

TREE REMOVAL

1. Why are the eucalyptus being removed, and when was it decided? Does this removal include the eucalyptus on property lines? What else is being removed besides the eucalyptus?

Given the proximity of these tall, compromised trees to homes, power lines, and Saratoga Creek itself, Valley Water concluded that removal of all the eucalyptus trees on Valley Water property and subsequent habitat restoration was the most responsible course of action. The blue gum eucalyptus trees in the project area are remnants from when the species was commonly planted for agricultural land uses. Many of the oldest eucalyptus trees planted in California are declining due to old age and natural pathogens.

Since 2014, Valley Water has observed an increase in root and branch failure in the eucalyptus trees along Saratoga Creek due to below normal annual rainfall. The natural defense mechanisms of these trees have been compromised because of it. Root decay fungi have also been observed on several sick trees as early as 2015, and testing of wood samples collected throughout the project area confirmed that fungi were systemic in the eucalyptus trees within the project area.

Trees scheduled for removal were marked with a round, aluminum tree tag in 2018. Trees located on property lines have been evaluated individually and will be removed if a majority of the trunk is located on Valley Water property. A few trees were not included in the inventory because access was limited by existing fences or structures. Some additional small trees will need to be pruned or removed to facilitate access to the eucalyptus stands.

All trees removed in the project area will be incorporated into the mitigation/replacement requirements for the project. Several invasive plant species are also being targeted for removal within the project area as part of a separate but concurrent mitigation project for Valley Water's Stream Maintenance Program.

2. How will the trees be removed and in what order? Where will there be equipment working in the channel?

Eucalyptus removals will be conducted using a combination of crane-assisted and traditional tree climbing techniques. The work is expected to be phased over three years to minimize impacts to wildlife and to the community. Valley Water estimates that no more than 40-50 trees will be removed with each phase of the tree removal.

The crane work is the least disruptive to the creek environment and most cost-effective, but crane access is limited to the few areas where a crane can be staged (i.e. west bank near Brookside Club and east bank at Prospect High School). The eucalyptus between Raleigh Place and Cox Avenue are the highest priority and will be removed first, pending permit approval and permit conditions. Eucalyptus that are not accessible for removal by crane will be sectioned by tree climbers with the debris temporarily staged in the dry creek bed.

Equipment will be used to haul this debris out of the creek to one of several staging areas before being transported offsite for disposal. Equipment will be sized to maximize efficacy of debris removal but small enough to fit in the narrow creek bed. Equipment will enter the creek area at one of two temporary earthen ramps (i.e. Brookside Club and Prospect High School ballfield).



Crews staged equipment at the Brookside Club in 2018 to remove trees.

3. [Has a tree removal project like this been done before? Will there be any similar restoration projects upstream or downstream?](#)

Valley Water has not conducted a tree removal project of this size to date, though the data from similar projects by other agencies has been consulted during project planning. Blue gum eucalyptus management have become a major consideration for land managers around California, particularly after the most recent drought. Projects by CalTrans, CA State Parks, PG&E, and other municipalities around the greater Bay Area are being planned or have already been completed in the interest of public safety and stewardship. Valley Water has on-going maintenance and invasive plant removal projects throughout the County and on Saratoga Creek specifically.

4. [Where does the water in the creek come from during the summer?](#)

The surface water in Saratoga Creek flowing through the project area during the summer is typically a combination of natural run-off from the Santa Cruz Mountains and managed releases from the Stevens Creek Pipeline just upstream of Highway 85.

5. Will Valley Water use insecticides, pesticides, or herbicides in our work along Saratoga Creek?

Valley Water does not apply insecticides anywhere at any time. Specific herbicides that are registered for use around water and applied by state licensed applicators will be used to control stump sprouting of trees removed in the project area. Foliar treatment (spraying the leaves rather than just the cut stumps) of other invasive species in the project area may occur as part of the on-going but separate invasive plant management work being conducted in the area. Herbicide treatments are timed to have the maximum effect on the plant species being targeted and are like treatments traditionally applied by landscape professionals.

