

May 1, 2015

**TO: SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM,
INDEPENDENT MONITORING COMMITTEE**

Jurisdiction

District 1

District 2

District 3

District 4

District 5

District 6

District 7

Current Board Chair Appointment

Member

Julie Hutcheson

Marc Klemencic

Kathleen Sutherland

Lonnie Gross

Tony Santos

Debbie Cauble

Hon. Joe Head

Bill Hoeft

Eileen McLaughlin

Hon. Patrick Kwok

Hon. Dan McCorquodale

Tess Byler

Kit Gordon

Jimmy Nguyen

The Safe, Clean Water and Natural Flood Protection Program, Independent Monitoring Committee meeting is scheduled to be held on **Thursday, May 14,, 2015, at 4:30 p.m.**, in the Headquarters Building Boardroom located at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California. Dinner will be served.

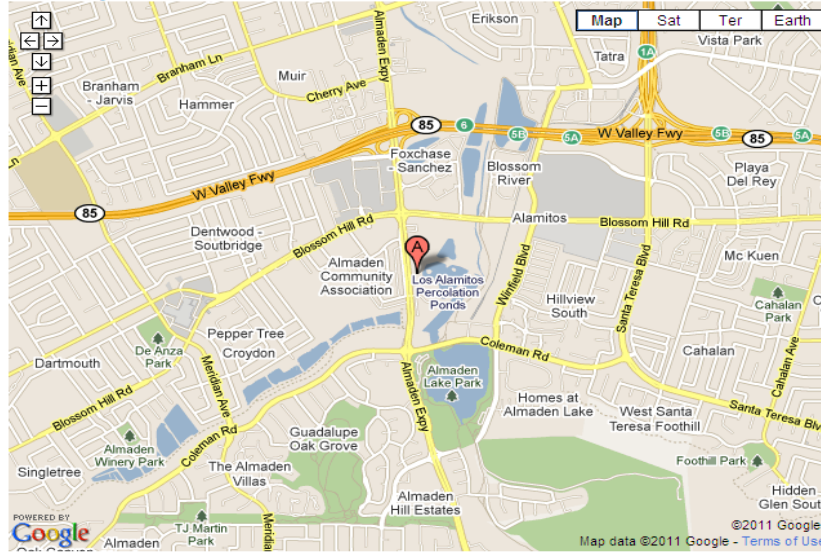
Enclosed are the meeting agenda and corresponding materials. Please bring this packet with you to the meeting. Additional copies of this meeting packet are available on-line at <http://www.valleywater.org/SCWIMCmeetings.aspx>.

Please confirm your attendance by contacting Glenna Brambill at 1-408-630-2408, or gbrambill@valleywater.org.

Enclosures



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



From Oakland:

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

From Morgan Hill/Gilroy:

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

From Sunnyvale:

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

From San Francisco:

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

From Downtown San Jose:

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

From Walnut Creek, Concord and East Bay areas:

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

**Committee Officers**

Kathy Sutherland, Committee Chair
Patrick Kwok, Committee Vice Chair

Board Representative

Dennis Kennedy, Board Alternate
Gary Kremen, Board Representative

AGENDA

Safe, Clean Water and Natural Flood Protection Program (SCW)
Independent Monitoring Committee

Thursday, MAY 14, 2015

4:30 p.m. – 7:00 p.m.

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

1. Call to Order (Chair Sutherland)
2. Roll Call (Committee Liaison)
3. Time Open for Public Comment on Any Item Not on Agenda
4. Approval of Minutes – April 23, 2015, meeting
5. Review and Discuss Committee's Audit Report for Fiscal Year 2013-2014, Year 1 (Chair Sutherland)
6. Next Steps
7. Review and Clarification of Action Items (Committee Liaison)
8. Adjourn

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

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

Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee Purpose

To ensure accountability to the voters, the ballot measure also created an Independent Monitoring Committee, appointed by the Santa Clara Valley Water District Board of Directors. The Independent Monitoring Committee annually reviews the implementation of the intended results of the program and reports its findings to the Board, which makes the Committee report available to the residents and voters of Santa Clara County.

