SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

SFCJPA.ORG

Notice of Regular Meeting of the
BOARD OF DIRECTORS
July 23, 2020 at 3:30 p.m.

Due to the risk of COVID-19 transmission, this meeting will be held remotely. If you require an accommodation pursuant to the Americans with Disability Act, please contact the Clerk of the Board at the phone number or email listed at the bottom of this Agenda by 10:00 am on the day of the meeting.

To join the meeting, click on: https://us02web.zoom.us/j/84776824140?pwd=TjgySUZGbDFNWXFNQkJhR0dkSXBqQT09

Meeting ID: 847 7682 4140 Password: 303809

Or by phone: 16699006833,,84776824140#,,,,0#,,303809#

AGENDA

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES: June 25, 2020 Regular Meeting
4. PUBLIC COMMENT: *Individuals may speak on any topic for up to three minutes; during any other Agenda item, individuals may speak for up to three minutes on the subject of that item.*
5. REGULAR BUSINESS:
   a. Information Items
      1)Executive Director's report

      2)Letters to Valley Water regarding Safe Clean Water program renewal

      3)Information related to the First Avenue Foundation Flood Risk study

   b. Action Items
      1)Consider adopting the Fiscal Year 2020-2021 SFCJPA Salary Schedule
6. CLOSED SESSION: Conference with Legal Counsel — Initiation of Litigation
   Government Code Section 54956.9(c), One Case
7. CLOSED SESSION: Conference with Legal Counsel — Existing Litigation
   Government Code Section 54956.9(d)(1)
   Name of case: Peter Joshua v. San Francisquito Creek Joint Powers Authority, et al. San Mateo County Superior Court Case No: 19-CIV-06305
8. ADJOURNMENT

PLEASE NOTE: This Board meeting Agenda and supporting documents related to items on the Agenda can be viewed online by 3:30 p.m. on July 23, 2020 at sfcjpa.org -- click on the "Meetings" tab near the top. To be added to or removed from the Board Meeting distribution list, please e-mail jpa@sfcjpa.org.

NEXT MEETING: Regular Board meeting, August 27, 2020 at 3:30 PM, location to be determined

San Francisquito Creek Joint Powers Authority
July 23, 2020 Regular Meeting of the Board
Agenda Item 3
June 25, 2020 Board Meeting Minutes
DRAFT

Director Kremen called the meeting to order at 3:31 p.m. via online streaming video/audio and teleconference.

DRAFT

1) **ROLL CALL**

Members Present:	Director Gary Kremen, Valley Water Director Alison Cormack, City of Palo Alto Director Ruben Abrica, City of East Palo Alto
Members Absent:	Director Drew Combs, City of Menlo Park Director Dave Pine, San Mateo County Flood and Sea Level Rise Resiliency District
JPA Staff Present:	Margaret Bruce, Executive Director Kevin Murray, Staff Tess Byler, Staff Miyko Harris-Parker, Staff
Legal Present:	Trisha Ortiz

2) **APPROVAL OF AGENDA**

Director Kremen made a motion to approve the agenda with the removal of the closed session agenda item six. Director Abrica seconded. Agenda was approved 3-0 with removal of the closed session, agenda item six. Director Combs and Director Pine not present.

Roll call vote

Abrica	Aye
Director Combs	Not Present
Director Cormack	Aye
Director Kremen	Aye
Director Pine	Not Present

3) **APPROVAL OF APRIL 17, APRIL 23, MAY 8, MAY 15, MAY 22 AND MAY 28, 2020 BOARD MEETING MINUTES**

Director Cormack made a motion to approve the April 17, April 23, May 8, May 15, May 22 and May 28, 2020 Board Meeting Minutes, clarifying that the resolution honoring Mr. Materman had only been read and not voted on at the April 23, 2020 Board meeting. Director Abrica seconded. Motion to approve the April 17, April 23, May 8, May 15, May 22 and May 28, 2020 Board Meeting Minutes, clarifying that the resolution honoring Mr. Materman had only been read and not voted on at the April 23, 2020 Board meeting was approved 3-0. Director Combs and Director Pine not present.

Roll call vote

Abrica	Aye
Director Combs	Not Present
Director Cormack	Aye
Director Kremen	Aye
Director Pine	Not Present

4) **PUBLIC COMMENT**

None.

San Francisquito Creek Joint Powers Authority
July 23, 2020 Regular Meeting of the Board
Agenda Item 3
June 25, 2020 Board Meeting Minutes
DRAFT

5) REGULAR BUSINESS: EXECUTIVE DIRECTOR'S REPORT

Approval of Employment Agreement with Executive Director

Director Kremen made a motion to approve the Employment agreement with the Executive Director. Director Abrica seconded. Motion to approve the Employment Agreement with the Executive Director was approved 3-0. Director Combs and Director Pine not present.

Roll call vote

Abrica	Aye
Director Combs	Not Present
Director Cormack	Aye
Director Kremen	Aye
Director Pine	Not Present

Approval of updates to the SFCJPA Employee Handbook

Director Cormack requested that legal review page seven, Section D, Changing Personal Information. Director Cormack made a motion to approve the updates to the SFCJPA Employee Handbook with direction for legal review of Section D, Changing Personal Information. Director Kremen seconded. Motion to approve the updates to the SFCJPA Employee Handbook with direction for legal review of Section D, Changing Personal Information was approved 3-0. Director Combs and Director Pine not present.

Roll call vote

Abrica	Aye
Director Combs	Not Present
Director Cormack	Aye
Director Kremen	Aye
Director Pine	Not Present.

6) ADJOURNMENT

Regular meeting session adjourned at 3:41 pm.

Minutes drafted by Clerk of the Board: Miyko Harris-Parker.

San Francisquito Creek Joint Powers Authority
July 23, 2020 Board Meeting
Agenda Item 5.a.1
Executive Director's Report

With assistance from staff I am pleased to submit my first Executive Director's Report since joining the SFCJPA.

Comprehensive Planning:

The SFCJPA has always considered a watershed approach to creek and coastal flood protection and ecosystem restoration but have not yet documented that vision. Producing such a document would have benefits for project permitting and grant funding.

Beginning with this report I will include monthly updates on comprehensive planning as we compile documentation of the various activities undertaken and proposed by the SFCJPA and others into a comprehensive plan, as envisioned by many in the past. Future updates will include a brief scope and timeline for the development of a Comprehensive Plan document. As envisioned, this Comprehensive Plan will focus on SFCJPA projects, and could be used as the basis of a future, watershed-level plan.

1. *Comprehensive Plan*- Staff concurrence to address the Comprehensive Plan internally, utilizing existing information and resources, to position the organization well for potential future funding and strategic communication opportunities.

2. *Introduction to key Member Agency and project partner personnel*

Since coming on board, I have had the pleasure of meeting management and key staff members from Palo Alto, Menlo Park, Valley Water, SMC Resiliency District, Stanford University, and I plan to meet with East Palo Alto during the week of the Board meeting. This is in addition to legal counsel, our website support, and the many watershed residents and other important stakeholders I've spoken with individually. Outreach continues and I will be meeting with local elected leaders in the coming weeks.

Some highlights include:

- A tour by Mr. Jim Wiley, an in-depth conversation with Mr. Jerry Hearn and another with the members of the Crescent Park neighbor's association.
- A positive and productive 'meet and greet' with new leadership team of the SF Bay Regional Water Quality Control Board.

Organization/Administration:

To address opportunities to improve the general health of the organization, we have implemented (or will soon be implementing) several office tools for project management & task tracking, file management and access, contacts management, external communications and regular goals and performance evaluations. A refresh and rebuild

of the website to ensure ADA compliance and mobile-friendly access is in planning. Additionally, we are exploring and evaluating potential new office space locations within our budget that meet ADA and other functional requirements.

Project Updates:

- Grant application drafted collaboratively with the City of East Palo Alto, the Institute for Local Government, San Mateo County Flood and Sea Level Rise Resiliency District, Nuestra Casa, Acterra, and East Palo Alto Sanitary District for $5,925,000.00 of funding from the Urban Flood Protection Program was submitted June 15, 2020 to the California Natural Resources Agency. No local match was required for this funding. If successful, the next stage would be a site visit of the SAFER Bay Phase 1 Project in August/September, with a requirement that our Board formally adopt a resolution approving the application for grant funds from the Proposition 68 Urban Flood Protection Grant Program. We anticipate grant award decision by the end of 2020.
- Upstream Project design review by SFCJPA member cities is envisioned for later this summer, and the Basis of Design Report will be completed in August.
- Permit applications for the Upstream Project have been drafted and are on track to be submitted to the permitting agencies for their consideration by the end of October.

SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

SFCJPA.ORG

July 9, 2020

Honorable Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the San Francisquito Creek Joint Powers Authority (SFCJPA), I am writing to express support for the proposed Safe, Clean Water and Natural Flood Protection Program renewal and the Draft Community Preferred Program Report. We encourage the Valley Water Board of Directors to adopt the resolutions supporting both.

The SFCJPA appreciates Valley Water's partnership and leadership. The Safe, Clean Water and Natural Flood Protection Program is the planned source of significant funding for the Upstream of Highway 101 portion of the San Francisquito Creek Project. This funding, along with funding from the SFCJPA's other member agencies, will be indispensable for completion of the SFCJPA "Upstream" project.

As you know, for years the SFCJPA worked closely with Valley Water on the construction of the San Francisco Bay to Highway 101 portion of the San Francisquito Creek Flood Protection, Ecosystem Restoration and Recreation Project (San Francisquito Creek "Downstream" Project). The 2012 Safe, Clean Water and Natural Flood Protection Program was a critical source of funding for the project's completion. This is a good example of the type of important flood risk reduction measures funded by The Safe, Clean Water and Natural Flood Protection program that should be continued for the broad benefit of Santa Clara County residents.

The SFCJPA supports the draft program's funding for the San Francisco Bay Shoreline Protection Project (Shoreline Project), protecting residents and businesses from flooding not just from seasonal storms, but also from the longer-term threat posed by climate change and associated sea level rise.

Finally, we recognize that providing critical flood protection in partnership with the SFCJPA and throughout Santa Clara County, includes design, engineering, environmental planning, construction, and long-term project maintenance. These all require commensurate long-term financial commitment and built-in program flexibility to adapt to changing circumstances.

Therefore, the SFCJPA supports the proposed renewal of the Safe, Clean Water Program, and urges the Board to place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me directly at 408-605-2761 or at mbruce@sfcjpa.org.

Sincerely,

Margaret Bruce, Executive Director
San Francisquito Creek Joint Powers Authority

CC:

Rick Callender, Chief Executive Officer, Valley Water
Rachael Gibson, Director of Government Affairs, Valley Water
Jaime Fontes, City Manager, City of East Palo Alto
Kamal Fallaha, Director of Public Works, City of East Palo Alto
Ed Shikada, City Manager, City of Palo Alto
Brad Eggelston, Director of Public Works, City of Palo Alto
Starla Robinson, City Manager, City of Menlo Park
Nicole Nagaya, Director of Public Works, City of Menlo Park
Len Materman, Executive Director, San Mateo County Flood and SLR Resiliency District

https://californiawaterblog.com/2020/07/14/can-we-talk-new-nationwide-flood-maps-provide-opportunities-for-dialogue/

https://firststreet.org/flood-lab/research/2020-national-flood-risk-assessment-highlights/
The full report:
https://assets.firststreet.org/uploads/2020/06/first_street_foundation__first_national_flood_risk_assessment.pdf

The online modeling tool:
https://floodfactor.com/

San Francisquito Creek Joint Powers
Authority July 23, 2020 Board Meeting
Agenda Item 5.b.1
Salary Schedule

San Francisquito Creek Joint Powers Authority
2019-2020 Salary Schedule

Position	Annual Salary
Executive Director	$185,000
Senior Project Manager	$123,480
Project Manager	$110,250
Finance & Administration Manager	$106,668

Approved May 23, 2019

San Francisquito Creek Joint Powers Authority
2020-2021 Salary Schedule

Position	Annual Salary
Executive Director	$135,000
Senior Project Manager	$123,480
Project Manager	$110,250
Finance & Administration Manager	$106,668

SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

SFCJPA.ORG

Fiscal Year 2020-21 Salary Schedule

Position	Annual Salary
Executive Director	$135,000
Senior Project Manager	$123,480
Project Manager	$110,250
Finance & Administration Manager	$106,668

Michele King

Subject: FW: Drop the ballot measure

From: Timothy Wallace <tim.wallace01@gmail.com>
Sent: Wednesday, June 24, 2020 9:21 AM
To: Board of Directors <board@valleywater.org>
Subject: Drop the ballot measure

Please drop the proposed ballot measure you are planning for this November. River flow maintenance and the environment is very important to me, and if you go forward with this, I will work to oppose it.
Thank you,
Tim Wallace
Ratepayer, San Jose, CA

Sunnyvale

456 West Olive Avenue
Sunnyvale, CA 94088-3707

408-730-7473
TDD/TYY 408-730-7501
sunnyvale.ca.gov

July 1, 2020

Honorable Nai Hsueh
Chair of the Board of Directors
Valley Water
5750 Almaden Expressway
San Jose, CA 95118-3686

Re: Safe, Clean Water and Natural Flood Protection Program

Dear Chair Hsueh:

On behalf of the City of Sunnyvale, I would like to express our support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program, has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

Based on existing City policy to manage water supply to meet demands for potable water through the effective use of water supply agreements (General Plan Policy EM-1.1), we support the Plan and urge the Board to adopt and to place this measure on the November ballot.

Sunnyvale

Thank you for your consideration of our position and please do not hesitate to contact me or Ramana Chinnakotla, Director of Environmental Services, rchinnakotla@sunnyvale.ca.gov.

Sincerely,

Larry Klein
Mayor

cc: Valley Water Board of Directors
City Council
Kent Steffens, City Manager
Teri Silva, Assistant City Manager
Ramana Chinnakotla, Director of Environmental Services

PMA

Valley Water
Professional Managers Association
IFPTE Local 21 Affiliate

July 2, 2020

Honorable Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of Valley Water's Professional Managers Association, (PMA), I am writing to express support for the proposed Safe, Clean Water and Natural Flood Protection Program renewal and Draft Community Preferred Program Report, and urge the Valley Water Board of Directors to adopt the resolutions providing for the continuation of the Program and placement of the renewal of that Program on the November 2020 ballot.

We believe that ensuring a reliable supply of water and providing flood protection is essential for creating and sustaining jobs, which bolsters not just our communities, but also our economy at the local and regional levels. Passage of this measure will help ensure the creation of jobs in the infrastructure sector by building sustainable, locally controlled water supply, flood protection, and environmental stewardship projects.

In addition, providing safe, clean water, natural flood protection, and environmental stewardship for our County's residents and businesses is a long-term, ongoing endeavor for this and future generations, and funding for these efforts should be ongoing and over the long-term as well, beyond a simple 15-year program.

The Safe, Clean Water and Natural Flood Protection Program potential ballot measure has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards, and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes, businesses, schools, and highways
- Support public health and public safety for our community

PMA supports the Program and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please call me at (831) 239-8471.

Sincerely,

Michael Duffy
President
Professional
Managers
Association

San Jose Water Company

110 W. Taylor Street
San Jose, CA 95110-2131

July 2, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of San Jose Water Company, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

San Jose Water Company supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. Please feel free to contact me at 408-206-9639 should you require additional information.

Sincerely,

Andrew R. Gere, P.E.
President and Chief Operating Officer

cc: Valley Water Board of Directors

Rick Callender
CEO, Valley Water

Eric Thornburg
CEO, SJW Group

July 6, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

The Downtown Streets Team supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot.

In 2018, Valley Water awarded our organization nearly $250,000 in Safe, Clean Water and Natural Flood Protection Program grant funding for our two B3 projects. These funds supported our engagement with the local homeless community through outreach, education and volunteer work to maintain litter free waterways. We've also partnered with other grant recipients on litter cleanup projects throughout Santa Clara County to leverage funds and resources.

We support local dollars for local projects. The reason why we support the draft program is because it does the following:

- Provides for expanded grant funding
- Consolidates all grant types to be available each year for increased flexibility and availability
- Offers greater flexibility to fund additional innovative projects that meet community needs
- Streamlines and provides for a more efficient process through a stabilized grants program
- Provides for additional funding to address the impacts of the unhoused along our waterways
- Expands funding and eligibility for public bottle filling station (hydration station) grants
- Provides for new funding for public art to beautify Valley Water property and reduce graffiti and litter
- Guarantees funding availability beyond a simple 15-year program

If approved by voters, Priority F would expand critical grant funding to the following areas: wildlife habitat restoration, water conservation, bottle filling stations (hydration stations), pollution prevention, creek cleanups and education, and access to trails and open space.

The Downtown Streets Team supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at Cliff@streetsteam.org

Sincerely,

Cliff Navales
Lead Project Manager
Downtown Streets Team

From:	Michelle Critchlow on behalf of Board of Directors
To:	Michele King
Subject:	FW: Support of Safe, Clean Water Program
Date:	Tuesday, July 07, 2020 11:31:32 AM

For the board meeting

From: Dana Huang <dana@the-river.org>
Sent: Tuesday, July 7, 2020 10:31 AM
To: Board of Directors <board@valleywater.org>
Cc: Ricardo Barajas <RBarajas@valleywater.org>
Subject: Support of Safe, Clean Water Program

7/7/2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

I, Dana Huang, on behalf of The River Church Community, support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot.

We have participated in the Adopt A Creek Program for the past 3 years, a program funded through the Safe, Clean Water and Natural Flood Protection Program.

The Creek Clean Up is one of our students favorite service projects. They feel accomplished and can see a visible impact at the end of the day with the amount of trash they collect from our waterways. We adopted a section where many of our students live, and they often share how they have a sense of pride as they walk along the creek after a clean up and see the visible difference.

I support local dollars for local volunteer litter cleanup projects. The reason why we support the draft program is because it does the following:

- Provides funding for National River Cleanup Day, Coastal Cleanup Day, the Creek Connections Action Group and the year-round Adopt-A-Creek Program
- Provides volunteers the opportunity to take ownership of our local waterways through coordinated cleanup activities
- Provides for additional funding to address the impacts of the unhoused along our waterways
- Reduces contaminants entering our waterways and groundwater
- Provides funding to engage the community through special creek cleanup events, thereby supporting good stewardship of our watersheds

- Leverages community resources by engaging volunteers, thereby making efficient use of funding

- Sustains long-term funding beyond a simple 15-year program that results in long-term investment in the health of local waterways

If approved by voters, the Safe, Clean Water Program renewal would expand critical funding to the following areas: community cleanup events, volunteer community resources, pollution prevention, and public education and outreach to support creek stewardship. It would also guarantee availability of funding over the long-term, thereby resulting in long-term protection of our natural resources.

The River Church Community supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at (858) 353-3792.

Sincerely

Dana Huang
Associate Youth Minister

--

Dana Huang
The River Church Community
Associate Youth Minister
http://www.the-river.org
dana@the-river.org
858-353-3792

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Maya Esparza
COUNCILMEMBER

Monday, July 6, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board,

As the elected representative for San Jose's District 7, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot.

As you know, the City partners with Valley Water every year to coordinate our efforts to clean our waterways which is directly funded through this program as well as requests for cleanup of illegal dumping, trash, and graffiti. I appreciate that Valley Water has listened to requests from the community that funding for these activities be continued and expanded through this draft program thereby guaranteeing funding availability beyond a simple 15-year program.

In addition, the draft program includes critical funding for the Anderson Dam Seismic Retrofit Project, as well as flood protection along Coyote Creek, which runs through my district. As one of the councilmembers whose constituents were deeply affected by the 2017 flood, it is crucial that both of these projects receive the funding they need so they can be built as quickly as possible, and my constituents can be protected from the impacts of flooding.

I support local dollars for local projects, and if approved by voters, this draft program would provide that needed funding to clean up encampments along our waterways, repair Anderson Dam, and build flood protection along Coyote Creek.

For these reasons, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact my office at (408) 535-4907.

Sincerely,

Maya Esparza

Maya Esparza
City of San Jose, Councilmember, District 7

200 E. Santa Clara Street San José, CA 95113 *tel* (408) 535-4907 *fax* (408) 292-6468 maya.esparza@sanjoseca.gov

Children's Discovery Museum of San Jose

July 7, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

The Children's Discovery Museum of San Jose supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot.

In 2016 and 2020, Valley Water awarded our organization Safe, Clean Water and Natural Flood Protection Program grant funding for our D3 Bill's Backyard: Bridge to Nature, D3 Transect Alamitos Creek, and B3 Exploration Portal: Preventing Pollution projects. With these funds, we have created interactive structures and exhibits that educate children and adults about our local habitats and environmental stewardship.

We support local dollars for local projects. The reason why we support the draft program is because it does the following:

- Provides for expanded grant funding
- Consolidates all grant types to be available each year for increased flexibility and availability
- Offers greater flexibility to fund additional innovative projects that meet community needs
- Streamlines and provides for a more efficient process through a stabilized grants program
- Provides for additional funding to address the impacts of the unhoused along our waterways
- Expands funding and eligibility for public bottle filling station (hydration station) grants
- Provides for new funding for public art to beautify Valley Water property and reduce graffiti and litter
- Guarantees funding availability beyond a simple 15-year program

If approved by voters, Priority F would expand critical grant funding to the following areas: wildlife habitat restoration, water conservation, bottle filling stations (hydration stations), pollution prevention, creek cleanups and education, and access to trails and open space.

The Children's Discovery Museum of San Jose supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at (408) 673-2837 or mjennings@cdm.org.

Sincerely,

Marilee Jennings

Marilee Jennings
Executive Director

180 Woz Way
San Jose, CA 95110
(408) 298-5437
FAX (408) 298-6826

GUADALUPE RIVER PARK CONSERVANCY

July 7, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

The Guadalupe River Park Conservancy supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. As San Jose's nonprofit partner for the active-use, development, and stewardship of the most urban section of the Guadalupe River, we are intimately aware of the conditions of our park, trails, and waterways that would greatly benefit from the proposed action.

In 2018 and 2020, Valley Water awarded our organization Safe, Clean Water and Natural Flood Protection Program grant funding for our B7 Guadalupe Watershed Education Campaign and B3 Reducing the Impacts of Litter along the Guadalupe River Trail Projects. These funds helped us remove litter and debris along the Trail; provide rapid response to major pollutant threats; increase homeless outreach; create a more welcoming trail environment; and provide education about the impacts of pollution reduction to the community.

We support local dollars for local projects. The reason why we support the draft program is because it does the following:

- Provides for expanded grant funding
- Consolidates all grant types to be available each year for increased flexibility and availability
- Offers greater flexibility to fund additional innovative projects that meet community needs
- Streamlines and provides for a more efficient process through a stabilized grants program
- Provides for additional funding to address the impacts of the unhoused along our waterways
- Expands funding and eligibility for public bottle filling station (hydration station) grants
- Provides for new funding for public art to beautify Valley Water property and reduce graffiti and litter
- Guarantees funding availability beyond a simple 15-year program

If approved by voters, Priority F would expand critical grant funding to the following areas: wildlife habitat restoration, water conservation, bottle filling stations (hydration stations), pollution prevention, creek cleanups and education, and access to trails and open space.

The Guadalupe River Park Conservancy supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at (408) 298-7657 or jason@grpg.org.

Sincerely,

Jason Su

438 Coleman Avenue
San Jose, CA 95110
408-298-7657
guadalupeconservancy.org
EIN: 77-0166797

July 8, 2020

Honorable Chair Nai Hsueh and Board Members
Valley Water
5750 Almaden Expressway
San Jose, CA 95118
Via Email

Re: Safe, Clean Water and Natural Flood Protection Program

Dear Chair Hsueh and Board Members:

As representatives of environmental and fishing organizations working in Santa Clara County, we appreciate this opportunity to share some concerns we have with the proposed Safe, Clean Water (SCW) parcel tax replacement and with Valley Water in general. We seek to work constructively with you and your staff over the next few weeks to address our issues and recommendations. Ultimately, we hope we can come to agreements that will earn support for Valley Water's parcel tax measure from the environmental and fishing communities.

Our concerns and recommendations are as follows.

I. Valley Water has demonstrated poor follow-through on environmental commitments.

An example of the District's failure to deliver on promises is the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE) Settlement Agreement of 2003. Santa Clara Valley Water District, a number of other agencies, and environmental and fishing groups signed an agreement to restore the steelhead trout and Chinook salmon fishery on three major streams. Had the District implemented the FAHCE Agreement, the entire suite of Phase I measures would have been completed by 2016 or 2017. At a minimum, the steelhead trout population would have been well on its way to recovery by this time. Instead, a report released in 2019 summarized that lack of releases from Anderson Dam in late spring from 2015 through 2019 prevented outmigration of anadromous steelhead trout. This, together with the failure to remove fish migration barriers at Singleton Road and Ogier Ponds, caused the Coyote Creek population of steelhead trout to be at a very significant risk of extirpation. We recommend the addition of KPIs (in a separate document) to fulfill some of the desired outcomes of FAHCE.

Another example is the lack of promised investment in riparian ecosystems and wildlife habitat that is critical to the survival of most species of plants and animals in our region, and for wildlife movement through our landscapes. At the end of the previous parcel tax measure, there were $16M of promised funds for habitat stewardship unspent. In the FY19 report of SCW, $25M of habitat stewardship funds collected through the parcel tax were unspent. After six years (40%) of SCW, only 19% of the funds specified for habitat stewardship have been spent. There is a deficit of habitat funding that we recommend be dedicated to environmental stewardship in the renewal parcel tax program.

We have compared KPIs in the new 2020 parcel tax resolution with the 2012 resolution that was approved by the voters as Measure B. The new resolution merges the stream and wetland habitat restoration grant program (D3), pollution prevention grant program (B3), and volunteer creek clean-ups (B7) into a general-purpose grant fund (F9) for "safe clean drinking water, flood protection and environmental stewardship." We recommend that the environmental stewardship grant program (F9) be moved back to Priority D. Grants for "drinking water or flood protection" should be separate. The 2012 SCW required 21 grant cycles. This renewal proposal has only 9 grant cycles for the same time period.

Recommendations:

1) Valley Water should immediately submit the most recent FAHCE administrative draft EIR and Fish Habitat Restoration Plan and a request to publicly notice the Change Petition to the State Water Board for review and preliminary action to enable compliance with the construction schedules contained in the Districts' Capital Improvement Plan.
2) The proposed grant program F9 should be moved back to Priority D and specify only grants for riparian vegetation and wildlife habitat stewardship and clean creeks, not "drinking water or flood protection" or access to trails, with one grant cycle per year.
3) Restore KPI "Develop 5 Stream Corridor Priority Plans" under Priority D.

II. Lack of adequate accountability and oversight.

The draft measure calls for the parcel tax to last in perpetuity, or until voters elect to change or eliminate it. The environmental community feels strongly that we cannot support a parcel tax for Valley Water without a sunset date. Government accountability for Valley Water requires opportunities for the electorate to assess the effectiveness of an agency or measure, and make changes when necessary.

We also have concerns about the strength of the Independent Monitoring Committee, members of whom are appointed by Valley Water Board Members, and their ability to advise. The current charter allows only assessments of prior year activities. The IMC should function as a true oversight committee with the ability to advise on all aspects of the program, including forward-looking recommendations.

Some of us question the appropriateness of Valley Water managing the environmental grants programs, as it could be perceived as influencing an organization's ability to speak openly about concerns with Valley Water.

The District is proposing to issue $310 million in bonds – 35% of the total of $894 million over the next 15 years – with $295.5 million in debt service carried forward to the 2036-2050 period – over five times higher than in the existing SCW program. The debt service for the entire 30-year period needs to be included in the budgets for each program in which bond funds are used. The cost of debt service should not be shared among all programs.

Recommendations:

1) The 2020 parcel tax should sunset after 15 years, as have previous measures.
2) We request that Valley Water revise the section of the draft resolution on the Independent Monitoring Committee to improve oversight of the parcel tax.
3) Commit to meeting with environmental groups to explore a new structure for grant management.
4) Proposed bonding for each Priority (A-F) should be identified, and forecast interest expenses should be allocated within each category.

III. Valley Water lawsuits threaten to weaken environmental protections.

Valley Water's high-profile lawsuit over the Bay Delta Water Quality Control Plan has driven a wedge between the District and the environmental and fishing communities. Of less visibility, but also of great concern, is Valley Water's legal challenge to the Regional Water Board's authority to require mitigation measures as a permitting condition for the Upper Berryessa Creek Flood Protection Project.

We also have concerns about the lack of collaboration among parties in Santa Clara Valley watersheds. We would like to see more inclusive decision-making, and a more visionary approach to watershed planning and restoration.

On a side note, we have concerns about Valley Water's role in the San Luis & Delta Mendota Water Authority. Valley Water has lobbied side-by-side with the Westlands Water District (arguably the least environmentally-concerned agency in the state) for projects such as the Shasta Dam raise, which would be illegal, and would have a devastating impact on the environment.

Recommendations:

1) Drop the two lawsuits, and prioritize alternatives to litigation over environmental safeguards in the future.
2) Commit to a meeting with the environmental community prior to the filing deadline for the parcel tax to discuss ways we all could build more trust and collaboration between Valley Water and the environmental community.
3) Board commitment to environmental stewardship, not only within our county borders, but for any watershed involved in District operations.

IV. The parcel tax should not be used to fund water supply projects.

We believe water supply and storage projects, such as the proposed expansion of Pacheco Reservoir, should be funded by the ratepayers who will benefit from the water supply. When water is subsidized, people use it less efficiently. When the full cost of developing and delivering water is incorporated into its price structure, a signal is sent to consumers to conserve water and use it more efficiently.

Demographic projections were changing even before the COVID-19 pandemic, and Santa Clara County is likely to see less growth than previously forecast, and less demand per capita. Therefore, Valley Water should be cautious about moving forward with expensive water supply and storage projects that might prove unnecessary.

Recommendations:

1) Remove water supply projects from the parcel tax, and target flood protection, water quality and environmental stewardship projects.
2) Valley Water should revise its demand projections and take a fresh look at water supply planning for the post-pandemic era. Conservation and water reuse should be prioritized.
3) If mitigation is required for water supply projects, water utility revenues, not parcel tax funds, should pay for the mitigation.

Thank you for receiving our comments. We are fully committed to whatever dialogue is necessary to address our concerns and recommendations in a timely fashion. Again, we hope to get to a place where we can support the 2020 parcel tax.

Sincerely,

Lauren Weston
Executive Director
Acterra

Trish Mulvey
Cofounder
CLEAN South Bay

Katja Irvin
Conservation Committee Co-chair
Sierra Club Loma Prieta Chapter

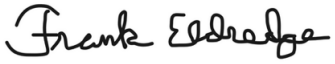
Deirdre Des Jardins
Director
California Water Research

Shani Kleinhaus, Ph.D.
Environmental Advocate
Santa Clara Valley Audubon Society

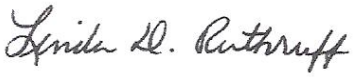
Dr. Mark Rockwell, D.C.
President
Fly Fishers International,
Northern California Council

Eileen Mclaughlin
Citizens Committee to Complete the Refuge

Peter Drekmeier
Policy Director
Tuolumne River Trust



Frank Eldredge
President
Flycasters of San Jose



Linda Ruthruff
Conservation Chair
California Native Plant Society,
Santa Clara Valley Chapter

Steve Holmes
Executive Director
South Bay Clean Creeks Coalition

Deb Kramer
Executive Director
Keep Coyote Creek Beautiful

Brian Schmidt
Green Foothills

Mike Conroy
Executive Director
Pacific Coast Federation of Fishermen's Associations
Institute for Fisheries Resources

Ronald Stork
Senior Policy Staff
Friends of the River

Chris Shutes
FERC Projects Director
California Sportfishing Protection Alliance

Patrick Ferraro
Former Valley Water Director, 1972-1995

Terry Trumbull

Terry Trumbull
Lecturer, Environmental Law and Policy,
San Jose State and Santa Clara Universities

Resolution Track Changes

FOURTH clause

A. The Chief Executive Officer (CEO) or designee of Valley Water is directed to cause a written Report to be prepared for each fiscal year for which a special tax is to be levied and to file and record the same, all as required by governing law. Said Report shall include the proposed special tax rates for the upcoming fiscal year at any rate up to the maximum rate approved by the voters, and all bonds currently issued and proposed to be issued under the Safe, Clean Water and Natural Flood Protection Program, with the annual debt service costs for the term of the bonds. Valley Water's Board of Directors shall consider formal acceptance of this Report at a public meeting and shall thereafter make a final determination of special taxes and any proposed bond issuance with a confirming resolution. A special fund shall be established into which proceeds from the tax and any issued bonds shall be deposited. Proceeds from the tax and any bonds obligating the tax may be used only for the Safe, Clean Water and Natural Flood Protection Program.

B. All debt service and financing costs for a Safe, Clean Water and Natural Flood Protection project shall be assigned to the cost of the project in the current fiscal year Report, and all future debt service and financing costs for the project shall not exceed the total tax revenues allocated to the project in the Report. No bonds shall be issued for a Safe, Clean Water and Natural Flood Protection project beyond the period for which parcel tax revenues are allocated in the current fiscal year Report.

Rationale: The original resolution did not consider issuance of bonds under the Safe, Clean Water and Natural Flood Protection Program. Bond debt service and financings costs need to be fully analyzed and disclosed in each program that utilizes bond issuance, including out-year impacts to parcel tax revenues.

