



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

August 09, 202

Board Policy EL-7 Communication and Support to the Board
The BAOs shall inform and support the Board in its work.

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	<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
13	BMR/IBMR Weekly Reports: 08/07/24
14	Updated Memo from Lisa Bankosh, Assistant Officer, to Rick Callender, CEO, dated 07/18/24, providing a report of properties acquired under Executive Limitations 6.7.1.
17	Memo from Bhavani Yerrapotu, P.E. Deputy Operating Officer -Watersheds Design and Construction to Rick Callender CEO, dated 07/31/24, providing an update on the Lower Guadalupe River Capacity Restoration Project.
20	Memo from Luz Penilla, Assistant Operating Officer-Office of Integrated Water Management to the board, dated 08/07/24, providing Watersheds and Water Utility FY 25-29 Operations and Maintenance Asset Renewal Plans.
	<u>INCOMING BOARD CORRESPONDENCE</u>
23	Board Correspondence Weekly Report: 08/07/24
24	Email from Bonnie Sutphin to the board dated 07/31/24 asking Valley Water to look into debris on Saratoga Creek between Prospect and Cox. C-24-0195
30	Email from Rajat P Garg to the board, dated 08/01/24, presenting a plan to protect Santa Clara County residents from potential tax and water rate increases while promoting transparency, efficiency, and sustainability. C-24-0196
33	Email from John Hernandez to Director Beall (and various other agencies), dated 07/31/24, requesting that Valley Water cleanse Ross Creek of any potential flood-causing rock buildup. C-24-0197
130	Email from Robert Liu to Director Eisenberg (copied to the board), dated 08/05/24, requesting assistance in mitigating Hale Creek walls. C-24-0198
131	Email from Shaunn Cartwright to Director Santos and various other agencies, dated 08/05/24, requesting the County's Office of Supportive Housing (OSH) upcoming meeting on 08/07/24 be postponed. C-24-0199
	<u>OUTGOING BOARD CORRESPONDENCE</u>
136	Email from Chair Hsueh to Jim Kul, dated 08/01/24, replying to their follow up email in which they requested that the Water Rate Affordability Study consultant perform "a scoping estimate of San Jose Water Company's residential billing increase".

144	Email from Chair Hsueh to San Jose District 1, dated 08/02/24 addressing their request for a partnership for their Adopt-A-Storm-Drain Pilot by inviting them to consider applying for a mini-grant through Valley Water's Safe, Clean Water grants and partnerships program.
416	Email from Director Beall to John Hernandez, dated 08/06/24, responding to their email by notifying them that Valley Water staff intend to remove the debris by the end of August, pending clearance.

CEO BULLETIN

To: Board of Directors
From: Rick L. Callender, CEO

Weeks of July 19, 2024 – August 8, 2024

Board Executive Limitation Policy EL-7:

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

Item	IN THIS ISSUE
<u>1</u>	City of Palo Alto Parks and Recreation Commission Meetings for the Palo Alto Tide Gate Project
<u>2</u>	Coyote Creek Flood Protection Project Draft Environmental Impact Report and Public Meeting
<u>3</u>	Listening Session to receive feedback from advocates and nonprofits who support unhoused people regarding Valley Water's proposed Water Resources Protection Zones Ordinance
<u>4</u>	Update on State Regulations for Making Conservation a California Way of Life
<u>5</u>	Valley Water Launches Groundbreaking Apprenticeship
<u>6</u>	Vandalism at the Construction Site for the Coyote Percolation Dam Replacement Project
<u>7</u>	<u>Hsueh</u> Provide Mr. Kuhl with information he requested on the Palo Alto Purified Water Project. R-24-0011
<u>8</u>	<u>Beall</u> Provide Director Beall with a list of all crimes reported on Valley Water property I-24-0010

1. City of Palo Alto Parks and Recreation Commission Meetings for the Palo Alto Tide Gate Project

Valley Water’s Palo Alto Tide Gate Seismic Retrofit and Rehabilitation Project (Project) is located along the Palo Alto Flood Basin, within The City of Palo Alto’s Byxbee Park. The Project is currently in the design phase with construction scheduled to begin in the summer of 2025. Prior to beginning construction, Valley Water will need Project approval from the City of Palo Alto’s Council and its Parks and Recreation Commission, a requirement of its Park Improvement Ordinance.

In order to obtain approval of the work, the Project team has conducted presentations at two separate meetings. The first meeting was a Stakeholder Tour held on April 2, 2024, with Palo Alto Parks and Recreation Commission (PRC) members, environmental, and park staff. Valley Water also attended a PRC meeting on June 25, 2024, where they gave a presentation about the Project and answered questions from PRC members. As part of the standard process, Valley Water is scheduled to attend another PRC meeting on August 27, 2024, to give another presentation and request that the Project be recommended for Park Improvement Ordinance approval by the City of Palo Alto Council.

For further information, please contact Bhavani Yerrapotu at (408) 630-2735.

2. Coyote Creek Flood Protection Project Draft Environmental Impact Report and Public Meeting

Valley Water has released a Draft Environmental Impact Report (EIR) on the Coyote Creek Flood Protection Project (Project) for public review beginning on July 12, 2024, and ending on August 26, 2024. Preparation of the Draft EIR fulfills Valley Water's lead agency responsibility under the California Environmental Quality Act (CEQA). The Draft EIR may be reviewed at <https://www.valleywater.org/public-review-documents>.

On July 25, 2024, Valley Water held a hybrid public meeting at the Roosevelt Community Center in San Jose and remotely via Zoom to update community members and solicit comments about the Coyote Creek Flood Protection Project Draft Environmental Impact Report (EIR).

Valley Water Vice Chair Richard Santos kicked off the meeting with opening remarks, followed by Director Tony Estremera. There were 18 community members who attended the public event and 11 people participated online. A recording of the virtual meeting, presentation, and materials will be made available on the Project webpage.

Participants were reminded that the Coyote Creek Flood Protection Project is designed to reduce the risk of flooding to homes, schools, businesses, and transportation infrastructure from a flood event equivalent to that of the February 2017 event. Additionally, they were informed of the process to submit written comments regarding the project's Draft EIR electronically to CCFPPcomments@valleywater.org or by mail to Andrew Martin, Environmental Planner, during the 45-day public review period ending at 5:00 p.m. on August 26, 2024.

At the conclusion of the public review period, Valley Water will prepare a formal response to comments, revise the Draft EIR as necessary, and prepare a Final EIR.

The Project objectives are to plan, design, and construct improvements along approximately nine (9) miles of Coyote Creek, between Montague Expressway and Tully Road in the City of San Jose?. Construction is anticipated to begin in summer 2025. The primary objective of the Project is to provide protection from floods up to the level that occurred on February 21, 2017, equivalent to approximately a 5% flood (20-year event).

For further information, please contact Bhavani Yerrapotu at (408) 630-2735.

3. Listening Session to receive feedback from advocates and nonprofits who support unhoused people regarding Valley Water's proposed Water Resources Protection Zones Ordinance

On July 25, 2024, Valley Water held a Listening Session to seek input and feedback on Valley Water's proposed Water Resources Protection Zones Ordinance. Valley Water invited advocates and nonprofits who support unhoused people to share their concerns, ideas, and solutions related to the Ordinance and the impacts of encampments of unsheltered people located on Valley Water lands. Participants discussed how Valley Water can continue to fulfill its mission of providing safe, clean water and address the challenge of ensuring staff safety and environmental protection while addressing the needs of unsheltered people living near waterways. The meeting was held in the Valley Water Headquarters Boardroom, 5700 Almaden Expressway, San Jose, CA. The majority of attendees participated in person and a smaller group engaged in the session virtually via Zoom.

Roger Jackson, an external consultant, facilitated the Listening Session. Valley Water Good Neighbor Program Assistant Operating Officer, Mark Bilski, and Watersheds Operations & Maintenance Deputy Operating Officer, Jennifer Codianne, provided opening remarks and background information on the intent of the proposed Water Resources Protection Zones Ordinance. The Listening Session had four sections: (1) Overview of the Current Challenge; (2) Discussion I - Concerns; (3) Discussion II - Ideas and Solutions; and (4) Closing and Next Steps. Participant input received during the Listening Session will be compiled and provided at the Valley Water Environmental Creek Cleanup Committee (ECCC) meeting scheduled for August 29, 2024.

For further information, please contact Mark Bilski at (408) 630-2830.

4. Update on State Regulations for Making Conservation a California Way of Life

Background and Applicability

In 2018, former CA Governor Edmund Gerald Brown, Jr. signed into law Assembly Bill 1668 and Senate Bill 606 to develop a regulatory framework to achieve long-term water use efficiency throughout California. In July 2024, the Governor also approved the specific regulation for Making Conservation a California Way of Life (also known by several variations of "the Framework"). The regulation sets new, permanent water use budgets for urban retail water suppliers (water retailers) referred to as the "Urban Water Use Objective" based on the sum of:

1. Indoor residential water use
2. Outdoor residential water use
3. Outdoor commercial, industrial, and institutional (CII) water use from Dedicated Irrigation Meters (DIMs)
4. Water loss
5. Variances and bonus incentives which serve to reflect unique uses that have a material effect on a service area's water use (e.g., seasonal populations, recycled water, etc.).

The Framework is intended to create long-term change and not the extreme, short-term measures required during a drought. However, regardless of how efficient a service area is, water retailers will need to comply with the Framework's CII performance measures. These measures will enable benchmarking and establish Best Management Practices for the hard-to-reach CII sector. Additionally, water retailers will need to begin annual reporting requirements by January 1, 2025. By January 2027, the State Board may impose fines on water retailers each day they are in violation of the Framework if compliance is not sufficiently demonstrated.

Valley Water Impact

As the wholesaler, Valley Water is not required to comply with the Framework. However, 11 of our major water retailers will be relying on Valley Water's Water Conservation Program such as the Landscape Rebate Program, Water Efficiency Technology Rebate Program, Fixture Replacement Program, and Large Landscape Program in order to comply. Additionally, Valley Water and the Bay Area Water Supply & Conservation Agency (BAWSCA) are partnering to develop guidance documents that summarize the CII performance measures and provide a roadmap to compliance with critical, concise information for agency staff and management, including approaches to estimate resource needs.

Conclusion

Adoption of the Framework sets a new regulatory standard for long-term water use efficiency in California. While Valley Water is not directly subject to these regulations, our Water Conservation Program supports the compliance efforts of our water retailers, which in turn will keep water demand low or flat into the future. With comprehensive guidance and resources staff preemptively began developing, Valley Water is well-prepared to assist our retailers in meeting these new regulations and achieving significant water savings.

For further information, please contact Kirsten Struve at (408) 630-3138.

5. Valley Water Launches Groundbreaking Apprenticeship

Valley Water has launched a first-of-its-kind apprenticeship program for Instrumentation and Controls Technicians (I&C Techs) in the water industry. Raw Water Management identified recruitment of journey level I&C Techs as an ongoing challenge to the organization and designed the Skilled Trades Apprenticeship to meet that need. This program creates a pipeline of qualified, skilled I&C Techs by taking individuals with no prior experience and training them to be journey level workers. Thanks to a partnership with Baywork, a network of water and wastewater agencies in the San Francisco Bay Area, this apprenticeship is registered with the U.S. Department of Labor, making it one of the only registered I&C Tech apprenticeships in the Bay Area. Valley Water is excited to pioneer this effort to provide opportunities to local individuals that will ensure a robust, skilled water workforce for our agency and our entire region.

This July 2024, Valley Water's Raw Water Division welcomed two apprentices to the Treatment Plant Maintenance Unit. The apprentices will receive on-the-job training as full-time Valley Water employees while simultaneously completing related education courses through Mission College. Upon completion of the four- to five-year apprenticeship, the apprentices will receive their journey level card and become full-time I&C Techs servicing Valley Water's water treatment plants and pipelines.

For further information, please contact Greg Williams at (408) 630-2867.

6. Vandalism at the Construction Site for the Coyote Percolation Dam Replacement Project

The Coyote Percolation Dam Replacement Project (Project) is located along Coyote Creek, south of Metcalf Park in San Jose. Construction of this Project began in June 2023 and was scheduled for completion in July 2024.

Late in the evening on June 27, 2024, vandals broke through the Contractor's perimeter security fence and then broke through security locks to gain access into the new control building and several control panels. Damages reported during this incident included electrical wiring, control building door, control panel doors and wiring, and tools were stolen. Valley Water security and City of San Jose police were called to the site to report the incident and provide assistance to improve security at the construction site.

On July 1, 2024, another break in occurred at this same construction site. The vandals broke through the new security gate to the control building then jarred open the door to the control building to cut and remove electrical wiring to several control panels. Following the incident, the Contractor installed a security camera and new tempered steel locks. The Project team worked with Valley Water security to determine additional security measures in the short term to allow the construction to be completed, as well as long term measures following construction. At the time of both vandalism incidents, the construction was nearly complete where the Contractor was working on startup and operational testing for the new dam facilities.

Currently, the Project team is working with the Contractor and a third-party electrical firm to assess the electrical damages and impacts to the construction schedule. The schedule to implement the security measures is anticipated to take 1 to 2 months depending on availability of materials.

For further information, please contact Bhavani Yerrapotu at (408) 630-2735.

7. Hsueh

Provide Mr. Kuhl with information he requested on the Palo Alto Purified Water Project. R-24-0011

A response to BMR 24-0011 is included in the July 26, 2024 Non-Agenda.

For further information, please contact Vincent Gin at (408) 630-2633.

8. Beall

Provide Director Beall with a list of all crimes reported on Valley Water property. I-24-0010

The following write-up addresses Director Beall's request for a list of all crimes reported on Valley Water property.

The collection of crime statistics on all Valley Water properties is a complex and time-intensive process with various challenges noted below.

Potential Issues and Considerations

- **Data Accuracy:** The process may yield incomplete or inaccurate data due to the challenges in property identification and varying descriptions by different officials.
- **Time-Intensive Process:** Valley Water Security obtains and maintains crime data for incidents reported to Security Services by Valley Water staff or Contractors. There may be data of incidents on Valley Water property that were not reported to Valley Water by law enforcement or the public. Collecting the holistic crime statistics to capture crime statistics is a time-consuming task to gather data from 15 municipalities in the County, the County of Santa Clara, and multiple other public sector agencies.

- **Outdated Information:** By the time all data is collected, additional crimes may have occurred, rendering the data outdated and less useful for current assessments.

Due to the collection issues outlined above, the Valley Water Security Office is providing the crime data related to Valley Water activities throughout the year. This data originates from reports by Valley Water staff and statistics gathered by the San Jose Police Department Stream Stewardship Law Enforcement Program (SSLE). The crime data for each category in the calendar year 2023 and partial year 2024 is summarized below:

	Firearm	Edged Weapons	Threats of Violence	Aggressive Dog Events	Arson	Theft	Vandalism	Drug	Sex Crimes
2024 (first 6 months)	0	1	10	3	1	4	7	16	0
2023	7	8	21	2	4	12	6	82	1
2022	3	7	0	0	0	0	0	0	0

Narrative of the Incidents Above

There were seven firearm-related and seven-edged weapon events reported in 2023. Including SSLE statistics, the total rises to eight firearm and eight-edged weapon incidents. In comparison, 2022 had three firearm events and seven-edged weapon events, indicating a significant increase in firearm-related incidents in 2023.

For further information, please contact Mary Harvey at (408) 630-3720.

Outlook as of August 1, 2024

On June 25, 2024, the U.S. Bureau of Reclamation (Bureau) announced an increase to the 2024 south-of-delta Central Valley Project (CVP) agricultural allocation from 40% to 50%; however, the Bureau kept the Municipal and Industrial (M&I) allocation at 75% of historic M&I. Earlier this year, on April 23, 2024, the California Department of Water Resources increased the State Water Project (SWP) allocation from 30% to 40% of contract amount for 2024. On June 13, 2023, the Board of Directors adopted a resolution to support water conservation as a way of life and an ordinance with a set of permanent water waste prohibitions for Santa Clara County.

Weather

- Rainfall in San José:
 - » Month of July, City of San José = 0 inches
- Rainfall year total = 0 inches or 0% of average to date (rainfall year is July 1 to June 30)
- San José average daily high temperature was 87.5 degrees Fahrenheit in July, which is higher than the five-year average for July (80.9 degrees Fahrenheit)

Local Reservoirs

- Total August 1 storage = 53,027 acre-feet

Reservoir Storage	All Ten Valley Water Reservoirs	All Reservoirs Except Anderson
Storage as % of unrestricted capacity	32%	64%
Storage as % of restricted capacity (1)	85%	83%
Storage as % of the 20-year average for August 1	63%	127%

(1) Per the Federal Energy Regulatory Commission’s order, the capacity of Anderson Reservoir was restricted to the deadpool storage as of October 1, 2020

- Approximately 360 acre-feet of imported water was delivered into Calero Reservoir during July 2024
- Total estimated releases to streams (local and imported water) during July were 5,630 acre-feet (based on preliminary hydrologic data)

Treated Water

- Below average demands of 10,740 acre-feet were delivered in July
- This total is 96% of the five-year average for the month of July
- Year-to-date deliveries are 42,920 acre-feet or 80% of the five-year average

Groundwater

- Groundwater conditions remain healthy throughout the county. Groundwater levels in most regional monitoring wells are lower than last month as typical seasonal declines continue. While most water levels are lower relative to July 2023, all are the same or higher than the prior five-year average for July. The end of 2024 groundwater storage is projected to be in Stage 1 (Normal) of the Water Shortage Contingency Plan

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
July 2024 managed recharge estimate	4,400	1,200	2,700
YTD managed recharge estimate	38,600	9,100	13,900
YTD managed recharge as % of five-year average	137%	115%	126%
June 2024 pumping estimate	6,800	1,200	3,200
YTD pumping estimate	30,800	5,900	12,200
YTD pumping as % of five-year average	102%	111%	90%
Current index well groundwater levels compared to July 2023	2 Feet Lower	8 Feet Lower	Same Level

All volumes are in acre-feet. All data is for 2024 except where noted. YTD = Year-to-date.