6. Can the wood decay fungi spread to my plants or other native plants?

Decay fungi are naturally ubiquitous in the environment and typically don't become an issue until plants become stressed by drought or other factors. Practices such as over-watering, using excess fertilizer, or aggressive pruning of woody plants can also lead to fungal infections. Out of the three types of wood decay fungi detected in wood samples collected within the project area, only one species (sulphur shelf, *Laetiporus gilbertsonii*) is mostly associated with eucalyptus trees. Good practices and buying high quality plants and landscape materials from a responsible vendor is the best way to avoid introducing plant pathogens to your yard.



Increased tree mortality post drought (left). Wood decay fungi causes loss of structural wood and tree instability (center). Sulphur shelf fungus on tree trunk (right).

7. What access will be temporary for tree removal and what access will be permanent after removal?

Two temporary earthen ramps will be constructed in subsequent phases of the project to facilitate equipment access to the creek bed for debris removal. The areas surrounding these ramps will function as staging and stockpiling locations where debris can be loaded onto trucks and transported offsite for disposal.

There are two existing gated access points to Valley Water property in the project area: one behind Brookside Club and one at the southwest corner of the Prospect High School ball field. These will remain permanent access points for Valley Water staff to enter the creek area by foot for maintenance and inspection needs. A third access point along the east bank at Cox Avenue will be improved to provide permanent off-street parking for vehicle and staff access to conduct maintenance and inspections.



Above is a temporary earthen access ramp created for Regnart Creek in Cupertino.

8. [What has happened to the wildlife along the creek?](#)

Valley Water biologists play an active role in the planning and implementation of this project. A biological assessment of the creek area was conducted in 2018 as required by permitting authorities. Sensitive biological resources were identified and documented at that time. Our biologists will help staff minimize impacts to the creek environment and local wildlife through all phases of the project. Active bird nests and mammal dens will not be compromised during the project unless there is a compelling public safety reason.

Valley Water expects the restored creek area, including the increased plant diversity and structure associated with native plants, to increase the quality of habitat available to birds, wildlife, and pollinators. Current changes in the use of the area by birds and wildlife is likely more associated with recent drought events or local development than the increased level of activity by Valley Water in the project area.

9. [What permits are you required to obtain? When can I see the California Environmental Quality Act \(CEQA\) document? How will I be notified when it's available for review?](#)

Permits required for the project include a 1602 Lake and Streambed Alteration Agreement with CA Department of Fish and Wildlife, a 401 Water Quality Certification with the Regional Water Quality Control Board, a 404 Nationwide Permit 33 Temporary Construction Access and Dewatering with the Army Corps of Engineers, and tree removal permits with the City of Saratoga.

A required CEQA Notice of Intent will be published in the local newspaper (The Mercury News) when the 30-day public comment period for the project begins. Valley Water will also provide updates to the community through standard mail, email, and/or social media platforms, such as Nextdoor, when various milestones in the permitting and scheduling of the project have been achieved.

10. What are you doing with the cement in the channel, and how are you dealing with erosion issues?

This project has no plans to remove the concrete pieces that are currently in the creek bed. Some of the pieces may need to be rearranged to facilitate equipment movement in the dry creek bed during tree removals. Tree removal areas will be carefully monitored for new erosion and much of the finer wood debris currently on the creek banks will be retained to minimize raindrop erosion once the trees have been removed. Stumps and roots from the eucalyptus will be retained to help hold the banks together until native plants become established.

Plantings will include a variety of species with roots that provide better bank protection over time than the current vegetation type. A bank stability assessment is being conducted as part of the restoration design effort and recommendations from this assessment will be incorporated into the project where feasible. Other erosion control techniques (seeding, erosion control netting, straw wattles, mulching) may be applied in the tree removal areas as needed.

PROPERTY AND LAND USE

11. Is the property along the creek considered fee or easement, and what is the difference?

There is a mixture of lands along the creek owned in fee title and lands where Valley Water has an easement. Fee title is deeded land owned in full by an entity. Just as residents own, in fee title, land upon which their home is located, Valley Water owns, in fee title, certain lands along the creek. An easement is a right that allows another person/entity to use lands owned in fee title by others. In this case, Valley Water has easements on private properties for flood management purposes. Use of the land covered by the easement must be in accordance with and not be in conflict with the terms of the easement.

12. Can you clarify how the creek-side property will be used by Valley Water?

Creek-side land owned in fee title by Valley Water will be used for Valley Water purposes. In this case, it will be for the proposed tree removal and restoration work.

