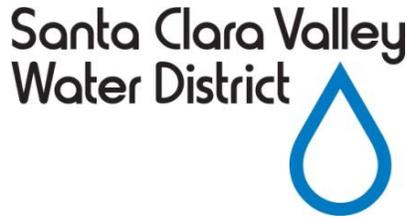


Board correspondence has been removed from the online posting of the Non-Agenda to protect personal contact information. Lengthy reports/attachments may also be removed due to file size limitations. Copies of board correspondence and/or reports/attachments are available by submitting a public records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



NON-AGENDA

October 19, 2018

Board Policy: EL-7 Communication and Support to the Board

The BAOs shall inform and support the Board in its work.

Page # **CEO BULLETIN / NEWSLETTERS**

3 **CEO Bulletin:** 10/12/18 – 10/18/18

BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS

7 **BMR/IBMR Weekly Reports:** 10/19/18

9 Memo from Nina Hawk, COO, WUE, to the Board, dated 10/19/18, regarding District Comments to Delta Stewardship Council Regarding the California WaterFix Certificate of Consistency.

INCOMING BOARD CORRESPONDENCE

14 **Board Correspondence Weekly Report:** 10/19/18

15 Email from Larry Hayes to the Board, dated 10/15/18, regarding Stocking Campbell Perc Ponds for South Bay Fishing in the City for Kids (C-18-0195).

OUTGOING BOARD CORRESPONDENCE

17 Email from Director Hsueh, to Dee, dated 10/15/18, regarding Water on Via Regina Road.

CEO BULLETIN/ NEWSLETTERS

To: Board of Directors
From: Norma J. Camacho, CEO

Chief Executive Officer Bulletin Week of October 12 - 18, 2018

Board Executive Limitation Policy EL-7:

The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

Page	IN THIS ISSUE
1	Update on McKelvey Park Flood Detention Facility Construction
2	October 15, 2018, Project Partner Engagement Meeting, Countywide Water Reuse Master Plan
3	Santa Clara County Department of Planning and Development: Farmworker Housing
4	Hsueh Staff is requested to perform a lessons learned on the Rinconada Water Treatment Reliability Improvement Project and identify areas where the Board should have been engaged. Also provide information on possible new low bid award law. R-18-0016

Update on McKelvey Park Flood Detention Facility Construction

The district is providing a written response to elected officials of City of Mountain View regarding current status of the McKelvey Park Flood Detention Facility Construction Project. McKelvey Park Flood Detention Facility, Rancho San Antonio Park Flood Detention Facility, and Permanente Channel Improvements are parts of the Permanente Creek Flood Protection Project that provides flood protection for approximately 2,200 properties.

The original schedule was to complete McKelvey Park elements of the project, including the new ballfields and concession stands, by March 2019. However, during the first year of construction in 2017, the project suffered a five (5) month delay due to PG&E delaying the relocation of their electrical poles and overhead lines. PG&E was scheduled to complete relocation of their facilities in July 2017, but they did not complete the relocation until December 2017, due to workload issues on their end. Consequently, the district worked with its construction contractor to modify the construction schedule, and changed the sequence of work elements for the project, to try to minimize the impacts of the delay. Fortunately, the resequencing reduced the five (5) month delay down to three (3) months.

The current schedule is to complete construction by June 2019. The district continues to coordinate

with the City of Mountain View and the contractor on feasible options to complete construction work as soon as possible.

For further information, please contact Ngoc Nguyen at (408) 630-2632.

October 15, 2018, Project Partner Engagement Meeting, Countywide Water Reuse Master Plan

On October 15, 2018, the district hosted a combined meeting of the Countywide Water Reuse Master Plan Executive Leadership Group (ELG) and Project Partner Group (PPG); these groups provide input on the Master Plan as it is developed.

This meeting was an opportunity for agency executive leadership and agency staff to review conceptual alternatives for water reuse expansion in the County.

Attendees included Morgan Hill City Manager Christina Turner, Sunnyvale City Manager Kent Steffens, Mountain View Assistant Public Works Director Gregg Hosfeldt, City of San José Deputy Director Jeff Provenzano, City of Palo Alto Senior Resource Planner Karla Dailey and Manager Karin North, South County Regional Wastewater Authority Manager Saeid Vaziry, and San Francisco Public Utilities Commission Manager Manisha Kothari.