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Imported Water

- In July (through July 30th), the SWP operated Banks pumping plant with an average daily export of 10,549 acre-feet, resulting in a total export of 316,482 acre-feet from the Sacramento-San Joaquin Delta for the month
- In July (through July 30th), the CVP operated Jones pumping plant with an average daily export of 6,570 acre-feet, resulting in a total export of 197,098 acre-feet from the Sacramento-San Joaquin Delta for the month
- Multiple fish protection thresholds and outflow requirements were triggered at the Sacramento-San Joaquin Delta export facilities this winter/spring. Project facilities, including delta exports, were operated to maintain water quality requirements in the delta for the month of July

WY 2024 Imported Water Allocations	Allocation	Allocation (acre-feet)	Details
SWP	40%	40,000	Allocation increased on 4/23/24
CVP	50% Ag 75% M&I	Approximately 110,000	Allocation increased on 6/25/24
State-wide Reservoir Storage	Capacity	Current Storage (acre-feet)	Average for Date (as of 7/30/24)
Shasta Reservoir	76%	3,468,944	111%
Oroville Reservoir	81%	2,768,269	117%
San Luis Reservoir	43%	873,491	99%
Semitropic Groundwater Bank	Capacity	Current Storage (acre-feet)	Date of Data
	86%	300,694	6/30/24
Estimated SFPUC Deliveries	June 2024 (acre-feet)	2024 Total to Date (acre-feet)	Five-Year Annual Average (acre-feet)
	4,248	21,240	47,000

Conserved Water

- Saved 83,174 acre-feet in FY23 through Valley Water’s long-term conservation program (baseline year is 1992)
- Long-term program goal is to save nearly 100,000 acre-feet by 2030 and 110,000 acre-feet by 2040
- On June 13, 2023, the Board of Directors adopted a resolution to support water conservation as a way of life in Santa Clara County and an ordinance with a set of permanent water waste prohibitions

Recycled Water

- Estimated July 2024 production = 2,198 acre-feet
- Estimated year-to-date through July = 9,366 acre-feet or 100% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.5 billion gallons (4,493 acre-feet) of purified water in 2023. Since the beginning of 2024, about 2,763 acre-feet of purified water has been produced. The purified water is blended with existing tertiary recycled water for South Bay Water Recycling Program customers

CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, email info@valleywater.org or use our **Access Valley Water** customer request system at <https://deliver.com/2yukx>.



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BOARD MEMBER REQUESTS and Informational Items

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-24-0011	08/06/24	Beall	Callender	Taylor	During 8/6/24 BAC Director Beall requested: 1. Is there any negative effect on VW from yesterday's stock market situation? 2. Please provide a status of VW's accumulated large cash reserves (cash on hand/semi-liquid money/assets).	08/26/24		
I-24-0010	07/17/24	Beall	Yoke	Gordon Mcelroy	Provide Director Beall with a comprehensive list of all crimes reported on Valley Water property.	08/06/24		



MEMORANDUM

FC 14 (08-21-19)

TO: Rick L. Callender, Esq.

FROM: Lisa Bankosh

SUBJECT: Report of Properties Acquired Under
Executive Limitation 6.7.1

DATE: July 18, 2024

BACKGROUND:

Executive Limitation (EL) 6.7 and 6.7.1 allows the CEO to acquire, encumber or dispose real property interest, only when authorized by the Board, or is part of a Board approved project and does not exceed \$500,000. EL 6.7.1.3 requires that the CEO provide a written report to the Board of anticipated properties to be acquired under EL 6.7.1. Additionally, EL 6.7.1.4 requires that the CEO provide a quarterly summary report of the properties acquired under EL 6.7.1, including the respective statutory offer of just compensation and final negotiated values.

PURPOSE:

This memo complies with the provisions of EL 6.7.1.3 and 6.7.1.4 by providing the following:

1. A report of the properties which may be acquired under EL 6.7.1 in the upcoming quarter, July 1, 2024, through September 30, 2024. (Attachment 1)
2. A report of the properties that have been acquired under EL 6.7.1 in the last quarter, April 1, 2024, through June 30, 2024. (Attachment 2)

If you have questions or need additional information, please contact Carlo Achdjian at (408) 630-4352.

DocuSigned by:

Lisa Infante (Bankosh)

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Lisa Bankosh
Assistant Officer
Watersheds Stewardship & Planning Division

Attachment 1 (Properties which may be acquired)
Attachment 2 (Properties acquired)

cc: J. Bourgeois, C. Hakes, T. Yoke, C. Achdjian, K. Anderssohn, C. Herrera

ATTACHMENT 1

REPORT OF PROPERTIES WHICH MAY BE ACQUIRED UNDER E.L. 6.7.1 IN THE UPCOMING QUARTER JULY 1, 2024 - SEPTEMBER 30, 2024

DISTRICT FILE	PROJECT NAME	AGENT	GRANTOR	ASSESSOR'S PARCEL NUMBER (APN)	INTEREST
4021-319	Coyote Creek Flood Management Measures Project	Carrasco	Brenner/Wiehe	472-31-040	Permanent Easement
4021-405	Coyote Creek Flood Management Measures Project	Carrasco	Brenner/Wiehe	472-31-040	Temporary Construction Easement
4021-320	Coyote Creek Flood Management Measures Project	Carrasco	Dour	472-31-041	Permanent Easement
4021-406	Coyote Creek Flood Management Measures Project	Carrasco	Dour	472-31-041	Temporary Construction Easement
9214-2A	Pacheco/Santa Clara Conduit Pipeline Rehab	Dominguez	Christopher Ranch LLC	841-25-027	Permanent Easement
9214-2B	Pacheco/Santa Clara Conduit Pipeline Rehab	Dominguez	Christopher Ranch LLC	841-25-030	Permanent Easement
9214-4	Pacheco/Santa Clara Conduit Pipeline Rehab	Dominguez	Angelino Legacy LLC	841-63-009	Permanent Easement
9214-9	Pacheco/Santa Clara Conduit Pipeline Rehab	Dominguez	Fountain Oaks Ranch LLC	817-21-011	Permanent Easement
9214-17	Pacheco/Santa Clara Conduit Pipeline Rehab	Dominguez	Fountain Oaks Ranch LLC	817-21-032	Permanent Easement
2044-32	Pacheco/Santa Clara Conduit Pipeline Rehab	Dominguez	County of Santa Clara	015-33-064	Temporary Work Area Extension
4026-484	South Babb Creek Rehabilitation Project	Dominguez	Courtyard Community Partners	488-03-001	Temporary Construction Easement
4026-485	South Babb Creek Rehabilitation Project	Dominguez	Courtyard Community Partners	488-03-002	Temporary Construction Easement
9484-35	Snell Pipeline Inspection and Rehabilitation Project	Campero	Gilbert M. Labrucherie Jr.	687-26-027	Water Pipeline Easement
4021-304	Coyote Creek Flood Management Measures Project	Anderssohn	S&A Investment Holdings LLC	257-17-043	Permanent Easement
4021-385	Coyote Creek Flood Management Measures Project	Anderssohn	S&A Investment Holdings LLC	257-17-043	Temporary Construction Easement

ATTACHMENT 2

REPORT OF PROPERTIES ACQUIRED UNDER EL 6.7.1
APRIL 1, 2024 - JUNE 30, 2024

DISTRICT FILE	PROJECT NAME	AGENT	GRANTOR	INTEREST	REC DATE	DOC#	INITIAL OFFER	FINAL SETTLEMENT
	No Recorded Transactions This Period							



MEMORANDUM

FC 14 (08-21-19)

TO: Rick L. Callender, Esq.

FROM: Bhavani Yerrapotu, P.E.
Deputy Operating Officer
Watersheds Design and
Construction

SUBJECT: Lower Guadalupe River Capacity Restoration Project

DATE: 7/31/2024

The purpose of this memorandum is to inform the Board of Directors that the Lower Guadalupe River Capacity Restoration Project’s (Project) planning phase has been completed and the Project is moving to the design phase. A brief summary of the planning phase is provided below, with the full Planning Study Report included as an attachment.

Project Background:

The Lower Guadalupe River Project was completed in 2004, providing 1% annual chance of exceedance flood Level or Service (LOS) to the Guadalupe River from Gold Street to U.S. Highway 101. Water surface measurements from 2014, 2017, and 2019 storms revealed that the Guadalupe River does not convey the 1% flood for which it was originally designed, primarily due to unexpected vegetation growth in the channel. In 2019, Valley Water estimated that the river channel had a 4% flood (25-year) capacity with freeboard or a 2% flood (50-year) capacity without freeboard. This capacity reduction was primarily between Tasman Drive and Hwy 101, spanning about three miles in total. The Project’s primary objective is restoring the 1% flood protection LOS to the Lower Guadalupe River.

Project Objectives:

1. Restore the 1% flood LOS to the Lower Guadalupe River
2. Minimize the need for future operations and maintenance activities
3. Maintain and/or enhance public recreation and access
4. Obtain community support and participation for the Project

Description of the Recommended Project

The recommended alternative includes multiple flood risk mitigation measures such as constructing structural elements like levees, headwalls, and retaining walls. A summary of the proposed flood mitigation measures is included in Table 1. It should be noted that the hydrology for the 1% flood event was updated during this study, and the elements in the table were developed in accordance with the updated hydrology.

Table 1: Summary of Proposed Flood Mitigation Measures for Recommended Project

Element	Description
Levees	Raise levees an average of 1.0 ft – 2.4 ft along both sides of river channel
Retaining Walls	Install retaining walls on outboard slopes of levees as needed to not encroach on neighboring properties
Bridge Headwalls	Add 1.25 ft to existing 3-ft tall headwall at Trimble Road
	Add 3 ft to existing 4-ft tall headwall at Montague Expressway

In addition, the recommended alternative included continuing to study forecast-informed reservoir operations (FIRO) for flood risk reduction in Lexington and Almaden Reservoirs and the Guadalupe Ponds. FIRO could potentially reduce the need for some of the recommended structural improvements or provide enhanced protection for larger storms that may occur in the future due to climate change. Following completion of the Planning Study Report, additional hydraulic modeling analysis was completed and determined that FIRO can be expected to provide flood reduction benefit in some events, but not all. Therefore, FIRO cannot be relied on as a dedicated flood risk reduction option for this Project. FIRO may, however, continue to provide operational or emergency “incidental” flood risk reduction benefits, which would be evaluated on a case-by-case basis.

Public Outreach

The Project team held Public meetings (including with resource agencies) at various stages of the planning phase. Some of the frequently asked questions were related to vegetation management, such as “Can we remove all vegetation in the river?” and “Why did the vegetation grow more than expected?” Consequently, the project team further studied the feasibility of vegetation management as a viable solution. While possible, vegetation removal would require expensive mitigation costs and would not be sustainable because vegetation would continue to grow back due to the high-ground water table. In addition, the public was concerned about the visibility impact of tall headwalls and floodwalls, which influenced the selection of raising levees over adding floodwalls. The other notable concern was the impact on the existing trail on the Guadalupe River. The project team plans to maintain or enhance public access after Project completion and work on minimizing trail closure during the construction phase.

Project Costs

Capital costs, operations and maintenance costs, and life cycle costs are estimated for the Project. A summary of all costs is included in Table 2 below.

Table 2: Estimated Planning-Level Cost for the Project

Cost Type	Estimated Amount
Capital Cost	\$95,495,000 ^a
Estimated Annual O&M Cost	\$855,000 ^b
Useful Life (years)	74 ^c
O&M Over Useful Life	\$63,270,000

Notes: a. Estimated amount is in 2023 dollars

b. Based on FY 24 three-year average O&M cost

c. Assuming Project would be completed in the year 2030. This is subtracted from the remaining life of the original LGRP which assumed 100 years.

Mitigation and Long-Term Operations and Maintenance

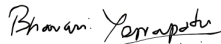
Long-term maintenance includes removing vegetation from specific river areas and levees and removing sediment when it exceeds certain levels. The recommended alternative includes a more sustainable vegetation removal plan that the 2004 project in an effort to avoid additional future capacity issues.

The recommended alternative was thoroughly evaluated using Valley Water’s Natural Flood Protection criteria and can be considered the least environmentally damaging practical alternative. Mitigation requirements will be determined in the next phase of the project.

Next Steps

The project team is currently drafting a Request for Proposal (RFP) to hire a consultant for engineering design and environmental services.

If you have questions or need additional information, please contact Erin Baker at (408) 630-2608.

DocuSigned by:

468D6D59FDEC458...

Bhavani Yerrapotu, P.E.
Deputy Operating Officer
Watersheds Design and Construction Division

Attachment 1 ([Planning Study Report](#))

Attachment 2 ([List of Appendices](#))



MEMORANDUM

FC 14 (08-21-19)

TO: Board of Directors

FROM: Luz Penilla
Assistant Operating Officer
Office of Integrated Water
Management

SUBJECT: Watersheds and Water Utility FY 2025-2029
Operations and Maintenance and
Asset Renewal Plans

DATE: August 7, 2024

Introduction

The Fiscal Year (FY) 2025-2029 Watersheds Operations and Maintenance and Asset Renewal Plan (WS Plan) was prepared to provide an overview of the maintenance work conducted to ensure flood protection projects and associated facilities continue to function as designed in support of Ends Policies E-3 and E-4.

The FY 2025-2029 Water Utility Operations and Maintenance and Asset Renewal Plan (WU Plan) was prepared to provide an overview of the operations and maintenance activities conducted to provide a reliable clean water supply in support of Ends Policy E-2.

Both plans provide an overview of expected operations and maintenance activities and associated expenditures over the next five fiscal years. The plans are five-year rolling plans that are updated annually and developed in alignment with the annual budget process. Each plan also discusses the unfunded operations activities that are expected to be needed in the next five fiscal years but are not currently budgeted.

Draft plans were presented to the Board on January 9, 2024 for comment and feedback. The Plans were finalized following Board adoption of Valley Water’s FY 2025 budget and FY 2026 plan and are attached for the Board’s information and reference.

Watersheds

In total, the Watersheds O&M Division has identified funded resource needs of approximately \$360 Million and an additional unfunded need of \$14.5 Million for the next five years. Of this amount, \$67.3 Million funded and \$4 Million unfunded was identified for FY 2025. The unfunded need would provide support for provide support for the Good Neighbor Program, the Encampment Cleanup and Management Programs, Stream Maintenance Program (SMP) permit compliance, and SMP mitigation projects.

The plan also discusses additional unfunded asset renewal projects identified through Safe, Clean Water Project F8: Sustainable Creek Infrastructure for Continued Public Safety. The F8 project identified and prioritized creek infrastructure issues that will serve as a basis for future asset management plans and asset renewal projects. Currently this unfunded work is estimated at \$423 Million. Additional details are described in the attached WS Plan.

Water Utility

In total, the Raw and Treated Water Divisions have identified funded resource needs of approximately \$593 Million and an additional unfunded need of \$34.8 Million over the five years. Of this amount,

\$102.4 Million funded and \$7.7 Million unfunded was identified for FY 2025. The unfunded need would provide for additional support for the corrosion control program, mechanical engineering, and laboratory and water quality operations.

In addition, the WU Plan incorporates a five-year projection of asset renewal projects that are identified through annual maintenance work planning. The WU Plan identifies \$49 Million of planned asset renewal work to be completed over the next five FYs 2025-2029. \$6.3 Million of the planned asset renewal work is scheduled for the current FY 2025.

Next Steps

The next update of the plans will begin in Fall of 2024 for FYs 2026-2030. Draft plans will be completed by December 2024 and will align with the FY 2026-2027 budget process.

Hard copies of these documents are available at the Clerk of the Board office. Electronic copies of these documents can be found at the links below:

Watersheds:


[https://s3.us-west-1.amazonaws.com/valleywater.org.us-west-1/s3fs-public/WS OM and AR Plan \(FY25-29\) FINAL signed.pdf](https://s3.us-west-1.amazonaws.com/valleywater.org.us-west-1/s3fs-public/WS OM and AR Plan (FY25-29) FINAL signed.pdf)

Water Utility:

<https://s3.us-west-1.amazonaws.com/valleywater.org.us-west-1/s3fs-public/FY25-29 WUEOMP Final 240722.pdf>

For further information, please contact Business Support and Asset Management Unit Manager, James Bohan, at (408) 630-2575 or jbohan@valleywater.org.

DocuSigned by:


569326E851AB42A...

Luz Penilla
Assistant Operating Officer
Office of Integrated Water Management

cc: J. Bohan, E.Mercado, L.Yiu, J.Cordero
LP

INCOMING BOARD CORRESPONDENCE

Board Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-24-0195	07/31/24	07/31/24	All	BONNIE SUTPHIN	Email from Bonnie Sutphin to the board dated 07/31/24 asking Valley Water to look into debris on Saratoga Creek between Prospect and Cox	Refer to Staff	Hakes	Bilski Codianne	08/08/24	-	n/a	08/14/24
C-24-0198	08/05/24	08/05/24	Eisenberg	ROBERT LIU	Email from Robert Liu to Director Eisenberg (copied to the board), dated 08/05/24, requesting assistance in mitigating Hale Creek walls.	Refer to Staff	Hakes Bourgeois	Codianne	08/13/24	-	n/a	08/19/24

Adelina Del Real

From: Bonnie Sutphin [REDACTED]
Sent: Wednesday, July 31, 2024 3:35 PM
To: Board of Directors; Nai Hsueh; Rick Callender
Cc: Ray Bramer
Subject: Saratoga Creek Conditons: POLLUTION AND FIRE HAZARD

Follow Up Flag: Follow up
Flag Status: Completed

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

To: Valley Water Board of Directors
Attention: Nai Hsueh, COB, District 5
Attention: Rick Callender, CEO
cc: Ray Bramer

Re: Access Valley Water - Case #AVW-010403

Dear Ms. Hsueh and Mr. Callender:

I beg you to investigate what's going on with Saratoga Creek in my area between Cox and Prospect. Debris has not been cleaned up since it crashed in February 2023. It is a FIRE HAZARD. Now there is POLLUTION in this area which affects not only the esthetics of the creek but also wildlife.

As you can see from the email trail below, I have tried working with Ray Bramer and he is no longer responding. No action has been taken since I first reported this condition. The case number is shown above.

Attached are two photos, one taken a year ago showing the DEBRIS and one taken a few days ago showing the POLLUTION & FIRE HAZARD.

What's your schedule for cleaning up this mess?

/s/

Bonnie Sutphin

[REDACTED] Saratoga



On Jul 23, 2024, at 11:32 AM, Bonnie Sutphin [REDACTED] wrote:

Ray — It's been almost a year since I've heard from you, but nothing has been resolved since last year. The case is still OPEN. I remain disappointed in lack of action on the part of Valley Water in removing the FIRE-PRONE debris from this area. Read on....

Now you have a NEW PROBLEM. I am enclosing a picture taken this week of the slime and POLLUTION in the creek water directly behind my home. What's going on? There is no evidence of this filth at the bridge over Cox Avenue.