13. Does Valley Water really need all the available property? What does this mean for individual property owners?

Yes, the project includes use of all Valley Water lands. There will be temporary noise and activity as the trees are removed and the lands next to the creek are planted and maintained. For those properties where fences are misaligned off the property line or where private property uses have extended past the property line, there will be impacts to property owners to remove items associated with the private use of the public lands.

14. Why can't the mitigation and restoration be conducted offsite from tree removals? Why can't Valley Water purchase land elsewhere to restore and mitigate?

Mitigation and restoration is conducted on site in accordance with regulatory direction and in keeping with Valley Water stream stewardship goals. The availability of creek-side lands for these purposes at other locations is in short supply.

15. What will Valley Water do to discourage trespassers in the creek area?

Fencing, signage, and gates will be included perpendicular to the creek at Cox Avenue and at Prospect High School. Neighbors may alert us to issues on our Access Valley Water link on our website.

16. What are the actual property boundaries?

Property lines were established when land subdivisions were created and homes were constructed. These areas have been surveyed and staked.

17. Can the land be leased or purchased by individual homeowners?

This is not an option at this location because these lands are necessary to Valley Water's needs and purposes to maintain its watersheds and creeks.

18. Will Valley Water require fences behind our homes?

No, fences are not required.

19. Who will pay for fence deconstruction and replacement? Who will do the work? Can we install gates to access the creek area? What about existing structures and hardscaping (i.e. concrete, patios, etc.)?

Similar to arrangements made between neighbors, Valley Water has a fence cost sharing program where Valley Water will pay half the cost of a fence, up to \$14.40 per foot. Details can be found at the following link: <https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-working-valley-water-land-or-easement/fence-cost-sharing>.

Existing structures on Valley Water property will need to be removed by homeowners. Encroaching electrical lines or other obstructions must be removed and any encroaching irrigation lines must be capped or rerouted.

20. Valley Water never needed this land before. What has changed?

The recent drought and infestation of decay fungi has led to the decline in the health of the eucalyptus trees and the need to remove them. Their removal must also be mitigated with restoration efforts to creek-side property. Over the years, community expectations, increasing environmental regulations, and awareness have guided Valley Water to include a stream stewardship component in its mission focusing more attention to managing vegetation along streams.

21. Why is Valley Water moving forward with property line adjustments when the Board of Directors has not developed a policy for resolving land use issues?

The Board has previously adopted policies relative to the protection of Valley Water land rights and assets, which are still in effect. Policy EL6.5.1 states that staff shall proactively identify, preserve and protect District property to ensure its use is consistent with the District mission. Policy EL6.5.2 states that staff shall resolve encroachments on District property. The recent Board discussion was focused on the process of resolution and possible options and timing of obtaining resolution. The schedule for the Board's continued discussion on this matter has not been determined.

22. When and where will property owners be contacted about individual property line issues?

We anticipate starting these meetings by summer 2019.

23. How will Valley Water deal with fire safety, routine maintenance, and trash concerns?

The creek area on Valley Water property will be routinely managed for fire code compliance, instream flow conveyance, mitigation site maintenance and significant trash accumulation. Neighbors may alert us to issues on our Access Valley Water link on our website.

24. How can Valley Water and neighbors collaborate on plans for Saratoga Creek and reestablish partnership that once existed, such as when neighbors have been caring for the creek for decades?

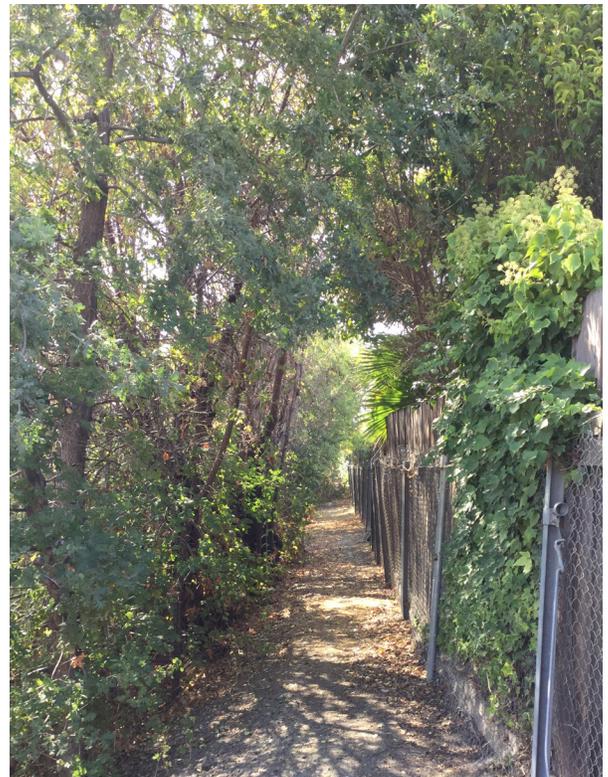
Unfortunately, the neighborhood use of the publicly owned land along the creek cannot continue. Valley Water has a responsibility to care, manage and use its lands for public purposes. In this case, these lands are needed for the restoration component of the project. We regret that the tone of the initial letter sent to the neighbors in 2015 was harsh and was interpreted as not valuing the long standing partnership between us. We want to stress that we value our creekside neighbors and hope that a redefined partnership can be kindled. Please continue to provide thoughts, questions and suggestions as we move forward.