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SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM
INDEPENDENT MONITORING COMMITTEE

DRAFT MINUTES

THURSDAY, APRIL 23, 2015

(Paragraph numbers coincide with agenda item numbers)

A regularly scheduled meeting of the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee was held on April 23, 2015, in the Headquarters Building Boardroom located at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

1. CALL TO ORDER

Chair Ms. Kathleen Sutherland called the meeting to order at 5:05 p.m.

2. ROLL CALL

Members in attendance were:

<u>Jurisdiction</u>	<u>Representative</u>	<u>Representative</u>
District 1	Julie Hutcheson	
District 2	Kathleen Sutherland	Marc Klemencic
District 3	Lonnie Gross	Tony Santos
District 4	Debra Cauble	Hon. Joe Head
District 5	Bill Hoeft	
District 6	Hon. Dan McCorquodale	Hon. Patrick Kwok
District 7	Tess Byler*	Kit Gordon
Current Board Chair Appointment	Jimmy Nguyen	

Members not in attendance were:

<u>Jurisdiction</u>	<u>Representative</u>
District 5	Eileen McLaughlin

No Board members were in attendance.

Staff members in attendance were: Teresa Alvarado, Emmanuel Aryee, Rechelle Blank, Glenna Brambill, Debra Caldon, Jessica Collins, Jerry De La Piedra, Vanessa De La Piedra, Shree Dharasker, Chris Elias, Stephen Ferranti, Carol Fredrickson, Meenakshi Ganjoo, Saeid Hosseini, Juan Ledesma, Melissa Moore, Judy Nam, Roger Narsim, Lotina Nishijima, Katherine Oven, LeeAnn Pelham, Melanie Richardson, Pat Showalter, Kevin Sibley, Darin Taylor, Paul Thomas, Doug Titus, James Ujah, Mark Wander, Liang Xu, Kristen Yasugawa, and Sarah Young.

3. PUBLIC COMMENT

There was no one present who wished to speak.

4. APPROVAL OF MINUTES

It was moved by Ms. Debra Cauble, and seconded by Hon. Patrick Kwok and by majority vote to approve the minutes of the April 2, 2015, Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee meeting, as presented. There was one abstention by Mr. Jimmy Nguyen.

*Ms. Tess Byler arrived at 5:11 p.m.

5. SUB-COMMITTEES REPORTS AND PROPOSALS FOR PRIORITIES RECOMMENDATIONS

Chair Sutherland opened the floor for each Sub-Committee Chair to give a report on their respective meetings.

5A. Priority A Chair Hon. Patrick Kwok gave an overview of the sub-committee meeting held on Wednesday, April 15, 2015, regarding the projects outcomes.

Ms. Teresa Alvarado and Ms. Vanessa De La Piedra gave an overview of the Outreach Programs. Mr. Emmanuel Aryee was available to answer questions.

5B. Priority B Chair Hon. Patrick Kwok gave an overview of the sub-committee meeting held on Thursday, April 16, 2015, regarding the projects outcomes.

5C. Priority C Chair Mr. Bill Hoeft gave an overview of the sub-committee meeting held on Tuesday, April 14, 2015, regarding the projects outcomes.

Mr. Chris Elias and Ms. Carol Fredrickson were available to answer questions.

5D. Priority D Chair Ms. Julie Hutcheson gave an overview of the sub-committee meeting held on Friday, April 17, 2015, regarding the projects outcomes.

Ms. Debra Caldon and Mr. Chris Elias were available to answer questions.

5E. Priority E Chair Mr. Tony Santos gave an overview of the sub-committee meeting held on Thursday, April 16, 2015, regarding the projects outcomes. Mr. Chris Elias, Ms. Judy Nam, Ms. Melanie Richardson and Mr. Mark Wander were available to answer questions.

5Other. Other Capital Projects Co-Chair Hon. Joe Head gave an overview of the sub-committee meeting held on Friday, April 17, 2015, regarding the projects outcomes. Ms. Melanie Richardson was available to answer questions.

6. FINANCIAL OVERVIEW

Mr. Darin Taylor reviewed the financial component of the Safe, Clean Water and Natural Flood Protection Program and handed out Appendix A: Cumulative Financial Summary of Fiscal Year 2013-2014, a section of the Program's 2013-2014 Report, Year 1.

Mr. Chris Elias and Ms. Melanie Richardson were available to answer questions.

Committee Request:

The Committee would like to receive more information on the Capital Improvement Plan (CIP) with emphasis on the environmental projects.