And here is a previously sent photo of the debris under the dry brush. FIRE HAZARDS!!



Please advise as to what actions you plan to take, and when.

Thanks,
Bonnie Sutphin [REDACTED]

On Oct 21, 2023, at 11:43 AM, Bonnie Sutphin [REDACTED] wrote:

Aaaannndddd your group did not get out here on Thursday. What's your next plan?

On Sep 6, 2023, at 7:02 AM, Ray Bramer <rbramer@valleywater.org> wrote:

Good morning, Bonnie,

Appreciate you reaching back....with all the tree removal work this past winter storm season this tree was apparently missed. But with GOOD neighbors like yourself to remind us we are encouraged to continue moving forward with the proposed work on said tree. We will be out to check the reach from the school and incorporate any other wood that may need adjusting for this up-coming winter flows.

Thanks, and Be Well, Ray

From: Bonnie Sutphin [REDACTED]
Sent: Tuesday, September 5, 2023 6:46 PM
To: Ray Bramer <rbramer@valleywater.org>
Subject: Re: Access Valley Water - Case #AVW-010403

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Still wondering what your plans are....

On May 13, 2023, at 10:15 AM, Bonnie Sutphin
[REDACTED] wrote:

It's been a couple of months since i first reported these
downed trees. What are your plans for cleaning them
up/removing them?

On Apr 11, 2023, at 7:30 AM, Ray
Bramer <rbramer@valleywater.org>
wrote:

We did locate one.....we'll take another
look and add the second tree as we
need to allow flows to pass through
reach.

Thanks Bonnie

From: Bonnie Sutphin
[REDACTED]
Sent: Tuesday, April 11, 2023 7:15 AM
To: Ray Bramer

<rbramer@valleywater.org>

Subject: Re: Access Valley Water - Case #AVW-010403

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

There are 2 downed trees diverting the creek in this location.

On Apr 11, 2023, at 7:10 AM, Ray Bramer <rbramer@valleywater.org> wrote:



Clean Water

Good morning, Bonnie,

Appreciate the report, we have many fallen trees across the county. We are currently working on this down tree as time and resources allow.

Thanks, Ray

Santa Clara Valley Water District | 5750 Almaden Expressway, San Jose, CA 95111



----- Original Message -----
From: Ray Bramer [rbramer@valleywater.org]
Sent: 3/15/2023, 6:02 AM
To: [REDACTED]
Subject: Access Valley Water - Case #AVW-

010403



Clean Water

Good morning, Ms. Sutphin,

Appreciate the report back to Valley Water, we'll be out to check on the tree and

Thanks and Be Safe, Ray

[Santa Clara Valley Water District | 5750 Almaden Expressway, San Jose, CA 95111](#)



ref:_00D4W1WXWw._5
004W2HXozS:ref

From: [Rajat Garg](#)
To: [Board of Directors](#)
Subject: SJWC Water Rate Increase
Date: Thursday, August 1, 2024 6:20:31 AM

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Dear Valley Water Board Members,

I want to express my concerns and suggestions regarding the management of our region's water resources and the operations of Valley Water. I present a plan that not only protects Santa Clara County residents from potential tax and water rate increases but also promotes transparency, efficiency, and sustainability.

In 2022, the San Jose Water Company (SJWC) reported a record income of \$74 million, with total operating revenue reaching an all-time high of \$620 million. Over the past 12 years, SJWC has amassed a remarkable net after-tax income of \$540 million. Given this financial strength, it is imperative that SJWC contributes equitably to the infrastructure projects that support its operations and benefit the community.

Water Treatment Plants: Santa Clara County operates three primary drinking water treatment plants: Rinconada, Santa Teresa, and Penitencia. Valley Water has made a substantial investment in upgrading the Rinconada Water Treatment Plant through the Reliability Improvement Project, initiated in 2015 with a budget of \$155 million to modernize the facility, increasing its capacity from 80 MGD to 100 MGD, and includes the addition of state-of-the-art facilities such as raw water ozonation, flocculation and plate settler clarification, and dual media filtration. These upgrades are crucial for maintaining high water quality, seismic stability, and overall operational safety. There can be absolutely no compromise when it comes to water quality.

But - SJWC's Imperative for Investment: While Valley Water is shouldering the cost of these critical upgrades, it is essential that SJWC, as an investor-owned utility company, also contribute to the funding for several reasons:

1. **Direct Benefits:** SJWC directly benefits from the enhanced water quality and reliability resulting from these upgrades. The improvements support their operations and enhance customer satisfaction, as reflected in their water quality reports.
2. **Equitable Cost Sharing:** It is inequitable to place the entire financial burden on taxpayers, especially when a private entity like SJWC gains considerably from these upgrades. An investment from SJWC ensures that costs are distributed fairly among all beneficiaries.

3. **Corporate Responsibility:** As a responsible corporate entity, SJWC should support the infrastructure that enables its business operations. This aligns with the practices of other investor-owned utilities that invest in infrastructure improvements as part of their operational responsibilities.

Your Call to Action: Given the increasing interest on outstanding debt and the likelihood of financial strain in the near future, it is imperative that we identify opportunities for greater efficiency and optimization. Now is the time to develop a comprehensive plan to address the critical need for upgrades to our reservoirs, pipelines, and water treatment plants. With at least four dams requiring seismic retrofitting, we cannot afford to neglect the safety and integrity of our water infrastructure. Let's prioritize maintenance and necessary upgrades before considering other capital-intensive projects, such as the proposed delta tunnel project, which does not align with the immediate needs of our residents. **Therefore, I urge you to prioritize an audit of the \$10 billion capital improvement budget,** the most significant part of your OpEx. This audit will provide valuable insights and recommendations to ensure that our investments in infrastructure are both efficient and sustainable over the long term. **Please do not delay in initiating this audit.** I strongly suggest that rate increases or tax increases for our ratepayers should only ever be a last resort.

Additionally, I firmly believe in the importance of establishing a consumer advocate group within Valley Water. For example, the 2022 Measure A proposal by the Valley Water Board Members, which tricked voters in extending term limits for the Board, raised concerns about the potential for overreach and a lack of public oversight. The Valley Water Board in 2022 appeared to have an ethical lapse, where principles of good governance were sacrificed for self-interest and obfuscation. To maintain public trust and ensure that the interests of ratepayers are adequately represented, it is crucial to have a dedicated consumer advocate group within the Valley Water agency.

Moreover, I commend the principled stance taken by Board Member Barbara Keegan, who chose not to run for a fourth term as she had opposed Measure A. This ethical approach should be upheld by all board members. It would be especially unethical for them to seek an additional term granted by Measure A they had previously opposed.

I implore you to agendaize these items after carefully considering these concerns. By prioritizing efficiency, sustainability, transparency, and ethical conduct, we can ensure that the Valley Water Board serves the best interests of our community and safeguards our precious water resources for generations to come.

Thank you for your attention to these critical issues.

Best regards,

Rajat P Garg



Saratoga, CA 95070

Adelina Del Real

From: Michele King
Sent: Friday, August 2, 2024 3:57 PM
To: Board of Directors
Subject: FW: Ross Creek
Attachments: Pictures for chronological report_6-9-24.pdf

From: John B Hernandez [REDACTED]
Sent: Wednesday, July 31, 2024 10:18:10 AM
To: Jim Beall <JBeall@valleywater.org>; District9 <district9@sanjoseca.gov>; Brooks Jarosz <brooks.jarosz@fox.com>; Scott Hughes <scott.hughes@sanjoseca.gov>; George Avalos <gavalos@bayareanewsgroup.com>
Cc: Kathygarcia09 [REDACTED]; Hao Liu [REDACTED]; knoblauch.thomas@sanjoseca.gov [REDACTED]
Subject: Re: Ross Creek

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Valley Water Director Beall, San Jose City Council district 9 Council Member Foley, staff and news outlets,

Jim Beall: Since you were my past council member in the past, I expect a reply to me and my neighbors on this email letting us know when Ross Creek will be cleared of possible flood causing rock build as was performed last July 12, 2023


In preparation for the upcoming 2024-2025 rainy season, I expect Valley Water to clear Cherry Avenue Ross Creek bed, east side, of the buildup of rock as was performed last July 2023. The west side view on Valley Water camera shows very little rock build up. The east side has massive rock (not visible on Valley Water camera) build up as shown in my attached last chronological reported dated 6-9-24. See the following reported pictures as evidence for

clearing the rock need in my 6-9-24 report. We do not want to see the same anxiety and high water as was evident in January 2023.

1. See sheet 1 picture for rock on west side of Cherry Avenue on 10-1-22 prior to the near overflow in January 2023.
2. See sheet 6 picture of rock cleared on 7-12-23. **This is what I expect to be performed right now while dry and no rain.**
3. See sheet 67 of high rock build up on east side of Cherry Avenue bridge on 4-6-24. If left as is surely high creek water will be as it was in January 2023. Please do the right thing NOW and clear the rock while weather is good, and animals are not impacted as I know there is a window set for clearing debris. Not performing this task places my home and safety in jeopardy.

Proper preventative maintenance should be enough to remove the flood zone affecting my neighborhood since 1991. If Valley Water does not properly perform preventative maintenance in all measures support floods and flood insurance requirements.

Valley Water must not be sidetracked by offering land and housing for the unhoused. They should focus on protecting us and removing flood zones that may have been assigned incorrectly to collect money.


San Jose CA. 95118

On Sunday, June 9, 2024 at 02:40:57 PM PDT, John B Hernandez <johnbherna@aol.com> wrote:

Valley Water Director Beall, San Jose City Council district 9 Council Member Foley, staff and news outlets,

Attached is my updated chronological report dated June 9, 2024. **My update starts on sheet 71 through 76 (6 sheets only).** Please review the new updates only.

This 2023-2024 rainy season is over. No preventative maintenance work done to reduce rock build up on the east side of the Cherry Avenue bridge.

In this report I have provided data on amount of rain and rock build up to determine when Valley Water should provide a second rock removal during the 2024-2025 rainy season. For the 2023-2024 rainy season Valley Water pushed/removed rock on the east side of Cherry Avenue bridge in July 2023. There must be a second rock removal to reduce the water backup at Ross Creek Cherry Avenue bridge in January 2025. See the data and recommendation within my June 9, 2024, chronological report on sheet 74.

I prepared a performance specification to remove the FEMA flood zone that affects Ross Creek neighbors near my address and will provide it to you all soon. I plan to contact FEMA for a point of contact and historical information.

Please see attached file
Pictures for chronological report 6-9-24

If anyone has any questions about this report, please email me.

John B Hernandez
[REDACTED]
San Jose CA 95118

On Friday, April 12, 2024 at 12:01:38 PM PDT, John B Hernandez [REDACTED] wrote:

Valley Water Director Beall, San Jose City Council district 9 Council Member Foley, staff and news outlets,

Attached is my updated chronological report dated April 11, 2024, after the past week's storms of the 2023-2024 raining season. **My update starts on sheet 65 through 70 (6 sheets only).** Please review the new updates only.

This 2023-2024 rainy season is almost over. Although these last storms were not as significant than previous storms the rock build up on the east side of the Ross Creek Cherry Avenue bridge is too high to prevent a significant storm from high water level. **No preventative maintenance work done.**

When I send the last chronological report for this 2023-2024 rainy season I will provide a data report of rain collection, recommendations future preventative maintenance improvements and a performance specification I prepared to remove the FEMA flood zone that affects Ross Creek neighbors near my address. I plan to contact FEMA for a point of contact and historical information.

Please see attached files.
Valley Water Ross Creek Plan 1-31-24 Chronological Report
Pictures for chronological report 4-11-24

If anyone has any questions about this report, please email me.

John B Hernandez
[REDACTED]
San Jose CA 95118

On Monday, March 11, 2024 at 09:11:27 AM PDT, John B Hernandez [REDACTED] wrote:

Valley Water Director Beall, San Jose City Council district 9 Council Member Foley, staff and news outlets,

Attached is my updated chronological report dated 3-11--24 after the past week's storms of the 2023-2024 raining season. **My update starts on sheet 59 through 64 (6 sheets only)**. Please review the new updates. These storms that yielded rains similar to last January 2023 rainy season. These last storms are even more critical because the rock build up under and east side of Cherry Avenue bridge is as high as it was in the heavy storms of January 2023. Although these last storms were not as significant than previous storms the rock build up on the east side of the Ross Creek Cherry Avenue bridge is too high to prevent a significant storm from high water level. **No preventative maintenance work done.**

Please review sheet 64. This sheet discusses the Valley Water camera at the Cherry Avenue bridge viewing issue. Also sheet 64 discusses my request to eliminate the Ross Creek flood zone that affects all my Bryan Avenue neighbors.

I request the City of San Jose, Santa Clara County, Valley Water and FEMA move immediately to remove the flood zone requirement for Bryan Avenue neighbors. This unfair addition on about 1991 places burden on me and my neighbors. No work has been accomplished to remove or reduce this flood zone after all the taxes and money provided to Valley Water. Poor preventative maintenance and poor reservoir level reduction at opportune times has been the only results.

We are coming to the close of the 2023-2024 rainy season. I plan to close out this chronological report with a roll up report and recommendations. The time spent and these chronological reports have provided me enough information to make these recommendations. Fact cannot be disputed.

The Cherry Avenue Ross Creek bridge must have minor corrections this summer prior to the modifications by Valley Water and Army Corp of Engineers planned in the attached Ross Creek Plan dated 1-31-24.

Please see attached files.

Valley Water Ross Creek Plan 1-31-24 Chronological Report
Pictures for chronological report 3-11-24

If anyone has any questions about this report, please email me.

John B Hernandez

[REDACTED]
San Jose CA 95118

On Monday, February 26, 2024 at 07:30:19 AM PST, John B Hernandez [REDACTED] wrote:

Valley Water Director Beall, San Jose City Council district 9 Council Member Foley, staff and news outlets,

Attached is my updated chronological report dated 2-26-24 after this week's series of storm of the 2023-2024 raining season. **My update starts on sheet 54 through 58 (5 sheets only)**. Please review the new updates. These storms that yielded rains similar to last January 2023 rainy season. These last storms are even more critical because the rock build up under and east side of Cherry Avenue bridge is as high as it was in the heavy storms of January 2023. Although these last storms were not as significant than previous storms the rock build up on the east side of the Ross Creek Cherry Avenue bridge is too high to prevent a significant storm from high water level. **No preventative maintenance work done.**

I request the City of San Jose, Santa Clara County, Valley Water and FEMA move immediately to remove the flood zone requirement for Bryan Avenue neighbors. This unfair addition on about 1991 places burden on me and my neighbors. No work has been accomplished to remove or reduce this flood zone after all the taxes and money provided to Valley Water. Poor preventative maintenance and poor reservoir level reduction at opportune times has been the only results.

The Cherry Avenue Ross Creek bridge must have minor corrections this summer prior to the modifications by Valley Water and Army Corp of Engineers planned in the attached Ross Creek Plan dated 1-31-24.

Please see attached files.

Valley Water Ross Creek Plan 1-31-24 Chronological Report
Pictures for chronological report 2-26-24

If anyone has any questions about this report, please email me.

John B Hernandez
[REDACTED]
San Jose CA 95118

On Monday, February 12, 2024 at 11:57:18 AM PST, John B Hernandez [REDACTED] wrote:

Valley Water Director Beall, San Jose City Council district 9 Council Member Foley, staff and news outlets,

Attached is my updated chronological report dated 2-12-24 after this week's series of storm of the 2023-2024 raining season. **My update starts on sheet 48 through 53 (6 sheets only)**. Please review the new updates. These storms that yielded rains similar to last January 2023 rainy season. This last storm is even more critical because the

rock build up under and east side of Cherry Avenue bridge is as high as it was in the heavy storms of January 2023. **No preventative maintenance work done.**

I compared the Ross Creek Meridian Avenue and Cherry Avenue bridge water height at the same date and time. Please review the results in my report.

The Cherry Avenue Ross Creek bridge must have minor corrections this summer prior to the modifications by Valley Water and Army Corp of Engineers planned in the attached Ross Creek Plan dated 1-31-24.

Please see attached files.

Valley Water Ross Creek Plan 1-31-24 Chronological Report

Pictures for chronological report 2-12-24

If anyone has any questions about this report, please email me.

John B Hernandez

[REDACTED]
San Jose CA 95118

On Saturday, February 3, 2024 at 02:45:00 PM PST, John B Hernandez [REDACTED] wrote:

Valley Water Director Beall and San Jose City Council district 9 Council Member Foley and staff,

TWO ITEMS TO DISCUSS TODAY. 1) CHRONOLOGICAL REPORT. 2) ROSS CREEK FUTURE CHANGES

1.) Attached is my updated chronological report after this week's series of storm of the 2023-2024 raining season. **My update starts on sheet 43 through 47 (5 sheets only).** Please review the new updates. We all know that these last storms were the first storms that yielded more rain so far, this rainy season. Similar to last year in January 2023. **This weekend's storm will be even more critical because the rock build up under and east side of Cherry Avenue bridge is as high as it was in the heavy storms of January 2023. No preventative maintenance work done as of 1 PM today 2-3-24.**

2.) Valley Water Director Beall stopped by home on 1-31-24 and provided me DRAFT copies of extensive work planned on Ross Creek from Almaden Expressway to Meridian Avenue. Each bridge will be widened by adding channels (culverts) within the existing bridges. My hope when the work is completed no new water sources will be directed to use Ross Creek from other waterways or poor preventive maintenance or any other reason. I added DRAFT stamp to the 4-page plan and added my personal review comments. My expectation, along with extensive preventative maintenance by Valley Water and the City of San Jose that the current flood zone insurance requirement be immediately removed for current affected homeowners as it was prior to 1991 when

the current flood zone was mandated and my home was not affect by a flood zone when I purchased my in 1979.

Please see attached files.

Valley Water Ross Creek Plan 1-31-24 Chronological Report

Pictures for chronological report 2-3-24

John B Hernandez

[REDACTED]
San Jose CA 95118

On Tuesday, January 23, 2024 at 05:25:02 PM PST, John B Hernandez [REDACTED] wrote:

Valley Water Director Beall and San Jose City Council district 9 Council Member Foley and staff,

Attached is my updated chronological report after this week's series of storm of the 2023-2024 raining season. **My update starts on sheet 33 through 42 (10 sheets only)**. Please review the new updates. We all know that these last storms were the first storms that yielded more rain so far, this rainy season. Similar to last year in January 2023.

