10/17	Approval of Minutes, 06/12/17	M. Meredith	Approve minutes.	
	Monitor Implementation of 2018-22 CIP **Expanded Committee Purpose 2/27, to be approved by the Board*	B. Redmond	Identify projects and issues to monitor, monitor and review: 1. Input solicited from the Board 2. *Winfield Warehouse project 3. *Watershed-wide regulatory planning and permitting 4. *Anderson, Almaden, Chesbro, and Guadalupe Dam Seismic retrofit projects 5. Fishery barrier removal projects 6. Coyote Creek Project 7. FY17-18 new consultant contracts 8. FY17-18 planned amendments to existing consultant contracts 9. Monitoring of maintenance of CIP project mitigation commitments **From Board Budget Message and Strategic Directions*	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
08/14/17	Approval of Minutes, 07/10/17	M. Meredith	Approve minutes.	
	Monitor Implementation of 2018-22 CIP **Expanded Committee Purpose 2/27, to be approved by the Board* **Continued from 07/10/17*	B. Redmond	Identify projects and issues to monitor, monitor and review: 1. Input solicited from the Board 2. *Winfield Warehouse project 3. *Watershed-wide regulatory planning and permitting 4. *Anderson, Almaden, Chesbro, and Guadalupe Dam Seismic retrofit projects 5. Fishery barrier removal projects 6. Coyote Creek Project 7. FY17-18 new consultant contracts 8. FY17-18 planned amendments to existing consultant contracts 9. Monitoring of maintenance of CIP project mitigation commitments **From Board Budget Message and Strategic Directions*	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	
09/11/17	Approval of Minutes, 08/14/17	M. Meredith	Approve minutes.	
	Water Utilities Capital Project Funding (Alternate funding mechanisms) **Continued from 01/30/17*	C. Hakes	Study feasible alternate funding sources other than water charges	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
10/09/17	Approval of Minutes, 09/11/17	M. Meredith	Approve minutes.	
	Water Utilities Capital Project Funding (Alternate funding mechanisms) **Continued from 09/11/17*	C. Hakes	Study feasible alternate funding sources other than water charges	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	
11/13/17	Approval of Minutes, 10/09/17	M. Meredith	Approve minutes.	
	Water Utilities Capital Project Funding (Alternate funding mechanisms) **Continued from 10/09/17*	C. Hakes	Study feasible alternate funding sources other than water charges Formulate recommendation to the Board	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	
12/11/17	Approval of Minutes, 11/13/17	M. Meredith	Approve minutes.	
	2019-23 Preliminary CIP	B. Redmond	Review staff proposed preliminary project lists.	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	

2017 ACCOMPLISHMENTS

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
01/30/17	Election of Chair and Vice Chair	M. Meredith	Elect Committee Officers 1. Chair 2. Vice Chair	Elected as follows: Chair – N. Hsueh Vice Chair – T. Estremera
	Approval of Minutes, 12/15/16	M. Meredith	Approved minutes.	Approved
	Water Utility Capital Project Prioritization.	C. Hakes	Review and discuss Water Utility capital Program, provide direction on project refinements or modifications to be incorporated into Draft/Final FY18-22 CIP.	• Break down EAPW Program in FY18-22 CIP so funding for EAPW Project is separated from EAPW Expansion; • Refer to RWC for feedback on timelines for implementation of the EAPW Expansion Project • Bring EAPW Expansion discussion back to full Board; • Prepare scenario where Winfield Project is deferred to future and funding is shifted back to General Funds.
	Review Committee Work Plan	Committee	Establish Agenda Topics for Next Meeting(s)	Schedule 2/27/17 meeting, agendize Watershed Streams Stewardship Funding and staff presentation on Almaden Lake Separation Project, including issues raised by McMurtry/Poeschel.
	Next Meeting Date	Committee	Establish Next Meeting Date(s)	February 27, 2017