Many ELG members expressed support for the staff-consultant teams' proposed leading alternatives. Significant input received was:

1. City of San José staff expressed concern that the proposed leading alternatives may not provide sufficient non-potable reuse water for San José and Santa Clara.
2. Some ELG members and District staff identified that the various conceptual alternatives should be broadened to include additional direct potable reuse (DPR) sites than initially proposed.

The district is now addressing ELG input and plans to reconvene the PPG and finalize revisions to the conceptual alternatives in November 2018. The district plans to bring updates to the Board's Recycled Water Committee scheduled for November 14, 2018, as well as to the Master Plan's stakeholder task force before year's end. An update to the board is planned for early 2019. The Master Plan is scheduled to be completed in July 2019.

For further information, please contact Garth Hall at (408) 630-2750.

Santa Clara County Department of Planning and Development: Farmworker Housing

On October 2, 2018, the district attended a meeting with staff from Santa Clara County Department of Planning and Development (County Planning) and Department of Environmental Health (DEH) on farmworker housing. This stems from Board of Supervisor direction based on the Santa Clara Valley Agricultural Plan, which identified this as a critical need in the county.

The discussion focused on promoting farmworker housing on agricultural and rural residential properties in Coyote Valley and Llagas Subbasin. To encourage participation, the concept focuses on ministerial county approvals for septic, water, and fire rather than discretionary planning approval. County Planning proposes up to six (6) dwelling units or up to 18 bed dormitories be allowed on a parcel. While there are thousands of parcels that would be eligible,

County Planning believes participation would be fairly low. DEH expressed significant concerns with groundwater protection and supply, which is why they reached out to the district, the Division of Drinking Water (DDW), and the Regional Boards prior to the meeting. DDW has given initial feedback that they would like no more than four (4) units per parcel, to avoid creating more state small water systems.

County Planning is targeting a Planning Commission study session on October 25, 2018, for initial feedback. They will then pursue additional outreach on a draft policy with stakeholders prior to Planning Commission consideration in early 2019. County Planning is seeking guidance from DEH on minimum lot size.

For further information, please contact Garth Hall at (408) 630-2750.

Hsueh

Staff is requested to perform a lessons learned on the Rinconada Water Treatment Reliability Improvement Project and identify areas where the Board should have been engaged. Also provide information on possible new low bid award law.

R-18-0016

At the October 15, 2018, CIP Committee Meeting, Committee Chair Hsueh clarified that the lessons learned regarding the Rinconada Water Treatment Plant Reliability Improvement Project are to be added to the agenda for discussion at a future CIP Committee Meeting.

A recent bill regarding construction bidding is Assembly Bill (AB) 3186 (Medina), which was approved by Governor Brown on September 23, 2018. AB 3186 extends the University of California and the California Community Colleges' authority to use "best value" when evaluating construction bids and selecting a contractor. As defined in the Public Contract Code, "best value" means the most advantageous balance of price, quality, service, performance, and other elements, as defined by the university or community college, and determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability, and required services.

For further information, please contact Katherine Oven at (408) 630-3126.

BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-18-0014	10/13/18	Kremen	Yoke	Gordon	<p>Provide responses to Director Kremen's IT and Emergency Preparedness questions listed in his 10/13/18 email:</p> <p>As we all know, highlighted by the disaster in Florida backup communications is critical.</p> <p>When can we have a meeting to discuss what are we doing in the following areas:</p> <ul style="list-style-type: none"> • https://en.wikipedia.org/wiki/Government_Emergency_Telecommunications_Service • https://en.wikipedia.org/wiki/Nationwide_Wireless_Priority_Service • Redundant internet providers • Backup SCADA communications - fiber, radio and POTS • Satellite phones • landlines using POTS • amateur radio including ARTS <p>Also when are we going to do a lack of communications exercise?</p>	11/04/18		
I-18-0015	10/02/18	Santos	Yoke	Donatelli	<p>Staff is to provide Director Santos with information on why the District does not offer preference for Veteran applicants seeking employment/promotion, and provide research from comparable</p>	11/05/18		