I detected the rock on east side of Cherry Avenue Ross Creek bridge is has built up enough to back up the water on the west side of the Cherry Avenue Ross Creek bridge but further down east the water lowers. This back up is discussed in the report and requires immediate preventative action by Valley Water and enforcement by the City of San Jose Public Works to reduce rock..

I found more muddy water which alarms me that muddy water from Los Gatos mountains and/or other water ways/reservoir water is entering Ross Creek to negatively affect my neighborhood by causing anxiety.

I am hoping news outlets investigate this behavior.

Regards,

John B Hernandez

[REDACTED]
San Jose CA 95118

On Thursday, January 18, 2024 at 08:11:36 AM PST, John B Hernandez [REDACTED] wrote:

Valley Water Director Beall and San Jose City Council district 9 Council Member Foley and staff,

Attached is my updated chronological report after this week's seventh storm of the 2023-2024 raining season. **My update starts on sheet 28 through 32 (5 sheets only)**. Please review the new updates. I detected the rock on east side of Ross Creek bridge is beginning to build up and will back up the water flow soon in later storms, if the storms provide massive rainwater amount. I plan to provide to provide this chronological report until the end of the 2023-2024 rainy season to assure myself and others that Ross Creek is appropriately maintained and that no water is dumped into Ross Creek to provide anxiety to me, and my neighbors as occurred in January 2023 that drove many BayArea news outlets to announce to me and my neighbors.

This period the three storms were very slight in rainwater collection. So far, the rainwater has been clearer and not muddy that means to me that our Ross Creek storm drains can handle these light and more heavier storms. What it can't handle is muddy water from reservoir drainage or water leaching into Ross Creek from other water ways. I expect that my flood Bond tax money be used to prevent any water leaching into Ross Creek or Valley Water purposely using Ross Creek to be used to drain any reservoirs. Furthermore, Valley Water should not release any water from any reservoirs while it is raining. Valley water should greatly reduce water levels at all small reservoirs, so water does not go over smaller reservoir ways to provide a visual high-water level in any water way, especially Guadalupe River, while it is raining.

Regards,
John B Hernandez

On Wednesday, January 3, 2024 at 04:02:46 PM PST, John B Hernandez [REDACTED] wrote:

Director Beall and Council Member Foley and staff,

Attached is my updated chronological report after this week's fourth storm of the 2023-2024 raining season. My update starts on sheet 22 through 27. Please review the new updates. I detected the rock on east side of Ross Creek bridge is beginning to build up and will back up the water flow soon in later storms. As in January 2023 when all news outlets and SCC provided warnings of Ross Creek imminent to overflow due to water backup. Please plan to push the rock through downstream or remove from the creek.

The shopping cart in the west side of Ross Creek bridge at Cherry Avenue was removed this week as well as the 2 large holes at the Briarglen Drive Bridge cyclone were repaired. This is a good sign of preventative maintenance that should be complimented.

So far, the rainwater has been clearer and not muddy that means to me that our Ross Creek storm drains can handle these light and more heavier storms. What it can't handle is muddy water from reservoir drainage or water leaching into Ross Creek from other water ways. I expect that my flood Bond tax money be used to prevent any water leaching into Ross Creek or Valley Water purposely using Ross Creek to be used to drain any reservoirs. Furthermore, Valley Water should not release any water from any reservoirs while it is raining. Valley water should greatly reduce water

levels at all small reservoirs, so water does not go over smaller reservoir ways to provide a visual high-water level in any water way, especially Guadalupe River, while it is raining.

Regards,
John B Hernandez
[REDACTED]
San Jose CA 95118

On Saturday, December 30, 2023 at 01:50:58 PM PST, John B Hernandez [REDACTED] wrote:

Director Beall and Council Member Foley and staff,

Attached is my updated chronological report after this week's third storm of the 2023-2024 raining season. My update starts on sheet 16. Please review the new updates. I detected the rock on east side of Ross Creek bridge is beginning to build up and will back up the water flow soon in later storms. As in January 2023 when all news outlets and SCC provided warnings of Ross Creek imminent to overflow due to water backup. Please plan to push the rock through downstream or remove from the creek.

After this year's raining season is complete, I am going to contact Federal Emergency Management Agency (FEMA) regarding history on who, how and why was the Ross Creek Guadalupe flood zone that affects Bryan Avenue and surrounding streets was applied in 1991 when it was not applied when I purchased my home in 1979. Also, why the flood zone has not been reduced one foot or eliminated after the last 33 years all fees and work by the City of San Jose and Valley Water has been collected and performed. Since Valley Water has had the flood Protection property tax Measure S approved from a time constraint tax to a forever tax, I expect Ross Creek and Guadalupe River to be properly maintained, proper water release maintenance to prevent all subsequent floods. I believe our reservoirs and storm drains will function properly if waterways are properly maintained and water releases are planned properly before storms, so NO reservoir spills over its spillways during storms to cause downstream floods. I am going to formally request my San Jose District 9 Council Member to support this request. Many young homeowners do not have a clue about the Ross Creek/Guadalupe River flood zone application year. If the flood zone is eliminated or reduced greatly it would help many young families with funds to support their families. I paid off my home loan off many years ago and currently do not have a flood insurance policy. I am taking this task on to correct a wrong and help my fellow neighbors and protect our homes from needless damage.

Regards,
John B Hernandez
[REDACTED]
San Jose CA 95118

On Thursday, December 21, 2023 at 04:46:27 PM PST, John B Hernandez [REDACTED] wrote:

Director Beall and Council Member Foley and staff,

Attached is my updated chronological report after this week's second storm of the 2023-2024 raining season. My update starts on sheet 11. Please review the new updates and the attached video of what I suspect, is a water eddy on the east side of the Ross Creek bridge on Cherry Avenue that is referenced in my report. I noted in this report that the water was not muddy indicating to me that the water was only from neighborhood storm drains and not water from leaching from other waterways or reservoir drainage.

Regards,
John B Hernandez
[REDACTED]
San Jose CA 95118

On Wednesday, November 22, 2023 at 01:41:40 PM PST, John B Hernandez [REDACTED] wrote:

Director Beall and Council Member Foley and staff,

Attached is a pdf file record that shows rock accumulation after the last storm around 11-18-23 on the east and west sides of Ross Creek at Cherry Avenue. The report is a follow-on report from the last few storms of the 2022-2023 rain season. This report is the first of the 2023-2024 rain season. I plan to update after the next major storm. Please read the last few slides for updates. Note the comparison from October 2022 to November 2023.

Valley Water needs to make sure that Ross Creek bed rock and articles does not accumulate as it did in January 2023. They have the ability and responsibility to prevent water flow backup by removing sediments throughout the rainy season not just between June and October of each year as shown in a poster at Meridian Avenue bridge.

Regards,
John B Hernandez
[REDACTED]
San Jose CA 95118

On Wednesday, November 15, 2023 at 08:47:29 AM PST, John B Hernandez [REDACTED] wrote:

Director Beall and Council Member Foley,

My neighborhood resides in the Guadalupe Water Shed as shown in Valley Water's chart below. Since there was a lot of rain last rainy season our aquifers in our valley floor should have gained adequate water enough not to save every drop of rainwater to provide anxiety the citizens of San Jose and to show high waterways to scare people. This will allow our storm drains to function properly. Never release water from reservoirs while it is raining or shortly after the rain stops. Use the effective weather reporting to release water in between storms. There should never be muddy water from storm drain runoffs. When creek and river water is muddy, from my perspective, it is from reservoir bottom drains or spillway runoffs.. Muddy water should only be evident between storms when reservoirs are drained down responsibly.

I keep an eye on for muddy water. If smaller reservoirs, such as, Almaden Reservoir and Guadalupe Reservoir are allowed to fill and go over their smaller reservoir spillways provide for muddy water to be evident in Guadalupe River.

The chart below is a legacy chart available on Valley Water website and provides residents and anyone concerned with reservoir water release a good way to monitor the effective water release from Valley Water. Smaller reservoirs need to be allowed to drain and refill and never let water go over their spillways uncontrolled to the Guadalupe River.



ALERT Reservoir Gage

These data readings are Preliminary. Most data relayed by telemetry may be present because of instrument malfunctions and/or physical result in significant revisions to the data. GOES Satellite Transmissions every 15 minutes. Single 15 minute values transmissions may occur. Water has completed converting Streamflow and Reservoir Gages from

Pacific Standard Time (Note: Gage clock may)

Updated: 11-15-2023 08:20:34 PST

Stevens Creek Watershed				
Station Number	Alert ID	Description	Date & Time (pst)	Reservoir Elevation (feet)
4009	...	Stevens Creek Reservoir	11/15/2023 08:00:00 AM	523.4
Guadalupe River Watershed				
Station Number	Alert ID	Description	Date & Time (pst)	Reservoir Elevation (feet)
4001	...	Almaden Reservoir	11/15/2023 08:00:00 AM	580.4
4003	...	Calero Reservoir	11/15/2023 08:00:00 AM	463.3
4006	...	Guadalupe Reservoir	11/15/2023 08:00:00 AM	562.0
4007	...	Lexington Reservoir	11/15/2023 08:00:00 AM	626.0
4011	...	Vasona Reservoir	11/15/2023 08:00:00 AM	292.8
Coyote Creek Watershed				
Station ID	Alert ID	Description	Date & Time (pst)	Reservoir Elevation (feet)
4005	...	Coyote Reservoir	11/15/2023 08:00:00 AM	753.2
4002	...	Anderson Reservoir	11/15/2023 08:00:00 AM	487.6
Pajaro River Watershed				
Station Number	Alert ID	Description	Date & Time (pst)	Reservoir Elevation (feet)
4004	...	Chesbro Reservoir	11/15/2023 08:00:00 AM	507.7
4010	...	Uvas Reservoir	11/15/2023 08:00:00 AM	469.7
District Totals:				

John B Hernandez
 [Redacted]
 San Jose CA 95118

On Tuesday, November 14, 2023 at 01:28:14 PM PST, John B Hernandez [Redacted] wrote:

Council Member Foley and Director Beall,

I forgot to mention that Valley Water has asked for citizens to keep their eyes and ears open and provide our concerns, which I have in these email records. See 11-14-23 San Jose Mercury story below. Please do something about my concerns.

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John B Hernandez\



San Jose CA 95118

On Tuesday, November 14, 2023 at 10:03:55 AM PST, John B Hernandez [REDACTED] wrote:

Council Member Foley and Director Beall,

As I stated in the emails below the city of San Jose and other government agencies provide unnecessary fear to our district residents as shown earlier in the year around Ross Creek. The agencies responsible, I believe, failed to keep Ross Creek clear of obstructions and may have allowed inappropriate water to enter Ross Creek for its origin to Guadalupe River at Branham Lane in San Jose to raise water levels inappropriately.

Please see this attached San Jose Mercury story today, 11-14-23, our mayor and Valley Water provided about future rains in San Jose and flooding, specifically, Ross Creek

Pay attention to the 6th paragraph which causes me anxiety for the 2023-2024 rainy season.

As I mentioned in emails below, I purchased my home in 1979 and my home was not in a flood plain. 12 years later, about 1991, local government agencies petitioned FEMA to include my home and neighborhood in a flood zone which caused unnecessary flood insurance to apply. These agencies have received money from this effort and have not reduced or eliminated this requirement. I perceive they have spent more money to provide anxiety to me and my neighbors by not providing preventative measures to reduce flooding and eliminating this unfair cost to me and my neighbors. This flood zone has not budged to reduce this requirement from my home. My home still resides 1 1/2 homes from the bank.

If there are efforts to eliminate this flood plain or reduce around Bryan Avenue, please let me and my neighbors know in your district 9 monthly newsletter.

I am watching the preventative maintenance of Ross Creek at the Cherry Avenue at the start of this rainy season and through out of season, to see if Valley Water properly maintains proper rock levels which I perceive caused the backup earlier this year when KTVU provided a story about the imminent flooding one night.

John B Hernandez
[REDACTED]
San Jose CA 95118

On Wednesday, September 20, 2023 at 07:00:24 AM PDT, John B Hernandez [REDACTED] wrote:

Hi Director Jim Beall,

My name is John B Hernandez and I live at [REDACTED] San Jose 96118 since 1979. I met with you in your office in early-to mid 1990s to discuss the SJC jet impact (short cut through district 9) to our district 9 from the Northwest to land at SJC when you were my San Jose District 9 Councilman. You sent me a few letters with your efforts to help my neighborhood. I would imagine now you do not remember but I want to introduce myself properly again.

I find that you are now a Santa Clara Valley Water District (Valley Water) Director of my District 4 that is a State of California supported agency and I request your help. I have a concern with the service that Valley Water provides to my neighborhood and why, what agencies assisted FEMA to establish the costly flood zone for my neighborhood that never existed prior to 1991. As I stated I have lived at my residence since 1979 when there was not a costly flood zone. New young families probably believe it always existed.

Please review the long and very detailed email I sent to my current San Jose district 9 council member Foley's office and KTVU television news station. Please review the attachment and links. I perceive that there has been too much anxiety caused to me and my neighbors that reside in a flood zone that was initiated when you were my district 9 councilman in early 1990s. The cost of flood insurance that was created in ~1991, when you were my councilman, and which causes Bryan Avenue residents and surrounding residents of Ross Creek unfair money costs that should be used elsewhere in their lives.

The sad thing is my home still resides 1 1/2 homes from the bank of this so called 1 foot 100-year flood plain that was established in the early 1990s. After all the money and work that Valley Water has taken credit for has not budgeted the flood plain bank 1 foot. I was disturbed when Valley Water floated Measure S to end the 15-year flood protection property tax to be forever tax with only a public vote to be taken to end the forever tax. Only way to stop this forever tax is to have the public request a costly vote. I voted NO for this Measure S but, probably not all property owners mostly non-property voted for its passing with a 2/3.votes.

Please view my chronological report of 2023 Ross Creek at Cherry Avenue creek bed rock poor preventative maintenance that occurred in early 2023. More effort was provided to Bay Area news outlets and texts sent to the community about the eminent overflow of Ross Creek at Cherry Avenue than to provide appropriate preventative rock removal to prevent water backup. I am watching the preventative maintenance actions to prepare for the 2023-2024 raining season. The rock was completely removed in early July 2023. I will watch this rock build up during all upcoming storms to make sure Valley Water properly maintains the creek bed at Cherry Avenue bridge to prevent high water levels and not wait until failure. What I fear is that water is allowed to be released into Ross Creek up stream by Valley Water that would incorrectly raise water levels in Ross Creek downstream (Cherry Avenue) that should have entered other water ways on its destination to Los Gatos Creek and Guadalupe River. If necessary, I will prepare another email report of the conditions of preventative maintenance of Ross Creek at Cherry Avenue at the end or during the 2023-2024 rainy season.

There is a need to correct a wrong that was imposed on Bryan Avenue and adjacent neighbors that needs to be corrected. I request Valley Water, the City of San Jose, Santa Clara County and FEMA do the right thing and correct this wrong.

Please let me know how you can help.

Regards,
John B Hernandez
[REDACTED]
San Jose 95118.

----- Forwarded Message -----

From: John B Hernandez [REDACTED]
To: Scott Hughes <scott.hughes@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; Brooks Jarosz <brooks.jarosz@foxtv.com>
Cc: Kathygarcia09 [REDACTED] J. A. H. [REDACTED]
Sent: Wednesday, August 16, 2023 at 03:32:48 PM PDT
Subject: Ross Creek

Scott, Council Member Foley and Staff and KTVU

I want to inform you all of, what I believe, is unfair behavior of the City of San Jose and The Santa Clara Water District to the families of the San Jose District 9 neighbors. Please do what you can do to have the City of San Jose remove the FEMA flood zone that affects Bryan Avenue and other homes in District 9 or provide a way for families to have waivers by working with FEMA and County of Santa Clara. This applies to impacts from Ross Creek and Guadalupe River. I am copying Brooks Jarosz, KTVU reporter, who provided the attached KTVU report on the night of the major storm in San Jose along Ross Creek. I would imagine that Brooks does not know the details, but I am hoping his KTVU investigate my claims. Our local TV channel, I believe, does not challenge the City of San Jose enough to warrant me to watch their news. KTVU, I believe, over the years has provided excellent and honest coverage to all parts of the BayArea all the time. KTVU warrants my viewing of the news throughout the day. [Raging Ross Creek in San Jose - YouTube](#)

BACKGROUND:

As I mentioned several times before, I purchased my home in 1979. At my purchase all issues and conditions on my home and any environment issues were disclosed to me. I

was not required to purchase flood insurance. This means to me my home was safe without a concern.

In or about 1991 (12 years later) I received a letter from my mortgage company telling me that if I did not provide a flood insurance to them within 60 days, they would add a \$600 policy a year to my loan balance. Being about 40 years old at the time, ignorant of any conditions and a trusting soul I contacted my insurance agent, at that time, he told me that local government agencies petitioned with FEMA to revise the flood zones to include my home. My agent provided me ~\$200 policy. Every year I paid this policy I did not fully understand why. during that time, I attended a Santa Clara Valley Water District on how they planned to dredge the Guadalupe River and when completed my flood insurance requirement would be removed which now includes Ross Creek. Later in the mid 1990s The City of San Jose planned to create a lake downtown near the arena and have boats travel up and down the Guadalupe River to Blossom Hill Road. The Army Corp of Engineers later backed out of the plan. I now do not have a policy for flood insurance because I own my home and do not have a mortgage. All people who have a mortgage have to pay and provide for this unfair cost. I am pretty sure they do not know the history on how and why this flood insurance requirement exists.

During the 1990s, Henry's High Life restaurant, a downtown restaurant, was planned to be removed for the planned lake downtown. The owners of the restaurant had the building registered as a historical building. The planners of the lake then said they would leave an island in the lake with the restaurant on the island. I know this sounds hard to believe but it was all reported in the San Jose Mercury News at that time. Check the Mercury News paper history and you will find the stories close to what I am stating. I may have stored copies of these stories but may have discarded them over the years.

Now that I am 74 years old and much wiser, I question why the flood zone was not revised or removed over the last 32 years, but it hasn't. My home is still residing 1 1/2 homes from the flood zone map bank where it was in the 1991 flood zone creation. This causes me and many young family homeowners much money that they should not have to pay. I am sure the young families do not know the history of our flood zone impact to district 9 that did not exist when their expensive homes were built in the 1950s and 1960s and the flood zone has not been removed on many homes or completely removed. With all the Santa Clara County flood control property taxes and FEMA funding monies that have been collected I perceive that families are paying unfair funds that could be used elsewhere to support their lives.