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
02/27/17	Approval of Minutes, 01/30/17	M. Meredith	Approved minutes.	Approved as amended.
	Watershed Stream Stewardship Funding.	N. Nguyen	Review and discuss the Watershed Capital Program; and Provide direction for project refinements or modifications to be incorporated into the Final FY 2018-22 CIP.	Staff to come back with a complete list of unfunded Watershed Capital Projects, identify those waiting for planning/feasibility study to be completed vs. those that are ready to move forward but have no identified funds, and add on old projects such as the Mid-Coyote Creek and Rock Springs; and identify projects for Governor's $1.5 billion funding.
	Alternative Analysis for Almaden Lake/Creek Separation Project	N. Nguyen	Receive information on the Almaden Lake Improvements Project water options.	
	Response to Letter from Mr. Richard McMurtry, dated January 28, 2017, and Submitted to the Committee on January 31, 2017 as Handout 2-A.	G. Hall	Receive information from staff and discuss an approach for addressing the various requests from stakeholders for fish habitat improvement projects into the CIP.	Staff is to come back with discussion to develop a process/approach for addressing requests from stakeholders, and advise Mr. Holmes of internal process and steps involved in qualifying a project for the preliminary CIP.
	Discuss Committee Purpose	Committee	TBD	Staff is to prepare a Board item regarding new purpose and name change for Board consideration.
	Review Committee Work Plan	Committee	Establish Agenda Topics for Next Meeting(s)	Schedule 03/10/17 10am meeting for discussion of Committee Work Plan
	Next Meeting Date	Committee	Establish Next Meeting Date(s)	03/10/17 10:00 a.m.
3/10/17	Committee Work Plan	Committee	Discuss 2017 Work Plan	Discussed and established discussion schedules for 2017
	Next Meeting Date	Committee	Establish Next Meeting Date(s)	Established regular monthly meeting schedule, 2nd Mondays of Month, 10am – 12pm. Rescheduled next meeting from 4/17/17 1pm to 4/10/17 10am.

HANDOUT 4.1-A
4/10/17

San Jose Flooding: The Unanswered Questions
Richard McMurtry
8 April 2017

The Santa Clara Valley Water District has prepared a very informative report on the flooding of San Jose in February 2017. However, they very carefully avoided four of the key questions needed to be answered in order to understand what went wrong and to prevent a recurrence of this flooding in the future.

Q1: Why did the Water District not install pumps on Anderson Dam so that they could drain the reservoir between storms and make room for the next storm?

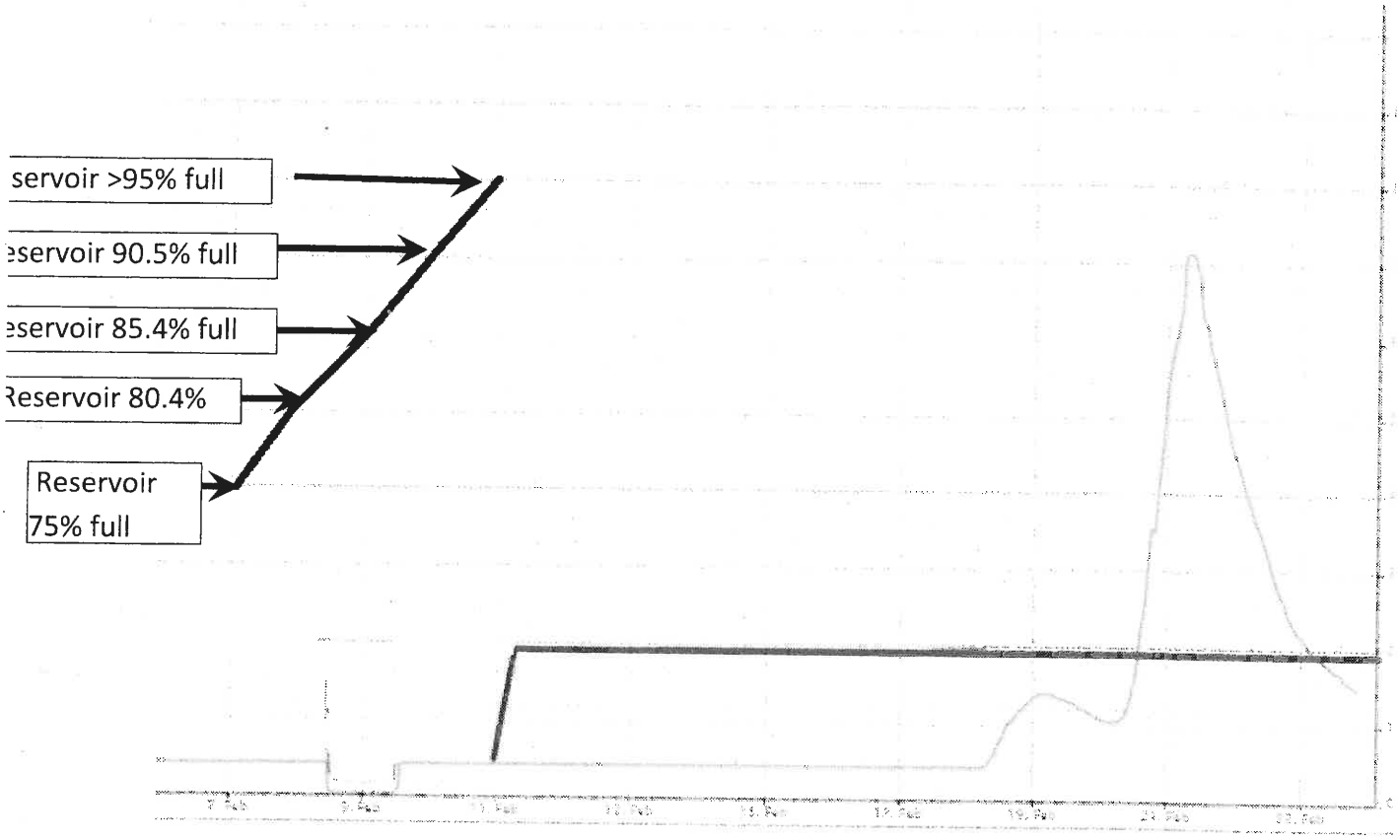
Q2: Why did the areas flood that had more capacity in the stream to carry the flood flows?