25. How will the path be constructed, aligned, and maintained?

A linear path along the top of the creek bank, primarily under the power lines, will be left unplanted to provide access to crews. This access will allow for the planting and subsequent maintenance crews and equipment. Accessing the creek through individual properties would be inefficient and unpredictable.

The path will be wider and more defined initially as the eucalyptus are removed and the worksite is prepared for replanting. Replanting is expected to occur over a three-year period followed by a five-year period of maintenance. As the site is replanted and maintained, the path will be less defined and become an open space between plants located primarily under power lines. It will be used less regularly by Valley Water Crews to do plant maintenance, performance monitoring and creek inspections. It will not be paved or surfaced with gravel but may be mowed to maintain crew and equipment access.

The path is anticipated to run along the east side of the creek for approximately 1,000 feet downstream from Cox Avenue and approximately



This is a Valley Water foot path used to access and maintain Canoas Creek. The path along Saratoga Creek will be similar.

1,500 feet upstream from Prospect High School. We are currently exploring options to discourage unauthorized access to the path, including making it discontinuous. It is not anticipated to be a through-path. The path will also continue to have locked gates with no trespassing signage.



Existing gates: Cox Avenue followed by another gate further downstream of Cox Avenue. The second gate is a maintenance access gate for the safety of Valley Water staff.

26. Will a City of Saratoga path connect through the neighborhood?

No, there is no plan for a city path along the creek.

CREEK RESTORATION

27. Will I have a chance to participate or review the restoration planting?

The planting plan will be developed with consideration and respect for neighboring fences, existing landscaping, Valley Water gates and access points to the creek, and clearances from power lines. Visual simulations/renderings of the planting plan and a list of the species proposed for planting will be completed soon. They will be shared with project neighbors prior to planting.

28. What types of plants are going to be installed and how? Does this include redwood trees? Is there some flexibility in planting non-native plants? Can I install the plantings?

A mix of locally native trees, shrubs, and perennial grasses and herbs that can persist and be suitable under the physical conditions of the site, will be planted. These include large oak and sycamore trees, large and small shrubs, vines, and perennial grasses and herbs. Valley Water does not plant non-native species as a part of its ecosystem enhancement, restoration, or mitigation projects. Long-term management of the planting areas will include continued removal of invasive nonnative plant species. This is done to promote healthy and resilient native habitats that support pollinators and wildlife. Redwood trees will not be planted since they are not believed to be historically native to this portion of Saratoga Creek.

Plants will be established by seed, cutting, or small nursery containers and will, as a result, be very small initially. When these plants mature, they will vary in size. Planting will be done by Valley Water or a contractor to maintain consistency, quality, and safety.



The first image is a California Buckeye at year one. The second photo is the same species at year fifteen. Both plants were planted from seeds.

29. Why do you need to restore outside the tree’s footprint? Will there be plantings on easements? Can you restore and mitigate off-site?

The removed Eucalyptus footprint is not sufficiently large enough to plant the number of trees and shrubs to satisfy the project’s permit conditions for mitigation. The native trees and shrubs that will be planted require more space than the unnaturally dense and unhealthy Eucalyptus trees. Plantings will only occur on property that Valley Water owns (i.e., fee-title), not on easements or private property. Off-site restoration and mitigation would not help restore habitat in the project area after the Eucalyptus removal and would require even greater acreage to satisfy the project’s permit conditions. There are no suitable Valley Water-owned locations in the watershed available for the amount of off-site mitigation that would be necessary.