During 1995 San Jose downtown flooded twice, once in January and once in March. The reason was it rained and local reservoirs spilled their spillways and water let down the rivers and creeks uncontrolled towards San Jose, Guadalupe River and the bay. Just like the recent flood of Coyote Creek from Anderson dam in 2017. To me, I perceive, that was due to improper water releases prior to storms and management issues of reservoirs throughout the year. The year 2016, before Coyote Creek flooded the water district, during a drought, stated that Anderson Reservoir could only be at half

full due to earthquake issues, the next year 2017 during heavy rains Anderson Reservoir was allowed to rise and spill over, why? The reports from the water district stated that the drain at the bottom of the reservoir was too small to release water, they (engineers), could have used temporary pumps and pump water over the spillway into Coyote Creek when it was not raining to reduce the level over time. We now have superior weather reporting two weeks before a storm to effectively release water from reservoirs. Our aquifers in our valley floor provide effective water storage for drinking water. Years ago, it was reported there might be two years of storage of water underground. No one speaks to that now.

I am also concerned with the poor preventative maintenance that is performed on Ross Creek beds and bridges (example Cherry Avenue). During the January 2023 storms information was provided to BayArea news outlets and weather online sites that Ross Creek at Cherry Avenue was imminent to flood. My girlfriend and I were watching tv that January 2023 night of the big storm when she received an emergency alert text about imminent overflow Ross Creek Cherry Avenue bridge. We drove to bridge. I noticed the water was high on the west side of the bridge but lower on the downstream east side of the bridge and the water level was lower at the Briarglen Rd bridge further east towards Guadalupe River. The reality was that the Cherry Avenue bridge creek bed was full of rock to create resistance to water flow. The next day I viewed the rock build up and reported this to the City of San Jose Public Works personnel at the bridge. They took action, took pictures and reported it to their supervisor. The next day Santa Clara Valley Water District personnel were on site and tried to remove the rock, but their tractor broke down and which delayed fully rock removal to after the next storm. To me, late in timing, **poor** preventative maintenance was the cause of this imminent creek overflow incident and made me more concerned. Scott, district 9 Chief of Staff, told me that a sofa was found at the bridge during the January 2023 storm that caused the backup. He was supposed to send me pictures or information about the sofa but it has not been provided.

Please see the attached pdf chronological report dated 8-16-23 of rock clearing maintenance of Ross Creek Cherry Avenue bridge.

Please see the attached file that includes the current flood zone affecting Bryan Avenue. If the file does not come through you can see it here and add [REDACTED] [REDACTED] San Jose CA 95118. [FEMA Flood Map Service Center | Welcome!](#)

SOLUTION:

The City of San Jose Public Works should investigate Ross Creek water way from its origin in the Los Gatos mountains to Guadalupe River at Branham Lane to assure the public that no water that should be destined to other waterways (example Guadalupe Creek, Los Gatos Creek or others) enters Ross Creek. I have noticed muddy water which means to me, it is from Lexington Reservoir or from mountain water ways. My confidence in Santa Clara Valley Water District is **low** to assure me that they are providing the best protection to my home at the best cost impact to me and my neighbors.

Viewing available maps shows Ross Creek origin very complex that may be cause to excess water flow into Ross Creek at its origin. Since Ross Creek has been identified as a risk for flooding water should not be added to Ross Creek from any other water way. Also assure that Santa Clara Valley Water District does not release water into Ross Creek to lower the Lexington Reservoir water level, especially when raining one drop right before a storm or during a storm into Ross Creek, no exceptions.

The Santa Clara Valley Water District, since 1991, has done little to remove my home and my neighbor's home from the risk of Ross Creek flooding or removing my cost of insurance. I expect and deserve more, especially when I purchased my home in 1979 and was not in a costly flood zone. I am sure they cannot dispute my claim, but they **do** spend my tax dollars with no relief of flood zone insurance requirements.

I request KTVU to continue to watch the water flow at Ross Creek at Cherry Avenue during major storms of next 2023-2024 rainy season to see if the City of San Jose, County of Santa Clara and FEMA has taken any actions.

Regards,
John B Hernandez
[REDACTED]
San Jose Ca 95118

Council Member Foley,

As I stated in the emails below the city of San Jose and other government agencies provide unnecessary fear to our district residents as shown earlier in the year around Ross Creek. These agencies, I believe, failed to keep Ross Creek clear of obstructions and may have allowed in-appropriate water to enter Ross Creek for its origin to Guadalupe River at Branham Lane in San Jose to raise water levels inappropriately.

Please see this attached San Jose Mercury story today, 11-14-23, our mayor and Valley Water provided about future rains in San Jose and flooding.

Pay attention to the 6th paragraph which causes me anxiety for the 2023-2024 rainy season.

Again, I purchased my home in 1979 and my home was not in a flood plain. 12 years later, about 1991, local government agencies petitioned FEMA to include my home and neighborhood in a flood zone which caused unnecessary flood insurance to apply. These agencies have received money from this effort and have not reduced or eliminated this requirement. I perceive they have spent more money to provide anxiety to me and my neighbors by not providing preventative measures to reduce flooding and eliminating this unfair cost to me and my neighbors. This flood zone has not budged to

reduce this requirement from my home. My home still resides 1 1/2 homes from the bank.

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

Valley Water screen shot of 10-1-22 prior to raining season of 2022-2023. Lack of preventative maintenance prior to storms, to me, allowed high west side of Ross Creek Cherry Avenue water levels which cause anixity to me. See item in south channel, see tire tracks on shoulder. Why was this item not removed.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

Valley Water screen shot of 1-1-23 during raining season of 2022-2023. Lack of preventative maintenance prior to storms, to me, allowed high west side of Ross Creek Cherry Avenue water levels which cause anxiety to me. Note high build up of rock under north and south channels of bridge



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 14, see water flowing easy through south channel (right). See the water not flowing on north channel where rock build up is located. I perceive a water eddy and rock is causing the north channel to try to reverse water flow. See the government vehicle with lights on.

(View [Reports](#) or [Plot](#))

Camera Images



2023-01-14 07:20:43 PST

[Photo Selection Guide](#)

[Time Lapse Selection](#)

[Photo Range](#)

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 16, see water flowing easy through south channel (right). See rock build up in north channel (left).



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 25, 2023. East side of 9 foot high Ross Creek Cherry Avenue bridge.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

July 12, 2023. East side and West side of Ross Creek Cherry Avenue bridge cleared of all rock. Bridge cleared of rock based on Valley Water camera on July 7, 2023. Hopefully with this cleaning and subsequent inspections by the City of San Jose and Valley Water will prevent the unnecessary calamity that was experienced earlier in 2023. The anxiety to the surrounding district 9 neighbors was unnecessary and should be addressed by the San Jose City Council to prevent this behavior. Behavior meaning to me, that more effort was taken to provide information to news outs, add signs to surrounding neighborhood to cause unnecessary anxiety when what was necessary was to remove the rock and assure only water that enters Ross Creek is from surrounding neighborhood runoff not water destined for other water ways or unnecessary water releases at the wrong time.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

November 18-2023 7:02 am, west side of bridge, water flowing right side, flowing slow in left side, water clear with no mud, water 2 feet high



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

November 21-2023 rock build up after first storm on east side of bridge. Compare this picture and next two pictures to the previous pictures in 10-1-22 and 1-1-23 (sheets 1 and 2 above) to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

November 21-2023 rock build up after first storm on west side north channel of bridge. Compare this picture and next two pictures to the previous pictures in 10-1-22 and 1-1-23 (sheets 1 and 2 above) to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

November 21-2023 rock build up after first storm on west side south channel of bridge. Compare this picture and next two pictures to the previous pictures in 10-1-22 and 1-1-23 (sheets 1 and 2 above) to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 20-2023 7:46 am, west side of bridge, water flowing right side, flowing slow in left side, water is fairly clear with no mud, water 3 feet high. **To me muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety.**



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 21-2023 rock build up after second storm on east side of bridge. Compare this picture and next two pictures to the previous pictures in 10-1-22, 1-1-23, 11-21-23 (sheets 1, 2 and 8 above) to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 21 2023 rock build up after second storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures in 10-1-22, 1-1-23, 11-21-23 (sheets 1, 2 and 8 above) to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 21-2023 rock build up after second storm on west side south channel of bridge. Compare this picture the previous pictures in 10-1-22, 1-1-23, 11-21-23 (sheets 1, 2 and 9 above) to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 20-2023, watch the video of what I believe is a water EDDY on the east side of Ross Creek and Cherry Avenue bridge. The water flows through the bridge but, what I perceive is obstruction in the creek, tries to force the water in the west direction under the bridge which forces rock to build up in the north channel of the bridge. I perceive this eddy and rock accumulation allows the flow of creek water to back up and not allow the water to flush the rock through the creek bed down-stream. Last January, on the night it was reported that Ross Creek was imminent to overflow and I witnessed the water level higher on the west side of Ross Creek bridge and lower on the east side of the bridge.

Please observe the water bubble in the video trying to reverse flow under the bridge on the north channel. I perceive if the dirt channels on the east side of the bridge were widen sightly this would allow for water to flow properly. A Valley Water engineer should be able to provide the proper repair. There is some obstruction of some type causing the water to not flow properly through the north channel. Maybe a diverter of some type can be placed on the west side of the bridge to properly divert the water more to the north channel or clear an obstruction on the east side. There is definitely some wrong.



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(4)_Video of Eddy or

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 29-2023 10:35 pm, west side of bridge, water flowing right side, flowing slow in left side, water is fairly clear with no mud, water 3 feet high. Since late at night it was too hard to determine amount of mud water contained. **To me muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediatly and not allowed to subject me and my neighbors to flood anxiety.**



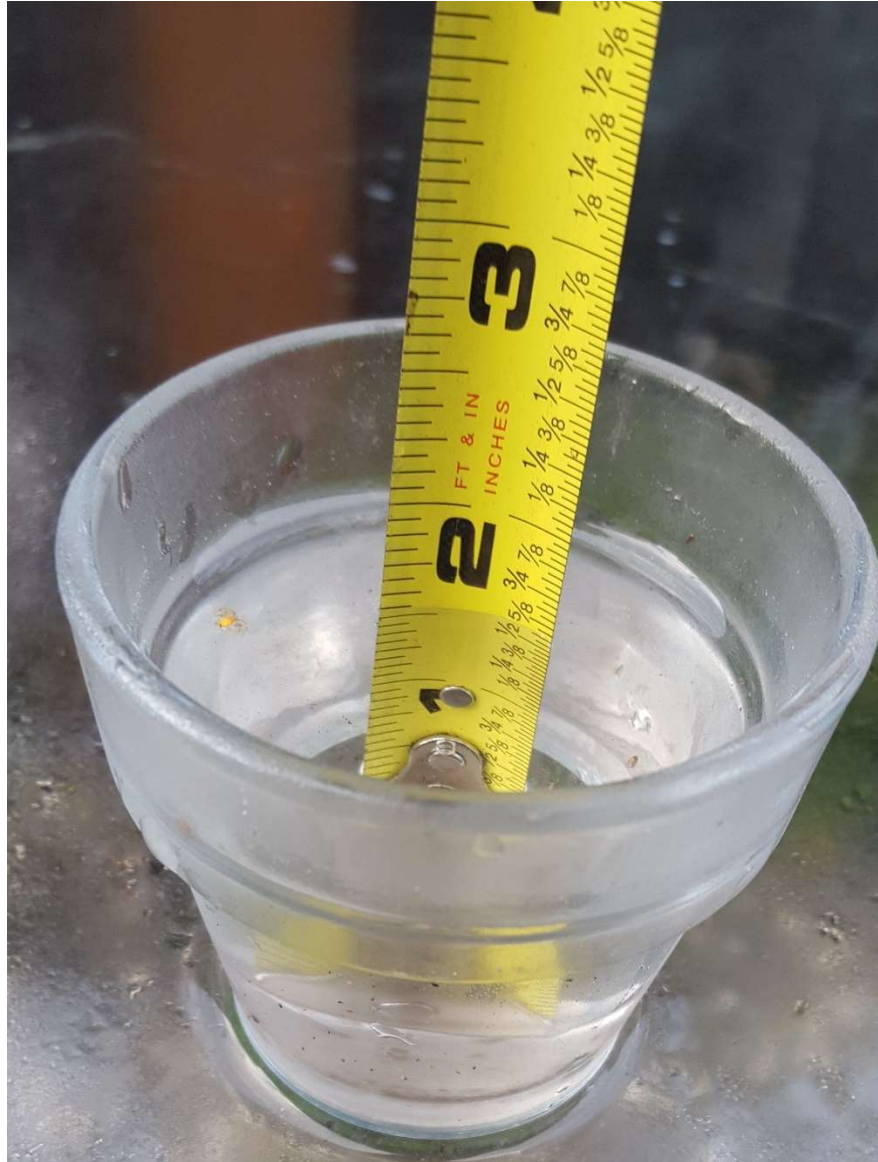
CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 30-2023 8 am, west side of bridge. Shopping cart still in creek, not removed as requested. **Note: the 2 shopping carts at the Briarglen Dr. bridge downstream next bridge fence have been removed but the 2 large holes in cyclone fence not repaired.**



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 30-2023 8 am, make shift rain gage on my patio for this short third storm.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 30 -2023 rock build up after third storm on east side of bridge. Compare this picture and next two pictures to the previous pictures in 10-1-22, 1-1-23, 11-21-23, 12-21-23 (sheets 1, 2, 5, 8 and 12 above) to determine if rock build up is comparable. Estimate 1-2 feet high rock build up. 15% of a 9 foot bridge. The rock build up is beginning to build up and could be at same level soon as shown in sheets 8 and 12 above. Need plan to push rock through now or will face the same situation at Ross Creek at Cherry Avenue we had in January 2023. Please plan to push the rock downstream with tractor soon before it is too late.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 30 2023 rock build up after third storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures in 10-1-22, 1-1-23, 11-21-23, 12-21-23 (sheets 1, 2, 8 and 13 above) to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

December 30-2023 rock build up after third storm on west side south channel of bridge. Compare this picture the previous pictures in 10-1-22, 1-1-23, 11-21-23, 12-21-30 (sheets 1, 2, 9 and 14 above) to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 2, 2024 8 PM, west side of bridge, water flowing right side, flowing slow in left side, water is fairly clear with no mud, about 2-3 feet high. Since late at night, it was too hard to determine amount of mud water contained. **To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety.**



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 3 2024 2 PM, west side of bridge. Shopping cart removed this morning, Thank You. **Note: the 2 shopping carts at the Briarglen Dr. bridge downstream next bridge fence have been removed and the 2 large holes in cyclone have been repaired. Thank You. Removal of the shopping cart will prevent a small amount of resistance to water flow, but any removal of water flow is important in a flood zone.**



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 3,2024 morning, make shift rain gage on my patio for this short fourth storm.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 3, 2024 rock build up after fourth storm on east side of bridge. Compare this picture previous storm pictures above to determine if rock build up is comparable. Estimate 1-2 feet high rock build up. 15% of a 9 foot bridge. The rock build up is beginning to build up and could be at same level soon as shown in sheets above. Need plan to push rock through now or will face the same situation at Ross Creek at Cherry Avenue we had in January 2023. Please plan to push the rock downstream with tractor soon before it is too late.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 3,2024 rock build up after fourth storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures above to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 3, 2024 rock build up after fourth storm on west side south channel of bridge. Compare this picture the previous pictures to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This January 18, 2024 chronological report provide for Ross Creek impact to the 3 recent minor storms since the January 3 chronological report above. Again, observing Valley Water online pictures of Ross Creek indicated that was not excessive muddy water in Ross Creek. I anticipate subsequent larger storms during this 2023-2024 will provide more water flow and rock/debris build up in Ross Creek which will require appropriate preventative maintenance without delay. This coming weekend a larger storm has been reported to be anticipated. See picture of Ross Creek on January 6, 2024

To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 3-18, 2024, make shift rain gage on my patio for this report storms. Added a small drop of food coloring to water to see water level better.

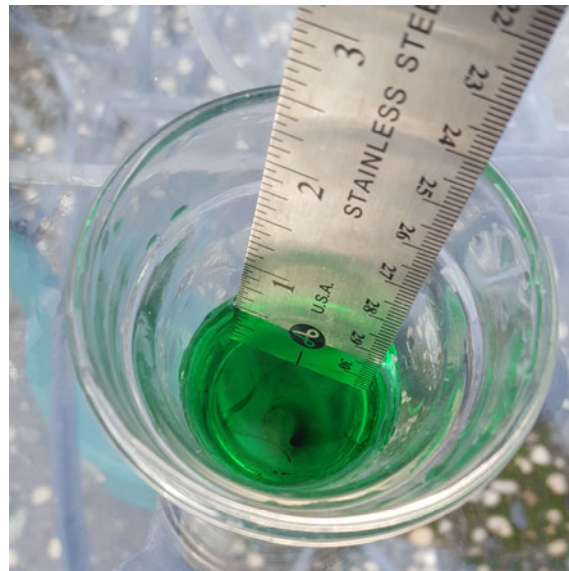
1-11-24 About ¼ inch



1-14-24 About ¼ inch



1-17-24 About ½ inch



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 16, 2024, rock build up after Seventh storm on east side of bridge. Compare this picture previous storm pictures above to determine if rock build up is comparable. Estimate 1-2 feet high rock build up. 15% of a 9-foot bridge. The rock build up is beginning to build up and could be at same level soon as shown in sheets above. If subsequent storms are more intense, we need plan to push rock through now or will face the same situation at Ross Creek at Cherry Avenue we had in January 2023. Please plan to push the rock downstream with tractor soon before it is too late.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 16, 2024, rock build up after seventh storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures above to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 16, 2024, rock build up after seventh storm on west side south channel of bridge. Compare this picture the previous pictures to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This January 23, 2024 chronological report provide for Ross Creek impact to the 3 recent storms since the January 18 chronological report above. Again, observing Valley Water online pictures of Ross Creek indicated that was excessive muddy water in Ross Creek. These storms this 2023-2024 had higher water flow and rock/debris build up in Ross Creek which will require appropriate preventative maintenance without delay. There are more storms is coming this week and next. See picture of Ross Creek on January 1-22-24 at 7AM, the water is extremely high with what appears muddy water.

To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

See how muddy water is at 9 AM 1-22-24 during the last major rain storm.