I. The special tax amounts applicable to parcels in the various land uses shall be as prescribed by the Board of Directors in each fiscal year (July 1 through June 30) beginning with fiscal year 2021-2022 as set forth in Attachment-3, which is incorporated herein by reference, and as required by law; provided, that the annual basic special tax unit (single-family residential parcel of 1/4 acre or less) shall not exceed a maximum limit of $67.67 annually (averaging $0.006 per square foot annually) , as adjusted by the Resolution No. 20-XX compounded percentage increases of the San Francisco-Oakland-San Jose Consumer Price Index (CPI-U) for all Urban Consumers (or an equivalent index published by a government agency) in the year or years after April 30, 2021; provided, however that appropriate amounts may be increased in any year by up to the percentage increase of the San Francisco-Oakland-San Jose Consumer Price Index for all Urban Consumers in the preceding year or two percent (2%) whichever is greater; provided, further, however that in any period, not exceeding three years, immediately following a year in which the Governor of the State of California or the President of the United States has declared an area of said zones to be a disaster area by reason of flooding or other natural disaster, then to the extent of the cost of repair of Valley Water facilities damaged by such flooding or other natural disaster, the maximum tax rate shall be the percentage increase in CPI-U plus 4.5 percent; and provided, that special taxes

for the Safe, Clean Water and Natural Flood Protection Program shall be levied annually until ~~ended by voters~~ 2036.

Rationale: The Draft Community Preferred Program Report only allocates parcel tax revenues for the 2022-2036 period. Stakeholders and voters need to know how the tax revenue will be spent.

N. An external, independent ~~monitoring~~ oversight committee (I~~M~~OC) shall be appointed by the Valley Water Board of Directors to conduct an annual review of Valley Water's fiscal year report and provide an annual report from the I~~M~~OC to the Board of Directors regarding implementation of the intended results of the Program; the I~~M~~OC will identify to the Valley Water Board of Directors modifications, new projects and funding allocations as may be reasonably necessary to meet the priorities of the Safe, Clean Water and Natural Flood Protection Program

Rationale: An independent oversight committee would provide comprehensive analysis of SCW of both monitoring of past activities and advising on future priorities.

Priority	Key Performance Indicator
Priority A: Ensure a Safe, Reliable Water Supply	
~~A1 Pacheco Reservoir Expansion Project~~	~~1. Provide a portion of funds, up to $10 million, to help construct the Pacheco Reservoir Expansion Project.~~

Rationale: Water supply projects should be funded by Water Utility.

Priority	Key Performance Indicator
Priority B: Reduce Toxins, Hazards, and Contaminants in our Waterways	
B1. Impaired Water Bodies Improvement	4. Prepare and Implement the Los Gatos Creek Temperature Total Maximum Daily Load Project
B2. Inter-Agency Urban Runoff Program	6. Implement a comprehensive program of Creekside Trash Removal to achieve trash free creeks

Rationale:
B1 KPI #4: The Regional Water Board recommended to the State Water Board in March 2019 that Los Gatos Creek be listed as impaired for temperature. State Water Board staff concurred with recommendation and final listing is schedule for September 2020.
B2 KPI#6: The homeless encampment cleanup program has focused on the dismantlement of homeless encampments, leaving large volumes of trash outside the immediate boundaries of the encampment for infrequent cleanup by volunteer groups

Priority	Key Performance Indicator

Priority D: Restore Wildlife Habitat and Provide Open Space Access	
D4 Fish Habitat and Passage Improvement	1. Complete planning and design for one creek/lake separations. 2. Construct one creek/lake separation project in partnership with local agencies. 3. Use ~~$8~~ 20 million for fish passage improvements. 4. Update study of all major steelhead streams in the county to identify appropriate locations for fish migration barrier removal and for installation of large woody debris and gravel as appropriate. 5. Complete five (5) habitat enhancement projects based on studies that identify high priority locations for large wood, boulders, gravel and/or other habitat enhancement features. 6. Develop five (5) stream Corridor Priority Plans to prioritize stream restoration activities. 7. Conduct a public hearing by March 31, 2021 on the FAHCE process, releasing to the public pertinent documents, including flow modelling results, most recent administrative draft EIR, most recent Draft Fish Habitat Restoration Plan and documentation that a request has been made to the State Water Board to notice for public comment the Change Petition submitted in 2015. Include also presentation of a plan to integrate the fishery projects of the tax measure with the projects of the FAHCE process so as to optimize the ecological impact of the fishery projects of this priority (D4). 8. Develop 5 flow management plans to sustain a healthy population of ocean-going fish on streams capable of supporting such populations.

Rationale:

- KPI #3-5: Lack of spending on environmental stewardship in the first 6 years of SCW should be put into increased funding for future projects. We recommend dedicating $20M rather than $8M for fish barrier removal and adding fish migration analysis to KPI #4.
- KPI #6: Stream Priority Plans were a KPI of the 2012 SCW D3 program and are essential for enhancing our streams.
- KPI #7, 8: The lack of progress of FAHCE has put our fisheries in danger. Documents need to made public. Fish migration barrier removal without adequate flow management will not sustain the fishery

Priority	Key Performance Indicator
Priority F: Support Public Health and Public Safety for our Community	
F9 Grants and Partnerships for ~~Safe, Clean Water, Flood Protection and~~	1. Provide ~~three (3)~~ five (5) grant cycles every five (5) years that follow pre-established competitive criteria related to ~~safe, clean drinking water, flood protection and~~ wildlife habitat environmental stewardship.

Wildlife Habitat Environmental Stewardship	2. Provide ~~two (2)~~ three (3) partnership cycles every five (5) years for projects related to ~~safe, clean drinking water, flood protection and~~ wildlife habitat environmental stewardship. 3. Provide annual funding for bottle filling stations to increase drinking water accessibility, with priority for installations in economically disadvantaged communities and locations that serve school-age children and students. 4. Provide annual mini-grant funding opportunity for projects related to ~~safe, clean drinking water, flood protection and~~ wildlife habitat environmental stewardship.

Rationale: In the 2012 SCW, grant programs B3 (pollution prevention), B7 (Volunteer Clean-ups) and D3 (restoration of wetlands, riparian habitats and favorable stream conditions for fisheries and wildlife) were extremely well received by the community. SCW 2012 specified a total of 21 grant cycles and 8+ partnerships in 15 years. The renewal proposes 9 grant cycles and 6 partnerships in 15 years. Grants specific to environmental stewardship should be separate from grants for water supply and flood protections.
Environmental stewardship grants should be moved back to Priority D.

MILPITAS CHAMBER OF COMMERCE
THE GATEWAY TO SILICON VALLEY

June 5, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Milpitas Chamber of Commerce, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that providing flood protection is essential not only to prevent businesses from inundation and destruction, but also in securing jobs and bolstering a strong economy. Passage of this measure will help ensure businesses are protected from harmful environmental changes and subsequent costs.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Milpitas Chamber of Commerce supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 262-2613 or president@milpitaschamber.com.

Sincerely

Warren Wettenstein
President, Milpitas Chamber of Commerce

SAN JOSE/SILICON VALLEY BRANCH OF THE
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

1313 North Milpitas Blvd Suite #163, Milpitas, CA 95035
Phone 408-991-4610

June 3, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the San Jose/Silicon Valley NAACP, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water and providing flood protection is essential for the safety of vulnerable communities, so that they are protected from the effects of droughts, floods, and a rising sea level. Passage of this measure would help build water supply projects resilient to droughts, as well as supporting the public health and safety of communities of concern.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

•Ensure a safe, reliable water supply
•Reduce toxins, hazards, and contaminants in our waterways
•Protect our water supply from earthquakes and natural disasters
•Restore wildlife habitat and provide open space
•Provide flood protection to homes businesses, schools, and highways
•Support public health and public safety for our community

The San Jose/Silicon Valley NAACP supports the Plan and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 515-1114/moore2j@att.net.

Peace and Power

Pastor Jethroe Moore II, President

La Raza Roundtable de California

June 3, 2010

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, California 95118

Dear Chair Hsueh:

On behalf of La Raza Roundtable de California, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water and providing flood protection is essential for the safety of vulnerable communities, so that they are protected from the effects of droughts, floods, and a rising sea level. Passage of this measure would help build water supply projects resilient to droughts, as well as supporting the public health and safety of communities of concern.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

La Raza Roundtable de California supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at 408.529.1900 or eptexvet@yahoo.com.

Sincerely

Victor R. Garza, Chair
La Raza Roundtable de California

LOS ALTOS HILLS
CALIFORNIA

July 8, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Town of Los Altos Hills, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Town of Los Altos Hills supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (650) 947-2514 or ccahill@losaltoshills.ca.gov.

Sincerely

Carl Cahill
City Manager

26379 Fremont Road
Los Altos Hills
California 94022
650/941-7222
Fax 650/941-3160

June 9, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Silicon Valley Black Chamber of Commerce, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that providing flood protection is essential not only to prevent businesses from inundation and destruction, but also in securing jobs and bolstering a strong economy. Passage of this measure will help ensure businesses are protected from harmful environmental changes and subsequent costs.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Silicon Valley Black Chamber of Commerce supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 509-2886 or pres@blackchamber.com.

Sincerely

Carl Davis Jr
President & Executive Director
The Silicon Valley Black Chamber of Commerce

Handout 2.7-P
07/14/20

June 10, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Valley Water Employees Association, AFSCME Council 57, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water and providing flood protection is essential for creating and sustaining jobs, which bolsters not just our communities, but also our economy at the local and regional levels. Passage of this measure will help ensure the creation of jobs in the infrastructure sector by building sustainable, locally controlled water supply, flood protection, and environmental stewardship projects.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Valleywater Employees Association supports the Plan and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact us.

Sincerely,

Chris Pilson
President
Employees Association (EA)
AFSCME Local 101/Council 57
www.valleywaterea.com
cell (408) 595-0747
cpilson@valleywater.org

Suzanne Remien
Director of Political and Legislative
Employees Association (EA)
AFSCME Local 101/Council 57
www.valleywaterea.com
cell (408) 375-5026
sremien@valleywater.org

VALLEY WATER EMPLOYEES ASSOCIATION

Council 57 AFSCME We Make California Happen

6/11/2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Sunnyvale Silicon Valley Chamber of Commerce, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that providing flood protection is essential not only to prevent businesses from inundation and destruction, but also in securing jobs and bolstering a strong economy. Passage of this measure will help ensure businesses are protected from harmful environmental changes and subsequent costs.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Sunnyvale Silicon Valley Chamber of Commerce supports the plan and urges the Board to adopt and to place this measure on the November ballot.

Sincerely

Don Eagleston
President and CEO

HISPANIC CHAMBER OF COMMERCE
SILICON VALLEY

June 10, 2010

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Hispanic Chamber of Commerce, Silicon Valley, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that providing flood protection is essential not only to prevent businesses from inundation and destruction, but also in securing jobs and bolstering a strong economy. Passage of this measure will help ensure businesses are protected from harmful environmental changes and subsequent costs.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Hispanic Chamber of Commerce, Silicon Valley supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 893-4905 or jamesd@duranhcp.com.

Sincerely

James Duran
Board Secretary and Chair of Public Policy Committee
Hispanic Chamber of Commerce, Silicon Valley

CC: Dennis King

CUPERTINO
CHAMBER OF COMMERCE

20455 Silverado Avenue
Cupertino, CA 95014
Tel (408) 252-7054
www.cupertino-chamber.org

June 10, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Cupertino Chamber of Commerce, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that providing flood protection is essential not only to prevent businesses from inundation and destruction, but also in securing jobs and bolstering a strong economy. Passage of this measure will help ensure businesses are protected from harmful environmental changes and subsequent costs.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Cupertino Chamber of Commerce supports the Plan and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 252-7054x11 or Anjali@cupertino-chamber.org.

Sincerely,

Anjali Kausar
CEO, Cupertino Chamber of Commerce

605 Tennant Ave., Suite H, Morgan Hill, CA 95037
(408) 776-1684
info@santaclarafarmbureau.org
www.sccfarmbureau.org

Handout 2.7-T
07/14/20

June 12, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

RE: Support for Safe, Clean Water and Natural Flood Protection Program

Dear Chair Hsueh:

On behalf of the Santa Clara County Farm Bureau, I write to express support for the Community Preferred Plan (the Plan) that would help guide a potential renewal of the Safe, Clean Water and Natural Flood Protection Program, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot. This potential measure would free up funding for other projects and it will protect the Open Space Credit.

We believe that ensuring a reliable supply of water is essential to agriculture and farming, so that we can produce the food necessary to feed our communities, not just locally, but statewide. Passage of this measure would provide continued revenue into the future that could in turn free up funding for other projects, thereby protecting the Open Space Credit that benefits agriculture and helps protect open spaces and ranchlands used for agriculture.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community
- Protection of ground water recharge.
- Increased carbon sequestration from highly urbanized areas.

The Santa Clara County Farm Bureau supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 968-8483 or info@santaclarafarmbureau.org .

Sincerely,

Paul Mirassou
President

June 14, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

Friends of Five Wounds Trail supports the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We are a rails-to-trails advocacy and stewardship organization of over 225 supporters focused on the conversion of the old Western Pacific railway line running from Coyote Creek at Story Road to Silver Creek at Eggo Way and US 101. Our trail connects these waterways and runs through the Coyote Creek flood plain, hence our interest and support for the Plan.

We believe that ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

Friends of Five Wounds Trail supports the Plan and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 799-1293 or t.chris@comcast.net.

Sincerely
Terry Christensen
Terry Christensen
Executive Director
Friends of Five Wounds Trail

6/12/2020

Nai Hsueh, Chair
Valley Water Board of Directors

Dear Chair Hsueh:

On behalf of the Morgan Hill Chamber of Commerce, I write to express our support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

Providing flood protection is essential not only to preventing loss of life and loss of business due to destruction, but also in securing jobs and bolstering a strong economy. Passage of this measure will help ensure businesses are protected from harmful environmental changes and subsequent costs.

We support the following draft priorities of this potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Morgan Hill Chamber of Commerce supports the Plan, and urges the Board to adopt and place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 410-9333 and/or Brittney@morganhill.org

Sincerely,

Brittney Sherman
CEO/President

Moorpark Office
Gordon N. Chan Community Services Center
2400 Moorpark Ave. Suite #300
San Jose, CA 95128

June 19, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of AACI, I write to express support for the Draft Community Preferred Plan that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

Access to safe, clean, and reliable water is essential for individual and public health, and is an especially important for vulnerable communities as a social determinant of health. Passage of this measure would ensure access to a safe water supply, as well as protect our water supply from natural disasters, provide flood protection to homes, businesses, school and highways, and support public health and public safety of our diverse community.

AACI supports the Draft Community Preferred Plan, and asks the Board to adopt and to place this measure on the November ballot. Should you have questions about AACI's support on this matter, please reach out at 408-975-2730.

Thank you for your time and consideration.

Sincerely,

Sarita Kohli

Sarita Kohli
AACI President & CEO

SFEI AQUATIC SCIENCE CENTER
4911 Central Ave, Richmond, CA 94804, p: (510) 746-7334, f: (510) 746-7300 www.sfei.org

June 30, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the San Francisco Estuary Institute (SFEI), I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

Passage of this measure would protect our natural areas by working to restore wildlife habitats, provide fish habitat and passage improvements, protect open spaces, such as creating trails and recreational access to the environment. Thereby, we believe that ensuring a reliable supply of water is essential to supporting the preservation of the environment, habitats, and open spaces.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

SFEI supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at warnerc@sfei.org or 510-375-2141.

Sincerely

Warner Chabot

Warner Chabot,
Executive Director

Handout 2.7-Y
07/14/20

Sunnyvale

456 West Olive Avenue
Sunnyvale, CA 94088-3707

408-730-7473
TDD/TYY 408-730-7501
sunnyvale.ca.gov

July 1, 2020

Honorable Nai Hsueh
Chair of the Board of Directors
Valley Water
5750 Almaden Expressway
San Jose, CA 95118-3686

Re: Safe, Clean Water and Natural Flood Protection Program

Dear Chair Hsueh:

On behalf of the City of Sunnyvale, I would like to express our support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program, has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

Based on existing City policy to manage water supply to meet demands for potable water through the effective use of water supply agreements (General Plan Policy EM-1.1), we support the Plan and urge the Board to adopt and to place this measure on the November ballot.

Sunnyvale

Thank you for your consideration of our position and please do not hesitate to contact me or Ramana Chinnakotla, Director of Environmental Services, rchinnakotla@sunnyvale.ca.gov.

Sincerely,

Larry Klein
Mayor

cc: Valley Water Board of Directors
City Council
Kent Steffens, City Manager
Teri Silva, Assistant City Manager
Ramana Chinnakotla, Director of Environmental Services

Handout 2.7-Z
07/14/20

SANTA CLARA VALLEY
HABITAT AGENCY

6/30/2020
Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Santa Clara Valley Habitat Agency, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

Passage of this measure would protect our natural areas by working to restore wildlife habitats, provide fish habitat and passage improvements, protect open spaces, such as creating trails and recreational access to the environment. Thereby, we believe that ensuring a reliable supply of water is essential to supporting the preservation of the environment, habitats, and open spaces. This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Santa Clara Valley Habitat Agency supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 779-7265 or edmund.sullivan@scv-habitatagency.org

Sincerely,

Edmund Sullivan, Executive Officer

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the IFPTE Local 21 representing ES and PMA, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water and providing flood protection is essential for creating and sustaining jobs, which bolsters not just our communities, but also our economy at the local and regional levels. Passage of this measure will help ensure the creation of jobs in the infrastructure sector by building sustainable, locally controlled water supply, flood protection, and environmental stewardship projects.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The IFPTE Local 21 supports the plan and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at syoung@ifpte21.org

Sincerely

Stanley A. Young
Representative Organizer
IFPTE Local 21
San Jose Office

Handout 2.7-AB
07/14/20

June 29, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of UA Local Union 393, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water and providing flood protection is essential for creating and sustaining jobs, which bolsters not just our communities, but also our economy at the local and regional levels. Passage of this measure will help ensure the creation of jobs in the infrastructure sector by building sustainable, locally controlled water supply, flood protection, and environmental stewardship projects.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

UA Local Union 393 supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please contact me at Steve@local393.org.

Sincerely,

Steve Flores
Business Manager

July 2, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of Rotary District 5170, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water and providing flood protection is essential for the safety of vulnerable communities, so that they are protected from the effects of droughts, floods, and a rising sea level. Passage of this measure would help build water supply projects resilient to droughts, as well as supporting the public health and safety of communities of concern.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

Rotary District 5170 supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 710-1776 or greggrotary@gmail.com.

Sincerely,

Gregg Giusiana
District 5170 Governor 2020-21

Handout 2.7-AD
07/14/20

City of Monte Sereno

18041 Saratoga-Los Gatos Road
Monte Sereno, California 95030-4299
Telephone: 408.354.7635
Fax: 408.395.7653
www.cityofmontesereno.org

July 3, 2020

To: Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the City of Monte Sereno, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards, and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The City of Monte Sereno supports the Plan and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 354-7635 or llawler@cityofmontesereno.org.

Sincerely,

Liz Lawler, Mayor
City of Monte Sereno

July 6, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

As a member of the Santa Clara Unified Board of Education, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

I believe that ensuring a reliable supply of water and providing flood protection is essential for the safety of vulnerable communities, so that they are protected from the effects of droughts, floods, and a rising sea level. Passage of this measure would help build water supply projects resilient to droughts, as well as supporting the public health and safety of communities of concern. Safety is of utmost importance for our school district, and a safe, clean and reliable water supply helps in this effort

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

I support the Plan, and urge the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 246-6252 or asgonzalez@scusd.net.

Sincerely,

Albert Gonzalez
Trustee, Santa Clara Unified School District
Director, Region 20, California School Boards Association

From:	Michelle Critchlow on behalf of Board of Directors
To:	Michele King
Subject:	FW: Support of Updated and Enhanced Safe, Clean Water and Natural Flood Protection Program for a Future Funding Measure
Date:	Wednesday, July 08, 2020 10:16:55 AM

For the Board Meeting.

From: Hamilton Hitchings <hitchingsh@yahoo.com>
Sent: Wednesday, July 8, 2020 10:13 AM
To: Board of Directors <board@valleywater.org>
Subject: Support of Updated and Enhanced Safe, Clean Water and Natural Flood Protection Program for a Future Funding Measure

In the past Palo Alto has strongly supported Valley Water's ballot measures for funding. As a Palo Alto resident who lives within the San Francisquito Creek Flood Zone, we depend on SCVWD not only for our pristine drinking water but also for flood protection. I support continued funding for SCVWD including this item (2.7) on the July 14th SCVWD agenda. And of course, I will be voting for it along with many other Palo Altans if it is on the November ballot. Thanks again for all your hard work.

Hamilton Hitchings

To: Valley Water Board Chair Nai Hsueh and Board Members
From: Grassroots Ecology Board of Directors
Date: July 8, 2020
Re: Safe, Clean Water and Natural Flood Protection Program

Dear Chair Hsueh and Board Members:

Grassroots Ecology has received numerous grants through the Safe, Clean Water and Natural Flood Protection Program and is encouraged to see that the grant program would continue under the proposed parcel tax renewal. We see ourselves as community partners that can help Valley Water achieve its objectives in community engagement, education, habitat restoration, and urban stormwater management. While there are many aspects of the parcel tax renewal that we fully support, we would also like to take this opportunity to raise some concerns related to the measure, as follows:

1. Grant funding for habitat restoration should be kept separate from flood control and water supply. There is a risk that a flood control project could easily use a vast majority of grant funding and take away from equally important habitat restoration and water quality objectives. The language of the grant program F9 is too broad; "related to safe, clean drinking water, flood protection and environmental stewardship."
2. There are still unused habitat restoration funds in the current Safe, Clean Water Program. We believe these unused funds should remain dedicated to habitat stewardship and not reappropriated for other uses should the new tax measure pass.
3. Grant cycles should be frequent enough to allow smaller non-profit organizations to sustain operations and community engagement. When there are gaps in funding, small non-profits can only reduce programs and staff, which affects the continuity of stewardship efforts and the efficacy of operations. The existing SCW offered 21 grant cycles in 15 years, the renewal program reduces the grant cycles to 9 in the same time period.
4. If mitigation is required for water supply projects, water utility revenues, not parcel tax funds, should pay for the mitigation.
5. Projects such as the proposed expansion of Pacheco Reservoir should have stand alone funding from the ratepayers who directly benefit from the project. This has the dual benefit of segregating water supply projects from environmental projects and encouraging water conservation among ratepayers.

3921 East Bayshore Road | Palo Alto, CA 94303-4303 | 650.419.9880 | info@grassrootsecology.org | grassrootsecology.org

6. Finally, we believe that our constituency would more readily support a parcel tax with a sunset date (*e.g.* 15 years).
7. We recommend increasing funding for fish barrier removal to compensate for lack of progress on FAHCE.

In addition, we have raised a number of issues over the years with the administration of the current grant program, which have largely been unresolved. We know that these issues have resulted in a lack of participation by other small nonprofit organizations in the region.

- Compared with the other agencies from whom we receive funding, the Valley Water grant process (including application, review, contract, and invoicing) is very complex. Even for mini-grants, the application review and contracting process has taken over a year, making the program inaccessible for the small organizations and schools for which it was intended.
- Invoices have frequently not been paid for over six months, requiring non-profit organizations to carry the up-front costs for project staff, contractors, and materials even though the terms of the contract state that Valley Water will notify grantees of any invoicing or reporting issues within 10 working days of submission.
- In addition, it might not be appropriate for Valley Water to manage the environmental grants programs, as it could be perceived as influencing an organization's ability to speak openly about concerns with Valley Water.
- On several occasions we were requested to reduce the scope of our project to a lower cost option even though there were sufficient funds in Priority D3.

We recommend that Valley Water explore employing a third party to oversee grant administration.

With Valley Water grant funding, we have engaged thousands of community volunteers to restore Santa Clara County's watersheds, and we look forward to continuing this important work. We hope that you will consider our recommendations so that we can support the proposed parcel tax measure without reservations. We believe that these changes will improve the chances of success for all, and would welcome the opportunity to discuss these issues with you further.

Sincerely,

Jerry Hearn

Alex Von Feldt

Jerry Hearn, Grassroots Ecology Board Vice-President
Alex Von Feldt, Grassroots Ecology Executive Director

SAN FRANCISCO BAY
BIRD OBSERVATORY

July 7, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

The San Francisco Bay Bird Observatory supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot.

Since 2015, Valley Water has awarded our organization more than $1 million in Safe, Clean Water and Natural Flood Protection Program grant funding for our three D3 projects and two D3 mini-grant projects. These funds provided multiple environmental benefits for wildlife and habitat, including active vegetation management and restoration, establishing Forster's Tern nesting colonies, California gull predator surveys, and breeding waterbird monitoring. A majority of these projects were located in the sensitive salt pond habitat areas at the southern Bay.

We support local dollars for local projects. The reason why we support the draft program is because it does the following:

- Provides for expanded grant funding
- Consolidates all grant types to be available each year for increased flexibility and availability
- Offers greater flexibility to fund additional innovative projects that meet community needs
- Streamlines and provides for a more efficient process through a stabilized grants program
- Guarantees funding availability beyond a simple 15-year program

If approved by voters, Priority F would expand critical grant funding to the following areas: wildlife habitat restoration, water conservation, bottle filling stations (hydration stations), pollution prevention, creek cleanups and education, and access to trails and open space.

The San Francisco Bay Bird Observatory supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at 408 – 946 -6548.

Sincerely

Yiwei Wang, Ph.D.
Executive Director

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Sergio Jimenez
COUNCILMEMBER
DISTRICT 2

July 8, 2020

Nai ~~Hsueh~~, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

As the elected representative for San Jose's District 2, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot.

As you know, the City partners with Valley Water every year to address impacts of the unhoused who live along waterways throughout San Jose, including in my district. The reason I support the draft program is because it includes expanded, continued funding for this crucial work, and guarantees that funding availability beyond a simple 15-year program.

In addition, the draft program includes critical funding for the Anderson Dam Seismic Retrofit Project, as well as flood protection along Coyote Creek, which runs through my district. Both projects are crucial to protecting my constituents from the impacts of flooding, as well as to providing water for the residents and businesses throughout my district. This investment serves disadvantaged communities and vulnerable residents through the long-term operations and maintenance of life-saving flood protection projects.

I support local dollars for local projects, and if approved by voters, this draft program would provide needed funding to clean up encampments along our waterways, repair Anderson Dam, and build flood protection along Coyote Creek, all of which benefit my constituents.

For these reasons, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at 408-535-4902.

Sincerely,

Sergio Jimenez
Councilmember, District 2
City of San José

200 East Santa Clara St. 18th Floor, San José, CA 95113-1903 *tel* (408) 535-4902 *fax* (408) 292-6451 district2@sanjoseca.gov

Jeffrey Shore
1905 Edgewood Drive
Palo Alto, CA 94303-3106

8 July 2020

Honorable Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Re: Agenda Item 2.7 – Meeting of Board of Directors – 14 July 2020

Dear Chair Hsueh:

I am writing to express my support for the proposed Safe, Clean Water and Natural Flood Protection Program renewal and the Draft Community Preferred Program Report. At the same time, I wish to express my concern that there does not appear to be a detailed rationale for the absence of a date-specific sunset provision in the proposed Safe, Clean Water and Natural Flood Protection Program Continuation Resolution. Section H of the Fourth Resolution states that "special taxes for the Safe, Clean Water and Natural Flood Protection Program shall be levied annually until ended by voters." The associated rationale provided in the eleventh recital of the Continuation Resolution appears self-serving. In effect, the recital states that in order to protect vital Santa Clara County interests in the future, Valley Water will need a dedicated source of revenue beyond 2028—when the current program is due to sunset—to maintain the programs established in the Safe, Clean Water and Natural Flood Program.

I recognize that the proposed ballot language—which specifies a vote as a condition subsequent—has been scientifically proven in focus groups to inspire the necessary two-thirds support. Nonetheless, I recommend that the Board be armed with a robust justification for the open-ended continuation of the parcel tax that anticipates likely criticism, together with a full explanation of the procedures associated with a hypothetical voter repeal initiative. This provision could become an unwelcome lightning rod for a host of detractors.

Respectfully,

Jeffrey Shore
<jeff.shore@comcast.net>

Michele King

Subject: FW:

From: Kristin Apple <kristinmapple@gmail.com>
Sent: Thursday, July 9, 2020 8:10 AM
To: Board of Directors <board@valleywater.org>
Subject:

7/9/2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

As a graduate of Valley Water's Water 101 Academy and resident of Santa Clara County, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot.

I support local dollars for local projects. The reason why I support the draft program is because it does the following:

- Supports the repair and upgrade of Anderson Dam to ensure public safety and repair a critical component of our local water supply.
- Invests in our aging water infrastructure, including reservoirs and pipelines, to ensure a reliable and safe, clean drinking water supply for Santa Clara County.
- Helps fund local flood protection projects to protect people, homes, businesses, highways and important community facilities such as schools and hospitals.
- Protects our creek ecosystems and natural resources by restoring habitat for wildlife, removing invasive and non-native plant species and improving fish passage.
- Empowers community organizations as environmental stewards to help protect and preserve our natural resources through collaboration made possible by Safe, Clean Water grants and partnerships.

If approved by voters, the Safe, Clean Water Program renewal would expand critical funding to repair and upgrade our aging infrastructure, protect our most vulnerable communities from flood risks; support public education, volunteer community resources and creek stewardship. It would also guarantee availability of funding over the long-term, thereby resulting in long-term protection of our water resources.

I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at kristinmapple@gmail.com.

Sincerely,

Kristin Apple

SAN JOSE/SILICON VALLEY BRANCH OF THE
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

1313 North Milpitas Blvd Suite #163, Milpitas, CA 95035
Phone 408-991-4610

July 9, 2020

Chair Nai Hsueh
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh an members of the Board;

We have become aware of those that consider themselves as the voice of the environmental community are demanding changes to the proposed Safe, Clean Water and Natural Flood Protection program.

This last-minute, non-transparent attempt to try and take away things from all of us who participated in the process, should not be rewarded. We supported the program because of the changes which have been made in the areas of grants and long-term assurance for taking care of infrastructure and creek maintenance in our community.

We note that NONE of them are involved in issues in communities of color and that is likely why their demands disproportionately impact communities of color who will have to carry the burden of their recommendation which amount to nothing more than environmental injustice. Its painfully obvious that when some people think of environmentalism, they exclude all the organizations, churches and others who have long fought for environmental justice locally. Maybe this is why not one organizations of color were invited to participate in their exclusive privileged meetings.

Communities of color and low-income communities are often the hardest hit by climate change, clearly these “environmentalist” are ignoring this fact, or they just don’t care. Just look at what happened to the Rocksprings community during the last floods. Where were these “environmentalists” then in demanding environmental justice and long-term protections for this community?

If it were their homes and communities at risk, they would demand a long-term solution for flood protection and the required maintenance to keep the creeks clear of debris. We demand that this program go much longer than 15 years vs having communities of color coming back to beg for protection every decade.

Why is this kind of institutional environmental injustice seen as ok? Its NOT! It’s the lack of funding which has resulted in Alviso being back at risk again. Why aren’t they screaming about this as an issue, its unacceptable. Why aren’t screaming about East Palo Alto needs flood protection? Where is their voice on environmental justice here? Why are they opposing the Pacheco Reservoir project when they know that it provides for flood protection to so many communities of color who have flooded repeatedly? Again, the privileged approach to the addressing environmental issues is clear and obvious.
We are disgusted that they want to take away the ability for all communities to compete for grant funds fairly, and instead they want to have funding guided to their “environmental

desires" and their non-profits directly. We all know this is about funding their own jobs and organizations.

Forcing other communities to share a smaller pool of funds for the environmental and water related projects which are important to us, is an unfair approach that will result in communities of color opposing this measure if you take this action.

We also see these "environmentalist" want to take away funding from grants and partnerships which will allow for Valley Water to have a program which will allow for the removal of blockages and debris on non Valley Water property. This is an important component of the program, again their attempt to attack flood protection in the community which many people of color live is unacceptable.

We are tired of those who want to push their privilege doing it on the backs of communities of color, and those who are on the lower socio-economic rungs.

You cannot get to a 2/3rds vote with the vocal opposition of communities of color. We hope you don't make changes which will garner our opposition to this important program.
With the Black Lives Movement, and our direct involvement with getting people to the polls in November, you will not want our opposition.

Sincerely

Pastor Jethroe Moore II, President

Website: http://www.sanjosenaacp.org **Email: sjnaacp@sanjosenaacp.org**

July 8, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Re: Support for the Community Preferred Plan and Safe, Clean Water and Natural Flood Protection Program

Dear Chair Hsueh:

On behalf of the City of Palo Alto, I write to express support for advancing to the voters the renewal of the Safe, Clean Water and Natural Flood Protection Program, and implementation of the Draft Community Preferred Plan trigged by the Program's renewal. I therefore urge the Valley Water Board of Directors to adopt the Preferred Plan and place the renewal of the Program on the November 2020 ballot. Please recognize that our City Council has not yet taken a position on the Plan or the ballot measure, and due to timing constraints will not have the opportunity for timely discussion. As such we recommend Valley Water proceed with advancing this measure for consideration by Santa Clara County voters.

If the ballot measure is successful, the City of Palo Alto would apply funds to critical flood protection projects needed to protect Palo Alto and neighboring communities including the San Francisquito Creek project (Project E5) and the San Francisco Bay Shoreline Protection project (Project E7). Other important benefits include continuing routine Vegetation Control and Sediment Removal for capacity along Matadero, Adobe and Barron Creeks (Project F1), and Continue Emergency Response Planning and Preparedness (Project F2).

We understand that in addition to the specific benefits noted above, this potential ballot measure has yielded the following draft priorities as part of the exploratory process:

- Ensuing a safe, reliable water supply
- Reducing toxins, hazards and contaminants in our waterways
- Protecting our water supply from earthquakes and natural disasters
- Restoring wildlife habitat and provide open space
- Providing flood protection to homes businesses, schools, and highways

The City of Palo Alto supports the opportunity for voters to decide on the Preferred Plan and urges the Board to adopt and place this measure on the November ballot. Thank you for your consideration.

Sincerely,

DocuSigned by:
Adrian Fine
E8DA2E71AE0849C...