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
					agencies.			
R-18-0013	06/26/18	Keegan	Yoke	Gordon	Director Keegan requested that staff provide the Board with the status and report on the last major District-wide security assessment and provide a schedule for the next assessment.	08/14/18	10/09/2018	08/13/18 CEO Bulletin: The Office of Emergency and Security Services and Information Technology units are both working collaboratively to provide a presentation to the Board to discuss security and threat assessments in a closed session tentatively scheduled in October. In the closed session, staff will provide an overview on what measures have been completed related to security equipment, hardware/software, infrastructure along with information technology cybersecurity threats. Staff will also provide an overview on professional assessment status and the required action(s) and estimated timelines to address and improve the district's vulnerability to threats.



MEMORANDUM

FC 14 (01-02-07)

TO: Board of Directors
FROM: Nina Hawk
SUBJECT: District Comments to Delta Stewardship Council
Regarding the California WaterFix Certificate of
Consistency
DATE: October 19, 2018

The Delta Stewardship Council has scheduled a public hearing on October 24-26, 2018 in West Sacramento on the California Department of Water Resources (DWR) certification that the California WaterFix is consistent with the Delta Plan (Certificate of Consistency). Nine separate appeals on the Certificate of Consistency were filed by 26 entities, including in-Delta public agencies (city, county, water and sanitation), in-Delta interests, a tribal group, and several conservation groups.

The District submitted comments in support of DWR's Certificate of Consistency by the October 15, 2018 deadline (Attachment 1). One of the main allegations of the appellants is that the WaterFix is not consistent with the Delta Plan's reduced reliance on the Delta policy. The District's letter focuses on how the District has continued to reduce its reliance on the Delta by investing in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination, consistent with state policy.

During the hearing, DWR will be allotted 60-minutes and each appellant group will have 30-minutes to present their case. If DWR chooses to use any of its time for closing remarks, then each appellant group will be allowed an additional 5 minutes to make closing remarks. Other parties, including the District, will be allowed to provide 3-minute statements, though the time may be adjusted depending on the number of parties wishing to speak. The Presiding Officer does not anticipate public comment to begin prior to 9:00 a.m. on October 26; however, this could change based on the circumstances at the hearing.

The Delta Stewardship Council has tentatively scheduled a public workshop on November 15-16, 2018 to receive comments on its draft determination regarding the appeals and plans to make a final determination during its regularly scheduled December 20-21, 2018 Council meeting. The Council's decision on this matter is critical for the WaterFix project to move ahead.

Additional information, the Department of Water Resources certification, and all the appeals can be found at the following website:

<https://coveredactions.deltacouncil.ca.gov/>

For

Nina Hawk
Chief Operating Officer
Water Utility Enterprise

Attachment 1: District Letter to Delta Stewardship Council

October 15, 2018

Delta Stewardship Council
980 Ninth Street, 15th Floor
Sacramento, CA 95814

Subject: WaterFix C20185: Comments on the Department of Water Resources Certification of Consistency with the Delta Plan for the California WaterFix

The Santa Clara Valley Water District (District) appreciates the opportunity to submit comments in support of the Department of Water Resources certification of consistency for the California WaterFix (WaterFix). The District manages groundwater, supplies wholesale water, provides flood protection, and serves as environmental steward for clean, safe creeks and healthy ecosystems for Santa Clara County's 1.9 million residents and the vital high-tech economy known as "Silicon Valley."

As a water supplier as well as an environmental steward, the District has been an avid supporter of the Delta Plan's coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The District also supports the state policy to reduce reliance on the Delta.

The policy of the State of California is to reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency. Each region that depends on water from the Delta watershed shall improve its regional self-reliance for water through investment in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts. (Water Code section 85021)

The following comments explain how the District is complying with state policy to reduce reliance on the Delta, the District's interest in the WaterFix, and how the WaterFix is consistent with the Delta Plan's coequal goals.