To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

See clear the water is at 9 AM 1-23-24 the next day after the last major rain storm.

To me, clear water indicates water from storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety.



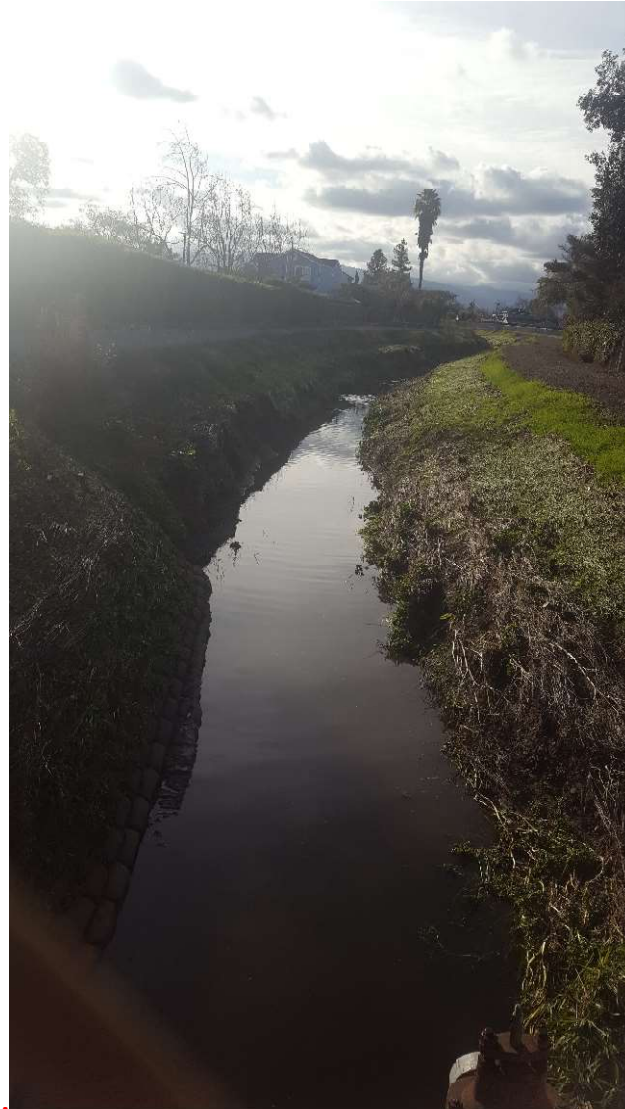
CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

1-23-24, see the rock build up in north and south channels of the west side Cherry Avenue Ross Creek bridge in this Valley Water picture. It is massive rock build on the east side of the bridge that is backing up the water flow. See picture at the end of this report.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This picture is of the Jarvis Avenue bridge which the previous west bridge prior to Cherry Avenue Ross Creek bridge. Note how high the water was at on the grass. Take on 1-23-24



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This picture is of the Briarglen Drive bridge which east of Cherry Avenue Ross Creek bridge and the last bridge before water enters Guadalupe River. Note how low the water was at on the grass. Could it be that the dual channel bridge and rock build up cause water to back up west of the Cherry Avenue Ross Creek bridge? Note the bridge configuration at the Jarvis Avenue and Briarglen Drive bridges are round pass through while the Cherry Avenue bridge is a dual channel configuration. Could that dual channel configuration bridge cause rock to build up and back up the water to cause flood conditions if not maintained? This is a question for Valley Water engineers to answer. Taken on 1-23-24



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 21-23, 2024, make shift rain gage on my patio for this report storms. Added a small drop of food coloring to water to see water level better.

1-21-24 About 1 inch



1-22-24 About 2 inches



1-23-24 About 1/2 inch

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 23 2024, rock build up after LATEST storm on east side of bridge. This picture reviews massive rock build up due to larger volume of water passing through Ross Creek. Compare this picture previous storm pictures above to determine if rock build up is comparable. Estimate 2-3 feet high rock build up is about 30% of a 9-foot bridge. The rock build has built up and requires removal now!! If subsequent storms are as or more intense, we need plan to push rock through now or will face the same situation at Ross Creek at Cherry Avenue we had in January 2023. Please plan to push the rock downstream with tractor soon before it is too late.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 23, 2024, rock build up after latest storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures above to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 23, 2024, rock build up after latest storm on west side south channel of bridge. Compare this picture the previous pictures to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This February 3, 2024 chronological report provide for Ross Creek impact to the recent storms since the January 23 chronological report above. Again, observing Valley Water online pictures of Ross Creek indicated that was excessive muddy water in Ross Creek. These storms this 2023-2024 had higher water flow and rock/debris build up in Ross Creek which will require appropriate preventative maintenance without delay. There are more storms is coming this week and next. See picture of Ross Creek on January 1-24-24. the water is extremely high at times and with what appears muddy water.

To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety.



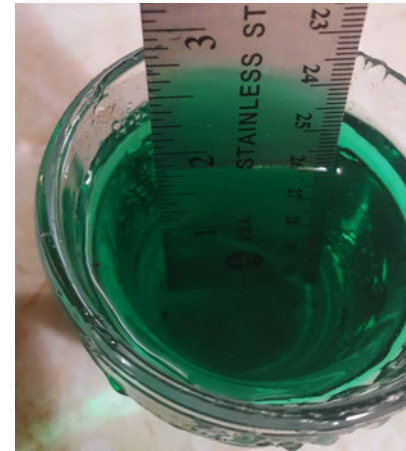
CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

January 24- February 2, 2024, make shift rain gage on my patio for this report storms. Added a small drop of food coloring to water to see water level better.

1-24-24 About 1 3/4 inch



1-31-24 About 1 7/8 inch



2-2-24 About 1 3/4 inch

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 3, 2024, rock build up after LATEST storm on east side of bridge. This picture reviews **massive rock build-** up due to larger volume of water passing through Ross Creek. Compare this picture previous storm pictures above to determine if rock build up is comparable. Estimate 2-3 feet high rock build up is about **30%** of a 9-foot bridge. **The rock build has built up and requires removal now!! If subsequent storms are as or more intense, we need plan to push rock through now or will face the same situation at Ross Creek at Cherry Avenue we had in January 2023. Please plan to push the rock downstream with tractor soon before it is too late. I fear that the Cherry Avenue bridge will overflow if this rock is not removed/pushed through during the February 3, 4 and 5th storm since we are going to receive an enormous amount of rain at once!**



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 3,2024 rock build up after recent storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures above to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

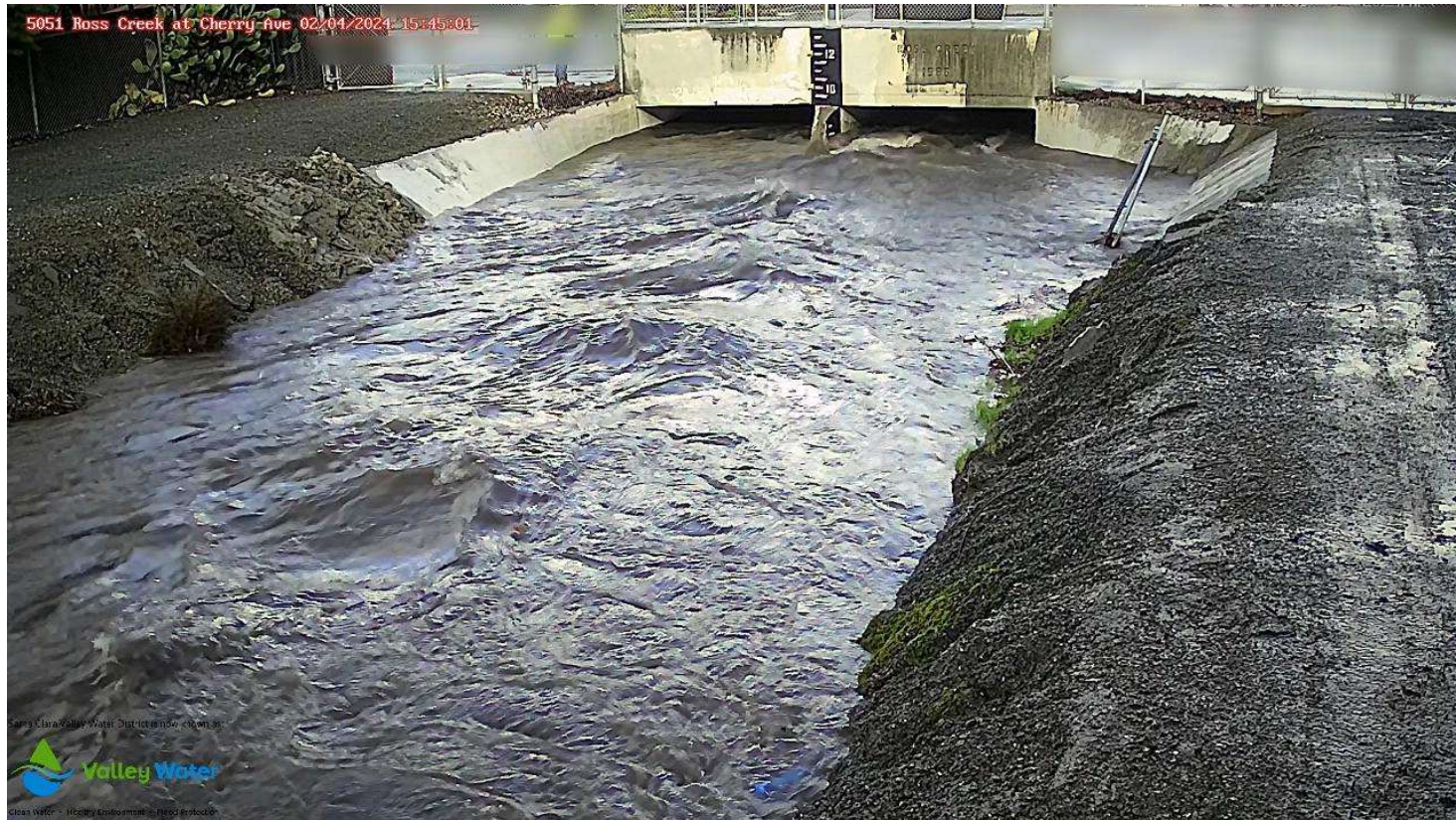
February 3, 2024, rock build up after latest storm on west side south channel of bridge. Compare this picture the previous pictures to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This February 12, 2024 chronological report provide for Ross Creek impact to the recent storms since the February 3, 2024 chronological report above. Again, observing Valley Water online pictures of Ross Creek indicated that was excessive muddy water in Ross Creek. These storms this 2023-2024 had higher water flow and rock/debris build up in Ross Creek which will require appropriate preventative maintenance without delay. There are more storms coming this week and next. See picture of Ross Creek on **February 4, 2024 3:45 pm**. the water is extremely high at times and with what appears muddy water.

To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety. See photo comparison on next sheet of bridge height between Meridian Avenue and Cherry Avenue bridges at the same time



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This February 12, 2024 chronological report provide for Ross Creek comparison between the Meridian Avenue and Cherry Avenue bridges at 4 pm on February 4, 2024. Again, observing Valley Water online pictures of Ross Creek indicated to me that the Meridian Avenue bridge height is 10 feet while the Cherry Avenue bridge height is 9 feet. I am not sure but the Meridian Avenue bridge appears wider in both channels. Pictures below also show that the east of the Cherry Avenue bridge shows a 2-3 high rock build up which adds to the blockage that Valley Water has failed to clear.

To me there should not be this difference of water height from bridges that are only about 4600 feet apart from each other.

To me there is extensive blockage at the Cherry Avenue bridge that needs to be addressed immediatly. The planned Valley Water/Army Corp of Engineers improvements on Ross Creek from Kirk Road bridge to Guadalupe River, including Kirk Road, Meridian Avenue, Jarvis Avenue, Cherry Avenue and Briarglen Drive bridges is a time, consuming project. Cherry Avenue Ross Creek bridge needs to be addressed immediatly and not wait.

Immediate opening of Cherry Avenue creek bed, by removing dirt channel and consistant movement of rock on bridge bed is a simple task this summer to prepare for the 2024-2025 rainy season. This should immediatly remove the flood zone between the Jarvis Avenue bridge and Guadalupe neighbors. This would free up additional family support monies that have been unjustly collected since 1991. I purchased my home in 1979 which included no flood zone insurance requirement. 11 years later in 1991 my mortgage company demanded I purchase flood insurance or they would include a \$600 yearly policy to my mortgage. I was around 40 years old then and not as wise as I am today.



Meridian bridge 2-4-24 at 4 pm. 10 foot high bridge



Cherry bridge 2-4-24 at 4 pm. 9 foot high bridge

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 4, 2024- February 8, 2024, make shift rain gage on my patio for this report storms. Added a small drop of food coloring to water to see water level better.

2-4-24 7 am About 1 7/8 inch



2-4-24 6 pm about 1 7/8 inch



2-6-24 12 pm about 1 1/2 inch



2-8-24 11 am pm about 1 1/2 inch

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 10, 2024 12 pm, rock build up after LATEST storm on east side of bridge. This picture reviews **massive rock build-** up due to larger volume of water passing through Ross Creek. Compare this picture previous storm pictures above to determine if rock build up is comparable. Estimate 2-3 feet high rock build up is about **30%** of a 9-foot bridge. **The rock build has built up and requires removal now!! If subsequent storms are as or more intense, we need plan to push rock through now or will face the same situation at Ross Creek at Cherry Avenue we had in January 2023. Please plan to push the rock downstream with tractor soon before it is too late. I fear that the Cherry Avenue bridge will overflow if this rock is not removed/pushed through during the February 12th and on storms since we are going to receive an enormous amount of rain at once!**



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 10,2024 rock build up after recent storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures above to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

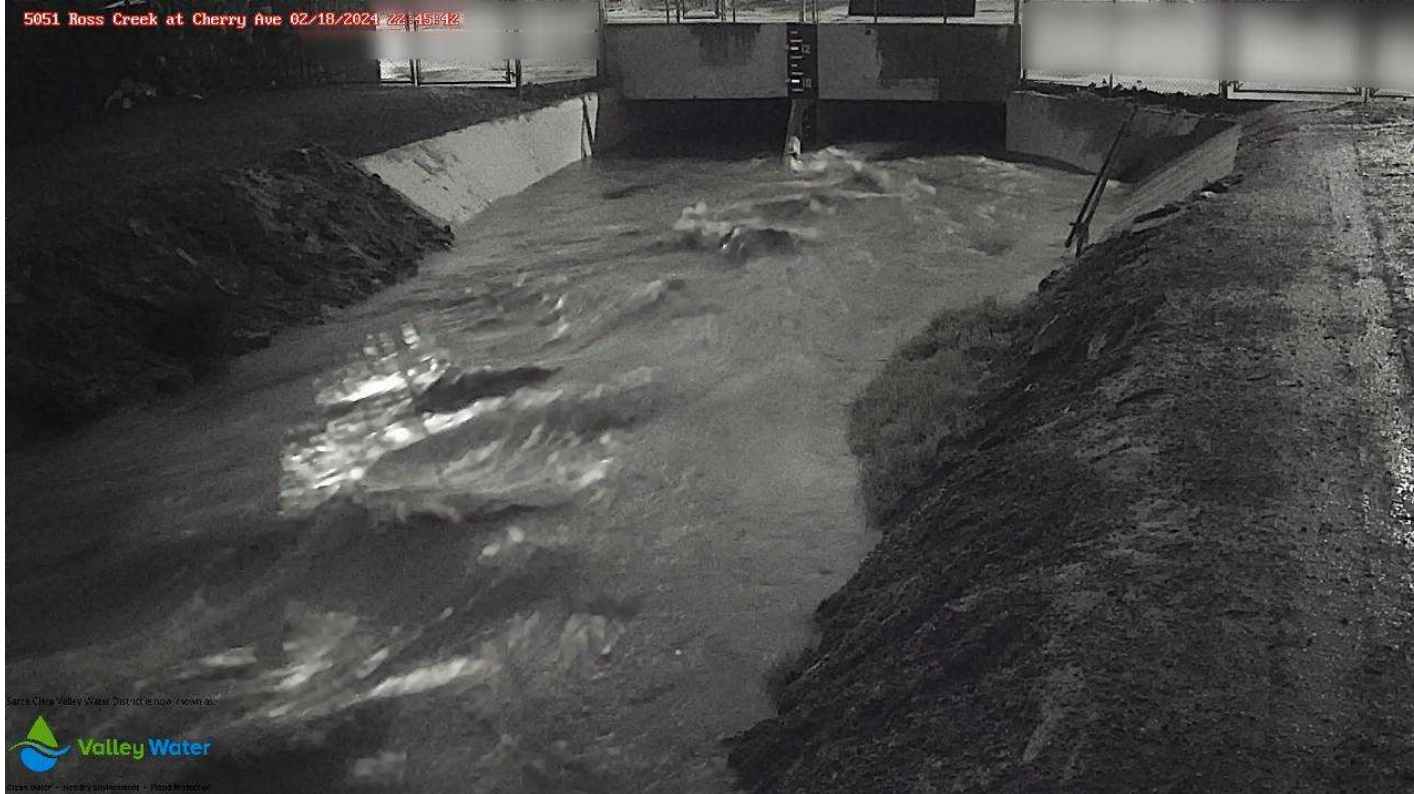
February 10, 2024, rock build up after latest storm on west side south channel of bridge. Compare this picture the previous pictures to determine if rock build up is comparable.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This February 26, 2024 chronological report provide for Ross Creek impact to the recent storms since the February 12, 2024 chronological report above. Again, observing Valley Water online pictures of Ross Creek indicated that was excessive muddy water in Ross Creek. These storms this 2023-2024 had higher water flow and rock/debris build up in Ross Creek which will require appropriate preventative maintenance without delay. There are more storms coming this week and next. See picture of Ross Creek on **February 18, 2024 10:45 pm**. the water is extremely high at times and with what appears muddy water. The rock buildup and narrow creek banks before and after the Cherry Avenue bridge create water backup to provide neighbors anxiety. This bank removal should be taken care this summer to prevent water backup in the 2024-2025 rainy season and not wait for planned Army Corp of Engineer work.

To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety. See photo comparison on next sheet of bridge height between Meridian Avenue and Cherry Avenue bridges at the same time



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 18, 2024- February 21, 2024, make shift rain gage on my patio for this report storms. Added a small drop of food coloring to water to see water level better.