Adrian Fine
Mayor, City of Palo Alto

Cc:
Palo Alto City Council
The San Francisquito Creek Joint Powers Authority
Ed Shikada, Palo Alto City Manager

Midpeninsula Regional OpenSpace | Midpeninsula Regional Open Space District

GENERAL MANAGER
Ana M. Ruiz

BOARD OF DIRECTORS
Pete Siemens
Yoriko Kishimoto
Jed Cyr
Curt Riffle
Karen Holman
Larry Hassett
Zoe Kersteen-Tucker

July 9, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Re: Safe, Clean Water and Natural Flood Protection Program renewal

Dear Chair Hsueh,

On behalf of the Midpeninsula Regional Open Space District (Midpen), I write to express support for adoption of the Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed by voters in November 2020. Comprised of nearly 65,000 acres of acquired and protected open space on the San Francisco Peninsula, Midpen is one of the largest regional open space districts in California. Our braided mission is to acquire and preserve in perpetuity open space and agricultural land of regional significance, to protect and restore the natural environment, to preserve rural character and encourage viable agricultural use of land resources, and to provide opportunities for ecologically sensitive public enjoyment and education.

Renewal of the Safe, Clean Water and Natural Flood Protection Program would continue to support our combined efforts in protecting natural areas by restoring additional acreage of wildlife habitat, implement new stream measures to improve fish passage, expand protected open spaces, and create new miles of trails and recreational access to connect people with nature.

To the extent that programmatic implementation can be considered, we see the following opportunities for future interagency collaboration: watershed land acquisition and protection, invasive species removal, Guadalupe River Mercury Total Maximum Daily Load (TMDL) reduction, compensatory mitigation projects, and fisheries protection.

As you know, our partnerships are more important than ever in the face of the growing threat of climate change. We look forward to working with you towards our mutual goals of clean water and a healthy, resilient natural environment.

Sincerely,

Ana M. Ruiz
General Manager

cc: Midpeninsula Regional Open Space District Board of Directors

July 9, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
via email

Dear Chair Hsueh and Members of the Board:

WaterNow Alliance supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. In 2018, Valley Water awarded WaterNow Safe, Clean Water and Natural Flood Protection Program grant funding for our Beyond Leak Detection Project. This grant is funding a pilot study to install and evaluate water conservation and leak notification benefits of “smart home" devices. Like other worthy initiatives funded under this program, we believe this study will provide significant benefits to Valley Water and its ratepayers at low cost.

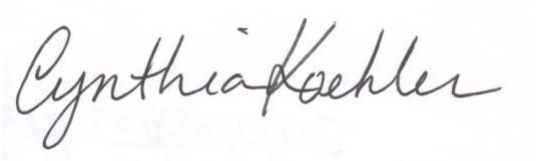
The draft program is valuable because it does all of the following:

- Provides for expanded grant funding
- Consolidates all grant types to be available each year for increased flexibility
- Offers greater flexibility to fund innovative projects that meet community needs
- Provides for a more efficient process through a stabilized grants program
- Provides funding to address the impacts of the unhoused along waterways
- Expands funding and eligibility for public bottle filling station (hydration station) grants
- Provides for new funding for public art and reduce graffiti and litter

If approved by voters, Priority F would expand critical grant funding for wildlife habitat restoration, water conservation, bottle filling stations, pollution prevention, creek cleanups and education, and access to trails and open space. For all of these reasons, WaterNow Alliance supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot.

Thank you for your consideration of our views, and please feel free to contact me if you have any questions at (415) 515-0511 or ck@waternow.org.

Sincerely,



Cynthia Koehler
Executive Director

SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

SFCJPA.ORG

July 9, 2020

Honorable Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the San Francisquito Creek Joint Powers Authority (SFCJPA), I am writing to express support for the proposed Safe, Clean Water and Natural Flood Protection Program renewal and the Draft Community Preferred Program Report. We encourage the Valley Water Board of Directors to adopt the resolutions supporting both.

The SFCJPA appreciates Valley Water's partnership and leadership. The Safe, Clean Water and Natural Flood Protection Program is the planned source of significant funding for the Upstream of Highway 101 portion of the San Francisquito Creek Project. This funding, along with funding from the SFCJPA's other member agencies, will be indispensable for completion of the SFCJPA "Upstream" project.

As you know, for years the SFCJPA worked closely with Valley Water on the construction of the San Francisco Bay to Highway 101 portion of the San Francisquito Creek Flood Protection, Ecosystem Restoration and Recreation Project (San Francisquito Creek "Downstream" Project). The 2012 Safe, Clean Water and Natural Flood Protection Program was a critical source of funding for the project's completion. This is a good example of the type of important flood risk reduction measures funded by The Safe, Clean Water and Natural Flood Protection program that should be continued for the broad benefit of Santa Clara County residents.

The SFCJPA supports the draft program's funding for the San Francisco Bay Shoreline Protection Project (Shoreline Project), protecting residents and businesses from flooding not just from seasonal storms, but also from the longer-term threat posed by climate change and associated sea level rise.

Finally, we recognize that providing critical flood protection in partnership with the SFCJPA and throughout Santa Clara County, includes design, engineering, environmental planning, construction, and long-term project maintenance. These all require commensurate long-term financial commitment and built-in program flexibility to adapt to changing circumstances.

Therefore, the SFCJPA supports the proposed renewal of the Safe, Clean Water Program, and urges the Board to place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me directly at 408-605-2761 or at mbruce@sfcjpa.org.

Sincerely,

Margaret Bruce, Executive Director
San Francisquito Creek Joint Powers Authority

CC:

Rick Callender, Chief Executive Officer, Valley Water
Rachael Gibson, Director of Government Affairs, Valley Water
Jaime Fontes, City Manager, City of East Palo Alto
Kamal Fallaha, Director of Public Works, City of East Palo Alto
Ed Shikada, City Manager, City of Palo Alto
Brad Eggelston, Director of Public Works, City of Palo Alto
Starla Robinson, City Manager, City of Menlo Park
Nicole Nagaya, Director of Public Works, City of Menlo Park
Len Materman, Executive Director, San Mateo County Flood and SLR Resiliency District

CALIFORNIA WATER SERVICE
1720 North First Street
San Jose, CA 95112-4598 *Tel:* (408) 367-8200

July 9, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

California Water Service (Cal Water) is pleased to support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water, and Natural Flood Protection Program be renewed, and urge the Valley Water's Board of Directors to adopt the Plan and place the renewal of that program before the voters this November.

Ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water, and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards, and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community.

Cal Water supports the Plan and urges the Board to adopt and to place this measure on the November ballot.

Sincerely,

Justin Skarb
Director of Community Affairs &
Government Relations

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Office of Vice Mayor Charles "Chappie" Jones
City of San Jose District 1

July 7, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

As the Councilmember of District 1 and Vice Mayor of the City of San José, I am in support of the proposed community-preferred program report to renew the Safe, Clean Water Program. I urge the Board to adopt it and place this measure on the November 2020 ballot.

As you are aware, the City of San José partners with Valley Water every year to address impacts of the unhoused individuals who live along waterways throughout San José, including District 1. This coordinated effort which includes requests for cleanup of illegal dumping, trash, and graffiti, are directly funded through the Safe, Clean Water Program. I am grateful that Valley Water has taken the time to listen to constituent concerns regarding this matter. The community has requested that funding for these activities be continued and expanded through this draft program, thereby guaranteeing funding availability beyond a simple 15-year program.

I am a big proponent of local dollars for local projects. If approved by voters, Priority F would provide a long term solution to these issues. It would result in the allocation of funding needed for the local efforts to clean up encampments along our waterways and continue our partnership to address the homeless crisis in our valley.

For these reasons, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me or my staff at 408-535-4901.

Sincerely,

Charles "Chappie" Jones

Vice Mayor, City of San José - Council District 1

Michele King

Subject: FW: Comments on SCW renewal ballot measure
Attachments: Comments on New Ballot Measure compared to SCW.pdf; ATT00001.htm

From: Kit Gordon <kitgordona@gmail.com>
Date: July 8, 2020 at 11:04:45 AM PDT
To: Nai Hsueh <nHsueh@sbcglobal.net>
Subject: Comments on SCW renewal ballot measure

Dear Nai,

I hope you are well. These are certainly challenging times.

I have created a document to compare language between the existing SCW and the proposal. Please see my comments in the attached document. My main concerns are these:

- I would like the IMC to be a true oversight committee with ability to not only monitor progress but advise for future. The best way to know where to go is by examining past progress.
- I am concerned that a "no sunset" clause will limit support for the required 2/3 vote to pass.
- The $300M proposed bond debt service will be very costly and greatly limit funding for projects in years 16-30 of the renewal. See calculations in the attached document.

KPI concerns are listed in the document below but the main ones pertain to the new grant program and the need for more work on environmental stewardship, especially on fish barrier removal and habitat.

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

	2012 Safe Clean Water Total (15 yrs) and amt spent up to FY19 (6 yrs)	**Renewal Proposal Years 1-15**	**Renewal Proposal Years 16-30**
Bond issue	Significantly less than renewal proposal of $300M	**+ $300M**	**0**
Bond debt service	- $45M	**- $300M**	**- $300M**
Water Supply	$75.9M, spent $32.6M	$81.8M	? 30% less ?
Water Quality, Trash Removal	$78.1M, spent $27.4M	$127.2M	? 30% less ?
Flood Protection	$590.1M, spent $207.2M	$443.3M	? 30% less ?
Wildlife Habitat Stewardship	$119.8M, spent $23M	$93.9M	? 30% less ?
Mitigation (for supply or flood?)	$30.3M, spent $4.5M	$76.9M	? 30% less ?
Fire Safety		$12M	? 30% less ?
Number of grant cycles , partnerships	7 cycles each for B3, B7, D3 (pollution prevention, trash removal, stewardship) for a total of **21 grant cycles 8++ partnerships**	**9 grant cycles** for water quality**, flood prevention**, stewardship with no dollar specified for categories **6 partnerships**	? 30% less ?
Total (15 years)	~ $894.2M	~ $823.1M	**~ $550M**

All information is from the FY19 Year 6 SCW report and from the June 23 Board presentation of the SCW Renewal proposal.

	KPIs Priority A: Ensure a Safe, Reliable Water Supply	**Funds from SCW**	**Project Total**
A1	**Existing**: Main Avenue and Madrone Pipelines Restoration – Completed **Proposed**: PACHECO RESERVOIR EXPANSION 1. Provide a portion of funds, up to $10 million, to help construct the Pacheco Reservoir Expansion Project.	98% spent out of $17.6M $10M	$1.3B
A2	**Existing:** Safe, Clean Water Partnerships and Grants (*Some activities moved to F9)* 1. Award up to $1 million to test new conservation activities. 2. Increase number of schools in Santa Clara County in compliance with SB 1413 and the Healthy Hunger-Free Kids Act, regarding access to drinking water by awarding 100% of	60% spent out of $1.8M budget	

Commented [KG1]: The large bond will be costly for years 16-30.

Commented [KG2]: Why not paid by Water Utility?

Commented [KG3]: Why less for wildlife habitat? After 6 years of SCW, funding for stewardship was around 20% rather than 40% so we are already starting from an underfunded position.

Commented [KG4]: Should mitigation for water supply be paid out of Water Utility?

Commented [KG5]: Why substantially fewer grant cycles?

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

	eligible grant requests for the installation of hydration stations; a maximum of 250 grants up to $254,000. 3. Reduce number of private well water users exposed to nitrate above drinking water standards by awarding 100% of eligible rebate requests for the installation of nitrate removal systems; up to $30,000 for all rebates. **Proposed:** WATER CONSERVATION REBATES AND PROGRAMS 1. Award up to $1 million per year toward specified water conservation program activities, including rebates, technical assistance and public education, within the first seven (7) years of the Program**.**	$7.9M	$51.3M
A3	**Existing:** Pipeline Reliability Project 1. Install 4 new line valves on treated water distribution pipelines. **Proposed:** PIPELINE RELIABILITY PROJECT 1. Install four (4) new line valves on treated water distribution pipelines.	2% spent out of $11.5M $9.8M	$11.9M

	KPIs Priority B: Reduce Toxins, Hazards and Contaminants In Waterways	**Funds from SCW**	**Project Total**
B1	**Existing**: Impaired Water Bodies Improvement 1. Operate and maintain existing treatment systems in 4 reservoirs to remediate regulated contaminants, including mercury. 2. Prepare plan for the prioritization of pollution prevention and reduction activities. 3. Implement priority pollution prevention and reduction activities identified in the plan in 10 creeks. **Proposed:** IMPAIRED WATER BODIES IMPROVEMENT 1. Investigate, develop and implement actions to reduce methylmercury in fish and other organisms in the Guadalupe River Watershed. 2. Prepare and update a plan for the prioritization of surface water quality improvement activities, such as addressing trash and other pollutants. 3. Implement at least two priority surface water quality improvement activities identified in the plan per 5-year implementation period.	28% spent out of $27.4M $32.8M	$32.8M
B2	**Existing:** Interagency Urban Runoff Program 1. Install at least 2 and operate 4 trash capture devices at stormwater outfalls in Santa Clara County. 2. Maintain partnerships with cities and County to address surface water quality improvements.	32% spent out of $12.6M	

Commented [KG6]: Substantial increase in conservation rebates. Great!

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

	3. Support 5 pollution prevention activities to improve surface water quality in Santa Clara County, either independently or collaboratively with South County organizations. **Proposed:** INTER-AGENCY URBAN RUNOFF PROGRAM 1. Address trash in creeks by maintaining trash capture devices or other litter control programs. 2. Maintain Valley Water's municipal stormwater compliance program and partner with cities to address surface water quality improvements, including participation in at least three (3) countywide, regional or statewide stormwater program committees to help guide regulatory development, compliance and monitoring. 3. Support at least one stormwater quality improvement activity per 5-year implementation period in Santa Clara County, including providing up to $1.5 million in 15 years to support implementation of green stormwater infrastructure consistent with Santa Clara Basin and South County Stormwater Resource Plans.	$19.8M	$45.2M
B3	**Existing (B5):** Hazardous Materials Management and Response 1. Respond to 100% of hazardous materials reports requiring urgent on-site inspection in 2 hours or less. **Proposed:** HAZARDOUS MATERIALS MANAGEMENT AND RESPONSE 1. Respond to 100% of hazardous materials reports requiring urgent on-site inspection in two (2) hours or less.	25% spent out of $0.6M $1.1M	$4.2M
B4	**Existing (B7):** Support Volunteer Cleanup Efforts and Education 1. Provide 7 grant cycles and 3 partnerships that follow pre-established competitive criteria related to cleanups, education and outreach, and stewardship activities. **(Grants moved in F9)** 2. Fund Valley Water support of annual National River Cleanup Day, California Coastal Cleanup Day, the Great American Pick Up; and fund the Adopt-A- Creek Program. **Proposed:** SUPPORT CREEK STEWARDSHIP VOLUNTEER EFFORTS 1. Fund Valley Water's creek stewardship program to support volunteer cleanup activities, such as annual National River Cleanup Day, California Coastal Cleanup Day, the Great American Litter Pick Up; and the Adopt-A-Creek Program.	55% spent out of $2.4M $5.1M	$9.2M

	KPIs Priority C: Protect Water Supply and Dams from Earthquakes and Other Natural Disasters	**Funds from SCW**	**Project Total**

Commented [KG7]: Why increased amount when we haven't needed as much for last 6 years?

Commented [KG8]: Why increased amount with fewer KPI requirements?

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

C1	**Existing**: Anderson Dam Seismic Retrofit 1. Provide portion of funds, up to $45 million, to help restore full operating reservoir capacity of 90,373 acre-feet. **Proposed**: ANDERSON DAM SEISMIC RETROFIT 1. Provide portion of funds, up to $54 million, to help restore full operating reservoir capacity of 90,373 acre-feet.	$14M out of $45M has been transferred $54.1M	 $576.3M

	KPIs Priority D: Restore Wildlife Habitat and Provide Open Space Access	**Funds from SCW**	**Project Total**
D1	**Existing**: Management of Revegetation Projects 1. Maintain a minimum of 300 acres of revegetation projects annually to meet regulatory requirements and conditions. **Proposed:** MANAGEMENT OF RIPARIAN PLANTING AND INVASIVE PLANT REMOVAL 1. Maintain a minimum of 300 acres of riparian planting projects annually to meet regulatory requirements and conditions. 2. Maintain a minimum of 200 acres of invasive plant management projects annually to meet regulatory requirements and conditions. 3. Remove 25 acres of Arundo donax throughout the county over a 15-year period.	20% spent out of $22.3M $68.9M	 $118.8M
D2	**Existing:** Revitalize Stream, Upland and Wetland Habitat 1. Revitalize at least 21 acres, guided by the 5 Stream Corridor Priority Plans, through native plant revegetation and removal of invasive exotic species. 2. Provide funding for revitalization of at least 7 of 21 acres through community partnerships. 3. Develop at least 2 plant palettes for use on revegetation projects to support birds and other wildlife. **Proposed:** REVITALIZE RIPARIAN, UPLAND AND WETLAND HABITAT 1. Revitalize at least 21 acres over a 15-year period through native plant revegetation and/or removal of invasive exotic species. 2. Develop an Early Detection and Rapid Response Program Manual. 3. Identify and treat at least 100 occurrences of emergent invasive species over a 15- year period, as identified through the Early Detection and Rapid Response Program. 4. Develop at least eight (8) information sheets for Early Detection of Invasive Plant Species.	18% spent out of $18.2M $8.1M	 $8.1M
D3	**Existing (D8):** South Bay Salt Ponds Restoration Partnership 1. Establish agreement with FWS to reuse sediment at locations to improve the success of Salt Pond restoration activities.	6% spent out of $4.5M	

Commented [KG9]: I'd prefer the title "Wildlife Habitat Stewardship". There is nothing in the KPIs here about access to open space. Please drop that portion of the title.

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

	2. Construct site improvements up to $4 million to allow for transportation and placement of future sediment. **Proposed:** SEDIMENT REUSE TO SUPPORT SHORELINE RESTORATION 1. Maintain partnership agreements to reuse sediment to improve the success of salt pond and tidal marsh restoration projects and activities. 2. Provide up to $4 million per 15-year period to support activities necessary for sediment reuse.	$4.1M	$4.1M
D4	**Existing:** Fish Habitat and Passage Improvement 1. Complete planning and design for 2 creek/lake separations. 2. Construct 1 creek/lake separation project in partnership with local agencies. 3. Use $6 million for fish passage improvements. 4. Conduct study of all major steelhead streams in the county to identify priority locations for installation of large woody debris and gravel as appropriate. 5. Install large woody debris and/or gravel at a minimum of 5 sites (1 per each of 5 major watersheds). **Proposed:** FISH HABITAT AND PASSAGE IMPROVEMENT 1. Complete planning and design for one creek/lake separation. 2. Construct one creek/lake separation project in partnership with local agencies. 3. Use $8 million for fish passage improvements. 4. Update study of all major steelhead streams in the county to identify appropriate locations for installation of large woody debris and gravel as appropriate. 5. Complete five (5) habitat enhancement projects based on studies that identify high priority locations for large wood, boulders, gravel and/or other habitat enhancement features.	19% spent out of $45.6M $43.6M	$50.6M
D5	**Existing:** Ecological Data Collection and Analysis 1. Establish new or track existing ecological levels of service for streams in 5 watersheds. 2. Reassess streams in 5 watersheds to determine if ecological levels of service are maintained or improved. **Proposed:** ECOLOGICAL DATA COLLECTION AND ANALYSIS 1. Reassess and track stream ecological conditions, habitats and selected fauna in each of the county's five (5) watersheds every 15 years.	26% spent out of $9M $7M	$10.5M
D6	**Existing:** Creek Restoration and Stabilization 1. Construct 3 geomorphic designed projects to restore stability and stream function by preventing incision and promoting sediment balance throughout the watershed. **Proposed:** RESTORATION OF NATURAL CREEK FUNCTIONS	7% spent out of $18.5M $14.5M	$19.6M

Commented [KG10]: I'd like to see more money for fish barrier removal to compensate for FAHCE delays.

Commented [KG11]: Prioritized fish barrier study is needed. Please include here or in stream priority plans (see comment in F9)

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

	1. Construct the Hale Creek Enhancement Pilot Project, which includes restoration and stabilization of a 650-foot section of concrete-lined channel on Hale Creek, between Marilyn Drive and North Sunshine Drive on the border of Mountain View and Los Altos. 2. Construct the Bolsa Road Fish Passage Project along 1,700 linear feet of Uvas- Carnadero Creek in unincorporated Santa Clara County, which includes geomorphic design features that will restore stability and stream function. 3. Identify, plan, design and construct a third geomorphic-designed project to restore stability and stream function by preventing incision and promoting sediment balance throughout the watershed.		
D7	**Existing:** Partnerships for the Conservation of Habitat Lands 1. Provide up to $8 million for the acquisition of property for the conservation of habitat lands. **Proposed:** PARTNERSHIPS FOR THE CONSERVATION OF HABITAT LANDS 1. Provide up to $8 million per 15-year period for the acquisition or enhancement of property for the conservation of habitat lands.	10% spent out of $8M $8M	 $8M

	KPIs Priority E: Provide Flood Protection to Homes, Businesses, Schools and Highways	**Funds from SCW**	**Project Total**
E1	**Existing**: Coyote Creek Flood Protection Montague Expressway to Tully Road – San José 1. Preferred project with federal, state, and local funding: Secure alternative funding sources to construct a flood protection project that provides flood risk reduction from floods up to the level of flooding that occurred on February 21, 2017, approximately a 20 to 25-year flood event, between Montague Expressway and Tully Road. 2. With local funding only: (a) Identify short-term flood relief solutions and begin implementation prior to the 2017-2018 winter season; (b) Complete the planning and design phases of the preferred project; and (c) With any remaining funds, identify and construct prioritized elements of the preferred project. **Proposed:** COYOTE CREEK FLOOD PROTECTION, MONTAGUE EXPRESSWAY TO TULLY ROAD – SAN JOSÉ 1. Construct flood protection improvements along Coyote Creek between Montague Expressway and Tully Road to provide protection from floods up to the level that occurred on February 21, 2017, approximately a 5% (or a 20-year) flood event.	9% spent out of $30.9M $41.8M	 $80.8M
E2	**Existing (Other)**: Sunnyvale East and Sunnyvale West Channels Flood Protection Projects San Francisco Bay to Inverness Way and Almanor Avenue – Sunnyvale	14% spent out of $60M	

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

	1. Provide riverine flood protection for 1,618 properties and 47 acres (11 parcels) of industrial land, while improving stream water quality and providing for recreational opportunities. **Proposed**: SUNNYVALE EAST AND SUNNYVALE WEST CHANNELS FLOOD PROTECTION, SAN FRANCISCO BAY TO INVERNESS WAY AND ALMANOR AVENUE -- SUNNYVALE 1. Provide 1% flood protection for 1,618 properties and 47 acres (11 parcels) of industrial land, while improving stream water quality and working with other agencies to incorporate recreational opportunities.	$33M	$70.4M
E3	**Existing:** **Proposed:** LOWER BERRYESSA FLOOD PROTECTION, INCLUDING TULARCITOS AND UPPER CALERA CREEKS (PHASE 3) -- MILPITAS 1. Complete the design phase of the project.	$8.2M	$71.2M
E4	**Existing:** Upper Penitencia Creek Flood Protection Coyote Creek to Dorel Drive – San José 1. Preferred project with federal and local funding: Construct a flood protection project to provide 1% flood protection to 5,000 homes, businesses and public buildings. 2. With local funding only: Acquire all necessary rights-of-way and construct a 1% flood protection project from Coyote Creek confluence to King Road. **Proposed:** UPPER PENITENCIA CREEK FLOOD PROTECTION, COYOTE CREEK TO DOREL DRIVE -- SAN JOSÉ 1. Preferred project with federal and local funding: Construct a flood protection project to provide 1% flood protection to 8,000 parcels. 2. With local funding only: Construct a 1% flood protection project from Coyote Creek confluence to Capital Avenue to provide 1% flood protection to 1,250 parcels, including the new Berryessa BART station	1% spent out of $44M $22.9M	$67M
E5	**Existing:** San Francisquito Creek Flood Protection San Francisco Bay to Middlefield Road Palo Alto 1. Preferred project with federal, state and local funding: Protect more than 3,000 parcels by providing 1% flood protection. 2. With state and local funding only: Protect approximately 3,000 parcels from flooding (100-year protection downstream of Highway 101, and approximately 30-year protection upstream of Highway 101). **Proposed:** SAN FRANCISQUITO CREEK FLOOD PROTECTION, SAN FRANCISCO BAY TO UPSTREAM OF HIGHWAY 101 -- PALO ALTO	62% spent out of $80M $31.5M	$89.3M

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

	1. Preferred project with federal, state and local funding: Protect more than 3,000 parcels by providing 1% flood protection. 2. With state and local funding only: Protect approximately 3,000 parcels by providing 1% flood protection downstream of Highway 101, and approximately 1.4% protection upstream of Highway 101.		
E6	**Existing:** Upper Llagas Creek Flood Protection Project Buena Vista Avenue to Wright Avenue – Morgan Hill, San Martin, Gilroy 1. Preferred project with federal and local funding: Provide flood protection to 1,100 homes, 500 businesses, and 1,300 agricultural acres, while improving stream habitat. S 2. With local funding only: Provide 100-year flood protection for Reach 7 only (up to W. Dunne Avenue in Morgan Hill). A limited number of homes and businesses will be protected. **Proposed:** UPPER LLAGAS CREEK FLOOD PROTECTION, BUENA VISTA AVENUE TO LLAGAS ROAD -- MORGAN HILL, SAN MARTIN, GILROY 1. Preferred project with federal and local funding: Plan, design and construct flood protection improvements along 13.9 miles of Upper Llagas Creek from Buena Vista Avenue to Llagas Road to provide flood protection to 1,100 homes, 500 businesses, and 1,300 agricultural acres, while improving stream habitat. 2. With local funding only: Construct flood protection improvements along Llagas Creek from Buena Vista Avenue to Highway 101 in San Martin (Reaches 4 and 5 (portion)), Monterey Road to Watsonville Road in Morgan Hill (Reach 7a), approximately W. Dunne Avenue to W. Main Avenue (portion of Reach 8), and onsite compensatory mitigation at Lake Silveira.	26% spent out of $200M $46.3M	$285M
E7	**Existing:** San Francisco Bay Shoreline Protection Milpitas, Mountain View, Palo Alto, San José, Santa Clara and Sunnyvale 1. Provide portion of the local share of funding for planning and design phases for the former salt production ponds and Santa Clara County shoreline area. 2. Provide portion of the local share of funding toward estimated cost of initial project phase (EIA 11). **Proposed:** SAN FRANCISCO BAY SHORELINE PROTECTION -- MILPITAS, MOUNTAIN VIEW, PALO ALTO, SAN JOSÉ, SANTA CLARA AND SUNNYVALE 1. Provide portion of the local share of funding for planning, design and construction phases for the Santa Clara County shoreline area (EIAs 1-4). 2. Provide portion of the local share of funding for planning and design phases for the Santa Clara County shoreline area (EIAs 5-9).	51% spent out of $23.8M $46M	$400M

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

E8	**Existing:** Upper Guadalupe River Flood Protection Highway 280 to Blossom Hill Road – San José 1. Preferred project with federal and local funding: Construct a flood protection project to provide 1% flood protection to 6,280 homes, 320 businesses and 10 schools and institutions. 2. With local funding only: Construct flood protection improvements along 4,100 feet of Guadalupe River between Southern Pacific Railroad (SPRR) crossing, downstream of Willow Street, to Union Pacific Railroad (UPRR) crossing, downstream of Padres Drive. Flood damage will be reduced; however, protection from the 1% flood is not provided until completion of the entire Upper Guadalupe River Project. **Proposed:** UPPER GUADALUPE FLOOD PROTECTION, HIGHWAY 280 TO BLOSSOM HILL ROAD -- SAN JOSÉ 1. Preferred project with federal and local funding: Construct a flood protection project to provide 1% flood protection to 6,280 homes, 320 businesses and 10 schools and institutions. 2. With local funding only: Construct flood protection improvements along 4,100 feet of Guadalupe River between Southern Pacific Railroad (SPRR) crossing, downstream of Willow Street, to Union Pacific Railroad (UPRR) crossing, downstream of Padres Drive and provide gravel augmentation along approximately 800 lineal feet of the Upper Guadalupe River in San José, from approximately the Union Pacific Railroad Bridge to West Virginia Street Bridge to improve aquatic habitat for migrating steelhead and channel stability.	39% spent out of $94.3M $35.8M	 $494M

	KPIs Priority F: Support Public Health and Public Safety for Our Community	**Funds from SCW**	**Project Total**
F1	**Existing (E1):** Vegetation Control and Sediment Removal for Flood Protection 1. Maintain 90% of improved channels at design capacity. 2. Provide vegetation management for 6,120 acres along levee and maintenance roads. **Proposed:** VEGETATION CONTROL AND SEDIMENT REMOVAL FOR CAPACITY 1. Maintain completed flood protection projects for flow conveyance.	31% spent out of $40.5M $114.1M	 $213.1M
F2	**Existing (E2):** Emergency Response Planning 1. Coordinate with agencies to incorporate Valley Water-endorsed flood emergency procedures into their Emergency Operations Center plans. 2. Complete 5 flood-fighting action plans (1 per major watershed). **Proposed:** EMERGENCY RESPONSE PLANNING AND PREPAREDNESS 1. Coordinate with local municipalities to merge Valley Water-endorsed flood emergency processes with their own emergency response plans and processes.	35% spent out of $3.9M $7.2M	 $7.2M

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

	2. Complete five flood management plans/procedures per five-year period, selected by risk priorities. 3. Train Valley Water staff and partner municipalities annually on disaster procedures via drills and exercises before testing the plans and procedures. 4. Test flood management plans/procedures annually to ensure effectiveness		
F3	**Existing (E3):** Flood Risk Reduction Studies 1. Completeengineeringstudieson7creekreachestoaddress1%floodrisk. 2. Update floodplain maps on a minimum of 2 creek reaches in accordance with new FEMA standards. **Proposed:** FLOOD RISK ASSESSMENT STUDIES 1. Complete engineering studies on three (3) creek reaches to address 1% flood risk. 2. Annually, update floodplain maps on a minimum of three (3) creek reaches in accordance with new FEMA standards.	45% spent out of $9.4M $21.9M	 $21.9M
F4	**Existing: None** **Proposed:** VEGETATION MANAGEMENT FOR ACCESS AND FIRE SAFETY 1. Provide vegetation management for access and fire risk reduction on an average of 495 acres per year, totaling 7,425 acres along levee, property lines and maintenance roads over a 15-year period	$12M	$80M
F5	**Existing (B4):** Good Neighbor Program: Encampment Cleanup 1. Perform 52 annual cleanups for the duration of the Safe, Clean Water Program to reduce the amount of trash and pollutants entering the streams. **Proposed:** GOOD NEIGHBOR PROGRAM: ENCAMPMENT CLEANUPS 1. Perform 300 annual cleanups to reduce the amount of trash and pollutants entering the streams. 2. Provide up to $500,000 per year in cost-share with other agencies to provide police and ranger patrol activities along waterways. 3. Partner with local agencies to address homelessness crisis with the goal to reduce encampment cleanups.	44% spent out of $15.1M $38.7M	 $38.7M
F6	**Existing:** Good Neighbor Program: Remove Graffiti and Litter 1. Conduct 60 cleanup events (4 per year). 2. Respond to requests on litter or graffiti cleanup within 5 working days. **Proposed:** GOOD NEIGHBOR PROGRAM: GRAFFITI AND LITTER REMOVAL AND PUBLIC ART 1. Cleanup identified trash and graffiti hotspots at approximately 80 sites four (4) times per year. 2. Respond to requests on litter or graffiti cleanup within five (5) working days.	31% spent out of $10M $13.1M	 $26.4M

Commented [KG12]: Six times the effort for 2.5 times the cost??

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

	3. Provide up to $1.5 million over 15 years to implement public art projects on Valley Water property and infrastructure.		
F7	**Existing (C2):** Emergency Response Upgrades 1. Map, install, and maintain gauging stations and computer software on 7 flood-prone reaches to generate and disseminate flood warnings. **Proposed:** EMERGENCY RESPONSE UPGRADES 1. Maintain existing capabilities for flood forecasting and warning. 2. Improve flood forecast accuracy and emergency response time working with the National Weather Service and through research and development.	56% spent out of $3.3M $13.2M	 $13.2M
F8	**Existing: None** **Proposed:** SUSTAINABLE CREEK INFRASTRUCTURE FOR CONTINUED PUBLIC SAFETY 1. Provide up to $7.5 million over the next 15 years to plan, design and construct projects identified through Watersheds asset management plans.	$7.5M	$15M
F9	**Existing (D3):** Grants and Partnerships to Restore Wildlife Habitat and Provide Access to Trails 1. Develop 5 Stream Corridor Priority Plans to prioritize stream restoration activities. 2. Provide 7 grant cycles and additional partnerships for $21 million that follow pre-established criteria related to the creation or restoration of wetlands, riparian habitat and favorable stream conditions for fisheries and wildlife, and providing new public access to trails. **Existing (B3):** Pollution Prevention Partnerships and Grants 1. 1. Provide 7 grant cycles and 5 partnerships that follow pre-established competitive criteria related to preventing or removing pollution. **Existing (B7):** Support Volunteer Cleanup Efforts and Education 1. Provide 7 grant cycles and 3 partnerships that follow pre-established competitive criteria related to cleanups, education and outreach, and stewardship activities. **Proposed:** GRANTS AND PARTNERSHIPS FOR SAFE, CLEAN WATER, FLOOD PROTECTION AND ENVIRONMENTAL STEWARDSHIP 1. Provide three (3) grant cycles every five (5) years that follow pre-established competitive criteria related to safe, clean drinking water, flood protection and environmental stewardship. 2. Provide two (2) partnership cycles every five (5) years for projects related to safe, clean drinking water, flood protection and environmental stewardship. 3. Provide annual funding for bottle filling stations to increase drinking water accessibility, with priority for installations in economically disadvantaged communities and locations that serve school-age children and students. 4. Provide annual mini-grant funding opportunity for projects related to safe, clean drinking water, flood protection and environmental stewardship.	30% spent out of $24M 42% spent out of $7.6M 55% spent out of $2.4M $50.1M	 $50.1M

Commented [KG13]: Stream priority plans a crucial for stewardship. Please include in new proposal.