7. DISCUSSION OF NEXT STEPS

7A-C. Chair Sutherland advised the Committee that the next item to be completed is the final written report and determine its layout and contents. The deadline is Thursday, May 14, 2015, however, there is a short window to meet this timeline. The Committee discussed how this could be accomplished and suggested that a smaller Committee would be more manageable to determine the report layout, the contents and return to the full Committee for review, input and any further discussion.

Ms. Debra Cauble left at 7:19 p.m. and did not return.

It was moved by Ms. Kit Gordon, and seconded by Ms. Julie Hutcheson and carried by majority vote to approve having the Sub-Committee Chairs/or designee meet to begin discussing how the audit report will look and come up with a written template before coming back to the full Committee for their discussion and input.

8. REVIEW AND CLARIFICATION OF ACTION ITEMS

Ms. Glenna Brambill reported there were no formal action items for Board consideration.

9. NEXT MEETING AGENDA

Chair Sutherland advised the Committee of the next meeting of May 14, 2015.

10. ADJOURNMENT

Chair Sutherland adjourned the meeting at 7:36 p.m.

Glenna Brambill
Office of the Clerk of the Board

Approved:

Handouts

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DRAFT

On November 6, 2012, the voters in Santa Clara County approved Measure B the *Safe, Clean Water and Natural Flood Protection Program* (SCW), which replaced the *Clean, Safe Creeks and Natural Flood Protection Program*.

As stated on the first page of the SCW Annual Report Year 1, in the message from the Chief Executive Officer:

The Safe, Clean Water program addresses the following needs, values, and priorities as identified by Santa Clara County stakeholders:

Priority A: *Ensure a Safe, Reliable Water Supply*

Priority B: *Reduce Toxins, Hazards and Contaminants, in our Waterways*

Priority C: *Protect our Water Supply from Earthquakes and Natural Disasters*

Priority D: *Restore Wildlife Habitat and Provide Open Space*

Priority E: *Provide Flood Protection to Homes, Businesses, Schools, and Highways*

The SCW program requires the District to provide an annual report to the Board of Directors (Board) detailing the progress of each project in the five Priority areas as well as other capital flood protection projects. In addition, the SCW program requires the annual report be reviewed by an Independent Monitoring Committee (IMC) after Board acceptance.

The IMC consists of members of the public appointed by the Board. Its annual report is intended to add further transparency and public accountability to the implementation of the SCW program. The IMC's findings which may include recommendations to help meet the priorities of the program are presented to the Board and are available to the public.

On February 24, 2015 the District presented the first annual report covering FY 14 (July 2013 to June 2014) to the Board which accepted the report and forwarded the report to the IMC.

The IMC first met on Thursday April 2, 2015 and determined that the preferred way to review the Annual Report would be by subcommittee for each Priority area. Subcommittee meetings with IMC members and District staff were held the week of April 13th. The IMC met as a whole on April 23rd with presentations from each of the subcommittees. The IMC agreed to have the Chairs draft the first IMC report to the Board. The draft report from the Chairs was presented at the May 14th IMC meeting for editing and full approval.

The IMC has completed its review of the Safe, Clean Water and Natural Flood Protection Fiscal Year 2013-2014 Year 1 report and is in agreement with the status of the projects. Our recommendations will provide some key additional information that will improve the depth of the Project status update for future reports. Our detailed comments, concerns and recommendations are attached.

As members of the IMC we understand the importance of our report and our responsibility to the voters. We are all committed to a thoughtful and thorough review of the annual report. We would like to thank District staff for their support facilitating the meetings, answering questions and providing information. We encourage the Board to consider our recommendations.

Challenges, Concerns and IMC General Recommendations

Timing of the Annual Report –

The second fiscal year will be coming to an end as the IMC report for the first year is being presented. If the IMC's findings provide comments or recommendations to address concerns within specific projects, they should be presented with enough time for the recommendations to be considered by the Board and applied.

- The IMC strongly recommends that District staff commit to presenting the Annual Report to the Board in a more timely fashion in subsequent years.

Permitting –

The majority of capital projects in the Annual Report require permits from other agencies and obtaining these permits in a timely manner can be a challenge. Permit delays can increase construction costs and erode the public's trust.