Q3: At what times and at what locations did the Water District inspect the bridges for log jams that could cause flooding?

Q4: If the Water District can't remove downed trees on private property because that would be a "gift of public funds", why doesn't it create assessment districts or contract with a public agency that does the authority to work on private property to achieve the public benefits of flood protection?

Question 1 is important because if the District had installed pumps of Anderson Dam of sufficient capacity to drain down the reservoir between storms, there would have been no flooding. The graph below shows in the black solid wide line that on February 11, Anderson Reservoir went from 75% full to 95% full. You would think that this would have alarmed the Water District and caused them to increase the rate of pumping to remove water from the reservoir. But the blue dashed line shows that they just continued to release water at 400 cubic feet per second. So when the big storm hit, there was no room in the reservoir for those waters and the Anderson Dam overtopped and sent 7000 cubic feet per second down the stream to flood the City of San Jose. If the Water District had taken advantage of the past years of drought and installed the necessary pumps, they could have increased the released of water to 2000 cubic feet beginning on Feb 11 and made enough room in the reservoir by Feb 21 to hold the entire storm. They would have continued to release water at 2000 cubic feet per second instead of the 7200 cubic feet per second that caused the flooding. The District's table of areas flooded indicates that all of the areas flooded could have safely transmitted 2000 cubic feet per second downsteam without flooding.

The District has known for years that Anderson Dam releases were limited to 400 cubic feet per second by the size of the pipe leaving the reservoir. They knew this would be a problem in flood conditions so they investigated adding pumps to double their capacity to 800 cubic feet per second and found that it would cost $3 million. The question remains: Why didn't they install the necessary facilities to protect the City of San Jose?



The upper left line on the above graph shows how reservoir capacity went from 75% full on Feb 7 over 95% full on February 11. The lowest line on the graph shows how the Water District continu release only 400 cubic feet per second from the reservoir without change from Feb 7 through Feb Then it shows the huge increase to over 7000 cubic feet per second on Feb 21 that sent the wave water down the creek to flood the City of San Jose. The red line above that line shows that if the District had pumped water over the dam to increase the release rate to 2000 Cubic feet of second soon as the reservoir capacity hit 95% on Feb 11, the District would have made enough room in th reservoir to contain the entire flood and continue releasing 2000 cfs instead of 7000 cfs. In other the flooding of San Jose would not have occurred.

Question 2 is important because it appears that something other than lack of flow capacity in the channel caused the flooding in some locations. What was that something? In the table of "overtc locations", 8 of the 17 sites had more flow capacity than the floodwaters created. So why did it flc there?

Question 3 is important because there were reports from the Guadalupe River floods in the 1990s there was plenty of channel capacity, but log jams behind bridges were not addressed sufficiently rapidly to prevent flooding. The raises the question about how frequently and at what locations the Water District conduct the inspections of potential log jam sites? What documentation is the the Water District's inspection program so that its effectiveness can be evaluated?

Question 4 is important because the Water District's continued use of the excuse that it cannot do any work on private property because that would be a "gift of public funds" has prevented the type of private-public collaboration to address the public hazard created by downed trees on private property. There are many options available to the Water District to create these partnerships and it has consistently rejected, without just cause, all proposals by community groups to develop new approaches to this problem.

Citizens affected by flooding have a right to have answers to these questions.