30. Will you take the power lines into consideration when planting as far as vegetation height and fire risk? Will you address fire concerns in general with new plantings?

The planting plan will be developed in consideration of the power lines and will include the necessary limits on plant height and clearance areas. The native species to be planted pose less fire risk than the removed Eucalyptus. Planting areas will be maintained for weeds and mowed as necessary, which should also reduce fire concerns.

31. What plants are invasive and why are they removed? Are ice plant and ivy native plants?

Invasive plants are non-native species that can spread quickly, displace native plants, and have other negative impacts on ecosystem health and services. Valley Water maintains a list of invasive plants and has permits to remove a variety of non-native plants that are demonstrated to be invasive in the region. Ice plant and ivy are both examples of non-native species that can spread quickly and displace or preclude native plants.

Valley Water removes such species from its property for a variety of reasons: to promote healthy and resilient native habitats that support pollinators and wildlife, control the further spread of invasive species, create the space necessary to plant native species, maintain creek flow capacity (when invasive species take over the channel), and reduce fire risk. On the Saratoga Creek, non-native plants for which Valley Water has permits to treat will be removed from Valley Water property as a part of site maintenance.

32. What type of irrigation will be installed? What will be required to install irrigation and operate it? Can existing sprinkler systems be used through a neighbors' yards?

Detailed irrigation plans will be developed for the project. It is currently anticipated that a temporary drip irrigation system will be installed to maintain the plantings for approximately five years. It is anticipated that a mainline PVC pipe will run on Valley Water property along the top of the east bank of Saratoga Creek. Feeder lines will have drip emitters that will support individual or clusters of plantings. When these plants require supplemental water, the irrigation system will be connected to a water truck parked at the ends of the project area (the side of Cox Avenue and at Prospect High School). This is anticipated to be one or twice per month from May to November.

During irrigation events, a small crew will likely inspect and repair the irrigation system as necessary. After the plantings no longer require supplemental water, which is typically three to five years, the irrigation system will be dismantled and removed. Using water from or the sprinkler systems of neighbors would not be efficient or predictable.



The above photos are from a mitigation site being maintained by Valley Water. In the images the water lines going to the plants can be seen.

33. Can a "scorched earth" appearance be avoided after Eucalyptus removal?

Immediately following Eucalyptus and debris removal, areas where trees are removed will be barren of vegetation and exposed to direct sunlight. Based on Valley Water observations of initial Eucalyptus removal areas, the areas will naturally revegetate over the rainy season, at least partially, with a mix of native and nonnative species. After controlling the re-sprouting of cut Eucalyptus sprouts, native species will be planted. This is anticipated to occur just prior to the rainy season one year after Eucalyptus removal. Since Eucalyptus removal will be phased over three years, so will natural revegetation and active planting to minimize the amount and duration of barren conditions following Eucalyptus removal.



The above trees were removed near the Brookside Club in April 2018.



After a year, plants (including many natives) have begun to revegetate the area.

34. Why and how will herbicides be used for this project? What kinds will be sprayed? Will they be harmful to human health or the environment?

Herbicide will be painted immediately onto cut Eucalyptus stumps to control re-sprouting and sprayed onto Eucalyptus re-sprouts as necessary to completely kill the trees. This is anticipated to occur for approximately three years. Herbicide may be sprayed onto the foliage of other nonnative invasive species growing on Valley Water property as a part of long-term habitat management and maintenance. Valley Water is responsible for controlling weeds and nonnative invasive plant infestations across thousands of acres in Santa Clara County, and herbicides are one tool for accomplishing this work effectively and efficiently. Insecticides will not be used, and none of the herbicides approved for use by Valley Water contain the chemicals linked to honeybee colony collapse or insect population declines.

Numerous best management practices are implemented by Valley Water during herbicide applications to protect human health and the environment. This includes posting signs in areas where herbicide is or has recently been applied, limiting the amount of herbicide applied to the minimum necessary to be effective, and applying herbicide at times and in ways to minimize drift onto non-target plants and areas. Herbicide applications will be made by Valley Water state-licensed applicators familiar with the vegetation and care required when working near creeks, private property, and other native plants.