- The IMC recommends the District continue to look for new ways to reduce or eliminate permitting delays and provide the public with clear information about the timeline for each project including specific information about how long the District has been waiting for permits from other agencies and steps taken to address the delays.
- The IMC recommends staff develop an action plan to make sure all options to address permit delays have been explored and include that information in the next Annual Report.

Partnerships –

Large capital projects cannot be funded solely by the District and can rely heavily on funds from outside agencies. There are two areas which can prove challenging to the successful completion of these types of projects.

Funding – Funding from outside agencies is not always guaranteed nor is it always delivered at the projected time.

Local Priorities –

- The IMC recommends the District continue to develop projects that reflect our local priority of enhancing and improving the condition of our rivers and creeks while providing the necessary flood protection.

Drought –

The drought has limited the District's ability to make sufficient headway in meeting some projects' five year Key Performance Indicators. In particular, projects focusing on vegetation restoration have become more resource demanding due to a lack of natural water.

IMC Recommendations - Annual Report Format**Budget**

- Actual inflation over the term of the SCW program (15 years) could have a significant impact on the program. To assist in monitoring the program an appendix should be added to the Annual Report on inflation. The appendix should discuss initial inflation assumptions, changes to inflation projections that may result from actual inflation numbers, and a comparison of actual vs. projected inflation for the years of the program.

Financial Information for Individual Project Reports –

- In addition to the current financial information given in the Annual Report, project specific budget figures, as currently presented in Appendix A should also be included in the respective Project Report.
- Bullet point formatting should be used to highlight key financial facts in addition to the more detailed text in the Financial Information section.
- Any funds that are transferred from one project to another should include detailed information regarding why the funds were transferred and how the transfer will affect both projects.

Project Report Schedule -

- In addition to the current schedule, include a Staff Confidence Level as to whether or not the project will be completed on time. Current or anticipated permit delays and partnership challenges should be reflected in this information.

Drought

- The District should re-evaluate the timing and costs of projects significantly affected by the drought.

Additional IMC area of Concern –**Priority D and roll over funds from Clean, Safe Creeks to Safe, Clean Water**


In response to CSC IMC Annual Oversight Report presented to the Board on February 12, 2013 the following changes were approved by the Board for the new SCW program:

- Project D4 –additional \$6m for fish passage improvements


Based upon public input, the SCW program increased funding for restoring habitat for fish, birds and wildlife from \$56m under Clean, Safe Creeks to \$135m under Safe, Clean Water.

Additional IMC Support –

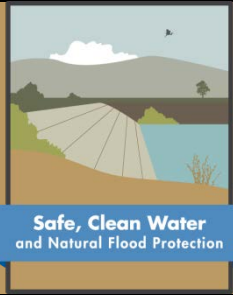
- Provide opportunities for IMC members to visit projects to obtain a clearer understanding of each Project.
- Present an overview of the Valley Habitat Plan for a greater understanding about the benefits of the plan and how it will improve the permitting process.


<div>  <p>Safe, Clean Water and Natural Flood Protection</p> </div> <div> <p>Priority A Ensure a Safe, Reliable Water Supply</p> </div>			
Project:		Status:	Comment:
A1	Main Avenue and Madrone Pipelines Restoration	On Target	<ul style="list-style-type: none"> IMC recommends a more detailed schedule and budget in the next Annual Report (FY 14-15)
A2	Safe, Clean Water Partnerships and Grants	On Target	<p>KPI 2 Hydration Station –</p> <ul style="list-style-type: none"> IMC recommends the District use First 5 questionnaire information to verify hydration stations are still in use on a yearly basis. <p>KPI 3 Nitrate Removal Systems –</p> <ul style="list-style-type: none"> IMC recommends finding new ways to reach out to private well users.
A3	Pipeline Reliability Project	Scheduled to begin in 2025	No comment