The District was formed in 1929 to address groundwater overdraft and land subsidence in San Jose and adjacent cities, serious conditions that were successfully resolved by the importation of water from the federal Central Valley Project (CVP) and State Water Project (SWP). Today, an average of about 40 percent of Santa Clara County's water supplies are conveyed through the Delta by these projects. These supplies are a critical component of the District's water supply portfolio, providing over 90 percent of the water supply to the District's three drinking water treatment plants. This imported water also supplements the recharging of the county's

local groundwater basins to ensure sustainable supplies, while also protecting local surface water and groundwater reserves.

The District has made great strides in reducing its reliance on the Delta to meet future water supply needs. Since the 1970s, the District has worked with local wastewater producers to expand recycled water use. Currently, about 5 percent of the county's supply is recycled water and the District has a target for recycled water to comprise 10 percent of the county's supply by 2025. Since the early 1990s, the District has implemented an aggressive water conservation/water use efficiency program, achieving 73,000 acre-feet of water savings in 2017 compared to the base year of 1992. These water conservation savings were equivalent to about 25 percent of total water use in the county in 2017. We estimate that we have invested more than \$300 million in water conservation/water use efficiency and supply diversification projects in the past 25 years. This is in addition to significant investments by the water retailers within Santa Clara County.

Through our water supply planning efforts, the District continues to investigate water supply projects that provide for regional reliability and less reliance on the Delta. As part of the update to the District's Water Supply Master Plan, the District Board has approved planning for WaterFix, up to 24,000 acre-feet per year of potable reuse, and a "No Regrets" package of water conservation and stormwater projects. The capital cost of these investments is estimated to be over \$1 billion. The District is also exploring, along with local partners, local and regional storage projects, a regional conveyance project, and a regional water marketing program. Lastly, the District is leading development of the Santa Clara Valley Storm Water Resources Plan, consistent with state requirements, for northern Santa Clara County.

While these investments will reduce the District's reliance on Delta-conveyed water from about 40 percent to 30 to 35 percent, the District will remain dependent on water conveyed through the Delta. It is imperative that these supplies remain reliable.

The WaterFix is a critical upgrade to aging and vulnerable water delivery infrastructure that is consistent with achieving the Delta Plan's coequal goals. The addition of proposed WaterFix intakes in the north Delta would allow the SWP and CVP to adjust operations in response to environmental conditions and climate change effects, protect exports from the threat of salinity intrusion from levee failures and sea level rise, improve flow patterns in the Delta, and reduce fish entrainment. As the Delta Plan recognizes, "*Conveyance improvements in the Delta are needed so that water supplies can be safely moved when they are available and conflicts between water supply deliveries and species protection can be avoided*" (Delta Plan as Amended in 2018 at 99).

State modeling indicates that, if no action is taken to improve the existing Delta conveyance approach, the District's SWP and CVP deliveries could drop by about 36,000 acre-feet per year due to anticipated additional regulatory constraints to protect threatened and endangered fish within the Delta. With the WaterFix, this decline can be avoided by enhancing operational flexibility to allow diversion of water at times and from locations that are less harmful to fisheries. We estimate that total deliveries to Santa Clara County with the WaterFix would remain similar to current average levels.

It is paramount that the District maintain a diverse water supply portfolio to provide both resiliency and reliability for Santa Clara County. The District's investment in the WaterFix will be

Delta Stewardship Council
Page 3
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accompanied by continued investment in local supplies and advancement of regional self-reliance.

The District urges the Council to make a determination of consistency, allowing this important project to move forward without further delay. Continuing to rely solely on existing through-Delta conveyance for the water supplies for the 1.9 million people in Santa Clara County and the economy of Silicon Valley, as well as for the 25 million people statewide and the state's economy is not acceptable because of the instability of existing Delta levees, underlying seismic risks, increasing threats of altered hydrology and sea level rise due to climate change, and ongoing regulatory uncertainty and concerns over the environmental health of the Delta.

Sincerely,



Norma J. Camacho
Chief Executive Officer

Via E-Mail: waterfixcert@deltacouncil.ca.gov
cc: Mr. David Murillo, Bureau of Reclamation
Ms. Karla Nemeth, Department of Water Resources
Ms. Jennifer Pierre, State Water Contractors
Board of Directors (7), N. Hawk, G. Hall

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