Commented [KG14]: Either move to Priority D or edit title of F to include stewardship. Grants for maintenance of restored habitat should be included in description of F9.

Commented [KG19]: Specify % for categories. This is too vague. Can IMC provide input on "criteria" for grants?

Commented [KG15]: I recommend a grant cycle every year.

Commented [KG16]: This should just read "environmental stewardship". Remove "safe, clean drinking water, flood protection". It is inconsistent with description.

Commented [KG17]: This should just read "environmental stewardship". Remove "safe, clean drinking water, flood protection". It is inconsistent with description

Commented [KG18]: This should just read "environmental stewardship". Remove "safe, clean drinking water, flood protection". It is inconsistent with description

Valley Water's Safe Clean Water Parcel Tax - Key Performance Indicators (KPIs)

Michele King

Subject: FW: Support of Clean Water Program

From: KYONGMI <kyong-mi@prodigy.net>
Sent: Thursday, July 9, 2020 11:24 AM
To: Board of Directors <board@valleywater.org>
Subject: Support of Clean Water Program

July 9, 2020

Nai Hsueh, Chair

Valley Water Board of Directors

5750 Almaden Expressway

San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

I, Kyongmi Ader, support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot.

I have participated in National River Cleanup Day/Coastal Cleanup Day/Adopt-A-Creek Program for the past 3 years, a program funded through the Safe, Clean Water and Natural Flood Protection Program.

I support local dollars for local volunteer litter cleanup projects. The reason why I support the draft program is because it does the following:

- Provides funding for National River Cleanup Day, Coastal Cleanup Day, the Creek Connections Action Group and the year-round Adopt-A-Creek Program
- Provides volunteers the opportunity to take ownership of our local waterways through coordinated cleanup activities
- Provides for additional funding to address the impacts of the unhoused along our waterways
- Reduces contaminants entering our waterways and groundwater
- Provides funding to engage the community through special creek cleanup events, thereby supporting good stewardship of our watersheds
- Leverages community resources by engaging volunteers, thereby making efficient use of funding
- Sustains long-term funding beyond a simple 15-year program that results in long-term investment in the health of local waterways

If approved by voters, the Safe, Clean Water Program renewal would expand critical funding to the following areas: community cleanup events, volunteer community resources, pollution prevention, and public education and outreach to support creek stewardship. It would also guarantee availability of funding over the long-term, thereby resulting in long-term protection of our natural resources.

I, Kyongmi Ader, supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at 408-799-9734.

Sincerely,

Kyongmi Ader

CITY OF CAMPBELL
Mayor's Office

July 7, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the City of Campbell, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

I believe that ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

70 North First Street · Campbell, California 95008-1423 · TEL 408.866.2117 · FAX 408.374.6889 · TDD 408.866.2790

Nai Hsueh, Chair
July 7, 2020

The City of Campbell supports the Plan and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 866-2125, or susanl@campbellca.gov.

Sincerely

Susan M. Landry
Mayor, City of Campbell

Valley Water Board Meeting July 14, 2020
Agenda Item 2.7

Honorable Nai Hsueh, Chair and
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

SUBJECT: Approval of the Updated and Enhanced Safe, Clean Water and Natural Flood Protection Program for a Future Funding Measure

Dear Chair Hsueh and Board Members:

We are a group of residents of Crescent Park in Palo Alto who are directly affected by the flooding of San Francisquito Creek. We are writing to express support for the proposed *Safe, Clean Water and Natural Flood Protection Program* renewal and the *Draft Community Preferred Program Report*. We urgently request that you adopt the resolutions supporting both items.

We believe that the write up of Project E5, SAN FRANCISQUITO CREEK FLOOD PROTECTION, SAN FRANCISCO BAY TO UPSTREAM OF HIGHWAY 101 -- PALO ALTO, (pages 9.8 – 9.9 of the *Draft Community Preferred Program Report* dated June 2020, describes well and succinctly the background and need for this project.

We would add an emphasis on the time since the disastrous 2:00 AM 1998 flooding event – 22 years ago. During the time since, we have had five near-miss flooding events and still do not have any protection against the primary culprit for the flooding of the Crescent Park and Duveneck/Saint Francis neighborhoods, the Pope-Chaucer bridge. It is beyond time to upgrade the Pope-Chaucer bridge and the downstream weak spots in the creek, including the Newell Rd bridge, to contain future high flows.

Our residents have waited patiently for these 22 years for downstream reaches of the creek to be upgraded so as not to endanger the people living there from increased upstream conveyance. Each winter during the rainy season, our residents are held on tenterhooks wondering if this will be another year with flooding. Should I put out sand bags, prepare to evacuate, how do I protect life and property? Now that the Hwy 101 to bay reach has been upgraded, thankfully with generous support from Valley Water, it is crunch time when we must maintain the funding priority and capacity to finish the Hwy 101 to Middlefield bridge reach.

We realize that there are many demands for funding and critical tradeoffs on policies, priorities, and strategies for future Valley Water fund raising, work plans, and relations with the many governmental and non-governmental organizations involved. We reemphasize though that the San Francisquito Creek project has built critical momentum over the past few years to finally realize the completion of a workable solution to 70-year flood protection in San Francisquito Creek. We hope that negotiations for support of the proposed funding measure will succeed and not derail renewed funding of the *Enhanced Safe, Clean Water and Natural Flood Protection Program*. We note that Palo Alto residents, and in particular residents of Crescent Park, provided critical support for the previous renewal of the measure, in large part because of its contribution towards flood control of San Francisquito Creek. That support can be expected again, given the continued inclusion of the San Francisquito Creek project in the measure.

Thank you for your consideration.

Very truly yours,

Norman H. Beamer, President, Crescent Park Neighborhood Association
<nhbeamer@yahoo.com>

Thomas C. Rindfleisch, Treasurer, Crescent Park Neighborhood Association
<tcr@stanford.edu>

Xenia Hammer, Resident Crescent Park
<xhammer@gmail.com>

Steve Bisset, Resident Crescent Park
<steve@bisset.us>

Hamilton Hitchings, Resident Crescent Park
<hitchingsh@yahoo.com>

Trish Mulvey, Resident Crescent Park
<mulvey@ix.netcom.com>

CC: Rick Callender, Valley Water Chief Executive Officer
Gary Kremen, District 7 Representative, Valley Water Board of Directors
Margaret Bruce, Executive Director, San Francisquito Creek Joint Powers Authority
Marta Lugo, Valley Water Public Information Representative
<clerkoftheboard@valleywater.org>

California State Senate

SENATOR
JERRY HILL
THIRTEENTH SENATE DISTRICT

CAPITOL OFFICE
STATE CAPITOL
SACRAMENTO, CA 95814
TEL (916) 651-4013
FAX (916) 651-4913

DISTRICT OFFICE
1528 S. EL CAMINO REAL
SUITE 303
SAN MATEO, CA 94402
TEL (650) 212-3313
FAX (650) 212-3320

WWW.SENATE.CA.GOV/HILL
SENATOR.HILL@SENATE.CA.GOV

COMMITTEES
LABOR, PUBLIC EMPLOYMENT AND RETIREMENT
CHAIR
APPROPRIATIONS
BUSINESS, PROFESSIONS & ECONOMIC DEVELOPMENT
ENERGY, UTILITIES & COMMUNICATIONS
ENVIRONMENTAL QUALITY
GOVERNMENTAL ORGANIZATION

July 7, 2020

Nai Hsueh, Chair
Santa Clara Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Re: Draft Community Preferred Plan of Safe Clean Water and Natural Flood Protection Program

Dear Chair Hsueh:

I am writing in support of the draft community preferred plan, which was developed through outreach to Valley Water District stakeholders over the past six months. These stakeholders include constituents and organizations located in my Senate District. I urge the Valley Water District Board of Directors to adopt the Plan and place the renewal on the November 2020 ballot.

Water is essential in addressing the needs of our communities, and having a safe supply for the future will require a plan that is both flexible and carefully considered. Voters would be able to consider priorities that stakeholders identified:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supplies from earthquakes and other natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes and businesses, schools and highways
- Support public health and public safety for our community

As a representative of this area, I know that residents have understood the reduction of risk from flood control projects coming into fruition along Permanente Creek in Mountain View and Rancho San Antonio, which come from the Safe, clean Water and Natural Flood Protection Plan. I support this plan, which has identified possible projects in Sunnyvale, Palo Alto, San Francisco Bay Shoreline protection in Mountain View, Sunnyvale, Santa Clara, plus a grants and partnerships to promote flood protection and environmental stewardship.

I urge the Board to adopt the plan and place this measure on the November ballot. Thank you for your consideration.

Sincerely,

Jerry Hill
Senator, 13th District

CITY OF SARATOGA
13777 FRUITVALE AVENUE • SARATOGA, CALIFORNIA 95070 • (408) 868-1200

Incorporated October 22, 1956

COUNCIL MEMBERS:
Mary-Lynne Bernald
Rishi Kumar
Howard Miller
Yan Zhao

July 9, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the City of Saratoga, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The City of Saratoga supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at hmiller@saratoga.ca.us

Sincerely,

Howard A. Miller, Mayor
City of Saratoga

July 9th, 2020
Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

As a graduate of Valley Water's Water 101 Academy and resident of Santa Clara County, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot.

I support local dollars for local projects. The reason why I support the draft program is because it does the following:

- Supports the repair and upgrade of Anderson Dam to ensure public safety and repair a critical component of our local water supply.
- Invests in our aging water infrastructure, including reservoirs and pipelines, to ensure a reliable and safe, clean drinking water supply for Santa Clara County.
- Helps fund local flood protection projects to protect people, homes, businesses, highways and important community facilities such as schools and hospitals.
- Protects our creek ecosystems and natural resources by restoring habitat for wildlife, removing invasive and non-native plant species and improving fish passage.
- Empowers community organizations as environmental stewards to help protect and preserve our natural resources through collaboration made possible by Safe, Clean Water grants and partnerships.

If approved by voters, the Safe, Clean Water Program renewal would expand critical funding to repair and upgrade our aging infrastructure, protect our most vulnerable communities from flood risks; support public education, volunteer community resources and creek stewardship. It would also guarantee availability of funding over the long-term, thereby resulting in long-term protection of our water resources.

I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at (408) 551-9965 or cazaragoza1228@gmail.com.

Sincerely

Cesar A. Zaragoza

CITY OF MORGAN HILL

17575 Peak Avenue
Morgan Hill, CA 95037-4128
TEL: (408) 778-6480
FAX: (408) 779-7236
www.morganhill.ca.gov

July 9, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and Members of the Board:

As the Mayor of the City of Morgan Hill, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot.

This draft program would fund a number of efforts important to the residents and businesses in Morgan Hill. These include:

- Funding to repair Anderson Dam, which provides critical water supplies to all of South County;
- Funding to complete the Upper Llagas Creek Flood Protection Project;
- Expanded and continued funding to address litter, graffiti, and the impacts of the unhoused along our waterways; and
- Continued funding for trails and access to open spaces

Our community supports local dollars for local projects. I recognize that building and maintaining these projects, and funding these important initiatives is a long-term, ongoing endeavor for this and future generations, and funding for this and other flood protection efforts in the draft program should be ongoing and over the long-term as well.

For these reasons, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at rich.constantine@morganhill.ca.gov or (408) 313-3305.

Sincerely,

Rich Constantine
Mayor, City of Morgan Hill

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

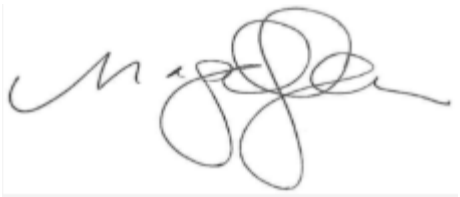
As the elected representative for East San Jose, I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot.

As you know, the City partners with Valley Water every year to address impacts of the unhoused who live along waterways throughout San Jose, including in my district. This coordination effort is directly funded through this program as well as requests for cleanup of illegal dumping, trash, and graffiti. The reason I support the draft program is because it includes expanded, continued funding for this crucial work, and guarantees that funding availability beyond a simple 15-year program. This investment serves disadvantaged communities and vulnerable residents through the long-term operations and maintenance of projects.

As one of the councilmembers whose constituents are deeply affected by the increase in unhoused population near waterways and creeks, it is crucial that these projects receive the funding they need to ensure residents in my district get the resources they need. I support local dollars for local projects, and if approved by voters, this draft program would provide that needed funding to clean up encampments along our waterways, and fund installation and maintenance of public art projects, such as murals, to beautify property and infrastructure, to help deter graffiti and litter.

I appreciate that Valley Water has listened to requests from the community that funding for these activities be continued and expanded through this draft program. I support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urge the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact my Chief of Staff Frances Herbert at (408) 535-4905 or frances.herbert@sanjoseca.gov

Sincerely;



Magdalena Carrasco
City of San José
Councilmember, District 5

July 10, 2020

Board of Directors
Valley Water
5750 Almaden Expressway
San Jose, CA 95118

Subject: Support for ongoing collaboration between the Santa Clara Valley Open Space Authority and Valley Water, pursual of funding sources that help meet mutual public benefit objectives

Dear Members of the Board of Valley Water:

On behalf of the Santa Clara Valley Open Space Authority (Authority), we appreciate the opportunity to submit this letter of general support for the ongoing and productive collaboration our agency enjoys with Valley Water.

The Authority is a public, independent special district created by the California State Legislature in 1993 at the urging of community leaders who saw the importance of maintaining the ecological integrity of the region. The Authority conserves the natural environment, supports agriculture, and connects people to nature by protecting open spaces, natural areas, and working farms and ranches for future generations.

Our agencies entered into a Water Resources Protection Memorandum of Understanding in 2015 to memorialize and expand our partnership, with the objective of providing greater benefits to the public related to the protection, restoration, and stewardship of water resources within overlapping areas of our jurisdiction.

Projects in which we have engaged as partners have included, for example, informing elements of mutual interest within Valley Water's One Water Plan, and initiation of the Coyote Valley Water Resources Investment Strategy. The Authority's mission has also been advanced through application of grant funds from Valley Water, such as the South Valley Meadow Restoration project in the Authority's Coyote Valley Open Space Preserve, which received a grant in 2017 from the Valley Water Safe, Clean Water and Natural Flood Protection Program.

Given the significant benefit our partnership can continue to bring to the public as it relates to mutual goals around natural water resource protection and enhancement, the Authority is supportive of the ongoing collaboration between our agencies, as well as Valley Water's pursual of sustainable funding sources to support that collaboration.

The Authority appreciates this opportunity to express support for our ongoing partnership, and looks forward to further collaboration on projects, programs, and initiatives that benefit the communities both our agencies serve.
Sincerely,

Andrea Mackenzie
General Manager

Cc: Board of Directors, Santa Clara Valley Open Space Authority
Citizens Advisory Committee, Santa Clara Valley Open Space Authority

SUSTAINABLE SILICON VALLEY

The Honorable Nai Hsueh
Chair, Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

July 9th, 2020

Subject: **Safe, Clean Water & Natural Flood Program**

Dear Chair Hsueh

I would like to express the support of Sustainable Silicon Valley for the renewal of the Safe, Clean Water & Natural Flood Protection Program via placement on the upcoming November 2020 ballot as well as the adoption of staff's Draft Community Preferred Plan for implementation of the Program should Santa Clara County voters affirm.

From the Upper Pajaro River to the mouths of San Francisquito and Coyote Creeks, Valley Water has been the custodian of a sacred trust of essential waters, soils and habitat since its founding 91 years ago in 1929. At a time of systemic uncertainty and stress, Valley Water's historic commitment to watershed stewardship should be a great comfort to the nearly two million citizens of Santa Clara County. This is the fundamental strength of your organization, the North Star to set your compass, a major source of pride.

The Draft Community Plan prioritizes resilient supply, pure clean water and extensive flood management, builds on the work of past plans and befits this historic trust. The Plan's process transparency and implementation accountability are well thought through. Valley Water is literally a special district, the largest in California, a multi-purpose provider of multiple benefits. With ratification of the Safe, Clean Water & Natural Flood Program, voters are investing in Santa Clara Valley's sustainable future.

Water (and pretty much everything) needs good governance. Sustainable Silicon Valley is here to help. We are a "think & do" tank focused on water use & reuse, air quality & mobility and the leading of a prosperous, equitable & sustainable life in a decarbonizing Bay Area. Please feel free to contact me should you have any questions or comments.

Sincerely,

Dennis Murphy
Water
Director
Sustainable Silicon Valley
dmurphy@sustainablesv.org

July 10, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board,

I am a Cupertino resident and Valley Water customer/supporter, and participated in the remote/digital Valley Water infrastructure tour and presentation. There are aspects of the proposed Safe, Clean Water Program renewal I support; however, I urge the Board to consider and take action to address the following indicators of management and implementation concerns. I feel these issues demonstrate attitudes which are not aligned with the stated policies and commitments inherent to the Safe, Clean Water Program and therefore may undermine public support for the measure if presented on the November 2020 ballot.

A review of commitments and accomplishments in the protection of ecosystems and wildlife habitat indicates a lack of follow-through in promised investments. Over $15M allocated to habitat stewardship was unspent at the conclusion of the previous parcel tax measure and the FY19 Safe, Clean Water Program report shows $25M of similarly allocated parcel tax funds remain unspent. Measure B's voter-endorsed Key Program Indicators specific to habitat and ecosystem management/restoration have been revised and combined into a general-purpose grant fund in the draft proposed renewal, a worrying indication that the low priority accorded these issues could be further enabled rather than remediated.

The draft proposed measure has no sunset date, an obstacle to appropriate accountability to voters. Another concern centers on the Independent Monitoring Committee. This body is only empowered to assess prior year activities while real oversight should include the ability to review and advise with forward-looking recommendations.

I represented NASA Ames to the Silicon Valley Leadership Group prior to my retirement in 2019 and Co-Chaired SVLG's Environment Committee for many years. I had the opportunity to visit Valley Water locations and hear staff presentations as they sought community support and advocacy for projects and funding. They impressed me with their professionalism, energy, and commitment. I am confident the concerns articulated above can be addressed, leading to more positive outcomes for the Safe, Clean Water Program and deepening public support for future measures.

Sincerely yours,

Rose Grymes, Ph.D.
22111 Lindy Lane
Cupertino, CA 95014

650.229.3551
ragrymes@gmail.com

LIVING CLASSROOM

July 10, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

Living Classroom supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot.

Since 2018, Valley Water has awarded Living Classroom $40,000 in Safe, Clean Water and Natural Flood Protection Program grant funding for our D3 mini-grant projects. These funds provide efforts on planning and supervising community building as well as restoration efforts to our schools' native gardens, which are used as outdoor classrooms to deliver watershed stewardship curriculum to over 5800 students from grades K–5 in 20 schools in 2019-2020.

We support local dollars for local projects. The reason why we support the draft program is because it does the following:

- Provides for expanded grant funding
- Consolidates all grant types to be available each year for increased flexibility and availability
- Offers greater flexibility to fund additional innovative projects that meet community needs
- Streamlines and provides for a more efficient process through a stabilized grants program
- Provides for additional funding to address the impacts of the unhoused along our waterways
- Expands funding and eligibility for public bottle filling station (hydration station) grants
- Provides for new funding for public art to beautify Valley Water property and reduce graffiti and litter
- Guarantees funding availability beyond a simple 15-year program

If approved by voters, Priority F would expand critical grant funding to the following areas: wildlife habitat restoration, water conservation, bottle filling stations (hydration stations), pollution prevention, creek cleanups and education, and access to trails and open space.

Living Classroom supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at 415. 699.8707/margoth@living-classroom.org.

Warm Regards,

Margot Harrigan
Executive Director

STATE CAPITOL
SACRAMENTO, CA 95814
(916) 651-4015

California State Senate

SENATOR
JIM BEALL
FIFTEENTH SENATE DISTRICT

July 9, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

I write to express my support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and to urge the Valley Water Board of Directors to adopt the Plan for the November 2020 ballot.

While I support the Plan, I will work to ensure Valley Water provides land acquisition and enhancement funding for multi-agency projects, such as the wildlife crossing on Highway 17. Valley Water can be an essential partner in the creation of this important watershed protection project. This corridor would safely connect wildlife around the Lexington Reservoir open space nexus, ensuring the health of our watershed while further promoting the safety of Silicon Valley residents. This multi-agency watershed protection should be a priority.

Additionally, I will continue to advocate for the protection of residents along Coyote Creek high-risk flood zones— particularly for residents along the Rockspring and William Street Park neighborhoods. The hardships these residents endured in 2017 cannot be overstated. I look forward to working with residents and Valley Water on the timeliness, evaluation, and success of these public safety investments.

Exploratory discussions on the Plan have yielded several priorities which bring better services and clean waterway opportunities to residents, with accountability they can act upon.

I respectfully urge the Board to adopt and to place this measure on the November ballot. If you have any questions, please contact my office at (408) 558-1295.

Sincerely,

Jim Beall

Jim Beall
Senator, District 15

7/12/2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

Since 2018, Valley Water has awarded our organization $25,000 in Safe, Clean Water and Natural Flood Protection Program grant funding for our five D3 mini-grant projects. These funds provide outdoor watershed-related educational programming for older adults including legally blind seniors. These activities create environmental stewards by bringing awareness about the importance of the creeks and watersheds in our community.

We support local dollars for local projects. The reason why we support the draft program is because it does the following:

- Provides for expanded grant funding
- Offers greater flexibility to fund additional innovative projects that meet community needs
- Streamlines and provides for a more efficient process through a stabilized grants program
- Provides for additional funding to address the impacts of the unhoused along our waterways
- Guarantees funding availability beyond a simple 15-year program

Bay Area Older Adults supports the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure on the November 2020 ballot. If you have any questions, please feel free to contact me at 408.472.4464 or share@bayareaolderadults.org

Sincerely

Dr. Anne Ferguson
Executive Director
Bay Area Older Adults
www.bayareaolderadults.org

Handout 2.7-AAH
07/14/20

City of Santa Clara
The Center of What's Possible

Mayor

Lisa M. Gillmor

Councilmembers

Raj Chahal
Debi Davis
Karen Hardy
Teresa O'Neill
Kathy Watanabe

July 10, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the City of Santa Clara, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and approved by the Valley Water Board of Directors in order to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water coupled with comprehensive and progressive water conservation programs, environmental and flood protection programs are essential in addressing the needs of our communities while ensuring that associated cost impacts are minimized for our ratepayers. The San Francisco Bay Shoreline Project, as highlighted in the community-preferred program report is important to the City of Santa Clara as this project will provide coastal flood protection from climate change induced rising sea-levels, restore and enhance tidal marsh, protect 4,700 acres, 5,000 structures and the San José-Santa Clara Regional Wastewater Facility.
Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The City of Santa Clara supports the Plan and requests the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact Gary Welling, Director of Water & Sewer Utilities at (408) 615-2018 or gwelling@santaclaraca.gov.

Sincerely

Lisa M. Gillmor, Mayor
City of Santa Clara

THIS PAGE INTENTIONALLY LEFT BLANK

Michele King

From: Michelle Critchlow on behalf of Board of Directors
Sent: Monday, July 13, 2020 2:33 PM
To: Michele King
Subject: FW: DO NOT SUPPORT Report Safe, Clean Water Program
Attachments: FINAL NGO Letter to Valley Water.pdf

For the Board Meeting

From: Cheryl Weiden <weidenc@gmail.com>
Sent: Monday, July 13, 2020 1:58 PM
To: Board of Directors <board@valleywater.org>
Subject: DO NOT SUPPORT Report Safe, Clean Water Program

Nai Hsueh, Chair

Valley Water Board of Directors

5750 Almaden Expressway

San Jose, CA 95118

Dear Chair Hsueh and members of the Board:

As an engaged Valley Water infrastructure tour participant, I DO NOT support the proposed community-preferred program report to renew the Safe, Clean Water Program, and urges the Board to adopt it and place this measure for a parcel tax on the November 2020 ballot.

I am dismayed at the PR effort to persuade the public, including me, to support the ballot measure without full disclosure of the activities of Valley Water. Specifically, I oppose the Bay Delta Tunnel project and the water projects which will reduce water for environmental needs without prioritizing conservation first.

Please know I fully support the attached letter from Peter Drekmeier of Tuolumne River Trust and a coalition of environmental groups.

If you have any questions, please feel free to contact me at (650)464-1610.

Sincerely

Cheryl Weiden

LOS ALTOS HILLS
CALIFORNIA

July 8, 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Town of Los Altos Hills, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water is essential in addressing the needs of our communities. Passage of this measure would provide support for volunteer efforts and educational activities, safety protocols, and protection of our natural areas.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Town of Los Altos Hills supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (650) 947-2514 or ccahill@losaltoshills.ca.gov.

Sincerely

Carl Cahill
City Manager

26379 Fremont Road
Los Altos Hills
California 94022
650/941-7222
Fax 650/941-3160

THIS PAGE INTENTIONALLY LEFT BLANK

Date: July 12th, 2020
To: Board of Directors, Santa Clara Valley Water District
5750 Almaden Express Way
San Jose, CA 95118
From: Patrick Samuel, Bay Area Conservation Director, California Trout
360 Pine Street
San Francisco, CA 94141
Re: July 14, 2020 Board Meeting, Agenda Item 2.7. Approval of Updated and Enhanced Safe, Clean Water and Natural Flood Protection Program for a Future Funding Measure (Continued from June 23, 2020)

Dear Board Chair Nai Hsueh:

California Trout, Inc. ("CalTrout") provides these comments regarding Item 2.7, "Approval of Updated and Enhanced Safe, Clean Water and Natural Flood Protection Program for a Future Funding Measure," which is on the agenda for Santa Clara Valley Water District's ("Valley Water") Board of Directors July 14, 2020 meeting.

California Trout's mission is to ensure that resilient, wild fish thrive in healthy waters for a better California. We have been working statewide for almost 50 years, and have engaged with the Santa Clara Valley Water District for the past 17 years in good faith as an original Initialing Party of the Fisheries and Aquatic Habitat Cooperative Effort (FAHCE Agreement) toward that goal.

Over the past seventeen years, Valley Water has completed some important barrier removal and habitat improvements projects and conducted watershed studies. However, these have been insufficient to even maintain, let alone protect and enhance fish populations in the watersheds in which they operate. Despite these efforts, the status of federally threatened Central California Coast steelhead (*Oncorhynchus mykiss irideus*) has continued to decline over time. Dr. Jerry Smith has concluded from independent steelhead surveys throughout the Coyote Creek watershed that steelhead have either become extirpated already or populations have dwindled to such low levels of abundance to almost be undetectable in standardized surveys (*J. Smith 2019 – attached*). Mismanagement and lack of adequate streamflows, lack of quality habitat, and access to such habitats have contributed to the species' decline in Coyote Creek and the Guadalupe River and Stevens Creek as well, all under the Water District's watch. The best available science indicates that without action, CCC steelhead are likely to become extirpated in the next 50 years (https://watershed.ucdavis.edu/files/content/news/SOS%20II_Final.pdf).

We request that the Board direct staff to make changes to the proposed funding program that would be implemented if the special tax passes. Specifically, we request adding:

- Inclusion of a sunset clause for the parcel tax;
- addition of clear explanations and timelines for the fisheries-related projects that will be funded by the parcel tax under Project D4-D6 "Restore Wildlife Habitat" and
- assurance that the funds used for these purposes under the parcel tax do not count against the FAHCE budget.

CALIFORNIA TROUT
FISH · WATER · PEOPLE

First, CalTrout believes that this Parcel Tax measure, while it does include important provisions for environmental justice and public safety, is using positive polling data on clean water language in the measure to entice ratepayers to fund water supply projects without sufficient requirements for Valley Water to timely implement legally required restoration activities. Specifically, we request inclusion of a sunset clause on the parcel tax measure, which would avoid the potential for the delays in project design and implementation from the District that Initialing Parties have experienced in the FAHCE process.

While we enthusiastically support habitat restoration to benefit ecosystem function, fisheries recovery, and public health and safety, we are opposed to the inclusion of any of Priority D "Restore Wildlife Habitat" considerations as part of the parcel tax resolution ("Parcel Tax") without inclusion of specific safeguard amendments. Santa Clara Valley Water District ("Valley Water") has a duty to enact the habitat enhancement measures listed in the Parcel Tax through California Fish and Game Codes and through State Water Board provisions and/or mitigation with District funds. The Parcel Tax provisions that support fish passage and habitat improvements are listed in wide-ranging categories that give Valley Water too much discretion to fund other projects in place of these required restoration activities. We request more clarification on which projects specifically under Projects D4-D6 (Project D4, Fish Passage and Habitat Improvement; Project D5, Ecological Data Collection and Analysis; and Project D6, Restoration of Natural Creek Functions).

Finally, we request that any funds raised by the parcel tax will not count against the prior FAHCE budget. Ratepayers should not be expected to pay for a new tax for measures that should have already been completed under FAHCE over the last seventeen years were that process working as intended.

Should the Board direct District staff to incorporate these changes, we would support the proposed resolution for the parcel tax. We look forward to putting the past 17 years of frustration and delay behind us and working with you in this effort to ensure the health of Santa Clara County watersheds as soon as possible.

Respectfully,

Patrick Samuel

Bay Area Program Manager

California Trout

Fish Population and Environmental Sampling In 2014-2019 on Coyote Creek

Jerry J. Smith, Emeritus Professor
Department of Biological Sciences
San Jose State University
frogs_and_fish@yahoo.com
23 December 2019

CUMULATIVE ABSTRACT

Severe drought and cut-backs in the delivery of imported water via the San Felipe Pipeline resulted in substantial reductions in reservoir and pipeline releases to Coyote Creek from early February 2014 through March 2016. Despite the flow cut-backs, adult steelhead (*Oncorhynchus mykiss*) had access and spawned in Coyote Creek between Ogier Ponds and Anderson Reservoir during the very brief passage window in early February 2014; however, the brief and very early passage window would have prevented almost all steelhead smolts reared in 2013 or 2012 from successfully emigrating in 2014. In 2015, despite more rain and runoff into Anderson Reservoir, the reduced pipeline and reservoir releases that began in February 2014 were continued, and there was no downstream flow continuity to provide adult or smolt passage. No young-of-year (YOY) steelhead were captured in 2015, and most steelhead reared in 2014 were not found at sampled sites, and therefore likely smolted and attempted to emigrate. However, considering the persistent lack of suitable flow conditions in downstream reaches of Coyote Creek, any steelhead smolts that attempted to emigrate would have been trapped in the dry-back zone and/or lost to bass (*Micropterus* spp.) predation in the Ogier Ponds. In 2016, the lack of connectivity continued until the end of March, when large reservoir releases were made for groundwater percolation, that also provide for potential immigration of steelhead adults. However, no juvenile steelhead were captured during fall 2016 sampling. In 2017, despite the flood flows in February and high flows through summer, adult access to spawning and rearing areas upstream of Metcalf Pond would only have been possible (although difficult) prior to the flood, during very brief windows during the flood, and after 30 March due to damage at the Metcalf Dam. In addition, poor high flow/velocity passage conditions at the Singleton Road apron and culverts would have hindered or prevented adult upstream access during much of the migration period.

Spring-fall stream flows in 2017 were mostly between 30 and 70 cubic feet per second (cfs) in the potential spawning and rearing habitat. Most of the flow come from releases from Anderson Reservoir because of seismic-related reservoir storage limits, rather than from a more equal combination of reservoir and San Felipe Pipeline releases as in previous years. Therefore, water temperatures between the reservoir and the Ogier Pond complex were somewhat cooler than in 2014-2016. Releases warmed over the summer as the reservoir was

drawn down towards the mid-level release port. The heating effect of Ogier Ponds maintained very warm water temperatures downstream of the ponds (22-25+°C) as observed in 2014-2016. Temperatures downstream of the ponds were 3-6°C warmer than upstream into September, because of the large heat capacity within the ponds and the discharge of warm surface water from the ponds. The large amount of stored storm water in Anderson Reservoir atypically resulted in relatively turbid releases throughout summer and fall. Despite brief windows of potential adult steelhead access and suitable rearing conditions in summer and fall 2017, no juvenile steelhead were captured during sampling at four sites in August or October. Apparently, the last potential smolts to successfully emigrate in Coyote Creek were probably in 2013. The unsuitable flow conditions, and the barrier at Singleton Road, resulted in passage bottlenecks that eliminated most or all steelhead production for 2013-2017, potentially extirpating steelhead.

In 2018, adult steelhead access should have been possible during brief storms in mid-January and March through early April. However, passage at Singleton Road would have been suitable only intermittently, and passage at the Coyote Ranch Road stream gage weir would have been continuously difficult. The reservoir volume doubled to about 42,000 acre-feet (AF) by the end of March. Stream flows downstream of Anderson Reservoir were 30-50 cfs from February through October. Mean water temperatures of reservoir releases were warm (22°C) at the late September peak, but were 3-5°C warmer downstream of Ogier Ponds in May through July compared to upstream. No O. *mykiss* were captured by electrofishing at the four previously sampled sites. However, Valley Water (VW) biologists did capture two juveniles at another location. A tiny remnant population apparently still existed, but was still at risk of extirpation. New Zealand mud snails (*Potamopyrgus antipodarum*), an undesirable invasive, were encountered between the dam and Ogier Ponds.