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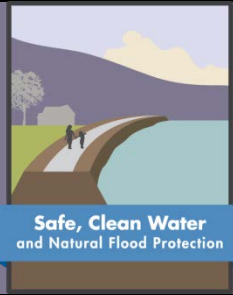
<div>  <p>Priority B Reduce Toxins, Hazards and Contaminants in Our Waterways</p> <p>Safe, Clean Water and Natural Flood Protection</p> </div>			
Project:		Status:	Comment:
B1	Impaired Water Bodies Improvement	On Target	<p>Only 79% of the annual budget was spent due to drought conditions and delay in installing PG&E power at all reservoirs.</p> <ul style="list-style-type: none"> IMC recommends continuing to work with PG&E to secure power for Almaden Reservoir.
B2	Interagency Urban Runoff Program	On Target	<ul style="list-style-type: none"> IMC recommends drought impacts on projects be clearly indicated. IMC recommends District staff ensure new Municipal Regional Permit (MRP-2) is released on schedule.
B3	Pollution Prevention Partnership and Grants	On Target	<p>Only 78% of the annual budget was spent because Partnership funds were not fully expended.</p> <ul style="list-style-type: none"> IMC recommends more outreach on the Partnership process and technical assistance whenever possible for grant applicants.
B4	Good Neighbor Program: Illegal Encampment Cleanup	On Target	<p>Project is high profile, but underfunded. This reporting period, funds from Project B6 were moved to cover the costs associated with a higher workload.</p> <ul style="list-style-type: none"> IMC recommends the Board discuss how to adequately fund the clean-up of illegal encampments.
B5	Hazardous Materials Management and Response	On Target	No comment

B6	Good Neighbor Program: Remove Graffiti and Litter	On Target	<p>This project excludes the clean-up of homeless encampments. There was confusion regarding the transfer of funds between B4 and B6</p> <p>Per the General Recommendation “Annual Report Format – Financial Information for Individual Project Reports”,</p> <ul style="list-style-type: none"> IMC recommends that any funds that are transferred from one project to another should include detailed information regarding why the funds were transferred and how the transfer will affect both projects.
B7	Support Volunteer Cleanup Efforts and Education	On Target	<ul style="list-style-type: none"> IMC recommends replacing the first sentence in under Opportunities and Challenges, “Unless this project receives additional funding, the 6 future grant cycles will be reduced to approximately \$75,000 per cycle, as a result of the \$154,000 budget adjustment made in FY14” with “While the \$154K increase to the FY14 grant cycle did not impact the overall 15-year allocation, it did accelerate the spending, which will result in reduced funding available for future grant cycles.”


<div>  <div> Priority C Protect our Water Supply from Earthquakes and Natural Disasters </div> </div>			
Project:		Status:	Comment:
C1	Anderson Dam Seismic Retrofit	On Target	No Comment
C2	Emergency Response Upgrades	On Target	No Comment

<div>  <div> Priority D Restore Wildlife Habitat and Provide Open Space </div> </div>			
Project:		Status:	Comment:
D1	Management of Revegetation Projects	Not on target	<p>Recognize drought has impacted project timeline.</p> <ul style="list-style-type: none"> See General Recommendations under Annual Report Format - Financial Information for Individual Project Reports.
D2	Revitalize Stream, Upland and Wetland Habitat	On Target	<p>Current KPIs do not address habitat connectivity. Suggest the project implementation should address benefits (as KPIs cannot be easily changed).</p> <p>As 5 Stream Corridor Priority Plan has not been adopted, clarify whether Board is to approve crediting FY14 revitalized acreage toward meeting KPI 1.</p> <ul style="list-style-type: none"> IMC recommends the District find ways to address benefit to habitat connectivity as it is not reflected in KPIs.
D3	Grants and Partnerships to Restore Wildlife Habitat and Provide Access to Trails	On Target	<p>No recommendation</p> <p>Encourage staff use of language regarding applying Guidelines for Land Use Near Streams to promote minimal impact to habitat value.</p>
D4	Fish Habitat and Passage Improvement	On Target	<p>No recommendation</p> <p>Concern regarding project's ability to improve fish passage.</p>
D5	Ecological Data Collection and Analysis	On Target	<p>See General Recommendations under Annual Report Format - Financial Information for Individual Project Reports and Project Report Schedule.</p>
D6	Creek Restoration and Stabilization	Scheduled to start FY18	No Comment

D7	Partnerships for the Conservation of Habitat Lands	On Target	<ul style="list-style-type: none"> IMC requests a presentation on Valley Habitat Plan to increase their knowledge and ability to review funding selection process for this project that staff intends to develop in FY 2016.
D8	South Bay Salt Ponds Restoration Partnership	On Target	<p>No Recommendation No concerns this fiscal period.</p>