2-18-24 12 pm About 7/8 inch



2-19-24 9 am about 1 1/4 inch



2-21-24 4 pm about 1/2 inch



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 25, 2024 12:30 pm, rock build up after LATEST storm on east side of bridge. This picture reviews **massive rock build-** up due to larger volume of water passing through Ross Creek. Compare this picture previous storm pictures above to determine if rock build up is comparable. Estimate 3-4 feet high rock build up in some areas is about **35%** of a 9-foot bridge. **The rock build has built up and requires removal now!! If subsequent storms are as or more intense, we need plan to push rock through now or will face the same situation at Ross Creek at Cherry Avenue we had in January 2023. Please plan to push the rock downstream with tractor soon before it is too late. I fear that the Cherry Avenue bridge will overflow if this rock is not removed/pushed through during the February 12th and on storms since we are going to receive an enormous amount of rain at once!**



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 25,2024 12:30 pm rock build up after recent storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures above to determine if rock build up is comparable. *The west side of the Ross Creek Cherry Avenue bridge has a Valley Water camera that does not provide views of the east side of the bridge where rock builds up and blocks water flow. Poor preventative maintenance of east side of bridge allows for water to back up. This chronological report has provided data that the Ross Creek preventative maintenance is extremely lacking.*



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

February 25, 2024 12:30 pm, rock build up after latest storm on west side south channel of bridge. Compare this picture the previous pictures to determine if rock build up is comparable. *The west side of the Ross Creek Cherry Avenue bridge has a Valley Water camera that does not provide views of the east side of the bridge where rock builds up and blocks water flow. Poor preventative maintenance of east side of bridge allows for water to back up. This chronological report has provided data that the Ross Creek preventative maintenance is extremely lacking.*



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This March 11, 2024 chronological report provides for Ross Creek impact to the recent storms since the February 26, 2024 chronological report above. Again, observing Valley Water online pictures of Ross Creek indicated that was excessive muddy water in Ross Creek. These storms this 2023-2024 had higher water flow and rock/debris build up in Ross Creek which will require appropriate preventative maintenance without delay. There are more storms coming in weeks ahead. See Valley Water pictures of Ross Creek on February 29, 2024 9:45 pm and March 6, 2024 am, the water is extremely high at times and with what appears muddy water. The rock buildup and narrow creek banks before and after the Cherry Avenue bridge create water backup to provide neighbors anxiety. This bank removal should be taken care this summer to prevent water backup in the 2024-2025 rainy season and not wait for planned Army Corp of Engineer work.

To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

March 2, 2024 - March 9, 2024, make shift rain gage on my patio for this report storms. Added a small drop of food coloring to water to see water level better.

3-2-24 4 pm About 1 1/2 nch



3-6-24 8 am about 1 3/4 inch



3-9-24 10 am about 1/2 inch



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

March 10, 2024 11 am, rock build up after LATEST storm on east side of bridge. This picture reviews **massive rock build-** up due to larger volume of water passing through Ross Creek. Compare this picture previous storm pictures above to determine if rock build up is comparable. Estimate 3-4 feet high rock build up in some areas is about **35%** of a 9-foot bridge. **The rock build has built up and requires removal now!! If subsequent storms are as or more intense, we need plan to push rock through now or will face the same situation at Ross Creek at Cherry Avenue we had in January 2023. Please plan to push the rock downstream with tractor soon before it is too late. I fear that the Cherry Avenue bridge will overflow if this rock is not removed/pushed through during storms since we could receive an enormous amount of rain at once!**



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

March 10, 2024 11 am rock build up after recent storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures above to determine if rock build up is comparable. *The west side of the Ross Creek Cherry Avenue bridge has a Valley Water camera that does not provide views of the east side of the bridge where rock builds up and blocks water flow. Poor preventative maintenance of east side of bridge allows for water to back up. This chronological report has provided data that the Ross Creek preventative maintenance is extremely lacking.*



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

March 10, 2024 11 am, rock build up after latest storm on west side south channel of bridge. Compare this picture the previous pictures to determine if rock build up is comparable. *The west side of the Ross Creek Cherry Avenue bridge has a Valley Water camera that does not provide views of the east side of the bridge where rock builds up and blocks water flow. Poor preventative maintenance of east side of bridge allows for water to back up. This chronological report has provided data that the Ross Creek preventative maintenance is extremely lacking.*



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

I detected Valley Water online pictures of the Ross Creek Cherry Avenue bridge westside blocking out view of the creek under the bridge. This prevents the public from viewing the massive rock build up that I perceive backs up water and could cause water to overflow. The narrow creek bed, the 2 to 3 foot rock build up on the east side of the bridge creek bed and the possibility of water leaching into Ross Creek from other water tributaries at the origin of Ross Creek in the Los Gatos mountains and poor preventative maintenance of the creek places my neighborhood in jeopardy. This jeopardy supports Valley Water's interest/funding in the flood zone that was established in or about 1991 when my home, prior to 1991, was not in a flood zone. I purchased my home in 1979 when there was not a flood zone affecting my home and neighborhood.

I expect the City of San Jose, County of Santa Clara and Valley Water (State of California) to effectively maintain Ross Creek and Guadalupe River with proper preventative maintenance to remove this improper applied flood zone which creates unnecessary funding cost to me and my neighborhoods. Valley Water must not let one drop of water go over spillway or release water from the bottom of any reservoir right before, during or right after a storm. Proper planning and use of weather reports weeks in advance should be used to drain all reservoirs. Valley Water needs to inform all the valley citizens that our aquifers under our valley floors can provide drinking water to citizens for about two years. This was reported in the San Jose Mercury years ago but not disclosed recently.

I perceive our streams, rivers, storm drains and reservoirs are efficient to prevent any flood if properly maintained. I perceive my reservoirs, streams, rivers, storms drains are not properly maintained based on previous floods in San Jose since 1995.

If this blanking out of visual viewing of creek bed is due to a software or programming error, please correct immediately.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This April 11, 2024 chronological report provides for Ross Creek impact to the recent storms since the March 11, 2024 chronological report above. Again, observing Valley Water online pictures of Ross Creek indicated that was excessive muddy water in Ross Creek. The storms this 2023-2024 had higher water flow and rock/debris build up in Ross Creek which will require appropriate preventative maintenance without delay.

This years rainy storms are coming to an end soon. See Valley Water pictures of Ross Creek on March 29, 2024 3 pm, the water is high at times and with what appears muddy water. These storms where not as significant as earlier in the rainy season.

The rock buildup and narrow creek banks before and after the Cherry Avenue bridge create water backup to provide neighbors anxiety. This bank removal should be taken care this summer to prevent water backup in the 2024-2025 rainy season and not wait for planned Army Corp of Engineer work.

To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject me and my neighbors to flood anxiety.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

March 23, 2024 – April 6, 2024, make shift rain gage on my patio for this report storms. Added a small drop of food coloring to water to see water level better.

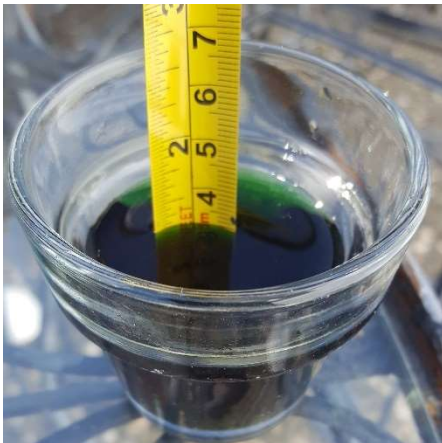
3-23-24 5 pm About 1 1/8 inch



3-25-24 4 pm about 1/4 inch



4-1-24 4 pm about 1/4 inch



4-6-24 11 am about 3/4 inch



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

April 6, 2024 11 am, rock build up after LATEST storm on east side of bridge. This picture reviews **massive rock build-** up due to larger volume of water passing through Ross Creek. Compare this picture previous storm pictures above to determine if rock build up is comparable. Estimate 3-4 feet high rock build up in some areas is about **35%** of a 9-foot bridge. **The rock build has built up and requires removal now!! If subsequent storms are as or more intense, we need plan to push rock through now or will face the same situation at Ross Creek at Cherry Avenue we had in January 2023. Please plan to push the rock downstream with tractor soon before it is too late. I fear that the Cherry Avenue bridge will overflow if this rock is not removed/pushed through during storms since we could receive an enormous amount of rain at once! At least we are at the end of this year's rainy season.**



During the 2023-2024 rock was not removed on the east side of Ross Creek Cherry Avenue bridge . The rock was completely removed in July 2023 only. Data collected during this 2023-2024 will recommend what month in 2024 the east side of the Cherry Ave. Valley Water should consider adding a secondary camera on the east side of Cherry Avenue bridge so neighbors can monitor the rock build up during massive rain storms.

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

April 6, 2024 11 am rock build up after recent storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures above to determine if rock build up is comparable. *The west side of the Ross Creek Cherry Avenue bridge has a Valley Water camera that does not provide views of the east side of the bridge where rock builds up and blocks water flow. Poor preventative maintenance of east side of bridge allows for water to back up. This chronological report has provided data that the Ross Creek preventative maintenance is extremely lacking.*



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

April 6, 2024 11 am, rock build up after latest storm on west side south channel of bridge. Compare this picture the previous pictures to determine if rock build up is comparable. *The west side of the Ross Creek Cherry Avenue bridge has a Valley Water camera that does not provide views of the east side of the bridge where rock builds up and blocks water flow. Poor preventative maintenance of east side of bridge allows for water to back up. This chronological report has provided data that the Ross Creek preventative maintenance is extremely lacking.*



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

I detected Valley Water online pictures of the Ross Creek Cherry Avenue bridge westside blocking out view of the creek under the bridge. This prevents the public from viewing the massive rock build up that I perceive backs up water and could cause water to overflow. The narrow creek bed, the 2 to 3 foot rock build up on the east side of the bridge creek bed and the possibility of water leaching into Ross Creek from other water tributaries at the origin of Ross Creek in the Los Gatos mountains and poor preventative maintenance of the creek places my neighborhood in jeopardy. This jeopardy supports Valley Water's interest/funding in the flood zone that was established in or about 1991 when my home, prior to 1991, was not in a flood zone. I purchased my home in 1979 when there was not a flood zone affecting my home and neighborhood.

I expect the City of San Jose, County of Santa Clara and Valley Water (State of California) to effectively maintain Ross Creek and Guadalupe River with proper preventative maintenance to remove this improper applied flood zone which creates unnecessary funding cost to me and my neighborhoods. Valley Water must not let one drop of water go over spillway or release water from the bottom of any reservoir right before, during or right after a storm. Proper planning and use of weather reports weeks in advance should be used to drain all reservoirs. Valley Water needs to inform all the valley citizens that our aquifers under our valley floors can provide drinking water to citizens for about two years. This was reported in the San Jose Mercury years ago but not disclosed recently.

I perceive our streams, rivers, storm drains and reservoirs are efficient to prevent any flood if properly maintained. I perceive my reservoirs, streams, rivers, storms drains are not properly maintained based on previous floods in San Jose since 1995.

If this blanking out of visual viewing of creek bed is due to a software or programming error, please correct immediately.

CURRENT UPDATE

4-12-24 1 am Night a little blocked



4-12-24 6 am Day Good



70

123

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

This June 9, 2024 chronological report provides for Ross Creek impact to the recent storms since the **April 11, 2024** chronological report above. Again, observing Valley Water online pictures of Ross Creek indicated that was excessive muddy water in Ross Creek. The storms this 2023-2024 had higher water flow and rock/debris build up in Ross Creek which will require appropriate *preventative maintenance without delay*.

This year's rainy storms are coming to an end soon. I perceive there will be no more significant storms for the 2023-2024 rainy season. Valley Water and the City of San Jose must begin preparing for the 2024-2025 rainy season by clearing debris and removing all rock from Ross Creek around all Ross Creek bridges to prevent flood issues that I have seen the last two rainy seasons. FEMA, Valley Water and the City of San Jose has a responsibility to remove or significantly reduce the flood zone map that was assigned to my neighborhood in ~1991. I perceive poor preventative maintenance, improper reservoir water releases and collection of fees/taxes by Valley Water has been a severe failure to me and my neighbors.

See Valley Water pictures of Ross Creek on **May 4, 2024 11:56 am**, the water is high at times and with what appears a little muddy water.

The rock buildup and narrow creek banks before and after the Cherry Avenue bridge create water backup to provide neighbors anxiety. This bank removal should be taken care this summer to prevent water backup in the 2024-2025 rainy season and not wait for planned Army Corp of Engineer work. To me, muddy water indicates water from other water ways or reservoir drainage. Those waters should never be allowed into Ross Creek only storm drain water. If other water way water is leaching into Ross Creek this leakage should be corrected immediately and not allowed to subject my neighbors and I to flood anxiety.



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

April 14, 2024 – May 4, 2024, make shift rain gage on my patio for this report storms. Added a small drop of food coloring to water to see water level better.

4-14-24 5 pm About $\frac{3}{4}$ inch



5-4-24 5 pm about 1 $\frac{3}{8}$ inch



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

June 7, 2024 3 pm, rock build up after LATEST storm on east side of bridge. This picture reviews massive rock build- up due to past larger volume of water passing through Ross Creek. Compare this picture previous storm pictures above to determine if rock build up is comparable. Estimate 3-4 feet high rock build up in some areas is about 35% of a 9-foot bridge.



During the 2023-2024 rock was not removed on the east side of Ross Creek Cherry Avenue bridge . The rock was completely removed in July 2023 only. Data collected during this 2023-2024 will recommend what month in 2025 the east side of the Cherry Avenue should be cleared of rock build up.. Valley Water should consider adding a secondary camera on the east side of Cherry Avenue bridge so neighbors can monitor the rock build up during massive rain storms.

Based on my recording of rain water amount and visible rock height on Ross Creek at Cherry Avenue east side rock build up I recommend a mandatory second clearing of rock by Valley Water in 2025. In July 2023 Valley Water cleared rock on the east side of the bridge. Based on data shown on next sheet number 74, a second rock clearing must be accomplished between January 1 and 15th 2025 to provide adequate water flow. Valley Water must clear all rock in July 2024 as they did in July 2023.

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

Chronological Report Date	Number of Readings	Total Amount of Rain	Amount of Rock Build Up	Recommended Rock Clearing Date
11-23-23	Not Recorded	Not Recorded	Little Amount of Rock	
12-23-24	Not Recorded	Not Recorded	Little Amount of Rock	
12-30-23	1	1 5/8 inch	Starting to Build Up	
1-2-24	1	7/8 inch	1-2 feet	
1-18-24	3	1 inch	1-2 feet	Mid January-east side rock removal
1-23-24	3	3 ½ inches	2-3 feet	
2-3-24	3	5 3/8 inches	2-3 feet	
2-12-24	4	6 ¾ inches	2-3 feet	
2-26-24	3	2 ¾ inches	3-4 feet	
3-11-24	3	3 ¾ inches	3-4 feet	
4-11-24	4	2 3/8 inches	3-4 feet	
6-9-24	2	1 1/8 inches	3-4 feet	
Total Amount of Readings and Rain Amount	27	29 inches	3-4 feet	Preventative Maintenance improvement must include a planned rock removal between January 1 and January 15th when rock reaches 1-2 feet in height to prevent Ross Creek at Cherry Avenue bridge east side water back up and overflow. This will ease neighborhood flood anxiety.

CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTAINANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

June 7, 2024 3 pm rock build up after recent storm on west side north channel of bridge. Compare this picture and next picture to the previous pictures above to determine if rock build up is comparable. *The west side of the Ross Creek Cherry Avenue bridge has a Valley Water camera that does not provide views of the east side of the bridge where rock builds up and blocks water flow. Poor preventative maintenance of east side of bridge allows for water to back up. This chronological report has provided data that the Ross Creek preventative maintenance is extremely lacking.*



CHRONOLOGICAL REPORT OF PREVENTATIVE MAINTANCE OF ROSS CREEK CHERRY AVENUE BRIDGE 6-9-24

June 7, 2024 3 pm, rock build up after latest storm on west side south channel of bridge. Compare this picture the previous pictures to determine if rock build up is comparable. *The west side of the Ross Creek Cherry Avenue bridge has a Valley Water camera that does not provide views of the east side of the bridge where rock builds up and blocks water flow. Poor preventative maintenance of east side of bridge allows for water to back up. This chronological report has provided data that the Ross Creek preventative maintenance is extremely lacking.*



From: [Robert Liu](#)
To: [Rebecca Eisenberg](#)
Cc: [Board of Directors](#)
Subject: Hale Creek + 756 Arroyo Road, Los Altos - District 7?
Date: Monday, August 5, 2024 4:25:41 PM

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Hi Rebecca,

Apology to reach out in this matter as I have been working with Valley Water for 4-5 years in mitigating Hale Creek concrete walls coming apart (some sections are 6-12" gaps and I can see the bottom of the creek channel from the gaps inside my fence) where soil erosions and wildlife dug tunnels from those gaps are causing huge issues as my patio and foundations are cracking and sinking. There is no success for a mitigation. As of today, I have been punted it to an email address riskmanager@vealleywater.org with no point of contact. These concrete wall problems caused damages to my house and the official response after 4-5 years is that we are not responsible for abatement. I am tired. I plan to consult legal assistance.