In 2019, heavy rains in January through mid-March filled Anderson Reservoir towards it seismic storage limit, triggering heavy releases (400 cfs) in February through mid-March. Adult steelhead passage was potentially available into April and potential smolt passage was available through May. Late spring through fall releases were almost all from the mid-level release port at Anderson Reservoir. Release temperatures rose over the summer, and sharply increased in September, to a mean of 21°C, as the reservoir elevation lowered the thermocline to the mid-level outlet. Water temperatures increased little between the dam and the Ogier Ponds, but jumped substantially through the four ponds, with mean June through September temperatures 21-23°C; mean temperatures in June were 8°C higher downstream of the ponds compared to upstream. Temperature increase after going through only the first pond was still about half of that produced by the four ponds. Those temperatures and seasonal temperature pattern continued at sites farther downstream. Despite a sampling effort almost twice that of 2018, only one YOY and three yearling steelhead were seen or captured. Sampling by the VW also captured three YOY. The steelhead "run" consists of a very few fish, and the population is still at risk of extirpation.

Improvements to the steelhead population will require removal of the Singleton Road passage barrier as soon as possible and modification of current release strategies during late winter and

spring to provide for adult and smolt passage in dry years. The renovated VW gaging weir at Coyote Ranch Road also needs to be modified for fish passage as soon as possible. Less urgent, but necessary, is the modification of the Metcalf Dam (replaced with rubber dam?) and modification of the fish ladder so that the baffles can easily be removed or modified to accommodate a variety of stream flow and Metcalf Pond water levels. Stream flow connectivity for successful migration improves substantially if releases for aquifer recharge are maintained at a level (30-40 cfs) sufficient to reach below Metcalf Pond, particularly when prior to and during larger storm events. In addition to providing aquifer recharge, these releases would connect with storm runoff from Fisher Creek and from substantial suburban impervious surface runoff downstream of the Metcalf Dam, which would then provide connectivity into and through lower Coyote Creek. Additionally, mid-summer through fall releases similar to those in 2016-2018 (30-40+ cfs), rather than the much smaller releases in 2014 and 2015, would provide more rearing habitat extent and more optimal fast-water feeding habitat. Cooler water, based upon source (reservoir versus San Felipe Pipeline) and release port elevation in Anderson Reservoir, during most of mid to late summer and fall, would also improve rearing habitat quality. Finally, re-directing the stream around Ogier Ponds is urgently needed to eliminate the water temperature and predation effects of the ponds on rearing and migrating steelhead.

INTRODUCTION

Summer or fall investigations into the distribution and abundance of rainbow trout/steelhead had not been conducted for decades on Coyote Creek in the reach between Anderson Reservoir and Metcalf Pond until electrofishing was conducted between Anderson Reservoir and Ogier Ponds in September and November 2014 (Leicester and Smith 2014b). Despite the dry conditions in 2014, and the substantial reduction in releases to the stream after early February, presence of rearing YOY indicated that adult steelhead accessed and spawned in the reach between Ogier Ponds and Anderson Reservoir. The streambed dried downstream of Ogier Ponds by late June. YOY steelhead were captured at all three sample sites in both September and November, and despite warm late-summer water conditions, they were large enough to smolt and emigrate by spring 2015, especially with good conditions for growth in most of winter and spring 2015.

However, winter and spring conditions were extremely dry again in 2014-15, so stream connectivity was not restored and adult and smolt migration was not possible. Sampling was repeated in late June-early July, and in November 2015. Almost all YOY fish reared in 2014 had emigrated, but would have been lost during the attempt, due to the unconnected and drying stream farther downstream and/or to predatory bass in the Ogier Ponds (Leicester and Smith 2015). A very few large yearling steelhead were still present in June. The attempted emigration by most *O. mykiss* indicates that the fish were steelhead; there is no resident rainbow trout population in Coyote Creek downstream of Anderson Reservoir. In 2016, connectivity was not restored to allow potential adult or smolt migration until very late March,

when high releases were made for groundwater percolation and to potentially allow late-migrating steelhead adults to access upstream spawning and rearing areas. No juvenile steelhead were captured by fall sampling at four sites in 2016.

In 2017, high stream flows provided some windows in January, February and April for potential adult steelhead to access spawning and rearing habitat upstream of Metcalf Pond and the Ogier Pond Complex (Smith 2017). However, few adult steelhead were likely because of the impacts of flow conditions on smolt emigration in 2014-2016. Electrofishing sampling conducted in late August and late October 2017 captured no steelhead at four sample sites, so there was little or no apparent successful steelhead production for five years, 2013-2017, potentially extirpating steelhead in the watershed (Smith 2017).

In 2018, adult steelhead access should have been only possible during brief storms in mid-January and March through early April. Flows of at least 6 cfs reached the Edenvale gage throughout winter, and storm flows from Fisher Creek and the suburban impervious surfaces downstream of Metcalf Pond produced flows for potential adult passage throughout Coyote Creek to above Metcalf Dam (Smith 2018). However, passage at Singleton Road would have been suitable only intermittently, and passage at the reconstructed Coyote Ranch Road stream gage weir would have been continuously difficult (Smith 2018). The reservoir volume doubled to about 42,000 acre-feet (AF) by the end of March, and flows downstream of Anderson Reservoir were 30-50 cfs from February through October. Mean water temperatures of reservoir releases were warm (22°C) at the late September peak, and also were 3-5°C warmer downstream of Ogier Ponds in May through July compared to upstream. No O. *mykiss* were captured by electrofishing at the four previously sampled sites. However, VW biologists did capture two juveniles at another location.

In 2019, habitat monitoring and fall electrofishing was again conducted to assess the status of the precarious steelhead population in the watershed.

METHODS

Data on stream flow and Anderson Reservoir storage were obtained from the Santa Clara Valley Water District (SCVWD) Automated Local Evaluation in Real Time ("ALERT") website (Anderson reservoir storage, Madrone, Edenvale, Coyote Ranch Road, and Fisher Creek stream gages), and conditions in the streambed were visually assessed irregularly through June. In addition, stream flow conditions upstream of Coyote Reservoir were obtained from the USGS ("near Gilroy") gage, as an index to upper watershed runoff.

Six Onset Hobo temperature loggers, that recorded every 30 minutes, recorded from 1 April through November 23 (Figure 1). Four other loggers (dates in ( ) below) started recording on 1 May or 3 July; recovery of one of those loggers was delayed until 18 December:

1) in Coyote Creek County Park immediately downstream of Anderson Reservoir;

2. at the discharge from the hydro pipeline downstream of Anderson Reservoir *(3 July through 23 November)*
3) in the Park downstream of the San Felipe Pipeline/hydro discharge location, to reflect the combination of reservoir and pipeline discharges;
4) upstream of the Ogier Ponds complex, downstream of the Model Airplane Park;
5) immediately downstream of Ogier Pond #1 *(23 July through 18 December)*
6) immediately downstream of the Ogier Pond Complex;
7) downstream of the dead end Golf Course Road;
8) downstream of Coyote Creek Ranch Road *(1 May through 23 November)*;
9) immediately downstream of the outflow from Metcalf Pond ("Coyote Percolation Pond"); and
10) near the Edenvale stream gage (*1 May through 23 November*)..

On 9 September, four previously sampled sites were sampled by electrofisher (Figure 1): immediately downstream of Anderson Reservoir, upstream of the Correctional Facility downstream of the Reservoir, the main channel upstream of Ogier Pond #1, and a braided channel upstream of Ogier Pond #1. On 23 October a previously sampled site downstream of the Golf Course Road (downstream of the Ogier Ponds), additional braided channels upstream of Ogier Pond #1, and a short reach between Ogier Pond # 1 and #2 were sampled. Stream flow during sampling was approximately 40-48 cfs at four of the sites, but about 20 cfs at the site immediately downstream of the Anderson Reservoir, which received only part of the reservoir and pipeline release. Flows were between 6 and 25 cfs in the individual braided channels. Two pass electrofishing was conducted to provide depletion population estimates, but only two *O. mykiss* were captured and two others were shocked but not captured. Approximately the same habitats were sampled at the four resampled sites as in 2017 and 2018. A total of 2300 feet of stream was sampled in 2019, almost twice the length of habitat sampled in 2018.

Fish were identified to species, some lengths (fork length, FL) measured, and all fish were released in or near the habitat in which they were collected. Approximate sizes were recorded for the two *O. mykiss* that were shocked but not captured. Ages of the two captured *O. mykiss* were determined from scales.

RESULTS AND DISCUSSION

Streamflow Conditions

Streamflow conditions in 2019.—Runoff in upper Coyote Creek above Coyote Reservoir was heavy in early and mid-January, and then continuously high in February through mid-March (Figure 2). A late storm occurred in mid-May. Anderson Reservoir storage was headed towards it seismic limit in early February (Figure 3), and releases of more than 400 cfs were made in early February through mid-March (Figures 4 and 6). At the Edenvale gage, downstream of Fisher Creek runoff (Figure 8) and flow from the partial opening of one radial gate at Metcalf Pond (Photo 1), stream flow was near or above 600 cfs during the same period (Figure 10).

During the high flows at Metcalf Dam and at Singleton Road during February through mid-March adult steelhead passage should have been available (with some difficulty at both locations; Photos 2 and 6) throughout Coyote Creek. When stream flow dropped after mid-March, passage improved at Metcalf Dam (Photo 3), and passage initially became more difficult (Photo 7), then improved (Photo 8) at Singleton Road. However, adult passage at the Coyote Ranch Road gaging weir was unlikely except during the earlier peak flows (Photos 4 and 5). Any very limited smolts produced by 2018 rearing would have been able to emigrate during February through the beginning of June, when flows at Edenvale dropped below 10 cfs (Figure 11).

Releases from mid-June through November climbed from 35 to 50 cfs (Figure 5). Percolation losses reduced stream flow to 10-15 cfs at Coyote Ranch Road (Figure 7). Fisher Creek watershed added 7-8 cfs (Figure 9), most of which was returning water percolated from Coyote Creek. Percolation at Metcalf Pond and downstream resulted in 5-6 cfs remaining at Edenvale in June through November (Figure 11).

Streamflow Conditions in 2018.—In the relatively dry watershed upstream of Anderson Reservoir significant runoff was confined to a single storm peak in January and then to more brief peaks in March and early April (Smith 2018). The large releases of October 2017 through January 2018 were gradually reduced, and the January runoff stabilized the reservoir level (Figures 3 and 4). The later storms gradually doubled storage of the drawn down reservoir to about 42,000 AF by the end of May (Smith 2018). Releases from the reservoir and the San Felipe pipeline from mid-February to mid-April were about 30 cfs, before climbing to about 50 cfs from mid-May through October. Stream flow progressively declined downstream with percolation losses, so that at Coyote Ranch Road, upstream of Metcalf Pond and Fisher Creek, the flow in February through October was about 8-18 cfs (Smith 2018). The lack of significant tributaries upstream of Fisher Creek keep weather-related fluctuations to a minimum.

Fisher Creek added runoff during storms, but Metcalf Pond also percolated substantial water for aquifer recharge, so that flows between storms downstream of Metcalf Pond at the Edenvale stream gage were about 6 cfs in February through October (Smith 2018). However, Fisher Creek, and especially the increasing urbanized neighborhoods and their impervious surfaces, produced pronounced brief runoff spikes during the January, March, and early April storms (Smith 2018). These runoff peaks provided the potential attractant and migration flows for adult steelhead in the watershed.

Streamflow Conditions in 2017.--In early January through February extremely large storms produced record runoff in the upper Coyote Creek watershed (Smith 2017). From October through 9 January releases from Anderson Reservoir slowly declined from about 50 to 20 cfs (Smith 2017) to conserve water following the severe 2013-2015 drought, with the reservoir having only about 27,000 acre-ft of storage at the start of the intense storms. With the start of the storms the SCVWD began releasing at the maximum capacity of the outlet, increasing releases to about 370 and then to 525 cfs as the reservoir depth (and hydraulic head) increased (Smith 2017). Runoff from the upper watershed far outpaced the ability to release water from

the reservoir, and the reservoir filled and began to spill on 18 February (Smith 2017), with spilling (and bottom release) reaching approximately 7,300 cfs on 21 February. Flows from the reservoir declined to 600 cfs by 27 February and gradually declined to 400 cfs (with the maximum bottom release) through late April (Smith 2017); seismic rules required lowering the reservoir storage. Two brief reductions of releases were made: the first in early February to lower or remove dam panels at Metcalf Pond and the second in late May to modify the fish ladder at the dam for fish passage at the reduced pond water level (Smith 2017). Releases from the reservoir and the San Felipe Pipeline gradually declined to almost 30 cfs by early July before increasing to about 45 cfs from mid-July through most of September. Releases then fluctuated between 50 and 70-90 cfs in October and November to accommodate infrastructure repair and pond filling at Metcalf Pond and to draw down the reservoir by December to provide very conservative flood capacity (Smith 2017). The flood flows washed out the road downstream of Ogier Pond #1 (to the Model Airplane Park) and severely damaged the bridge at Coyote Ranch Road. In addition, it rerouted the main channel and produced braided channels upstream of Ogier Pond #1 and greatly widened the outlet channel from Ogier Pond #4 (Smith 2017)

The releases in January would have provided potential passage through the ladder at Metcalf Pond. However, the unprecedented storm flows in February required lowering the dam panels and opening the radial gates at Metcalf Dam. The fish ladder operated briefly during the peak on 21 February, but adult steelhead would have been unlikely to locate the ladder during the peak. Fish passage would probably not have been possible over the apron or through the radial gates at the Metcalf Dam from 19 February until 30 March, when the fish ladder was finally modified to function with the lowered pond level. Even after 30 March, steelhead might have had problems locating the ladder among the high flows dispersed among the dam apron and the left bank ladder in April. In October the dam panels were reinstalled, the damage to the supporting apron was buttressed with grouted boulders, and a set of grouted boulder weirs was constructed between the down-cut channel downstream of the dam and the fish ladder (Smith 2017).

Early January through mid-April stream flows farther downstream on Coyote Creek would have provided potential adult steelhead passage everywhere except at Singleton Road which is a major steelhead passage barrier (Photo 9). The high releases from the reservoir probably restricted passage at Singleton Road because of high velocities over the apron of the road crossing and through the two culverts. Only fish moving during the peak of the flood, which submerged the crossing, would have been likely to pass easily. Only in late April and May, after the migration/spawning period, would flows have declined enough to allow potentially marginal passage through the culverts (Smith 2017). Even without the passage problems at Metcalf Pond, steelhead access to spawning and rearing habitat would have been very difficult during and after January.

Streamflow Conditions 2014-2016.-- All late spring through fall stream flow, and almost all of the winter stream flow, in the potential steelhead rearing reaches downstream of Anderson Reservoir is provided by releases from Anderson Reservoir and from imported water from the San Felipe Pipeline (San Luis Reservoir water). Year-round releases from these sources are used

for groundwater percolation, and in April through September of 2013, releases were usually 37 – 55 cubic cfs (as reported by the SCVWD Alert Gage for the Madrone stream gage); that magnitude of releases had been typical of operations for the last 15 years. However, the releases after February 2014 and in 2015 were substantially curtailed because of severe reductions in Bureau of Reclamation deliveries to the San Felipe Pipeline due to the ongoing severe state-wide drought (Leicester and Smith 2014b and 2015b). A State Water Board decree restricted all Delta contract water to municipal and industrial use, stopping agricultural deliveries and general groundwater recharge. For the Coyote Creek watershed, this meant a shift from groundwater percolation to direct pipeline delivery of water to the water treatment plant for distribution to water retailers. This resulted in stream flows that were reduced from an average of 30 – 37 cfs in December 2013 - January 2014, to 13-15 cfs from early February 2014 through mid-June, and 8.0 – 9.0 cfs from mid-June through November 2014 (Leicester and Smith 2014b). Except for storms in December 2014 and February 2015, stream flows then remained in the 8 – 9 cfs range through mid-November 2015 (Leicester and Smith 2015b). Releases then increased slightly in mid-November to 14-15+ cfs, when the San Felipe water not imported during the pipeline interruption was recovered for SCVWD use. Those flows continued through late March 2016.

Storms in mid-December 2014 produced stream flows above Coyote Reservoir of more than 2000 cfs, and a brief storm in early February produced stream flows of approximately 1800 cfs (Leicester and Smith 2015b). Runoff increased Anderson Reservoir storage from about 34,000 acre feet (AF) to 46,000 AF from December through May. Despite the increased storage, releases from the reservoir and from the San Felipe Pipeline remained unchanged through winter and spring 2014-15 at 8-9 cfs. Local runoff from the December and February storms only slightly increased stream flow at the Madrone stream gage 1.5 miles downstream of the reservoir to 16 cfs in December and 12 cfs in February (Leicester and Smith 2015b). A small amount of local runoff was added farther downstream, and surface flow in Coyote Creek extended to downstream of the Golf Course. However, monitoring of the streambed after the storms indicated that neither storm resulted in extension of surface flow to Bailey Avenue. The Edenvale stream gage farther downstream, which is subject to runoff from Fisher Creek near Bailey Avenue and to flashy suburban runoff during storms, recorded brief runoff of approximately 200 cfs in late November, 165 cfs in December, and 40 cfs in February (Leicester and Smith 2015b). However, the low and steady releases from the reservoir and the pipeline did not provide a surface flow connection to the downstream storm runoff. In addition, the radial gate at the Metcalf Pond was closed during the late portion of the February runoff; therefore passage was not possible through the fish ladder at the partially filled pond. No potential adult steelhead or smolt passage was possible in winter/spring 2014-15 (Leicester and Smith 2015b).

In 2014, stream flow downstream of the Ogier Pond complex was eliminated by 20 June, but in 2015, flow below the Ogier Ponds was eliminated by 20 April (Leicester and Smith 2014b and 2015b). The most downstream Ogier Pond (#4) dried in both years.

In 2015, releases to Coyote Creek were generally about 2/3 from the San Felipe Pipeline and 1/3 from the reservoir (Leicester and Smith 2015b). However, the San Felipe Pipeline had to be shut down for repair from 1 August through 12 September. During that period, the 8-9 cfs discharge to the creek was maintained, but came entirely from the reservoir.

In winter 2016 there were two storms in January and two larger storm periods in early to mid-March (Smith 2016). The January runoff increased water stored in Anderson Reservoir from about 30, 000 AF to 40,000 AF. The larger March storms increased storage to over 55,000 AF, and additional water was stored during both periods farther upstream in Coyote Reservoir. Despite the large gains in storage in January and March, releases from the reservoir and the San Felipe Pipeline to Coyote were maintained at only about 15-17 cfs until the end of March. The releases into Coyote Creek produced surface flow only downstream to about 1 mile upstream of Bailey Avenue. During both January and early March, runoff from imperious surfaces in the suburbs near and downstream of Metcalf Pond produced brief and modest (38 and 49 cfs) runoff peaks at the Edenvale Gage, with larger stream flow increases farther downstream from more extensive suburbs. In addition, runoff was produced in January and March in Fisher Creek, which discharges to Coyote Creek upstream of Metcalf Pond, but downstream of the dry streambed up and downstream of Bailey Avenue during the storm periods. If releases from the reservoir had extended flows to fill Metcalf Pond during those periods, connectivity throughout Coyote Creek would have allowed potential adult steelhead immigration.

Large releases (which reached 140 cfs) from the Reservoir and the San Felipe Pipeline for groundwater recharge and adult steelhead passage were begun in late March (Smith 2016), with releases recharging the upstream aquifer and progressively extending surface flow downstream. Metcalf Pond was nearly full on 26 March and spilling about 25 cfs through the fish ladder on 28 March. By 1 April stream flow sufficient to allow adult steelhead passage had reached throughout the lower Coyote Creek channel, and connecting flow was maintained for much of April. Late-migrating adult steelhead should have been able to reach spawning and rearing areas upstream of the Ogier Ponds, although the culverts at Singleton Road may have made passage difficult.

Releases were cut back to about 60 cfs in mid-April and gradually declined to about 50 cfs by the end of October (Smith 2016). Much of the released water over the summer was from Anderson Reservoir, because of interrupted deliveries of Central Valley (San Felipe Pipeline) water. The reduced releases after the large release for adult passage maintained the flow to downstream of Metcalf Pond (which has a bypass requirement), but connectivity for potential smolt or adult emigration passage ceased by late April. The summer releases were generally similar to those that supported large-scale groundwater recharge prior to drought-induced flow cutbacks in February 2014 (Leicester and Smith 2014b).

Water Temperature Conditions

Temperature Conditions in 2019.—The draw-down rate in Anderson Reservoir (Figure 3) indicates that all of the releases into Coyote Creek came from the mid-level release at reservoir

until mid-November. Part of the release discharged at the base of the dam, where mean water temperatures gradually increased from 11-11.5°C in April to 12-13°C in June and 15-16.5°C in August as the reservoir was drawn down, moving warmer upper layers toward the mid-level release port (Figure 12). Then mean temperatures jumped to 17- 21°C in mid to late September as the thermocline lowered past the release port. Shorter days and cooler nights then cooled surface water, causing reservoir mixing ("turnover"), and mean water temperature steadily declined to 16°C at the end of October and 15°C in mid-November (Figure 12). Diurnal variation throughout the year was less than 1°C.

The logger at the pipeline discharge from the hydro system downstream was not installed until July, but the water source was the same mid-level port in the reservoir, so the mean water temperatures were nearly identical until November (14.4-16.5 in August and 17-21°C in mid-late September, when substantial cooling began (Figure 13). In mid-November the discharge was of imported water from the upstream pipeline (Photos 9 versus 10), and temperatures jumped to nearly 18°C (Figure 13). Slightly farther downstream in County Park a third logger has been used in the past to integrate the temperatures from the two discharge locations, which have often come from different sources. In 2019 the source for the two discharges was the same until November, so the water temperature at the third site was essentially the same (Figure 14).

Upstream of Ogier Pond #1, water temperatures had increased only about 1°C, compared to those below the reservoir, buffered by the high stream flows, but there was more diurnal variation (2-3°C) and week to week fluctuations with weather changes (Figure 15). Mean water temperatures were 12-13°C in April, 14-16°C in July, 16-17.5°C in August, and showed the same jump to 20.5°C in September as upstream. (Figure 15).

Other than the substantial seasonal reservoir release temperatures at the mid-level release port, the major impact to stream water temperatures was the effect of passage through the four on-channel Ogier Ponds (Figure 16). Regardless of the inflow temperature to the ponds the outflow temperature was warm in spring through summer. Mean water temperatures were 16-21°C in April, dropped with cool weather (and rain) in mid-May to 17.5°C, before climbing to 21-24°C with warm weather in early June (Figure 16). In July through late September mean temperatures were 21-23°C°, before declining to 15-16°C in November. Mean water temperatures downstream of the ponds were about 8°C more than upstream of the ponds in June, but the difference decreased to 2°C in September as upstream temperatures warmed (Figure 16). Because of the high thermal inertia of the ponds, diurnal variation immediately downstream of the ponds was usually less than 1°C, similar to the variation in the release from Anderson Reservoir (Figures 12 and 16).

The logger immediately downstream of the first pond showed that even a single deep pond can substantially impact downstream water temperature (Figure 17). The mean temperature increase downstream of the single pond was 2-3°C higher than upstream in July and 1-2°C higher in August, about half of the temperature impact of the four pond complex (Figures 15-17). A single pond raised the water temperature half-way to the surface temperature of

downstream ponds, so progressively less temperature change in outflow was possible. This was similar to the seasonal up and downstream temperature differential of the pond complex; in late summer when reservoir release temperatures and those upstream were already warm, there was little potential increase from the similar pond surface water. Diurnal temperature variation was also intermediate between that above and below the four pond complex.

The mean water temperatures farther downstream from the Ogier Ponds at the Golf Course Road (Figure 18) and at Coyote Ranch Road (Figure 19) were very close to the same mean temperatures of the Ogier Pond outlet (within 0.5 °C) throughout the recording period. However, diurnal variation increased to about 2°C at the Golf Course Road and 3°C at Coyote Ranch Road (Figures 18 and 19). The impact of the warming at the ponds persisted to and beyond Metcalf Pond.

Immediately downstream of Metcalf Pond the mean water temperatures were about the same as at Coyote Ranch Road, but, as with Ogier Ponds, the thermal inertia of the pond resulted in low diurnal variation(<1°C) in the discharge from the pond (Figure 20).

The much lower stream flows at Edenvale allowed additional stream warming and an increase in diurnal variation (2-3°C) compared to immediately downstream of Metcalf Pond (Figure 21). Mean water temperature was 20-21°C in early May and was mostly 23-25°C in June through early September before declining (Figure 21).

Temperature Conditions in 2018.—Mean water temperatures immediately downstream of the reservoir and downstream of the pipeline/hydro discharge were nearly identical in 2018, gradually climbing from less than 15°C at the beginning of May to 22°C at the end of August and early September (Smith 2018). The seasonal increase resulted from the lowering of the reservoir that brought increasingly warmer surface water to the mid-elevation reservoir release port. Mean temperature then declined to 18°C in mid-October, as surface water in the reservoir and from the San Felipe Pipeline began their seasonal cooling. The temperature then sharply dropped to 13°C for the last half of October, when the reservoir release was shifted to the bottom release port (Smith 2018). If the bottom release port had been used throughout the summer, the release temperatures would have been similar to the October anomaly. The release temperatures in 2018 were about 2.5°C warmer at the peak and the peak was earlier than in 2017, when the reservoir elevation was higher

Upstream of Ogier Pond #1, diurnal variation was about 3°C, rather than the 1-1.5°C at the reservoir release, and mean temperatures climbed less steeply from 15°C in early May to 21°C in early September (Smith 2018); temperatures actually cooled slightly downstream when the release temperatures were at their peak, as in 2016 and 2017. The October temperature drop in the reservoir release temperature, due to the change in the release port, was reflected in a similar drop upstream of Ogier Ponds.

The outflow from Ogier Pond #4, the last of the on-channel ponds, had a mean temperature of 18°C at the beginning of May and was 24°C at its peak in mid-July, before gradually declining to 21°C in late September (Smith 2018). As in previous years the temperature fluctuated somewhat with weather, especially in June 2018, but diurnal variation was low (1.5°C) compared to stream sites up and downstream, due to the large heat capacity of the ponds. The temperatures were increased 3-6°C compared to upstream of the ponds from May to mid-July (Smith 2018). The difference then declined as the temperature of reservoir releases and stream temperature upstream of the ponds increased. The temperature dip in October below the reservoir and upstream of the ponds disappeared downstream of the ponds due to the substantial temperature effect of the ponds (Smith 2018). Therefore, even with improved release temperatures at the dam, the stream downstream of the ponds would still be persistently warm.

Mean water temperatures farther downstream at the Golf Course and at Coyote Ranch Road mirrored those of the pond outflow, but with increasing diurnal variation downstream, reflecting diurnal air temperature variation and decreasing stream flow downstream (Smith 2018). Maximum temperatures reached 27°C at Coyote Ranch Road.

The mean water temperatures downstream of Metcalf Pond also mirrored those between Ogier Ponds and Coyote Ranch Road (Smith 2018), but as with the outflow from Ogier Pond #4 the diurnal variation was muted by the heat capacity of the pond. Metcalf Pond did not have a temperature effect on stream flow in 2018, because Coyote Creek was already warm when it entered the pond. If reservoir and pipeline releases were cooler, and Ogier Ponds were taken off channel, there would be some temperature effect of Metcalf Pond to go along with its potential predator effect.

Temperature Conditions in 2017.--Anderson Reservoir releases directly downstream of the dam and through the pipeline a short distance downstream (dominated by reservoir water throughout the summer) varied by only 0.5-1.5°C daily, but showed a major seasonal shift (Smith 2017). Mean temperature was less than 15°C in May, but gradually increased to 18°C in mid-September. Temperature increased more quickly to 19.5°C in late September and early October, before declining to less than 18°C in late October (Smith 2017); the decline coincided with exclusive releases from the reservoir while the San Felipe Pipeline was off-line for inspection. There was a one week spike in temperature to 18.5°C in late May when the source of releases was being adjusted. (Smith 2017). Peak temperatures of releases were about 1.5°C cooler than in 2015 and 2016 and occurred for a somewhat briefer period.

Farther downstream above the Ogier Pond complex water temperatures varied 2-3°C daily and had warmed somewhat, despite the relatively high stream flows that buffered against warming (Smith 2017). The daily variation was less than in in 2014 and 2015, when variation was 5°C, with much lower releases Leicester and Smith 2015b). Rather than climbing gradually throughout the summer, mean temperature climbed from 16°C in early May to 18.5°C by mid-June and only to 19°C by September, before declining to 17°C by the end of October (Figure 8). This same general pattern of early rise and relatively stable over the June to September period

occurred for all downstream sites (Smith 2017) and was similar to that of air temperature, which apparently controls seasonal temperature progression in the stream. Mean temperatures were only 0.5-1.0°C warmer than below the reservoir in May through August, and the seasonal peak was actually lower, with air cooling downstream in September (Smith 2017).

Immediately downstream of the Ogier Pond complex daily temperature variation was substantially lower (1-1.5°C) and mean temperatures were substantially higher (Smith 2017), due to the heating effects in the pond, especially at the pond surface, the source of outflow from the pond. Mean water temperatures were 19°C in May and climbed to 25°C by mid-June (with maximums above 26°C) and then declined to 23.5°C by mid-September and 17-19°C in October (Smith 2017). The was no overlap in water temperatures up and downstream of the Ogier Pond complex before mid-September, and mean temperatures were 3°C to more than 6°C higher downstream of the ponds (Figure 9), even more than the heating effect in 2016 (Smith 2016). As in 2016, the temperatures downstream of the ponds are likely to be consistently 22-25°C in summer regardless of the water temperature upstream of the ponds because of the large heat capacity and heating effect within the ponds(Leicester and Smith 2014b and 2015b; Smith 2016). The lower daily variation in outflow temperature in 2017 may be related to the wider opening at Ogier Pond #4 eroded by the February flood (Photo 4 and Smith 2017).

Farther downstream of the ponds, at the Golf Course Road, diurnal variation was 3-4°C, and mean water temperatures were 22-25°C from mid-June to mid-September. With maximums above 26°C in June (Smith 2017). These were similar to those in the pond outflow, although in 2016 means were actually slightly lower (0.5-1.0°C) then the pond outflow temperatures. Even farther downstream, at Coyote Ranch Road, the water temperatures were nearly identical to those at the Golf Course Road. The effects of the ponds makes water temperatures downstream of the Ogier Ponds unsuitable for rearing steelhead unless food is unusually abundant and available (Smith 2017).

The major water temperature issue in 2014 (Leicester and Smith 2014b) and 2015 (Leicester and Smith 2015b) was the sustained release of relatively warm water to Coyote Creek from the San Felipe pipeline and/or from Anderson Reservoir. This occurred despite a pool of cool water in the lower level of the reservoir that could have been utilized to maintain much cooler stream temperatures if the inflow to Coyote Creek had come solely from the near the bottom of the reservoir. With the additional stream flow and much longer wetted channel in 2016 and 2017 (and prior to 2014), then the additional major water temperature issue is the heating effect of the Ogier Ponds. If release temperatures are reduced in late summer, the warm surface water outflows from these large ponds will still result in temperatures downstream that would be similar to those seen in 2016 and 2017. Those temperatures would severely affect rearing quality for juvenile steelhead in the long reach between the Ogier Ponds and Metcalf Pond.

Temperature Conditions in 2014-2016.--In 2014 and 2015, with the cut backs in releases and stream flow extending only as far as Ogier Ponds in summer, the temperature analysis was limited to that of releases and changes down to and through the first two Ogier Ponds for most

of the years (Leicester and Smith 2014b and 2015b). In 2016 and 2017, the restored percolation releases allowed analysis under higher flow conditions and downstream through all four Ogier Ponds and to just above Metcalf Pond.

Air temperature patterns were similar in in 2014-2017, with general increases from April through June, relatively level means through August, and then gradual declines through October (Leicester and Smith 2014b and 2015b; Smith 2016 and 2017). Throughout the study period there were alternating periods of cooler and warmer conditions, with sharp contractions of temperature ranges during cooler, more overcast conditions. Peak air temperatures during warm periods were 30°C to more than more than 35°C, with maximums in 2015 generally somewhat higher than in 2016 (Leicester and Smith 2015b and Smith 2016). Air temperature means during June through August in both years were 20-21°C.

Water temperatures downstream of Anderson Reservoir and the San Felipe Pipeline had narrow (1°C) temperature ranges in all three years (Leicester and Smith 2015b and Smith 2016). In 2015 mean water temperatures increased from 14°C in mid-April to 16°C by early August, then increased sharply to above 20°C for early September through October, before declining sharply after late October (Leicester and Smith 2015b). In 2016 mean temperature increased from 13 °C in mid-April to 14.5°C at the beginning of July, then increased very sharply to 20°C, before sharply declining to 16.5°C a week later, as releases shifted from predominantly San Felipe water to a blend of Anderson Reservoir water and San Felipe water that was both discharged to the stream and delivered to the water treatment plant (Smith 2016). Temperatures then climbed to 20°C by the beginning of August, one month earlier than in 2015, as the draw-down of Anderson Reservoir lowered the thermocline to the level of the mid-elevation multiport release (Smith 2016). Means stayed 20-20.5°C until a slow decline to 19°C through October. The similar water temperatures in September of the three years provide the best month to compare downstream temperature changes.

In 2015, temperature ranges in summer at the site upstream of Ogier Ponds were usually about 5°C (Leicester and Smith 2015b). In 2016, with stream flow increased from about 9 to more than 50 cfs, the temperature range was less than 3°C (Smith 2016). In 2015, means upstream of the Ogier Ponds were 20-21°C in June through September, with maximums often 23-24°C (Leicester and Smith 2015b). In 2016, with the greater flow volume, the means and maximums were cooler; the mean in July was 17.5°C, the mean in August through September was 19.5°C, 0.5-1.5°C cooler than in 2015. Maximums were usually less than 21.5°C, 1.5-2.5°C cooler than in 2015 (Smith 2016). Means in August and September were actually 0.5-1°C cooler than at the site near the reservoir and pipeline discharges (Smith 2016).