<div>  <div> Priority E Provide Flood Protection to Homes, Businesses, Schools and Highways </div> </div>			
Project:		Status:	Comment:
E1	Vegetation Control and Sediment Removal for Flood Protection	On Target	<p>Maintenance is driven by or attributed to permit restrictions. Maintenance Guidelines are under development. If guidelines are not complete, staff uses site inspections and historical information to determine whether or not maintenance needs to be done. All work must be approved by regulatory permitting agencies. Selection of vegetation management sites is based on a process that is outlined in the District's Stream and Maintenance Program. (SMP) which prioritizes sites for implementation.</p> <ul style="list-style-type: none"> IMC recommends future reports include the name of the creek and watershed for sediment removal projects.
E2	Emergency Response Planning	On Target	39% of annual budget spent due to re-allocation of resources
E3	Flood Risk Reduction Studies	On Target	Extensive screening process carried out thru the SCW program in order to determine priority reaches.
E4	Upper Penitencia Creek Flood Protection Coyote Creek to Dorel Drive – San José	Adjusted	<p>Currently in planning stages. Funds were not utilized in FY2014. IMC acknowledges that the scope will need to be adjusted to obtain permits.</p> <ul style="list-style-type: none"> IMC recommends the Board ensure that the project reflects the priorities of the voters.
E5	San Francisquito Creek Flood Protection San Francisco Bay to Middlefield Road – Palo Alto	Modified	<p>Anticipating project to start 2015. Project seeks permits. Final design will be submitted in May 2015.</p>
E6	Upper Llagas Creek Flood Protection Buena Vista Avenue to Wright Avenue – Morgan Hill, San Martin, Gilroy	On Target	<p>Need U.S. Army Corp of Engineers approval and some land acquisition. Environmental Impact Statement (EIS) needs to be accepted.</p>

E7	San Francisco Bay Shoreline Study Milpitas, Mountain View, Palo Alto, Santa Clara and Sunnyvale	On Target	9% of committee money spent. Design to be presented to U.S. Army Corp of Engineers in December of 2015.
E8	Upper Guadalupe River Flood Protection Highway 280 to Blossom Hill Road – San José	On Target	Joint project with U.S. Army Corp of Engineers. Federal funding 12.6 million dollars.

<div>  <div> Other Capital Flood Protection Projects and Clean, Safe Creeks Grants Projects </div> </div>		
Project:	Status:	Comment:
Permanente Creek Flood Protection San Francisco Bay to Foothill Expressway – Mountain View	Adjusted	Waiting for agency permits to begin construction. Per the General Recommendation “Annual Report Format - Project Report Schedule”, <ul style="list-style-type: none"> IMC recommends including a staff confidence level with each project schedule to provide notice of possible setbacks and help manage expectations.
Sunnyvale East and Sunnyvale West Channel Flood Protection San Francisco Bay to Inverness Way and Almanor Avenue -- Sunnyvale	Adjusted	Delayed due to Environmental Impact Report process. Staff refined the design reducing the initial planning/design/construction budget by \$25 million. Per the General Recommendation “Annual Report Format - Project Report Schedule”, <ul style="list-style-type: none"> IMC recommends including a staff confidence level with each project schedule to provide notice of possible setbacks and help manage expectations.
Berryessa Creek Flood Protection Calaveras Boulevard to Interstate 680 – Milpitas and San José	Adjusted	Staff explained that the Army Corps of Engineers had received federal support for this project, and project construction will be completed earlier than planned. <ul style="list-style-type: none"> IMC recommends staff develop a revised project schedule for the next annual report.

Coyote Creek Flood Protection Montague Expressway to Interstate 280 – San José	Adjusted	<p>This project is on hold due to waiting on the Anderson Dam Retrofit project design, which will change downstream flow.</p> <ul style="list-style-type: none"> • IMC recommends the District encumber the current budget for this project to ensure it is available for this project in the future.
Calabazas Creek Flood Protection Miller Avenue to Wardell Road – Sunnyvale	On Target	No comment
Clean, Safe Creeks Grants Projects	On Target	<p>There are 22 outstanding grant projects from Clean Safe Creeks.</p> <p>All were on target in FY 2014 however; two projects might need extensions for FY 2015.</p>



Santa Clara County Creeks Coalition

Advocates for living streams

Member Organizations

Friends of Coyote Creek
Western Waters Canoe Club

Environmentalists for Living
Streams

Northern California Council
Federation of Fly Fishers

14 May 2015

Ms. Kathy Sutherland, Chair
IMC

Hand-delivered

Re: Opportunities for the IMC

Dear Ms. Sutherland,

The IMC has a tremendous opportunity to be of great service to this District, to the Board, to the community – by providing a second pair of careful eyes to investigate issues related to the “implementation of the results” of the Safe Clean Water parcel tax.

In the engineering field, there is a process called “Value Engineering” by which project designs in their final stages are reviewed by an independent engineering firm to look for ways to improve the project. This is long honored process that has had significant benefits to engineering projects.

Similarly, the IMC has an excellent opportunity to provide that second level of constructive criticism and evaluation.

Here are three examples:

1. On page 3 -5 of 6 of Priority B Comments and Staff Responses, there is a discussion of issues related to the homeless encampment dismantlement program. The Homeless Encampment Dismantlement Program is a joint program with the City of San Jose which results mostly in the homeless moving away from the dismantlement area temporarily during the dismantlement and then returning after it is over. The homeless are essentially being moved up and down the creek. Also the program removes the tents and belongings and trash immediately around the encampment but huge volumes of trash are left untouched. During this period of resettling before and after each dismantlement, the homeless continue to generate trash which is not addressed by the program.

The IMC as part of its oversight role could ask for additional metrics to be applied to the program, e.g. the number of homeless encampments along each creek at the beginning of the fiscal year compared to the number of encampments along each creek at the end of the fiscal year AND the amount of trash along the banks of the creeks at the beginning of the fiscal year compared to the amount of trash along the banks of the creek at the end of the fiscal year. Adding these type of metrics would encourage the District to focus its homeless encampment dismantlement program on the

reduction of trash and discharge to the creek which is the purpose of

2. On page 6 of 9 for Priority D, there is a discussion of the Lake Almaden “creek-lake” separation. This project is being driven primarily by Regional Water Board pressure to address mercury contamination issues at the Lake. The costs associated with the mercury aspects are a major if not the predominant contribution to the cost of the project. Also, though the project will improve fish passage through the area, it is not being designed to address the fish habitat issues along the channel through the lake nor in the 2000 feet downstream of the lake, despite comments from the fishery agencies pointing out the limitations of the current proposed design and the advantages of extending the habitat improvements downstream of the lake. The issue for the IMC is whether it is appropriate to be charging Priority D for this project rather than Priority B or how to allocate costs between the two priorities. Allowing a disproportionate amount to be charged to Priority D will reduce the amount of funds available for high priority fish habitat projects under Priority D.

The IMC could ask for a rationale statement and cost allocation plan for allocating the costs of this project between Priority B and Priority D. The IMC could also ask for a description of the process by which the project addresses comments of the fishery agencies and why, in this case, the recommendations of the fishery agencies were not incorporated into the project. It is not the role of the IMC to make technical assessments of these issues, but rather to assure that the project costs are being allocated to the proper category and that the project planning process is making a good faith effort to consider suggestions to make the project stronger and more effective.

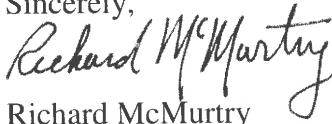
3. Mr. David Ginsborg, chair of the Clean Safe Creeks Parcel Tax IMC could provide this committee with a discussion of lessons learned by the old IMC during its 12 year tenure and his evaluation of the key factors influencing the responsiveness of the District to IMC recommendations. I would encourage the committee to invite Mr. Ginsborg to attend a future meeting and share his experience with this Committee.

4. The Clean Safe Creeks Parcel Tax IMC made recommendations in June of 2012 concerning the \$16-\$18 million of funds for Outcome 3 (“crucial environmental work to protect and restore habitats and encourage the return of endangered species”). The IMC recommended that those reserves be returned to be spent for Outcome 3 environmental purposes and that Key Performance Indicators related to those purposes be developed. The Board chose instead to roll over those reserves into the reserves for the 2012 Safe Clean Water Parcel Tax and to remove the designation of those reserves for Outcome 3.2 purposes. Though these reserves are no longer designated for Outcome 3.2 purposes, they still exist and a portion of those reserves are not designated for any specific project or priority of the Safe Clean Water Program, namely the \$42 million of contingencies. The IMC could consider the recommendations of the old IMC and could recommend that all or a portion of those reserves previously designed for Outcome 3.2 be allocated to Priority D subtasks similar to Outcome 3.2 purposes (such as fish migration barrier removals).