In 2015, in the outflow from Ogier Pond #2, mean water temperatures were 17°C in early April, climbing to 22°C in May (Leicester and Smith 2015b). Mean temperatures reached 24-25°C in mid-June through August, and didn't drop below 20 °C until late October. In 2016, mean temperature climbed from 17°C at the beginning of May to 20°C by June and 22.5°C by the beginning of July (Smith 2016). By the beginning of August the mean was 22°C and declined to 21 °C by late September; means in October were 18-18.5°C (Smith 2016). Temperatures

downstream of the first two Ogier Ponds were about 3-4°C warmer than upstream of the ponds in 2015 (Leicester and Smith 2015b) and 2-2.5°C warmer in 2016 (Smith 2016), due to discharge of surface-heated pond water, while the cooler (and denser) inflows to the ponds went to lower levels in the pond. Warming through the first two ponds was apparently somewhat reduced by the substantially higher stream flow in 2016 (and slightly cooler air temperatures). However, the thermal effects of the ponds have sufficient surface heating capacity to overcome much of the thermal mass of the inflow at most operational flows. Diurnal variation was less below the ponds than at upstream stream sites due the larger volume of warm water in the ponds which had a buffering effect against nighttime cooling (Leicester and Smith 2015B and Smith 2016).

In 2015, immediately downstream of the fourth pond in the Ogier Pond sequence, water temperatures during March and April were about 1°C warmer than below Pond #2, before the pond level dropped and the stream dried (Leicester and Smith 2015b). In 2016, mean water temperatures below the fourth pond reached 22-24°C in August through September (Smith 2016), and were 1-1.5°C higher than in the outflow from Ogier Pond #2. Therefore, more of the heating by the Ogier Pond complex occurred in the first two ponds, but the overall heating by the four ponds was 3-4°C in June – October.

Farther downstream in 2016, near the Golf Course, diurnal temperature variation increased to about 2°C, but mean water temperatures (21-23°C in June through August) actually cooled 0.5-1°C compared to the outflow from the ponds (Smith 2016). Maximum water temperatures were similar (23-24 °C) to the site immediately downstream of the ponds. Upstream of Metcalf Pond at Coyote Ranch Road, diurnal variation increased to 3-4°C, mean temperatures were similar to those at the golf course, but maximum temperatures reached 24-25°C (Smith 2016).

Substrate and Turbidity Conditions

2014-2016.--Turbidity level in Coyote Creek was relatively clear (visibility > 120 cm) in 2014-2016 compared to that of other Santa Clara Valley streams downstream of reservoirs (Casagrande 2010; 2014; Leicester and Smith 2014a). In the smaller reservoirs, like Uvas and Stevens Creek, turbid storm water makes up most of the volume and remains suspended in the reservoir for much of the spring and is deposited on the streambed downstream with releases in spring. Sediment can also be deposited from turbid releases in late summer and fall, when the reservoirs are substantially drawn down. Anderson Reservoir is an order of magnitude larger than either of the smaller reservoirs, has usually been more than one-third full at the start of winter, and in most years winter runoff less than doubles the stored volume. Fine sediment in storm water tends to be diluted and settled in spring, and spring turbidity is therefore much lower in releases from Anderson Reservoir. Release water was observed to be clear in March 2014, February 2015, and April 2016; on 15 April 2016, even with significant winter storms, visibility downstream of the reservoir was 65 cm and at the Golf Course it was 89 cm. In addition, the usually high summer releases in 2016, and prior to 2014, apparently rinsed most fine sediments off the streambed, at least in most habitats except large pools. In 2014-2016, substrate in riffles and fast runs was clean, and slower runs, glides and smaller

pools had much less fine sediment than observed in Stevens Creek and much of Uvas Creek. The relatively clean substrate can potentially maintain much higher numbers of aquatic invertebrates (Kaller and Hartman 2004; Foster 2014). In particular, Hydropsychid (net-spinning) caddisflies and Baetid mayflies were abundant in 2016. The relatively clear water should also improve fish feeding efficiency (Barret et al. 1992).

2017-2018.--In 2017, the near record winter runoff to Anderson Reservoir was more than four times the storage prior to the storms, so the entire stored volume of the reservoir was atypically very turbid, similar to the usual annual condition in the smaller reservoirs. Even though the peak of the storm runoff in the upper watershed was over by March, turbidity in the reservoir persisted into summer. On 2 May visibility in Coyote Creek immediately downstream of the reservoir releases was only 15 cm, and downstream of Ogier Ponds at the Golf Course visibility was only 17 cm. By 23 July visibility below the reservoir had only improved to 40 cm and visibility at the Golf Course to only 48 cm. Even by 18 November visibility had only improved to 50 cm below the reservoir and 85 cm at the Golf Course; water in November 2017 was still more turbid than on 15 April 2016.

In 2018, modest (and less turbid) runoff in the upper Coyote Creek watershed resulted in doubling storage of the drawn-down Anderson Reservoir by the end of May (Smith 2018). On 23 March 2018, in the middle of March storms, visibility downstream of the reservoir was 50 cm, and visibility was 45 cm at the Golf Course Road. By 30 April visibility downstream of the reservoir had cleared to nearly 2 m visibility, and visibility was similarly clear in July (Smith 2018). In addition, there were no apparent lasting substrate impacts from the turbid releases in 2017.

There are no significant rocky tributaries between Anderson Reservoir and Metcalf Pond, and Anderson Reservoir has blocked gravel recruitment for more than 60 years. Fisher Creek, which does discharge to the reach, is a flat channel draining a large historic wetland (Grossinger et al. 2006), and is a source of turbidity, but not rocky substrate. Gravels in the range of 25 – 75 mm were relatively scarce in 2014-2016, and spotty in their distribution, including at the tails of pools and glides where steelhead spawning normally occurs. Large cobbles were common at pool tails and in riffles and runs, but they are too large to provide suitable spawning substrate. Suitable spawning gravels were present in the floodplain, but they are normally not available for spawning or recruitment to the active channel except during severe floods, which were largely prevented by the dam. However, the 2017 flood was sufficient to spread over the flood plain, move bank gravels into the channel to improve spawning conditions, and rearrange some channel configurations. Upstream of Ogier Pond #1, a significant part of the main channel was moved to an old flood plain channel (Smith 2017 and Photo 11). The unshaded but reoccupied old channel has abundant cobbles and well-distributed gravels. Even where the stream generally remained in the vegetated recent channel, it occasionally braided into multiple channels (Smith 2017).

2019.—The heavy runoff in January through mid-March (Figure 2) resulted in increasing the storage in Anderson Reservoir from less than 20,000 AF in January to nearly 50,000 AF by April

(Figure 3). This was despite releasing 30,000 AF (Figure 4) in February and early March to stay below the seismic storage limit. The effect was to replace and fill the reservoir with very turbid storm water. On 1 April visibility in the turbidity tube was 39 cm immediately downstream of Anderson Reservoir, 40 cm upstream of Ogier Pond #1, and 43 cm downstream of Ogier Pond #4 and at the Golf Course Road. These turbidities were similar to those from bottom releases at Pacheco and Uvas reservoirs, but the surface waters spilling at those two reservoirs had cleared to visibilities of >1.5 m. The complete replacement of water in drawn-down Anderson Reservoir by wet year storm flows in 2019 (and in 2017) made Anderson Reservoir act like one of the smaller reservoirs in Santa Clara County, where turbid releases last through spring. However, by 3 July 2019, visibility in the turbidity tube on Coyote Creek had cleared to 1 m downstream of the reservoir and downstream of Ogier Pond #1. By the end of August and early September visibilities at the same two locations, and also upstream of Ogier Pond #1, were more than 1.5 m (Photos 9 and 12).

Shade and Algal Growth

The usually perennial flows, and scarcity of significant floods and scouring flows occurring downstream of Anderson Reservoir, have allowed the density of riparian trees to increase substantially (Grossinger et al. 2006). The original sparse sycamore alluvial woodland has been converted to a dense mixed riparian forest. Western sycamores (*Platanus racemosa*) are still common along the stream, but are now joined, and far outnumbered, primarily by willows (*Salix* spp.), but also by box elder (*Acer negundo*), and cottonwood (*Populus balsamifera*). The resulting shade reduces water temperatures, but has other, potentially undesirable, effects on aquatic habitat. Densely shaded habitats can reduce feeding efficiency by steelhead, just as turbidity can. Shading also reduces growth of algae, which provides food and substrate for aquatic invertebrates (Hill et al. 1995; Foster 2014). Algae was generally only a thin coating on the rocks at the sites sampled in 2014-2016. Algae was more abundant at less-shaded Coyote Ranch Road in 2016. However, even in sunnier areas algae appeared relatively scarce, which might also be due to low nutrient levels in the controlled releases from the reservoir and from the pipeline. Anderson Reservoir may have low nutrient levels, at least in the middle water column where the releases have come from, because of its depth and because Coyote Reservoir, upstream, may trap many of the nutrients coming from upper Coyote Creek.

The turbid water in 2017 probably reduced the sparse and shaded algae. However, the new unshaded channel upstream of Ogier Pond #1 is likely to provide greatly enhanced algae and invertebrates; it may provide the best potential steelhead rearing habitat.

New Zealand Mud Snails 2018.—In 2018, New Zealand mud snails were discovered between Anderson Reservoir and Ogier Pond #1. This invasive species has the potential to substantially reduce algae abundance and the invertebrates (fish food) that dependent on it. Snail abundance was generally low (but with concentrations on some rocks); the snails are likely to increase and spread within the watershed.

***O. mykiss* Sampling Results**

2014-2015.--All captured *O. mykiss* in 2014 (*n* = 52) were found to be young-of-year (YOY) based on scale analysis. Sizes ranged from 85 to 124 mm SL long (Leicester and Smith 2014b and Figure 15). These were judged to be steelhead, because all were good-sized YOY. They were expected to grow enough in winter and spring to smolt and attempt to emigrate in spring 2015 (Leicester and Smith 2014b).

No YOY *O. mykiss* were captured or observed during sampling of the same three sites in 2015, reflecting the lack of adult steelhead access in either the December or February storm events. Most of the fish present in 2014 were apparently gone; only a single large yearling (250 mm) was captured (Figure 15) and a similar-size fish observed, but not captured. The large size of the single yearling captured in 2015 supports the prediction made in the 2014 report that fish captured in 2014 would grow well enough over winter and spring to be able to smolt and emigrate the following spring. The lack of additional captures or observations of larger fish indicates that almost all of the 2014 YOY steelhead attempted to emigrate. However, because there was no stream flow continuity through the passage corridor, emigrating smolts would have been lost to predation by bass (*Micropterus* spp.) in the Ogier Ponds or trapped and killed by the dry-back in the disconnected channel downstream of the ponds. In 2014 a single *O. mykiss* estimated at 300 mm SL was observed but not caught (Leicester and Smith 2014b). Based upon the size of the yearling captured in 2015, that 2014 fish was probably also a yearling steelhead. Adult steelhead access, spawning, and rearing probably occurred in 2013, based upon stream flow conditions. Therefore, the scarcity of yearling fish in 2014 indicates that most fish reared in 2013 also smolted and attempted to emigrate in 2014 (Leicester and Smith 2015b). The attempts would have been unsuccessful because of flow cut-backs after mid-February.

2016-2018.--In 2016 and 2017, no *O. mykiss* were captured or seen at any of the four sampled sites. Therefore, although potential passage stream flows had been provided in early April in 2016 and possibly in January, briefly in February, and April in 2017, apparently no adults accessed and/or spawned in the habitats used in 2014. The available passage in April 2016 and 2017, compared to the dominant late December to early April migration period (Shapovalov and Taft 1954), may have been a problem. Steelhead studies on the central coast found lower adult numbers and few late migrating and spawning steelhead in 2016 (Joseph Kiernan, NOAA Southwest Fisheries Science Center; and Jon Jankovitz, California Dept. Fish and Wildlife, pers. comm.). However, it may also be that with smolt or adult passage problems in 2014-2015 there were few or no potential returning adults produced in 2016-2018. The very few yearlings present in 2015 may have able to emigrate during the brief passage window provided by the pulse flows in April 2016.

Although adult steelhead migration was probably possible during a single storm in January and during the March and early April storms in 2018, no *O. mykiss* were captured or seen at any of the four sample sites in 2018. However, sampling by the VW did capture two juvenile steelhead

in late October near the Highway 101 crossing downstream of Anderson Reservoir (Jason Nishijima, VW, pers. com.), so apparently there was some limited, localized steelhead spawning and rearing in 2018 in the suitable habitat upstream of the Ogier Ponds.

2019.—Adult steelhead had windows of access to spawning and rearing areas upstream of Ogier Ponds in January through March. However, even with expanded sampling (2300 ft) in 2019 only four juvenile steelhead were shocked and only two captured. A 175 mm FL YOY fish was captured in a braided channel upstream of Ogier Pond #1 and a 330 mm FL yearling was caught in a head of pool in the main channel upstream of the braided channels (Table 1, Figure 22, and Photos 13 and 15). Two additional similar-sized (yearling) *O. mykiss* were shocked, but not captured, in deep, fast, heads of pools. One was in the main channel upstream of Ogier Pond #1, and the other was upstream of the Boy's Ranch below the dam. No *O. mykiss* were captured in the second round of sampling in late October. Sampling by the VW capture three smaller YOY near the Highway 101 crossing below the dam (Clayton Leal, VW, pers. com.).

In 2014 and 2015 several yearlings were seen or captured (Table 1), but most of the YOY in 2014 apparently grew fast in winter and attempted to emigrate in 2015 rather than remaining to rear as yearlings (Leicester and Smith 2015). The relatively large size of the few fish seen or captured in 2019 indicates that rearing conditions in the stream are potentially good. However, the steelhead "run" consisted of a very few fish, and the population is at risk of extirpation.

Other Fishes

In 2014-2018, prickly sculpin (*Cottus asper*) and Sacramento sucker (*Catostomus occidentalis* were the only native fish caught at all three sites upstream of Ogier Ponds, but hitch (*Lavinia symmetricus*) were present at the two sites nearest Anderson Reservoir (Leicester and Smith 2014b and 2015b; Smith 2016). Hitch were more common at the upstream sites in 2016. In 2017-2019, all three native species appeared to be less abundant, except in calmer secondary channels; they were probably reduced by the 2017 and 2019 floods.

Juvenile spotted bass (*Micropterus punctulatus*) and largemouth bass (*M. salmoides*), were present at all three sample sites in 2014 and 2015, but were less abundant in 2015 (Leicester and Smith 2015b). In 2016, bass were almost absent at the three sites upstream of the Ogier Ponds, apparently because of the pulse flow in late March and April and the higher flows throughout the remainder of the year (Smith 2016). Common carp (*Cyprinus carpio***)** and bass (115-275 mm FL) were common at the Golf Course sample site in 2016. The site was dry in summer 2014 and 2015, and the fish had apparently been rinsed down from the Ogier Ponds with the higher stream flows. In 2017-2019, non-native fishes were absent or very scarce during sampling at all sites upstream of Ogier Ponds and at the site below the ponds.

The 2017 flood, and the substantial draining and flushing of Metcalf Pond, probably reduced the predatory bass in the pond.

MANAGEMENT IMPLICATIONS

Adult Passage.—Some adult steelhead accessed the spawning and rearing habitat in 2014 despite a only about a 2-3 day window of flow continuity through the passage corridor in February (Leicester and Smith 2014b). It is likely that access by most adults was severely constrained by the window of potential suitable stream flow prior to flow cutbacks in early February. In 2015, the drought continued, as did severely reduced releases to Coyote Creek, despite improved runoff into Coyote and Anderson reservoirs compared to 2014 (Leicester and Smith 2015b). The continued reduced releases to Coyote Creek were insufficient to provide passage corridor connectivity. Increased releases from Anderson Reservoir during the February storm would have provided suitable adult passage through the dry gap in surface flow at and upstream of Bailey Avenue. The storm runoff from Fisher Creek, and urban runoff downstream of Metcalf Road, would have completed the connection to spawning and rearing habitat upstream of the Ogier Ponds. In 2016 potential passage was provided by large (up to 140 cfs) releases, but not until early April, which may have been too late. Spawning and rearing habitat upstream of Ogier Ponds was under-utilized in 2014, and apparently unused in 2015, 2016 and 2017. In 2018, there was apparently limited localized spawning and rearing. Releases in years prior to February 2014 had maintained continuous stream flow downstream to below the Metcalf Pond, and adult access was probably regularly available during even small winter storms, due to Fisher Creek and suburban runoff. A February or early March pulse flow release strategy that would provide or improve adult steelhead access, even *or especially* in drier years, should be considered as a vital tool to restore and maintain a viable steelhead population.

The Singleton Road low flow crossing, with its perched culverts and concrete apron, makes passage past this location difficult except during periods of sustained moderate storm flows. Down-cutting of the channel downstream of the crossing has reduced the back-flooding of the apron and culverts, increasing the jump height into the culverts and the length of the inclined apron that must be negotiated. The high flows in 2017 demonstrated the severe velocity problems of high flows. The potential flow windows for passage are few. In 2018, the storms were few and brief, so the windows for passage at intermediate stream flows were small. In 2019, passage appeared suitable at flows of 500 cfs and below 60 cfs. Removal of this crossing as soon as possible should be a priority, because it jeopardizes (and was a factor causing) the crippled steelhead run. It is hoped that coordinated and effective action happens as soon as possible. The stream gage weir downstream of Coyote Ranch Road was damaged and replaced in 2017. The present configuration, with boulders rather than a jump pool at its downstream base, is a significant potential barrier to adult steelhead passage at typical winter stream flows (Photos 4 and 5). It also needs to be modified as soon as possible, because it potentially blocks adult passage at times when the other barriers are passable. At Metcalf Dam passage was possible in 2019, apparently including during flows of 500-600 cfs, when opening a radial gate prevented overtopping the dam and reduced turbulent flows down the ladder (Photos 1 and 2). However, in 2017 the flood flows required removal of the steel panels of the dam, and the swollen wooden baffles in the ladder could not be removed in winter to allow passage through the ladder at the lowered pond level. Modification of the baffles and possible replacement of

the steel panels of the dam with a rubber inflatable dam is necessary to provide ladder passage at a variety of stream flows and pond water levels.

Smolt Passage.—Maintaining late winter and early spring stream flows would create suitable stream flow conditions for smolt emigration. The narrow window during and prior to the February storm in 2014 probably prevented most smolts reared in 2013 from emigrating, as it occurred prior to the peak smolt emigration period (Shapovalov and Taft 1954; Fukushima and Lesh 1998). However, if Coyote Creek regularly produces large smolts, that emigrate early, some smolts might have been able to use the small, early passage window. Smolts reared in 2014 had no chance to successfully emigrate in 2015 and were lost to the surface flow dry-back downstream of Ogier Ponds and/or to predation in Ogier Ponds. Since no YOY steelhead were apparently reared in 2015, 2016, and 2017, four consecutive years of steelhead production were eliminated, and smolt emigration substantially reduced in a fifth year (2014), extirpating the steelhead population in Coyote Creek or putting it at very significant risk of extirpation. Similar passage issues in Upper Penitencia Creek, the only tributary stream that has been recently documented to support steelhead, put the steelhead population in the entire watershed at great risk of extirpation (Leicester and Smith 2016; Smith 2018). A strategy needs to be developed to provide for smolt emigration, even in some drought years, if a viable steelhead population is to be restored and maintained.

All of the steelhead juveniles produced in the rearing habitat upstream of Ogier Ponds must emigrate through the Ogier Pond complex, with its abundant predatory largemouth and spotted bass. Taking the ponds off-channel, by rerouting the stream around the ponds, is a necessary action to prevent predation loss of many of the smolts. Unlike Metcalf Pond, which can be periodically and temporarily drained (an unintended result of the 2017 flood) to remove predatory non-native fish, the task of significantly reducing the predators in the Ogier Ponds is not feasible without reducing or eliminating stream flow into the ponds for an extended period (which would require severe reductions in stream flows upstream). Routing Coyote Creek around the Ogier Pond complex and taking them off-channel would allow for management actions that would not be possible under current conditions.

A seasonal (April through November) sport fishing season presently exists on Coyote Creek, and on other South Bay streams, despite the closure of all coastal steelhead streams to fishing during this period. A proposal should be made to the California Department of Fish and Wildlife Commission to close the stream to fishing during this period to better protect steelhead. The seasonal fishery, with allowable take of “hatchery” trout and steelhead, presents an enforcement problem and a threat to maintaining the precarious steelhead populations. However, the open season also allows fishing for bass and other species in the Ogier Ponds and at Metcalf Pond, as well as in the stream. If the Ogier Ponds are taken off line to eliminate the temperature and predatory threats to steelhead, fishing could continue in the off-channel Ogier Ponds, even if the fishing regulations are changed to exclude fishing in the creek.

Stream Flow.—The sites sampled in 2014 and 2015 were atypical of the general habitat conditions in Coyote Creek, in that they were specifically chosen to include riffles and shallow

run habitats that provide fast-water feeding habitat preferred by drift-feeding juvenile steelhead downstream from reservoirs in Santa Clara County (Casagrande 2010; Smith 2011; Leicester and Smith 2014a and 2015b). All of the *O. mykiss* caught in 2014 were from fast-water habitats (Leicester and Smith 2014b). The majority of Coyote Creek between Anderson Reservoir and Metcalf Pond is low gradient, and dominated by pools. Riffles and runs with coarse substrate are relatively scarce. Higher stream flows are necessary to increase width, depth, and velocity of riffles and runs and to increase the amount of fast-water "head of pool" habitat in pools located downstream of these coarse-bottomed riffle and run areas (Casagrande 2010) where aquatic invertebrates are abundant (Casagrande 2010; Foster 2014). However, those fast habitats would still be relatively scarce in the context of the entire system, and slow to moderate velocity pool habitat would still be the predominant habitat feature, even at high stream flows like those in summer 2016-2019. The operational flows observed in 2014 and 2015 were atypical due to the drought. Under operations prior to 2014 and in 2016-2019, with higher augmented flow rates, the amount and quality of juvenile steelhead rearing habitat increases substantially. Even where coarse substrates are absent or scarce, fast-water areas can make substantial numbers of terrestrial invertebrates available to drift-feeding steelhead (Foster 2014).

In years prior to 2014, dry season stream flows in Coyote Creek downstream of Anderson Reservoir were typically between 30 and 50 cfs. Most of this flow percolated between the reservoir and Blossom Hill Boulevard and recharged the underground aquifer, which the Santa Clara Valley heavily depends upon for its water supply. These flows would have also provided suitable fast-water rearing habitat for juvenile steelhead. Habitat appears to have been better in 2016-2018 in the areas that supported summer flow in 2014 and 2015, and potentially suitable physical (but warm) habitat existed downstream in 2016-2019 in areas that were dry in both years. Higher stream flows in 2016-2018 also reduced the relatively abundant juvenile spotted and largemouth bass that were common at the three sites sampled in 2014 and 2015, although bass and carp from the Ogier Ponds were present downstream of the ponds in 2016.

Water Temperature.—Quality of potential rearing habitat depends heavily on the food available and upon the water temperature of stream flows, as higher water temperature increases the metabolic rate of fish and increases their food demands for survival and growth (Myrick and Cech 2005). When food is readily available, the best growth rates occur at warmer temperatures (e.g., 19°C), because assimilation rate also increases at higher temperatures (Myrick and Cech 2005). However, at lower food availability the increased metabolic cost of higher temperature reduces growth (Weber et al. 2014). For drift-feeding steelhead, higher water temperatures cause fish to use faster microhabitats, where food is more abundant (Smith and Li 1983); therefore, stream flow and water temperature are not independent in determining steelhead abundance, growth and habitat selection.

For Coyote Creek the two main factors potentially affecting stream temperature are the temperatures of reservoir and pipeline releases to the stream and the warming effect of the Ogier Pond complex on water temperature downstream of the ponds. With most reservoirs operated by SCVWD, water is released from the bottom, which is normally cool in summer, at

least until the reservoir is drawn down (Casagrande 2010 and 2014; Leicester and Smith 2014a). However, Anderson Reservoir on Coyote Creek has a multiport release system; water can be released from the bottom where it remains cool year-round, or it can be released from higher in the reservoir water column where temperatures are much warmer, especially in late summer. The San Felipe Pipeline also brings in Bureau of Reclamation water from San Luis Reservoir for potential distribution to Anderson Reservoir by pumping up into the reservoir, when no reservoir withdrawals are being made, for direct release to Coyote Creek, or for distribution to other locations in northern Santa Clara County. In 2014-2016, releases to Coyote Creek were usually more from the pipeline than the reservoir and were quite warm for most of the late summer and fall. The moderate size of the YOY steelhead captured in 2014, their lack of significant growth between late September and late November, and the indications of slower growth and growth interruptions on their scales in late summer indicated that the water temperatures were too high for the food available for late summer growth (Leicester and Smith 2014b). Conversely, the large size of the single yearling steelhead captured in in June of 2015 indicates that growth in late fall through spring is good, and may be attributable to warmer and clearer water than is typically present in most local streams during that period. In 2017-2019, a larger share (usually most) of the stream flow was provided by reservoir releases, because of the seismic need to lower the reservoir storage level. Water temperatures were slightly lower, but increased later in summer as the reservoir was drawn down, sending warmer water through the mid-level release port.

If substantially cooler water was released for all or part of the summer (especially late summer), steelhead growth and survival would likely be much better, at least in the reach between the dam and the Ogier Ponds. However, this would potentially require sending more warm imported water to the treatment plants, blended with cool bottom reservoir water (rather than from the mid-elevation release port), which could impact treatment costs or drinking water quality. Water supply operations might have to depend upon monitoring the temperature of pipeline and reservoir releases. Anaerobic conditions near the bottom release port in summer results in hydrogen sulfide production and other chemical changes (due to solubility in anoxic water) that produce tastes, odors, and increase treatment costs. Aeration of bottom water, as is being done in other VW reservoirs to reduce methylation of mercury, might allow the use of the bottom release port in late summer, when water temperature in releases to Coyote Creek is a problem. Providing cooler releases, at least in late summer, should be pursued to improve conditions for threatened steelhead.

The Ogier Pond complex causes substantial increases in water temperatures downstream, because warmed surface water is progressively shuttled through the four ponds. The outflow temperature from the ponds in late spring through summer is likely to average 22-25°C, regardless of inflow temperature because of the high heat capacity of the ponds and the outflow of warm surface water. In June 2019, mean water temperatures were 8°C warmer downstream of the ponds compared to upstream of the ponds. Such temperatures will have severe effects on steelhead growth and survival downstream of the ponds, regardless of the release temperatures at the reservoir. Elevated water temperatures in the ponds also create another indirect effect by increasing the food requirements of the predatory bass. This would be

especially problematic during the late spring smolt emigration period. Predation impacts caused by the ponds and their substantial heating effect on water temperatures constitute very strong justification to reroute the stream around the ponds as soon as possible.

Spawning Gravels and Other Channel Enhancements.—Future investigations should evaluate the need for gravel augmentation, especially near the dam, to improve spawning success, especially since there are probably relatively few returning adult steelhead. Fast-water feeding habitats are important for steelhead abundance and growth in low gradient streams (Casagrande 2010). The step-run and riffle habitat created by boulders immediately downstream of Anderson Reservoir provides a viable example of channel enhancement for juvenile steelhead feeding (Leicester and Smith 2015b). Braided channels tend to provide a greater variety of habitat through a wide range of stream flows. Actions to improve channel migration and braiding should be evaluated. Multiple and migrating channels also result in more open canopy, improving algal growth and insect (fish food) abundance.

Fish Sampling.—NOAA guidelines since 2015 for electrofishing limit sampling to water temperatures of 18°C or less. Unless water temperatures are reduced from those encountered in 2014-2019, sampling for juvenile steelhead would be extremely restricted both as to timing and location. In 2015-2018, fall sampling was not possible until October or November, and early morning sampling in late June and early July was conducted to meet the requirements in 2015. In 2017, morning sampling in August was conducted just prior to the sampling temperature cut-off at the two sites closest to the reservoir; sampling the two warmer sites farther downstream was delayed until late October. In 2019, three sites upstream of Ogier Ponds were sampled in early September, just before water temperatures rapidly increased above the sampling threshold. Additional sampling was conducted in late October as conditions cooled. Future sampling at the warmer sites downstream of Ogier Ponds could probably not be sampled to determine their utilization by steelhead until late October or later. November sampling can only be conducted if it is prior to rains which might allow adult access. Sampling prior to June is not allowed because adults and smolts might still be present, and although sampling in June would occur after smolts had left, YOY would then be too small to be efficiently captured. In addition, sampling at sites downstream of the Ogier Ponds prior to June would still be prevented by high water temperatures produced by the Ogier Pond complex. This conflict for necessary population monitoring will persist as long as the 18°C cap is in place.

The more typical high summer/fall stream flows present in 2016-2019, and prior to 2014 are desirable for rearing steelhead, but in 2016-2019 the high flows made electrofishing more difficult. Coordinated, brief (1-2 day) reductions in flows, if they could be conducted without resulting in stream dry-back, might improve electrofishing effectiveness.

ACKNOWLEDGMENTS

Permission to sample in the Coyote Creek County Park was provided by Santa Clara County Department of Parks and Recreation and VW. Neil Keung assisted with the electrofishing.

LITERATURE CITED

Barret, J. C., G. D. Grossman, and F. Rosenfeld. 1992. Turbidity-induced changes in reactive distance of rainbow trout. Transactions of the American Fisheries Society 121:437-443.

Casagrande, J. M. 2010. Distribution, abundance, growth and habitat use of steelhead in Uvas Creek, CA. M.S. Thesis, San Jose State University.

Casagrande, J. M. 2014. Uvas Creek Juvenile Steelhead Distribution and Abundance and Adult Observations, 2013. Prepared for the California Department of Fish and Wildlife and National Marine Fisheries Service. 46 pp.

Foster, C. A. 2014. Benthic macroinvertebrates in Uvas Creek, California, downstream of a reservoir. M.S. Thesis, San Jose State University.

Fukushima, L. and E.W. Lesh. 1998. Adult and juvenile anadromous salmonid migration timing in California streams. California Fish and Game 84: 133-145.

Grossinger, R. M., R. A. Askevold, C. J. Striplen, et al., 2006. Coyote Creek watershed historical ecology study: historical condition, landscape change, and restoration potential in the eastern Santa Clara Valley, California. SFEI Publication 426, San Francisco Estuary Institute, Oakland, CA.

Hill, W. R., M. G. Ryon, and E. M. Schilling. 1995. Light limitation in a stream ecosystem: responses by primary producers and consumers. Ecology 76(4):1297-1309.

Kaller, M. D., and K. J. Hartman. 2004. Evidence of a threshold level of fine sediment accumulation for altering benthic macroinvertebrate communities. Hydrobiologia 518:95-104.

Leicester, M. A. and J. J. Smith, J. J. 2014a. Stevens Creek juvenile steelhead distribution and abundance, summer and fall, 2013. California Department of Fish and Wildlife and San Jose State University.

Leicester, M. A., and J. J. Smith. 2014b. Fish Population Sampling In 2014 on Coyote Creek. California Department of Fish and Wildlife and San Jose State University.

Leicester, M. A., and J. J. Smith. 2014c. Upper Penitencia Creek Fish Resources in 2014. California Department of Fish and Game and San Jose State University.

Leicester, M. A., and J. J. Smith. 2015a. Upper Penitencia Creek Fish Resources in 2015. California Department of Fish and Game and San Jose State University.

Leicester, M. A., and J. J. Smith. 2015b. Fish Population Sampling In 2015 on Coyote Creek. California Department of Fish and Wildlife and San Jose State University.

Leicester, M. A., and J. J. Smith. 2016. Upper Penitencia Creek Fish Resources in 2015. California Department of Fish and Game and San Jose State University.

Myrick, C. A., and J. J. Cech. 2005. Effects of temperature on the growth, food consumption, and thermal tolerance of age-0 Nimbus-strain steelhead. North American Journal of Aquaculture 67:324–330.

Shapovalov, L. and A. Taft. 1954. The life histories of steelhead rainbow trout (*Salmo gairdneri gairdneri*) and silver salmon (*Oncorhynchus kisutch*). CDFG Fish Bulletin 98:1-275.

Smith, J. J. 2011. Santa Clara County steelhead ecology. Power point presentation with text. Santa Clara Creek Coalition's Creeks and Watershed Conference, Santa Clara, CA November 2011.

Smith, J. J. 2016. Fish Population Sampling In 2016 on Coyote Creek. 34 pp report. San Jose State University.

Smith, J. J. 2017. Fish Population Sampling In 2016 on Coyote Creek. 39 pp report. San Jose State University.

Smith, J. J. 2018. Upper Penitencia Creek Fish Resources Through 2018. 32 pp. report. San Jose State University.

Smith, J. J. 2018. Fish Population and Environmental Sampling in 2014-2018 on Coyote Creek. 38 pp report. San Jose State University.

Smith, J. J., and H. W. Li. 1983. Energetic factors influencing foraging tactics of juvenile steelhead trout *Salmo gairdneri*. Pages 173-180 *in* D. L. G. Noakes, D. G. Lindquist, G. Helfman, and J. Ward, editors. Predators and Prey in Fishes. Dr.W. Junk Publishers, The Hague, Netherlands.

Weber, N., N. Bouwes, and C.E. Jordan. 2014. Estimation of salmonid habitat growth potential through measurements of invertebrate food abundance and temperature. Canadian Journal of Fisheries and Aquatic Sciences 71:1158-1170.

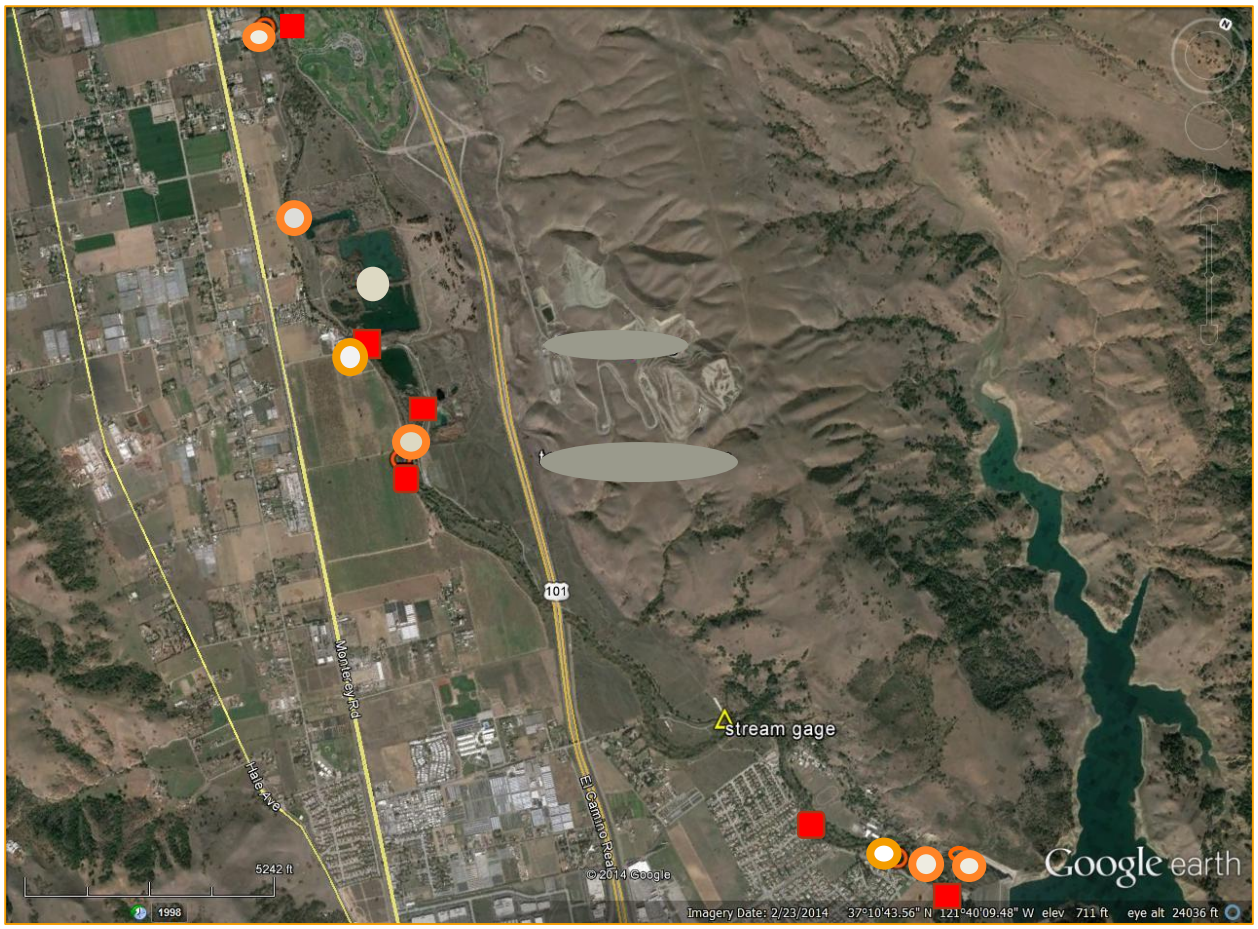


Figure 1. Coyote Creek downstream of Anderson Reservoir, showing locations of temperature recorders (orange circles) and fish sampling reaches (red squares) in 2019. Additional temperature recorders were upstream and downstream of Metcalf Pond and at the Edenvale Gage, farther north.

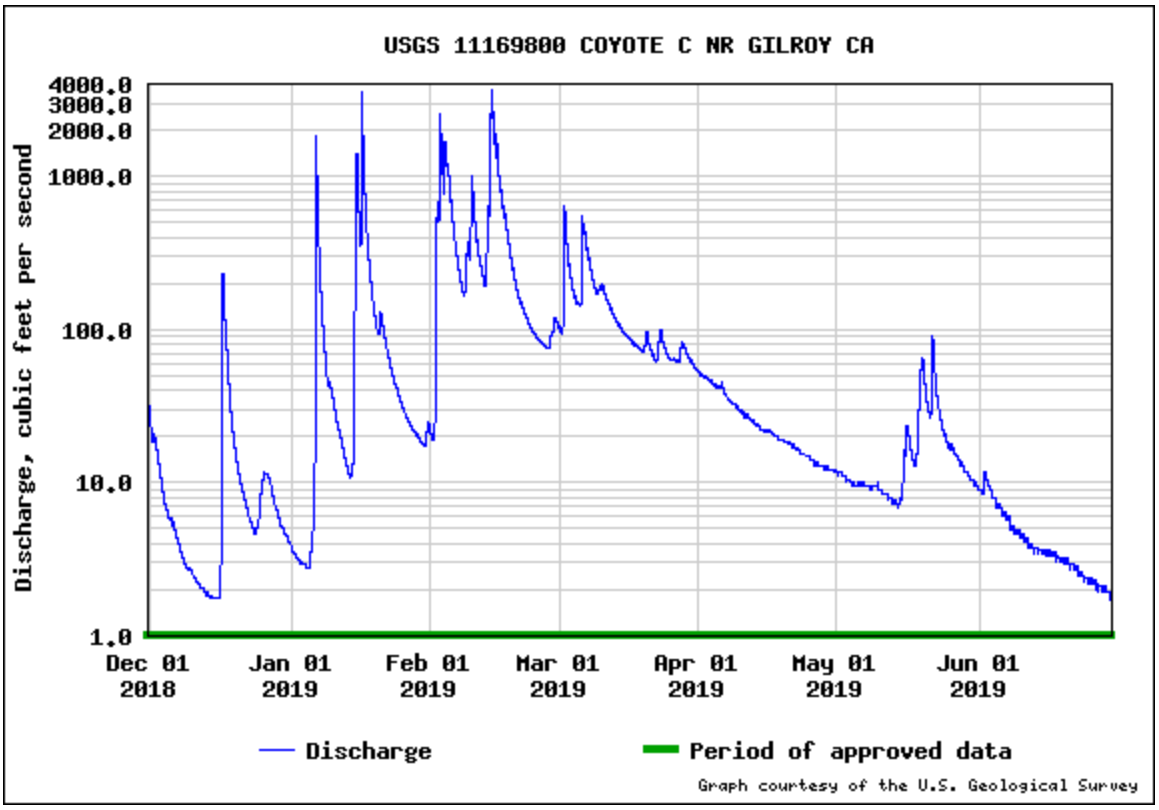


Figure 2. Stream flow on Coyote Creek at the USGS gage upstream of Coyote Reservoir From 1 December 2018 through June 2019.

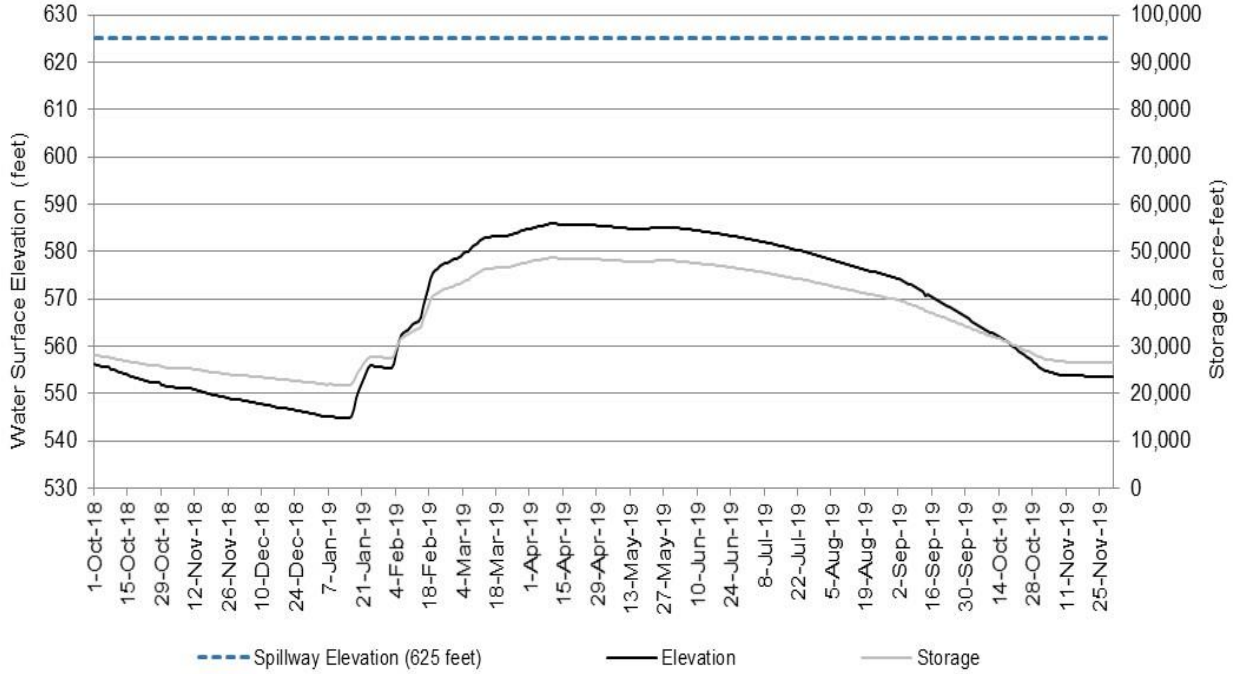


Figure 3. Anderson Reservoir water surface elevation and storage from 1 Oct 2017 through 30 Nov 2018. High releases in February through mid-March kept storage below 50,000 acre-feet.

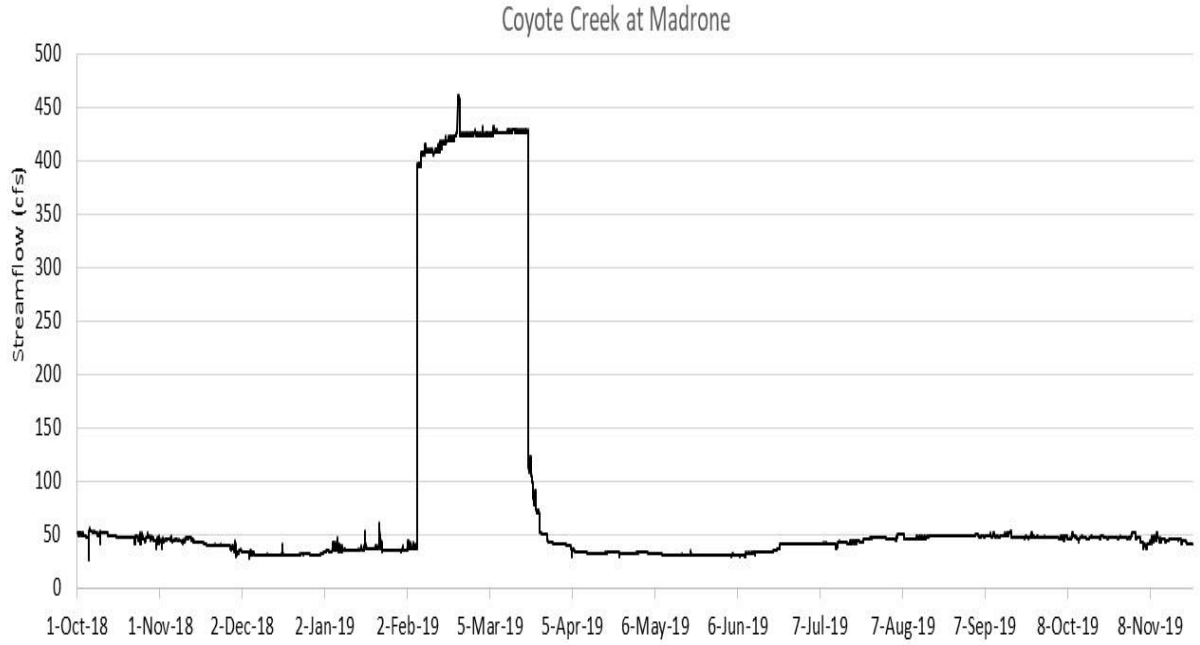


Figure 4. Mean daily stream flow at the VW Madrone Gage (1.5 miles downstream of Anderson Reservoir) from 1 October 2018 through 23 November 2019.

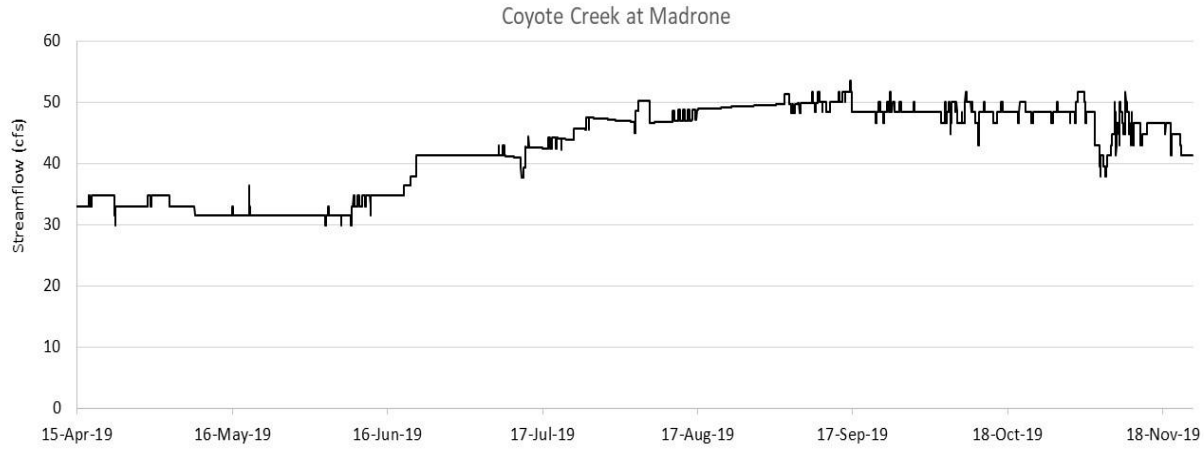


Figure 5. Mean daily stream flow at the VW Madrone Gage from 15 April – 23 November 2019.

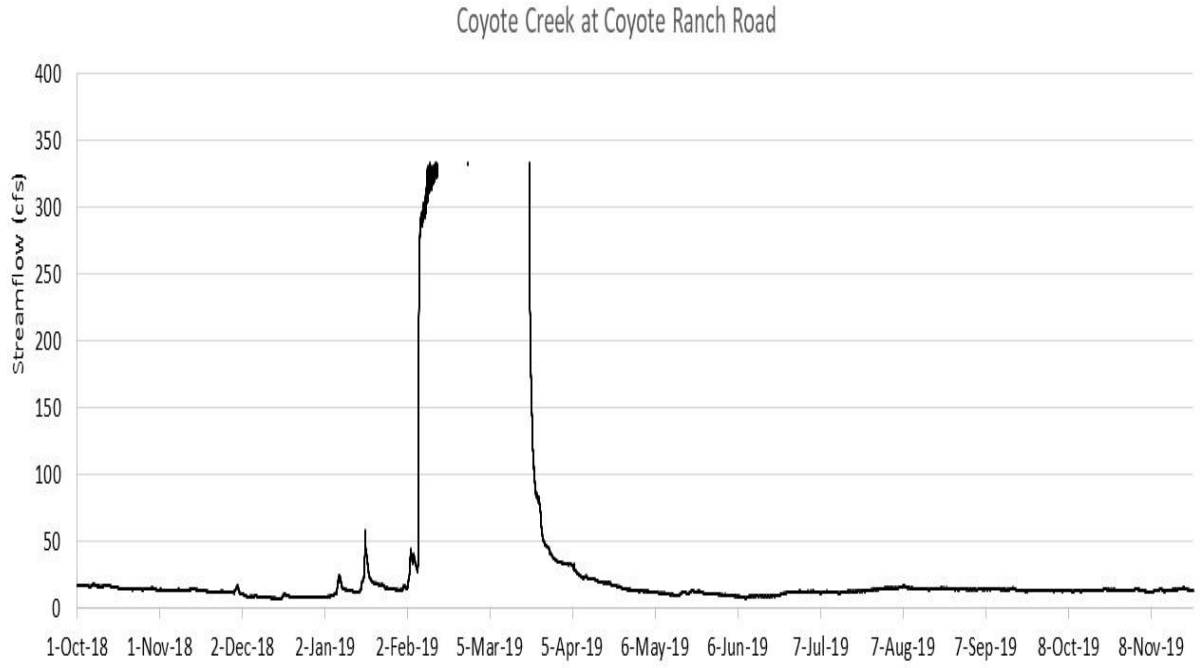


Figure 6. Mean daily stream flow at the VW Coyote Ranch Road Gage (upstream of Fisher Creek and Metcalf Pond) from 1 October 2018 through 23 November 2019. The February through late March high flows were continuous (as in Figure 4), but not recorded at all times with the low flow stream gage.

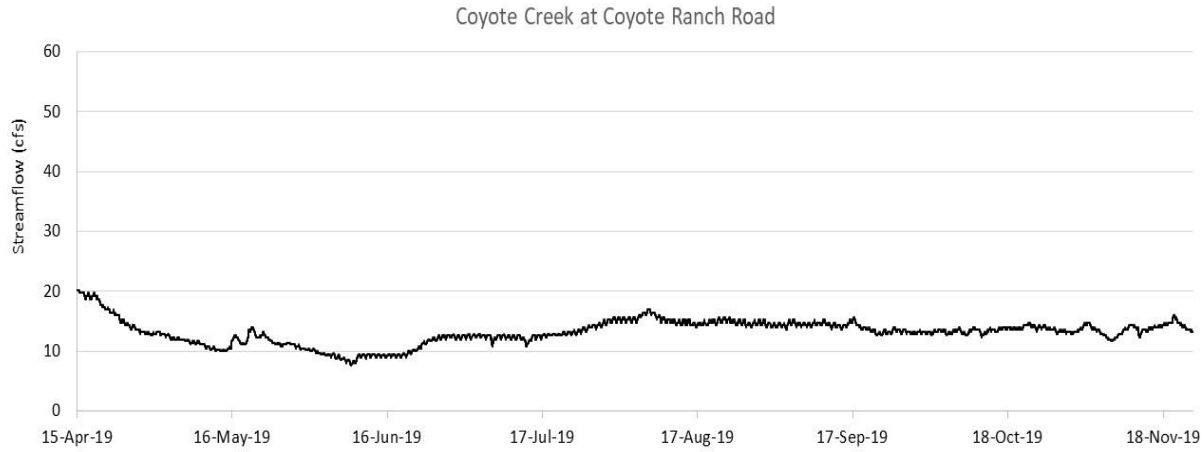


Figure 7. Mean daily stream flow at the VW Coyote Ranch Road Gage from 15 April through 23 November.

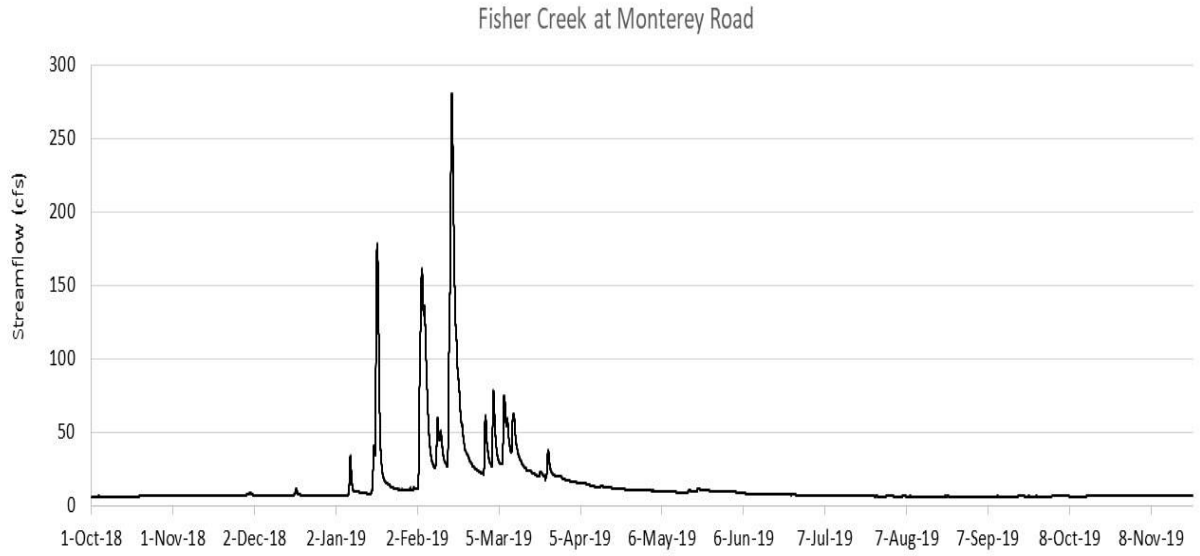


Figure 8. Mean daily stream flow at the VW Fisher Creek Gage at Monterey Road from 1 October 2018 through 23 November 2019.

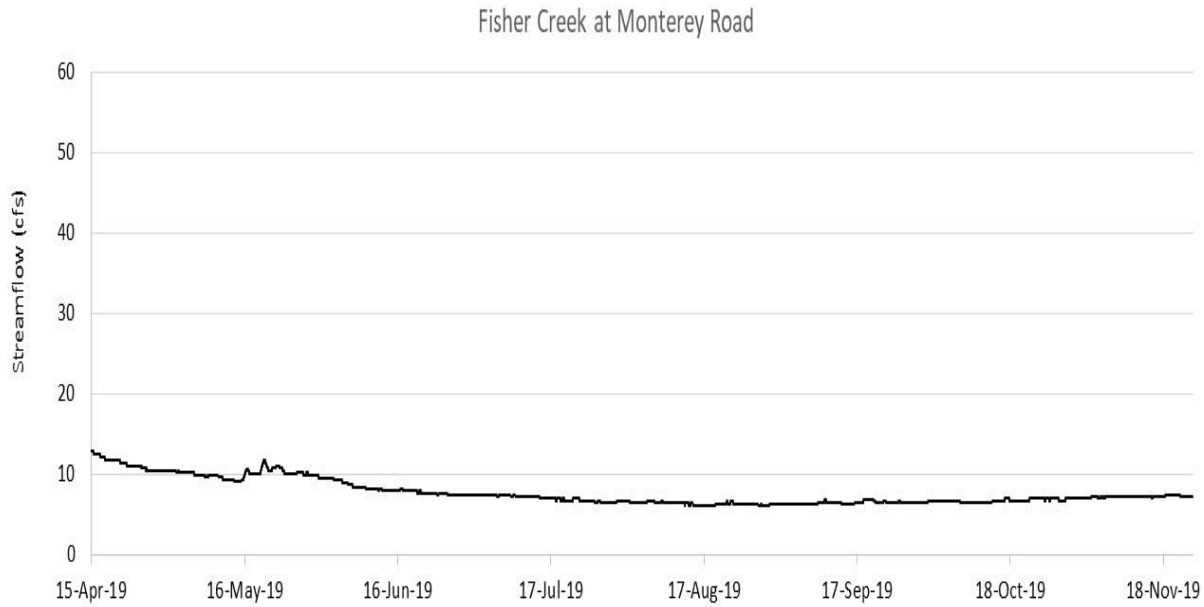


Figure 9. Mean daily stream flow at the Fisher Creek gage from 15 April through 23 November.

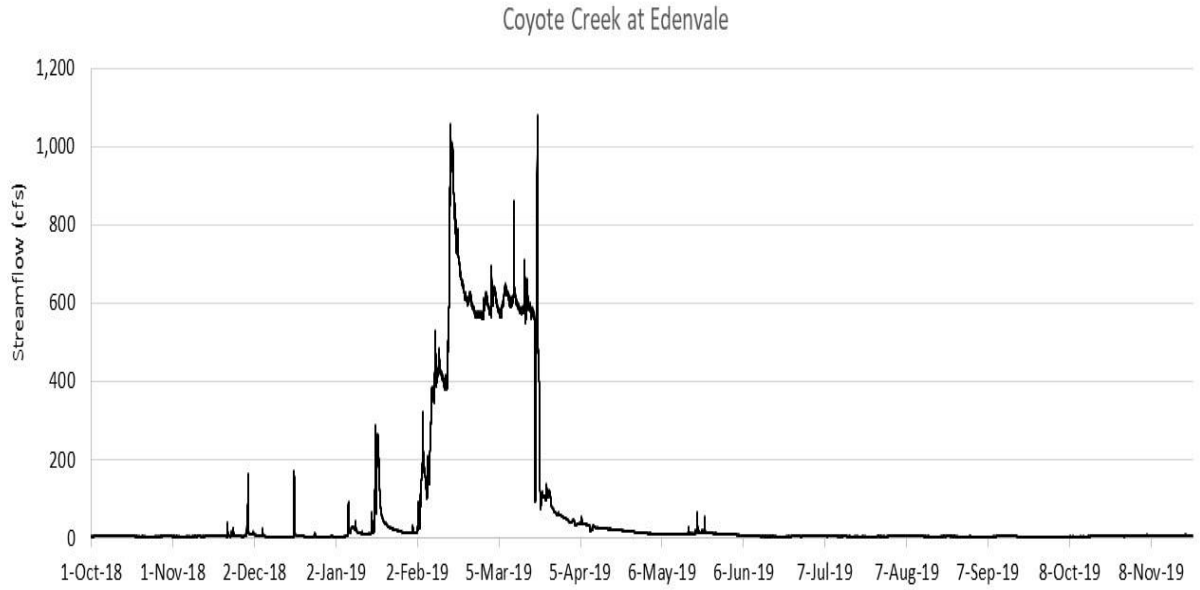


Figure 10. Mean daily stream flow at the VW Edendale gage (in the urban area downstream of Metcalf Percolation Pond) from 1 October 2018 through 23 November 2019.

Figure 11. Mean daily stream flow at the VW Edendale gage from 15 April through 23 November 2019.

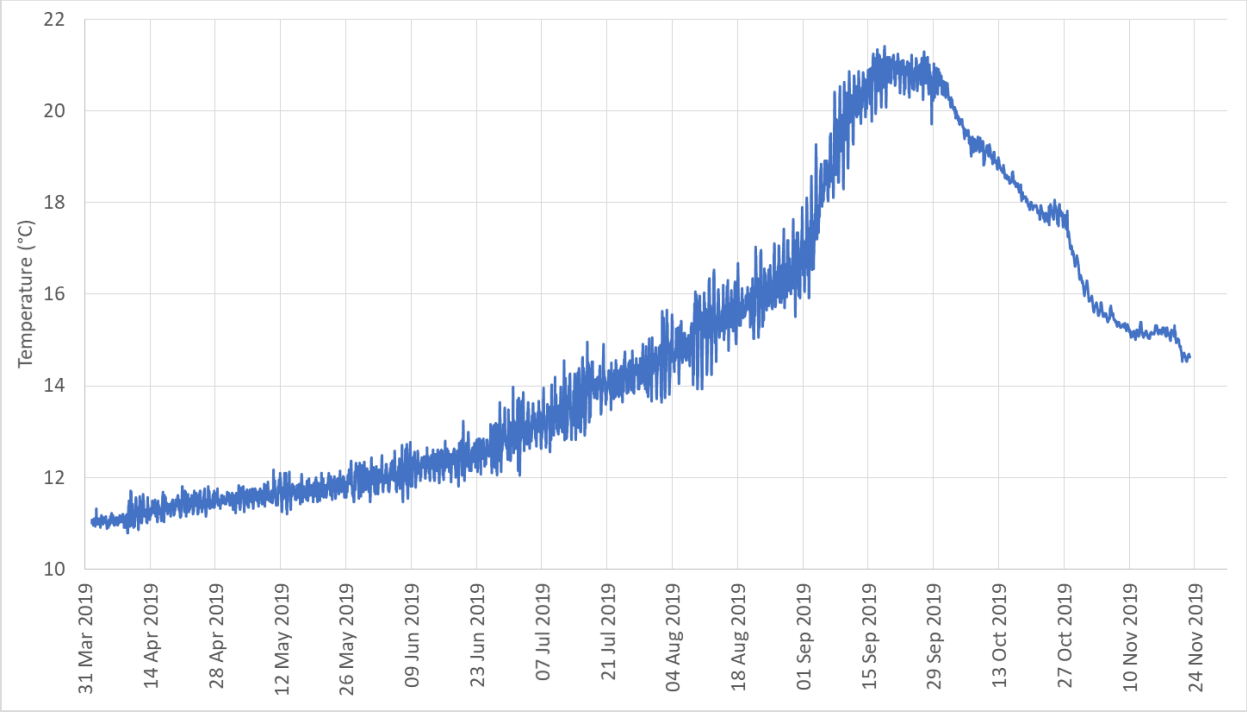


Figure 12. Water temperatures in Coyote Creek downstream of Anderson Reservoir from 1 April through 23 November 2019. Water was drawn from a mid-level port, and temperatures increased as the reservoir level declined.

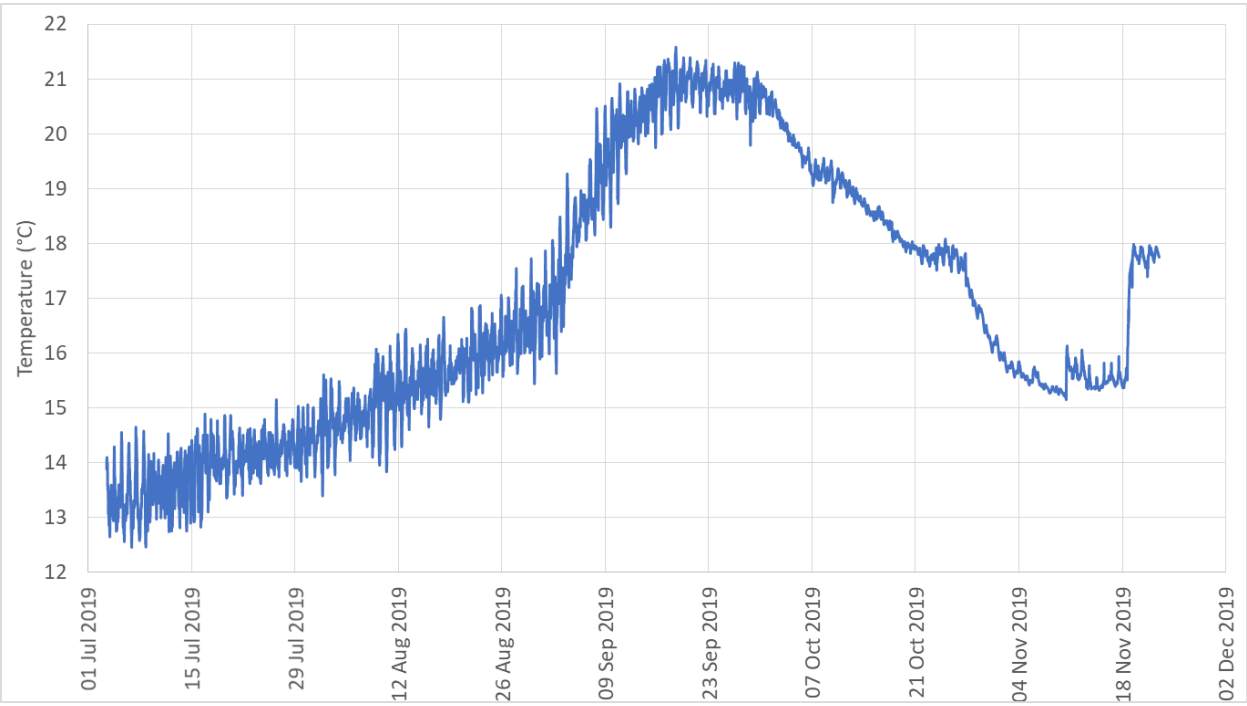


Figure 13. Water temperature in Coyote Creek downstream of Anderson Reservoir and the San Felipe Pipeline and hydropower release from Anderson Reservoir from 3 July through 23 November 2019. The increase in water temperature in mid-November was due to a shift from reservoir release to imported water release.