At this point, the IMC could simply authorized the appropriate subcommittee to study the issue and bring back recommendations for the next IMC meeting.

Thank you for considering this request.

Sincerely,

A handwritten signature in black ink that reads "Richard McMurtry". The signature is written in a cursive, flowing style.

Richard McMurtry

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> Pollution prevention and wildlife habitat restoration proposals sought

Pollution prevention and wildlife habitat restoration proposals sought

Contact: [Marty Grimes](#)

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May 13, 2015

More than \$2.5 million available for grants and partnerships

SAN JOSE—As part of the voter-approved Safe, Clean Water and Natural Flood Protection Program, the Santa Clara Valley Water District is requesting proposals for up to \$2.557 million in grants and partnerships to implement projects that will prevent pollution and restore wildlife habitat in Santa Clara County.

To help prevent pollution from reaching local waterways and groundwater, \$200,000 is available for partnerships with municipalities, and \$500,000 for grants to organizations, schools and agencies. For wildlife habitat restoration, \$1,857,000 is available for grants and partnerships. The funding limit for each proposal is between \$25,000 to \$200,000 for pollution prevention proposals; and \$50,000 to \$500,000 for wildlife habitat restoration projects.

Priority themes for the Fiscal Year 2016 funding cycle have been developed and approved by the water district board.

For pollution prevention, the priority themes are:

- to implement specific pollution prevention or reduction activities identified in existing countywide or regional plans;
- to increase the permeability of urban areas;
- to increase trash free areas in riparian areas; and
- to prevent pharmaceutical waste and other pollutants from entering our waterways.

Details on the application process for the pollution prevention grants and partnerships are provided at <http://valleywater.org/SCWB3.aspx>.

For wildlife habitat restoration, the priority themes are:

- to further the wildlife habitat restoration goals of existing plans;
- to restore and protect riparian corridor, tidal or other wetland habitats, including freshwater wetlands and vernal pools;
- to protect special status species and support habitat improvements; and
- to emphasize projects with ecosystem, watershed-scale benefits.

Details on the application process for the wildlife habitat restoration proposals are provided at <http://valleywater.org/SCWD3.aspx>.

Cities, towns, Santa Clara County, local non-profit organizations with a 501(c)(3) tax exempt status, open space districts, mutual water agencies/districts (public and not for profit), resource conservation districts and schools that have interests and experience in pollution prevention and wildlife habitat restoration are encouraged to submit project proposals.

Entities and individuals with expertise in pollution prevention and habitat restoration projects are encouraged to participate in an upcoming pre-proposal workshop and network with eligible entities. The workshop will be held at the water district on May 27, 2015 at 9:30 a.m. Proposals are due on Aug. 10, 2015.

The grant and partnership funding comes from the Safe, Clean Water and Natural Flood Protection Program, which was approved by voters in 2012. Each year, one or more grant programs will have a new funding cycle. This cycle will fund grants and partnerships for pollution prevention and wildlife habitat restoration.

This program builds on the work of FY 2014 funding cycle, in which the water district awarded 15 grants totaling more than \$2 million under the Safe, Clean Water Program to address the following priorities: 1) pollution prevention, 2) volunteer cleanup efforts and education, and 3) wildlife habitat restoration.

For the FY 2015 funding cycle, three trail and open space grants were awarded to three projects, totaling \$571,000.

During the 15-year life of the Safe, Clean Water Program, the water district expects to distribute nearly \$35 million in grants, partnerships and rebate programs to support the district's mission to provide Silicon Valley safe, clean water for a healthy life, environment and economy.

The Santa Clara Valley Water District manages an integrated water resources system that includes the supply of clean, safe water, flood protection and stewardship of streams on behalf of Santa Clara County's 1.8 million residents. The district effectively manages 10 dams and surface water reservoirs, three water treatment plants, an advanced recycled water purification center, a state-of-the-art water quality laboratory, nearly 400 acres of groundwater recharge ponds and more than 275 miles of streams. We provide wholesale water and groundwater management services to local municipalities and private water retailers who deliver drinking water directly to homes and businesses in Santa Clara County.