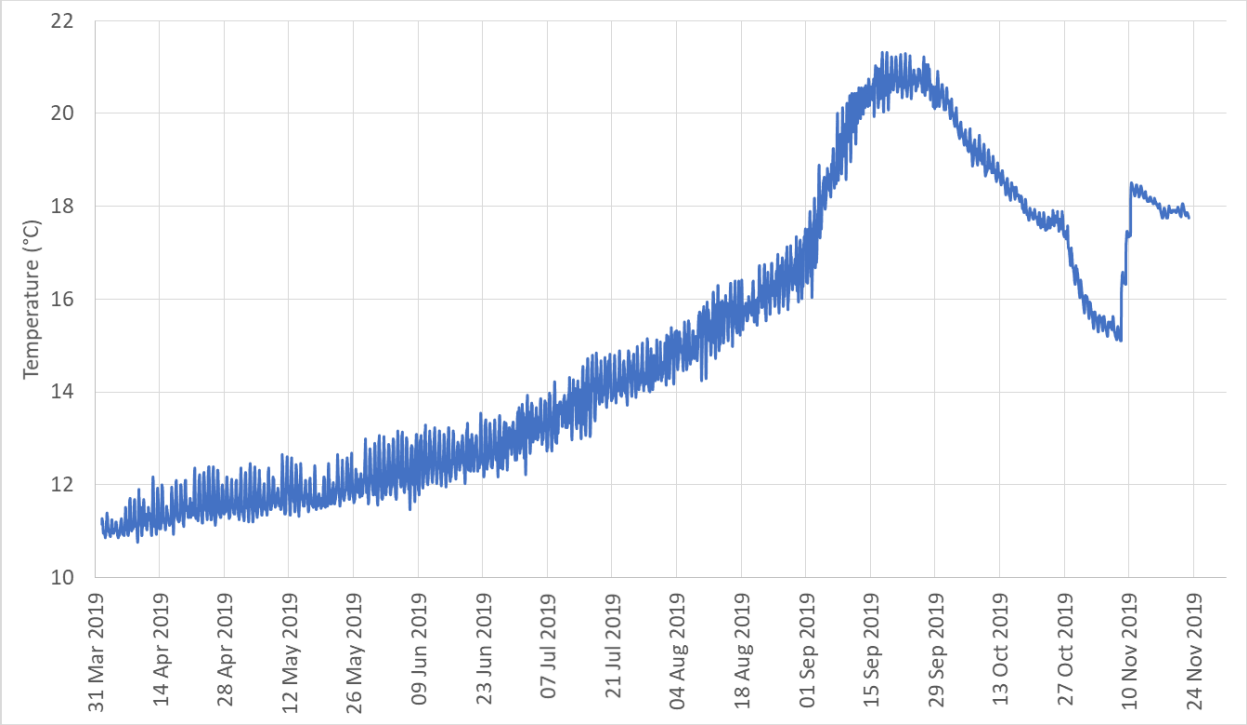


Figure 14. Water temperature in Coyote Creek in the park downstream of releases from Anderson Reservoir and from San Felipe Pipeline and hydropower discharges from 1 April through 23 November 2019

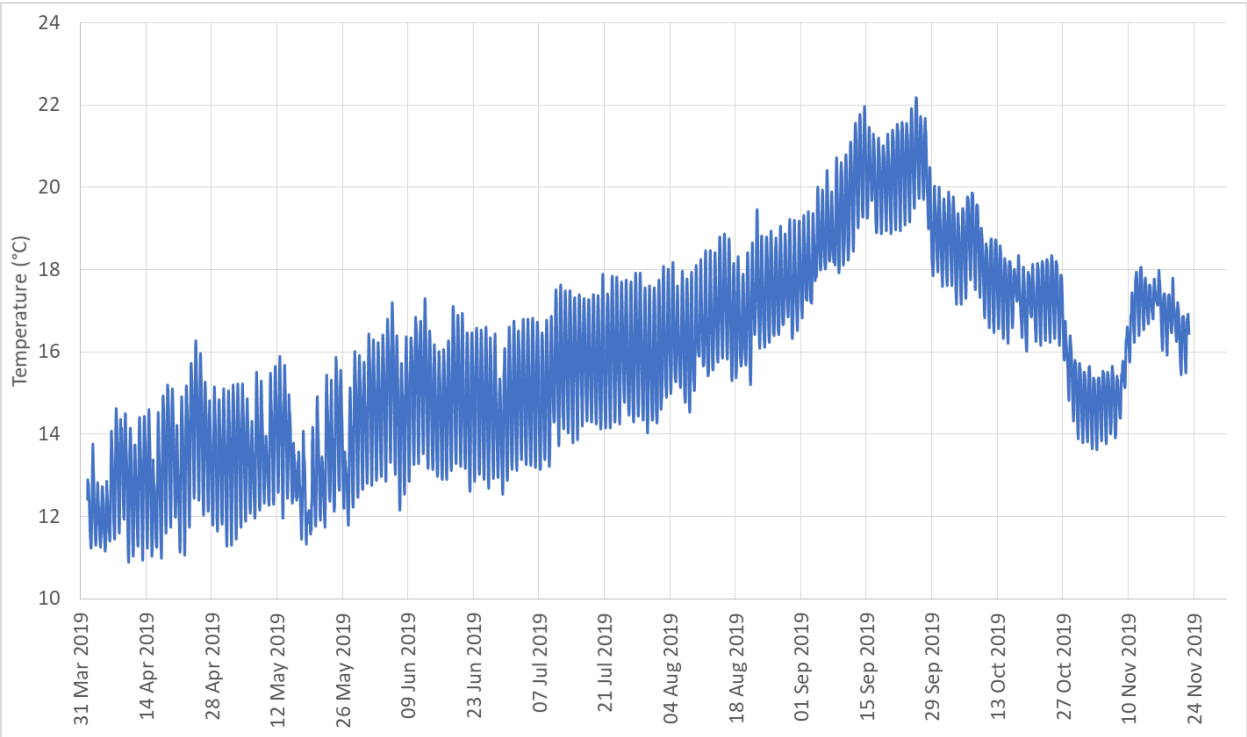


Figure 15. Water temperatures in Coyote Creek upstream of the Ogier Ponds Complex from 1 April through 23 November 2019.

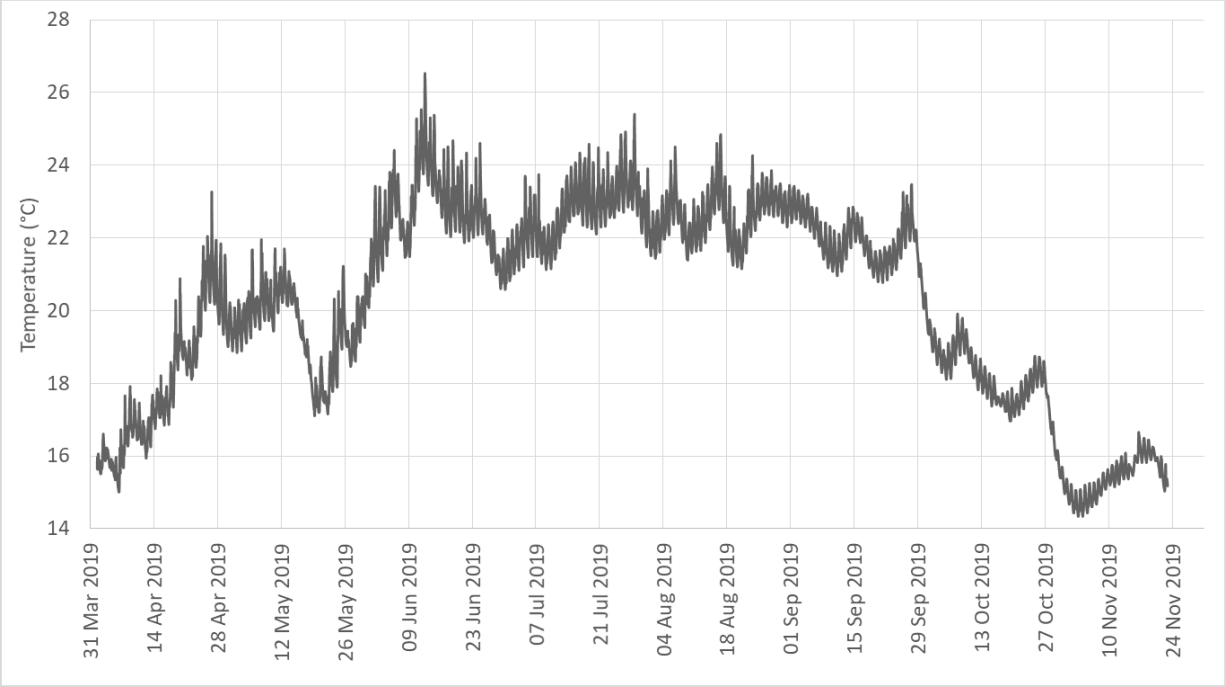


Figure 16. Water temperatures in Coyote Creek immediately downstream of the Ogier Pond complex (downstream of Ogier Pond #4) on Coyote Creek from 1 April through 23 November 2019.

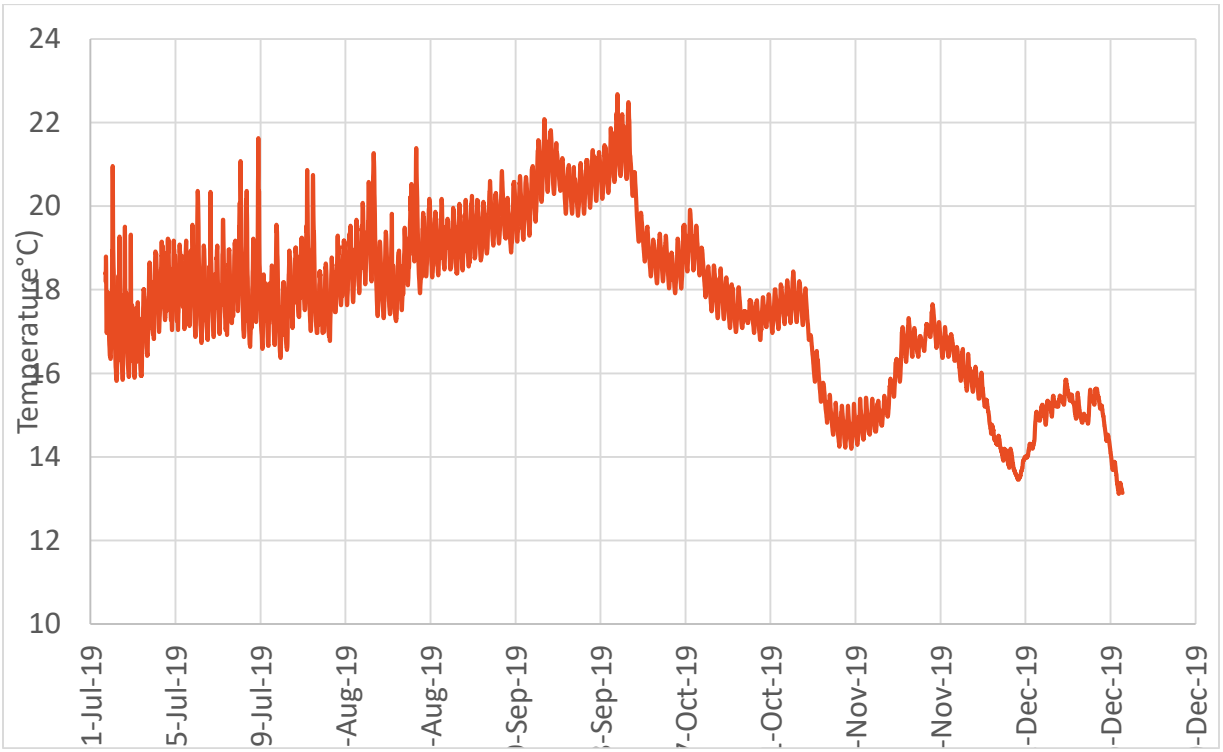


Figure 17. Water temperatures in Coyote immediately downstream of Ogier Pond #1 from 3 July through 18 December 2019.

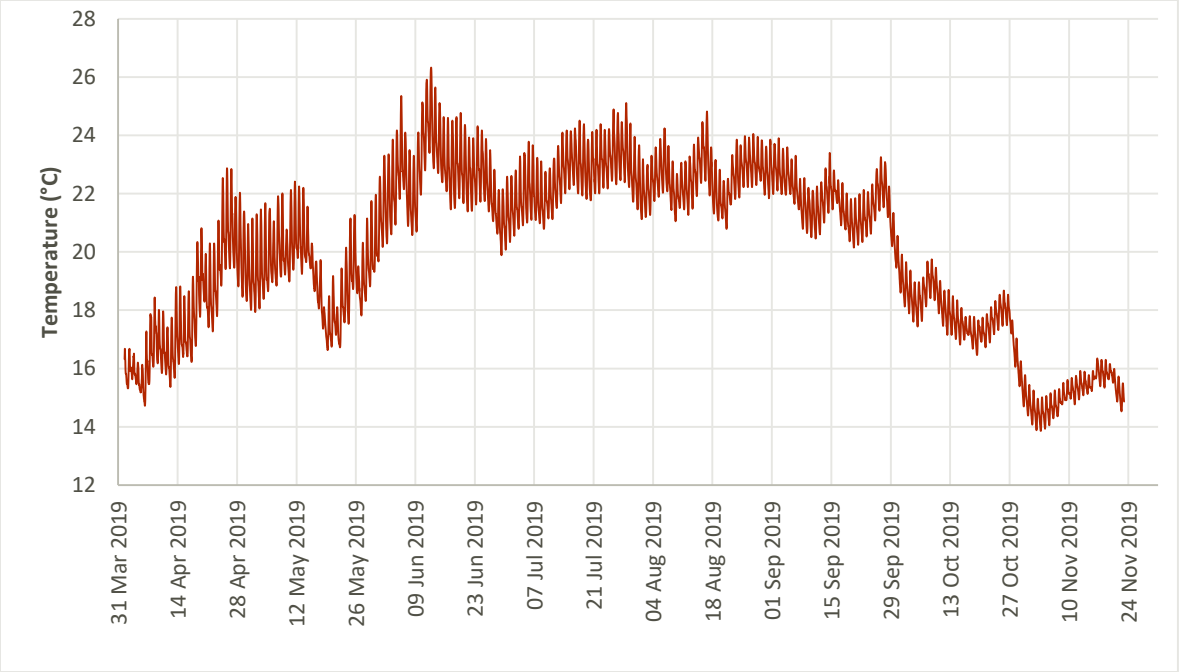


Figure 18. Water temperatures in Coyote Creek immediately downstream the old Golf Course Road from 1 April through 23 November 201.

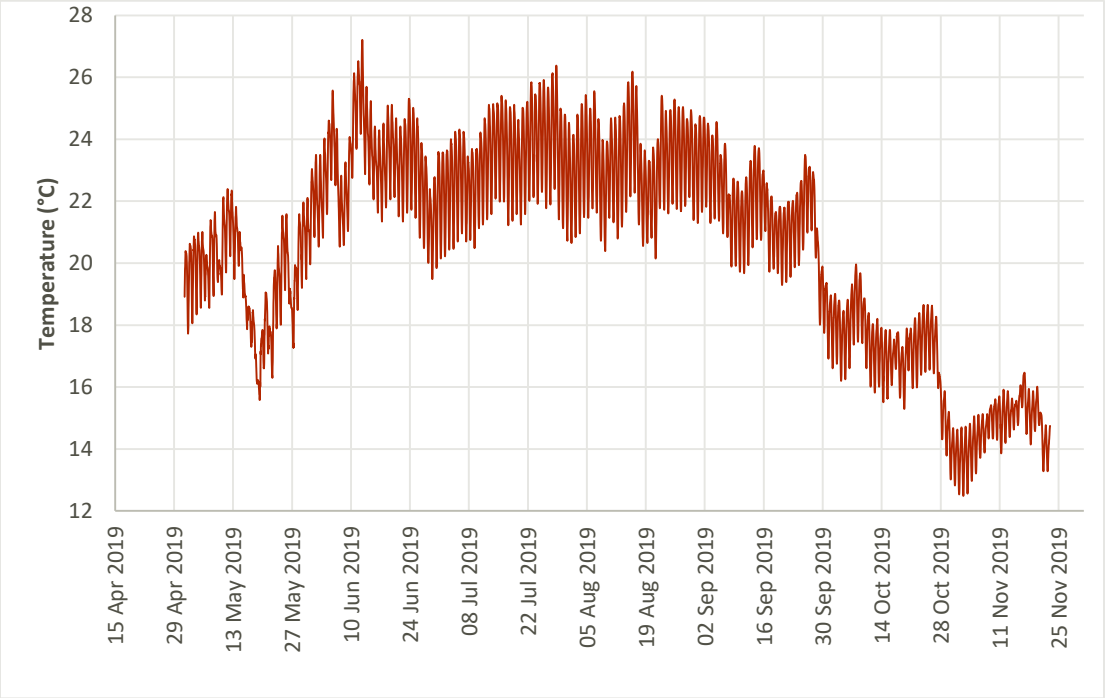


Figure 19. Water temperatures in Coyote Creek immediately downstream of Coyote Ranch Road (upstream of Fisher Creek and Metcalf Pond) from 1 May through 23 November 2019.

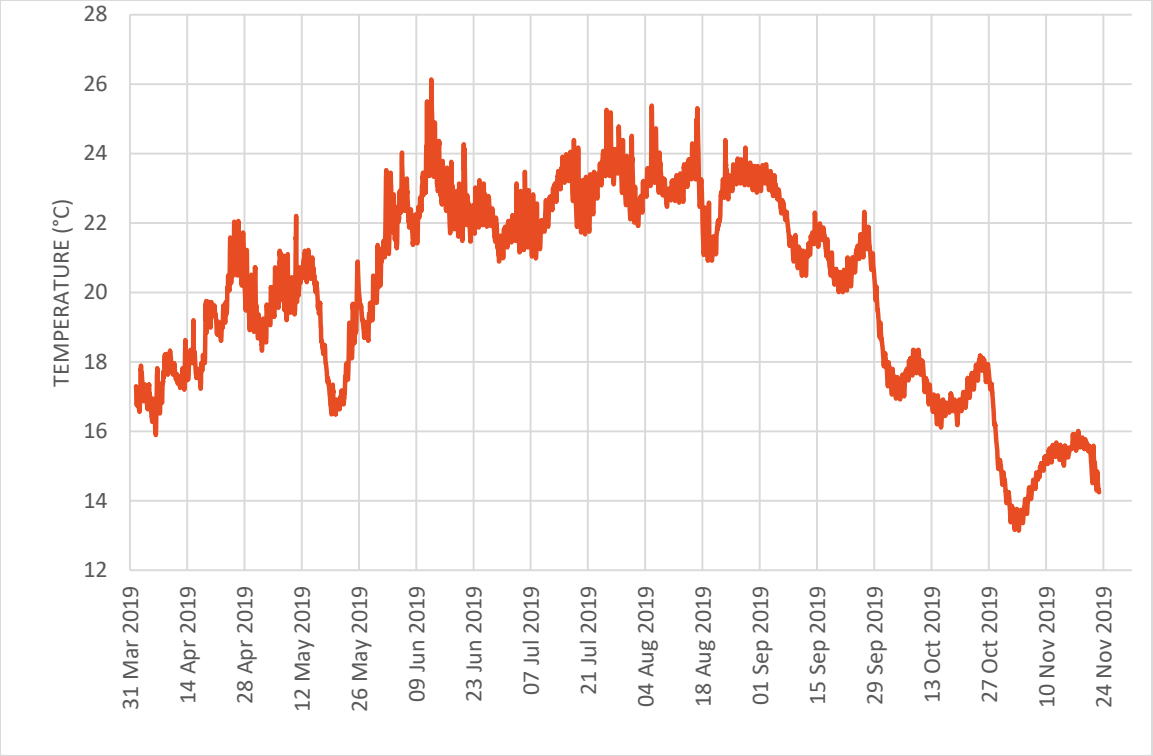


Figure 20. Water temperatures in Coyote Creek immediately downstream of Metcalf Pond from 1 April through 23 November2019.

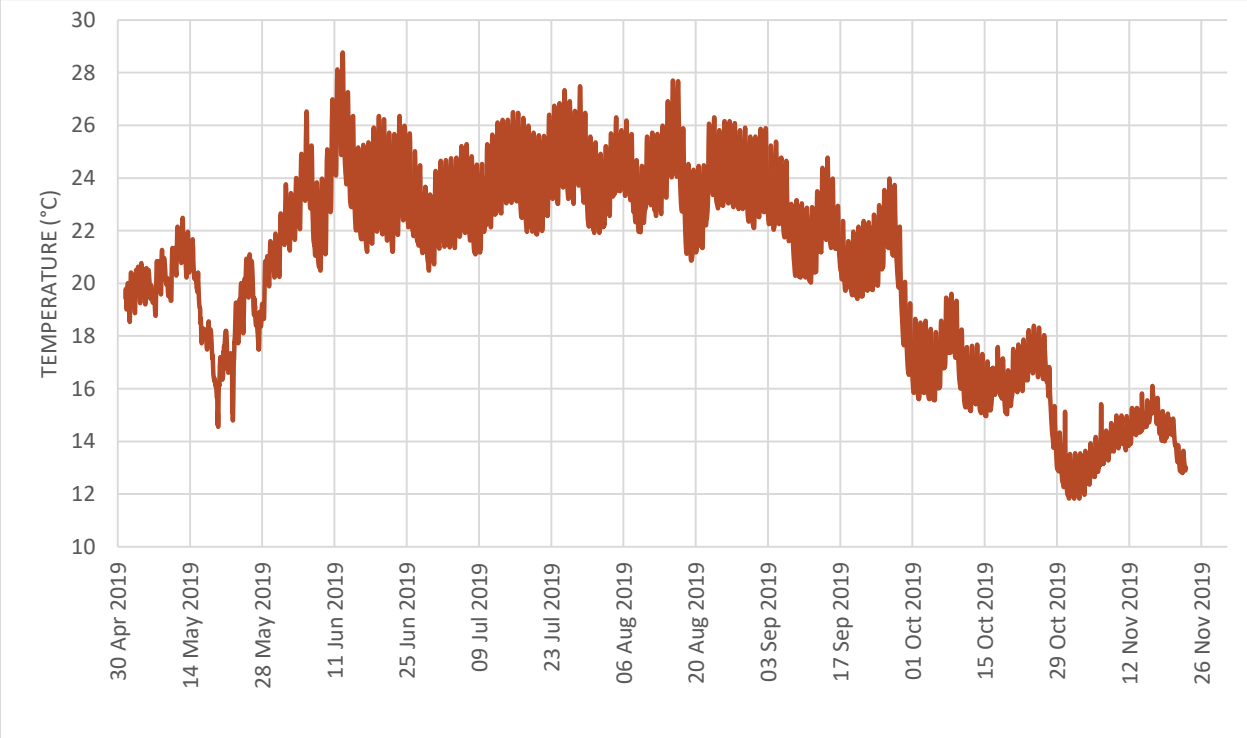


Figure 21. Water temperatures in Coyote Creek near the SCVWD Edenvale Gage from 1 May through 23 November 2019.

Figure 22. Standard lengths (mm) of *O. mykiss* captured by electrofisher at three sites on Coyote Creek on 29 September/24 November 2014; 28 June 2015; and 9 September and 23 October 2019 (fork lengths) . No *O. mykiss* were captured in 2016, 2017, or 2018. Numbers instead of X are ages from scales.

Standard Length (mm)	Upstream of Ogier Ponds		US Boys Ranch DS of Anderson Reservoir	Immediately DS Anderson Reservoir	
	2014		2014	2014	
	9/29 (n=9)	11/24 (n=3)	11/24 (n=30)	9/29 (n=12)	11/24 (n=7)
80 – 84			XXX		
85 – 89	XXX		XXXXXXXXXX		
90 – 94	XX		XXXXX	X	
95 – 99	X		XXXXX	XX	XXX
100-104	X	XX	XXXX	XXX	X
105-109	X	X	X	XXX	X
110-114				XXX	X
115-119	X				
120-124			X		X

	US Boys Ranch DS of Anderson Res. 28 June 2015
225 -229	1

Fork Length (mm)	Upstream of Ogier Ponds 9 Sept 2019	Upstream of Boys Ranch 9 Sept 2019
175-180	0	
320-330	1 (+similar missed)	(similar missed)

Table 1. Amount of habitat sampled, number of *O. mykiss* captured, and estimated density from depletion at sites on Coyote Creek in September and November 2014 and 28 June, 3 July and 14 November 2015, 21 October 2016 , 28 August and 26 October 2017, 2 November 2018, 9 September 2019 (2019 data in bold).

Site and Date	Distance Sampled (feet)	*O. mykiss* Captured	Estimated Density (number per 100 feet)
Downstream of Reservoir			
29 September 2014	175	12	7.1 / 100 feet
24 November 2014	175	7	4.1
3 July 2015	175	0	0
21 October 2016	175	0	0
28 August 2017	185	0	0
2 November 2018	185	0	0
9 **September 2019**	**215**	**0**	**0**
Upstream of Correctional Facility			
24 November 2014	422	30 (+ 1 yearling missed)	8.2
28 June 2015	425	1 (+ 1 missed)	0.4 (yearlings)
14 November 2015	425	0	0
21 October 2016	365	0	0
28 August 2017	425	0	0
2 November 2018	425	0	0
9 **September 2019**	**510**	**0 (1 yearling missed)**	**0.2**

Table 1 (continued)

Site and Date	Distance Sampled (feet)	*O. mykiss* Captured	Estimated Density (number per 100 feet)
Upstream of Ogier Ponds near Model Airplane Park			
29 September 2014	524	10	1.9
24 November 2014	275	3	1.1
28 June 2015	475	0	0
21 October 2016	285	0	0
26 October 2017	710	0	0
2 November 2018	560	0	0
9 **September 2019**	**560**	**1 (+ 1 yearling missed)**	**0.4 yearlings**
Multiple braided channels Upstream of Ogier Pond #1			
9 September 2019	170	1	0.6 YOY
23 October 2019	640	0	0
Between Ogier Ponds 1 and 2			
23 October	100	0	0
Downstream of Golf Course Road			
21 October 2016	95	0	0
26 October 2017	120	0	0
2 November 2018	110	0	0
23 October 2019	**105**	**0**	**0**

Appendix: Photos

Photo 1. Metcalf Dam on 10 February 2019 at a flow of about 500-600 cfs, due to high releases from Anderson Reservoir to comply with seismic restrictions. One of the radial gates was partially opened to lower the pond water level and prevent overtopping of the dam.

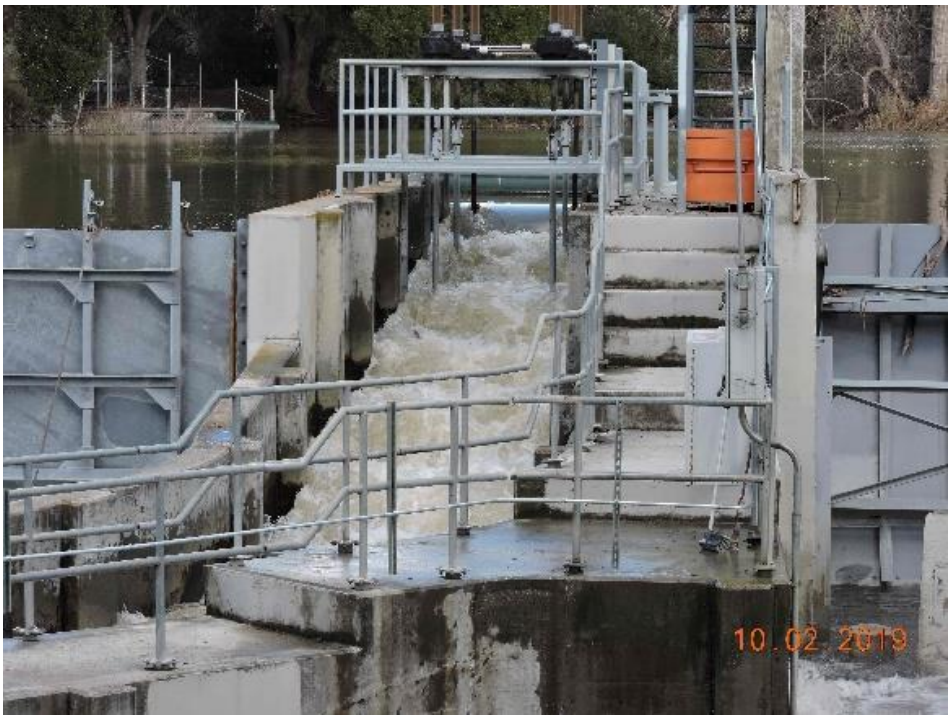


Photo 2. The fish ladder at Metcalf Dam on 10 February 2019. Despite turbulence in the ladder, it was probably passable by adult steelhead (if they successfully located the ladder in the high flows).

Photo 3. Metcalf Dam fish ladder on 1 April 2019, with radial gate partially open and easy passage in the fish ladder; combined flow below the dam was 54 cfs.

Photo 4. The stream gage weir at Coyote Ranch Road on 10 February 2019 at a flow of 350-400 cfs through several channels. The site was passable from February through mid-March, but not at 32 cfs on 1 April 2019. It is a major passage impediment at lower flows because of boulders at the base of the weir that interfere with jumping.

Photo 5. The stream gage weir at Coyote Ranch Road on 23 November 2019 at a flow of 13 cfs, showing the very difficult potential fish passage.

Photo 6. Singleton Road crossing of Coyote Creek on 10 February 2019, during February through mid-March stream flow of about 500-600 cfs. High velocity in the culverts would have blocked passage, but the depth of flow (and moderate velocity) over the apron may have allowed adult steelhead upstream passage over the apron and submerged crossing.

Photo 7. Singleton Road crossing at a dropping stream flow of about 140 cfs on 18 March 2019. High velocity in the culverts and the shallow flow over the apron probably prevented adult steelhead upstream passage.

Photo 8. Singleton Road Crossing after stream flows had dropped further to about 40 cfs on 1 April 2019. Adult steelhead passage would have been possible through the culvert on the left.

Photo 9. Release from the downstream pipeline below Anderson Dam on 31 August 2019. Releases to Coyote Creek for most of the summer were from mid-level Anderson Reservoir water released immediately below the dam and through the downstream hydro pipeline below the dam.

Photo 10. In November the releases were from immediately below the dam (Anderson Reservoir water) and from the upstream pipeline discharge of warmer imported water (23 Nov 2019).

Photo 11. Atypically unshaded channel upstream of Ogier Pond #1, due to channel realignment into a previously abandoned historic channel during the flood of 2017. Habitats include riffles, runs, and fast "heads of pools" that provide fast-water feeding habitat for steelhead. No steelhead were seen or caught in the fast riffles or runs, but one large yearling was shocked, but not caught, in the head of pool at the bend downstream, and one large yearling was caught at the head of pool upstream of this picture (9 September 2019).

Photo 12. Head of pool upstream of Photo 11, where a large yearling steelhead was captured.

Photo 13. 330 mm fork length yearling steelhead caught in the head of pool in Photo 12. Two others of similar size were shocked, but not captured, in head of pool habitats upstream of Ogier Pond #1 and upstream of the Boy's Ranch near the dam.

Photo 14. Main braided channel (of 4-5 channels) immediately upstream of Ogier Pond #1.

Photo 15. 175 mm fork length YOY steelhead captured in one of the braided channels upstream of Ogier Pond #1.

THIS PAGE INTENTIONALLY LEFT BLANK

SANTA CLARA & SAN BENITO COUNTIES
Building Trades
The outstanding workforce

Santa Clara & San Benito Counties Building & Construction Trades Council

2102 Almaden Road Suite 101 San Jose, CA 95125-2190 · Phone 408.265.7643 · info@scbtc.org

David Bini
Executive Director
Robert Baldini
President

Boilermakers 549
Brick & Tile 3
Carpenters 405
Carpenters 2236
Carpet & Linoleum 12
Cement Masons 400
Electricians 332
Electricians 234
Elevator Constructors 8
Glaziers 1621
Heat & Frost Insulators 16
Iron Workers 377
Laborers 270
Laborers 67
Lathers 9144
Millwrights 102
Operating Engineers 3
Painters District Council 16
Painters & Tapers 507
Plasterers 300
Plumbers & Steamfitters 393
Roofers 95
Sheet Metal Workers 104
Sign, Display 510
Sprinkler Fitters 483
Teamsters 853
UA Local 355

Affiliated with:
State Building and Construction Trades Council of California
California Labor Federation, AFL-CIO
California Labor C.O.P.E.
South Bay AFL-CIO Labor Council

OPEIU 29
UNION LABEL

July 10th 2020

Nai Hsueh, Chair
Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh:

On behalf of the Santa Clara and San Benito Counties Building and Construction Trades Council, I write to express support for the Draft Community Preferred Plan (the Plan) that would be implemented should the Safe, Clean Water and Natural Flood Protection Program be renewed, and urge the Valley Water Board of Directors to adopt the Plan and place the renewal of that program on the November 2020 ballot.

We believe that ensuring a reliable supply of water and providing flood protection is essential for creating and sustaining jobs, which bolsters not just our communities, but also our economy at the local and regional levels. Passage of this measure will help ensure the creation of jobs in the infrastructure sector by building sustainable, locally controlled water supply, flood protection, and environmental stewardship projects.

This potential ballot measure, known as the Safe, Clean Water and Natural Flood Protection Program has yielded the following draft priorities as part of the exploratory process:

- Ensure a safe, reliable water supply
- Reduce toxins, hazards and contaminants in our waterways
- Protect our water supply from earthquakes and natural disasters
- Restore wildlife habitat and provide open space
- Provide flood protection to homes businesses, schools, and highways
- Support public health and public safety for our community

The Santa Clara and San Benito Counties Building and Construction Trades Council supports the Plan, and urges the Board to adopt and to place this measure on the November ballot. If you have any questions, please feel free to contact me at (408) 265-7643 or david@scbtc.org.

Sincerely,

David Bini

David Bini
Executive Director

Michele King

Subject: FW: July 14, 2020 Agenda Item 2.7

From: Katja Irvin <katja.irvin@sbcglobal.net>
Sent: Monday, July 13, 2020 9:30 PM
To: Clerk of the Board <clerkoftheboard@valleywater.org>; Board of Directors <board@valleywater.org>
Cc: Barbara Kelsey <barbara.kelsey@sierraclub.org>; James Eggers <james.eggers@sierraclub.org>
Subject: July 14, 2020 Agenda Item 2.7

The Sierra Club Loma Prieta chapter continues to have concerns about the Safe Clean Water property tax renewal measure being proposed for the November ballot. In general, this proposal seems rushed and unnecessary given the current program is set to run though 2028. Our sense is that it would be better to wait and put a renewal measure on the ballot in 2024.

Regarding the proposed ballot measure, our biggest concern is the lack of a sunset date for this parcel tax funding. Property owners in Santa Clara County already fund Valley Water substantially though the Ad Valorem Tax and the State Water Project Tax. This special tax for Safe Clean Water should remain a "special tax" and be re-evaluated by the voters on an occasional basis.

The Sierra Club is also very interested in any efforts to make expedited progress on the Fisheries and Aquatic Habitat Collaborative Effort, either through the ballot measure or through other commitments and follow through. There has been plenty of rhetoric about this being an important project but no significant progress is made.

Thank you for your consideration,

Katja Irvin
Conservation Committee Co-Chair
Sierra Club Loma Prieta Chapter