If you (and your team) would like to know the progression or can help to mitigate, please contact me.

thanks
-Robert Liu

 Los Altos, CA 94024

From: ig4rent.sc
To: Kaminski, Kathryn; Lee, Otto; tonya.pegram@tka.org; Richard Santos; Anais Aquino; Voit, Aaron; alex.kobayashi@sen.ca.gov; alpanaa@yahoo.com; araus@alumni.scu.edu; asztoltz@sunnyvale.ca.gov; Board of Directors; bridget.watson; Chad Bojorquez; chelsea@destinationhomesv.org; Chris@streetsteam.org; CisnerosCouncil@sunnyvale.ca.gov; Candice Kwok-Smith; Hernandez, Consuelo; Chip Taylor; cverceles@sunnyvale.ca.gov; Djohnson@bwcmail.org; danielgutierrez@bwcmail.org; david@destinationhomesv.org; David Hernandez; DinCouncil@sunnyvale.ca.gov; Edefrenchi@sunnyvale.ca.gov; erika@streetsteam.org; Graham Clark@fuhd.org; helen@anyevent1.com; isabel.tubes-flamerich@sesd.org; JCarloni@sunnyvale.ca.gov; Jennifer Codianne; Jennifer; jgarnett; JGuzman@sunnyvale.ca.gov; JSelo@bwcmail.org; Alexander, Katherine; kleincouncil; Le, Ky; leong_sylvia; linda.jones; matt.nisbet@tka.org; mbernard; Mark Bilski; mcrowder@hometirstsc.org; MehlingerCouncil@sunnyvale.ca.gov; Russ Melton; michael.gallagher@sesd.org; Covert, Michelle L; moore2j; naomi.nakano-matsumoto; Patrick Ahrens; pratima@helpinghandssv.org; pubsity@sunnyvale.ca.gov; ray@destinationhomesv.org; rmoon@sunnyvale.ca.gov; scott.meadows@tka.org; sellcouncil@sunnyvale.ca.gov; srinivasancouncil@sunnyvale.ca.gov; Wilson, Stelanie; Tryan@sunnyvale.ca.gov; Ho, Wendy; yao_stacy@cusdk8.org; Dargert, Ashley; Gvatua, Alexander
Subject: Re: Feedback Opportunity Re: North County Shelter Stakeholder Engagement Plan
Date: Monday, August 5, 2024 6:27:40 PM

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

While I am thankful to finally see some community engagement, I respectfully ask that this meeting be held once we are out of the scabies outbreak at the shelter. I know, you will say there isn't any outbreak, or any cases, because there hasn't been any skin scrapes, but i will counter with:

An 80yo covered with a blistering rash from her tongue to her entire torso and all four limbs. It is painful, it is itchy and it has caused her hands and feet to swell considerably. She has gone to the hospital twice for it, the second time, she was there three days. When she returned, her room at the hotel had been packed up but her medication was missing and she was returned to the shelter.

A 73yo with a large neurological deficit, diagnosed with scabies, and there is no way of knowing whether or not they took the medication or used the cream, but somehow, they've been deemed "cured" by OSH.

A 60+yo with little cognitive skills, diagnosed with scabies, and there is no way of knowing whether or not they took the medication or used the cream, but somehow, they've been deemed "cured" by OSH.

A 42yo who has been diagnosed twice with scabies and lice and it greatly affected their mental health in addition to their physical health.

A 50+yo who has been diagnosed with scabies and is paranoid the scabies and lice in the shelter will get in their CPAP machine.

A 50+yo diagnosed with scabies who works with children and visits their grandchildren and is terrified they will give it to any of them since OSH deems them "cured" despite the constant itching. This person has yet to return to the shelter because they fear reinfection.

Another 50+yo diagnosed with scabies who refused to return to the shelter because they don't feel safe there and they don't want to give it to their grandchild.

There are more cases. There will be more cases.

While people are still recovering from scabies, looking for other places to go because they feel Sunnyvale is currently too unsafe to their health and the health of others, and while we, the advocates, are supporting all these people in addition to what we regularly do, I think postponing is logical and shows you really want our focused input.

Regards,
Shaunn

From: Kaminski, Kathryn <kathryn.kaminski@hhs.sccgov.org>
Sent: Monday, August 5, 2024 5:24 PM
To: Lee, Otto <otto.lee@BOS.SCCGOV.ORG>; tonya.pegam@tka.org <tonya.pegam@tka.org>; rsantos@valleywater.org <rsantos@valleywater.org>; Anais Aquino <aaquino@sunnyvale.ca.gov>; Voit, Aaron <aaron.voit@cco.sccgov.org>; [REDACTED]; alex.kobayashi@sen.ca.gov <alex.kobayashi@sen.ca.gov>; [REDACTED]; [REDACTED]; arausch@alumni.scu.edu <arausch@alumni.scu.edu>; asztoltz@sunnyvale.ca.gov <asztoltz@sunnyvale.ca.gov>; Board@valleywater.org <Board@valleywater.org>; bridget.watson <bridget.watson@sesd.org>; Chad Bojorquez <chad@destinationhomesv.org>; [REDACTED]; chelsea@destinationhomesv.org <chelsea@destinationhomesv.org>; Chris@streetsteam.org <Chris@streetsteam.org>; [REDACTED]; CisnerosCouncil@sunnyvale.ca.gov <CisnerosCouncil@sunnyvale.ca.gov>; Candice Kwok-Smith <ckwok-smith@valleywater.org>; Hernandez, Consuelo <consuelo.hernandez@ceo.sccgov.org>; Chip Taylor <ctaylor@sunnyvale.ca.gov>; cverceles@sunnyvale.ca.gov <cverceles@sunnyvale.ca.gov>; Djohnson@bwcmail.org <Djohnson@bwcmail.org>; danielgutierrez@bwcmail.org <danielgutierrez@bwcmail.org>; david@destinationhomesv.org <david@destinationhomesv.org>; David Hernandez <dhernandez@svcommunityservices.org>; DinCouncil@sunnyvale.ca.gov <DinCouncil@sunnyvale.ca.gov>; Edefrenchi@sunnyvale.ca.gov <Edefrenchi@sunnyvale.ca.gov>; erika@streetsteam.org <erika@streetsteam.org>; [REDACTED]; Graham_Clark@fuhsd.org <Graham_Clark@fuhsd.org>; helen@anyevent1.com <helen@anyevent1.com>; [REDACTED]; isabel.jubes-flamerich@sesd.org <isabel.jubes-flamerich@sesd.org>; JCarloni@sunnyvale.ca.gov <JCarloni@sunnyvale.ca.gov>; jcodianne@valleywater.org <jcodianne@valleywater.org>; Jennifer <Jennifer@destinationhomesv.org>; Jennifer Garnett <jgarnett@sunnyvale.ca.gov>;

JGuzman@sunnyvale.ca.gov <JGuzman@sunnyvale.ca.gov>; JSelo@bwcmail.org <JSelo@bwcmail.org>; Alexander, Katherine <katherine.alexander@BOS.SCCGOV.ORG>; [REDACTED] kleincouncil <kleincouncil@sunnyvale.ca.gov>; Le, Ky <ky.le@ceo.sccgov.org>; leong_sylvia <leong_sylvia@cusdk8.org>; Jones, Linda (OSH) <linda.jones@hhs.sccgov.org>; [REDACTED]; [REDACTED]; matt.nisbet@tka.org <matt.nisbet@tka.org>; mbernard <mbernard@svcommunityservices.org>; mbilski@valleywater.org <mbilski@valleywater.org>; mcrowder@homefirstsc.org <mcrowder@homefirstsc.org>; MehlingerCouncil@sunnyvale.ca.gov <MehlingerCouncil@sunnyvale.ca.gov>; Russ Melton <MeltonCouncil@sunnyvale.ca.gov>; michael.gallagher@sesd.org <michael.gallagher@sesd.org>; Covert, Michelle L <Michelle.Covert@hhs.sccgov.org>; [REDACTED]; [REDACTED] naomi_nakano-matsumoto <naomi_nakano-matsumoto@fuhsd.org>; Patrick.Ahrens <Patrick.Ahrens@asm.ca.gov>; pratima@helpinghandssv.org <pratima@helpinghandssv.org>; pubsfty@sunnyvale.ca.gov <pubsfty@sunnyvale.ca.gov>; ray@destinationhomesv.org <ray@destinationhomesv.org>; rmoon@sunnyvale.ca.gov <rmoon@sunnyvale.ca.gov>; [REDACTED]; [REDACTED] scott.meadows@tka.org <scott.meadows@tka.org>; sellcouncil@sunnyvale.ca.gov <sellcouncil@sunnyvale.ca.gov>; srinivasancouncil@sunnyvale.ca.gov <srinivasancouncil@sunnyvale.ca.gov>; Wilson, Stefanie <stefanie.wilson@cco.sccgov.org>; [REDACTED]; [REDACTED] Tryan@sunnyvale.ca.gov <Tryan@sunnyvale.ca.gov>; Ho, Wendy <wendy.ho@BOS.SCCGOV.ORG>; yao_stacy@cusdk8.org <yao_stacy@cusdk8.org>; Dargert, Ashley <ashley.dargert@BOS.SCCGOV.ORG>; [REDACTED]; Gvatua, Alexander <alexander.gvatua@BOS.SCCGOV.ORG>

Subject: Feedback Opportunity Re: North County Shelter Stakeholder Engagement Plan

Good afternoon, Sunnyvale Unhoused Collaborative.

As you may be aware, the County's Office of Supportive Housing (OSH) received a referral from the Board of Supervisors to develop a Stakeholder Engagement Plan relating to the impacts of the transition of the North County Shelter from serving families with children and single adults to serving families only. OSH is inviting you to a meeting this Wednesday, 10-10:30am, to provide feedback on the Stakeholder Engagement Plan. This item was going to be discussed at the regular meeting of the collaborative last Friday, but the meeting was cancelled, and the next regularly scheduled meeting will not be convened until after the plan will be presented and discussed by the Board of Supervisors on 8/13. We would like to provide an update on the engagement plan and solicit feedback this week.

I will follow up shortly with a calendar invitation for Wednesday morning. We look forward to your feedback.

Thank you,
KJ

Kathryn (KJ) Kaminski (she/her)

Acting Director

Office of Supportive Housing

County of Santa Clara

o(408)278-6425

c(669)288-2639

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OUTGOING BOARD CORRESPONDENCE

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Darin Taylor](#); [Aaron Baker](#); [Kirsten Struve](#); [Vincent Gin](#); [Carmen Narayanan](#); [Rick Callender](#)
Cc: [Board of Directors](#)
Subject: FW: Questions, Issues and Concerns to be Addressed in Water Affordability Study
Date: Thursday, August 1, 2024 8:07:20 AM
Attachments: [image001.png](#)

Good morning everyone,

C-24-0188 has been approved, sent and closed.

Thanks,
Candice

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Thursday, August 1, 2024 8:05 AM
To: jim.kuh [REDACTED]
Subject: Re: Questions, Issues and Concerns to be Addressed in Water Affordability Study

Sent on Behalf of Chair Hsueh:

Dear Jim Kuhl,

Thank you for your follow up email in which you requested that the Water Rate Affordability Study consultant perform “a scoping estimate of San Jose Water Company’s residential billing increase” as it relates to the “Local Control” portfolio and Valley Water’s associated M&I groundwater charge projection for Zone W-2.

While your suggestion is appreciated, it is not necessary to inform the development of the Water Supply Master Plan 2050 (WSMP). Both Staff and the Board are already very aware, and very concerned about the impact of the future wholesale water rate projection under any WSMP scenario. Please note that the projects being considered under the WSMP are evaluated both quantitatively (supply benefit and cost) and qualitatively, to provide a comprehensive understanding of their benefits and risks. The qualitative assessment includes each project’s reliability in providing planned benefits, likelihood of success, environmental impacts, jurisdiction and partnership, and public acceptance. No single project can meet all our future needs and each project has risks and challenges.

Some projects provide needed supply during droughts but are costly; others are lower in cost but are high risk or may not be reliable during droughts; and yet others require agreements with partners and therefore their success remains out of Valley Water’s direct control. Portfolios of projects that complement each other could provide a balanced, diverse, and sustainable water supply to address future needs and challenges. With that said, the Board values your opinion on which projects to pursue and which to discontinue, and any future decisions the Board makes will consider your input.

Thank you again for your interest in this effort.

Sincerely,



Nai Hsueh
Chair, District 5

C-24-0188

From: Candice Kwok-Smith
From: jim.kuh [REDACTED]
Sent: Tuesday, July 23, 2024 11:05 AM
To: Board of Directors <board@valleywater.org>
Cc: Darin Taylor <DTaylor@valleywater.org>
Subject: RE: Questions, Issues and Concerns to be Addressed in Water Affordability Study

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Candice,

Thank you for the reply.

Per your input, I now understand the completion date for the consultant's 'Water *Affordability* Report' will be June 25, 2025, almost a year later. I apologize for miss-understanding the expected project completion date input I obtained from Darin Taylor.

Without the important information from the 'Water *Affordability* Report' by Raftelis Financial Consultants, I'm very concerned that Valley Water Board and Staff will continue making major project infrastructure investment direction decisions in developing the 2050 Water Supply Master Plan. As one arguable example, continuation of \$2.7B PERP's planning funding, at a rate of \$80,000,000/year. In my assessment PREP money would be better spent on wastewater to potable water recovery expansion to the maximum available of 44,000 AF/Yr. by

2035 and then desalinization. Perhaps a scoping estimate of San Jose Water Company's residential billing increase for the San Jose metropolitan area could be quickly (i.e., one month) estimated by Raftelis Financial Consultants based on the projected WSMP 2050 Strategy of 'Local Control' for year 2045 using Valley Water's projected Wholesale ground water M&I (Zone W2) charge of \$8,835/ AF in 2023 constant economics.

Is there any possibility that such a roughcut analysis could be performed and if so when?

Best regards,

Jim

Jim, Kuhl, Civic Issue Activist and Environmental Advocate

From: Candice Kwok-Smith <ckwok-smith@valleywater.org>
On Behalf Of Board of Directors
Sent: Friday, July 19, 2024 10:00 AM
To: jim.kuh [REDACTED]
Subject: Re: Questions, Issues and Concerns to be Addressed in Water Affordability Study

Sent on Behalf of Chair Hsueh:

Dear Jim Kuhl,

Thank you for your email in which you expressed your thoughts about what should be addressed in the Water Affordability Study that is being conducted for Valley Water by Raftelis Financial Consultants, Inc. and Hazen and Sawyer. The study has just begun, and the final report is scheduled to be published in June of 2025 as reported by Mr. Darin Taylor at the July 9, 2024 Board meeting, not July 25th as mentioned in your email. Your inputs have been communicated to the consultants and will be addressed to the extent possible. However, it should be noted that the consultants' ability to address some of the questions you raise will likely be impacted by challenges such as: 1) funding limitations, in other words there is only so much money in the consultant contract, which requires careful balancing and prioritization of tasks to get the

most out of the effort; 2) time limitations; 3) the availability and reliability of data which includes the willingness of retail partners to participate in the study.

Also, Valley Water's costs are just one component of a retailer's total costs, which means that the other components of the overall water rates charged by a retailer to the end customer as well as the retailer's rate structure itself are out of our control.

Valley Water is a regional wholesale provider, and while San Jose Water Company is significant, they are not the only retailer that we may want to consider to achieve a comprehensive view of affordability.

Finally, your comment that Valley Water must consider the full implications of planned infrastructure programs in the wider context of population growth or lack thereof has been noted, and is most appropriately addressed as part of the Water Supply Master Plan 2050 development.

Thank you for your interest and thoughtful input into this effort.

Sincerely,

<image003.png>

Nai Hsueh
Chair, District 5

C-24-0168

From: jim.kuh [REDACTED]
Sent: Thursday, July 11, 2024 9:06 AM
To: Clerk of the Board <clerkoftheboard@valleywater.org>; Board of Directors <board@valleywater.org>; John Varela <jvarela@valleywater.org>; Barbara Keegan <BKeegan@valleywater.org>; Richard Santos <rsantos@valleywater.org>; Jim Beall <JBeall@valleywater.org>; Nai Hsueh <NHsueh@valleywater.org>; Tony Estremera <TEstremera@valleywater.org>; Rebecca Eisenberg <Reisenberg@valleywater.org>
Cc: Rachael Gibson <rgibson@valleywater.org>; Matt Keller <MKeller@valleywater.org>; Michael Potter <MPotter@valleywater.org>; Aaron Baker <ABaker@valleywater.org>; Vincent Gin

<VGin@valleywater.org>; Kirsten Struve

<KStruve@valleywater.org>

Subject: Questions, Issues and Concerns to be Addressed in Water Affordability Study

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

To: Valley Water Board Members

Date: Thursday, July 11, 2024

Subject: Questions, Issues and Concerns to be Addressed in Water *Affordability* Study

San Francisco Public Utilities Commission Water *Affordability*

Attached is an ‘Opinion’ article by Peter Drekmeier, former mayor of Palo Alto and Policy Director for Tuolumne River Trust, published in the “SF Chronicle.” You might find it informative. I have highlighted in yellow the common significant concern areas Valley Water (VW) has with San Francisco Public Utility Commission’s water supply project investment plans and consequences on water billing rates and water supply demand.

Water Affordability in North County

To answer the question of future water *affordability*, the change in the consumer’s retail price must be predicted. San Jose Water Company (SJWC) should be selected as the water retailer to assess the impact of Valley Waters projected wholesale groundwater price increases because they serve over a million consumers and are a price leader.

The following essential questions need to be addressed in Valley Water’s expert water *affordability* report:

- 1. How will residents water bills from SJWC be impacted?**
- 2. For ‘Essential Workers’, what will the projected increase in water cost impact be on multi-unit rental housing and single-family housing with minimal or no landscaping?**
- 3. What will be the impact on *affordable* housing**

rentals?

4. **What will be the consequences to single-family property home owners with landscaped irrigated yards?**
5. **What will the consequences to San Jose metropolitan area's economy and cost-of-living?**

The three items (i.e., A, B, & C) identified below also need to be addressed within the report.

1. **End Consumer North County Water Cost Projection Encompass Planned plus All Anticipated Projects**

A roughcut water *affordability* analysis projects a 136% increase in San Jose Water Company's water rates caused by Valley Water's projected North County M&I (Zone W2) groundwater wholesale price after 2040. **In the *affordability* study all anticipated programs fully loaded costs, such as the Delta Tunnel (\$1,800/AF) and the proposed Plan B Water Conservation Program (\$1,338/AF), must be included in order to fully comprehend the potential water *affordability* impact.** Major decisional programs, such as PREP and SF Bay Desalinization, must be analyzed in a manner that they can be easily unlayered to identify their specific fiscal impact on San Jose Water Company water billing rates to facilitate future project selection decision making.

1. **San Jose Water Company Water Conservation Billing Structure Impact on Water Supply Demand**

San Jose Water Company (SJWC) has an aggressive water conservation program built into their current water billing rate structure. The billing rate is designed to economically drive down high household water consumption by significantly charging more per unit of water consumed above a threshold of 85 g/d/p (i.e., 21 Ccf over a two-month billing period for an average household size of 3.1 adults). SJWC's billing structure goal has been designed to achieve SB1157's urban water rationing goal of reducing water consumption from the current average usage of 47 to 42 gallons per capita per day (g/p/d) by 2030. For SJWC, this 2030 goal translates to 11 CcF over 2-months applicable for an average household of 3.1 individuals. SJWC's progressive

socioeconomic billing methodology will likely be made more progressive over time. To offset VW's actual increased groundwater costs burden will most likely be placed on high-end, not low-end water users, to achieve the SB1157 legislated goal.

1. This progressive water conservation billing strategy could have potential significant unintended consequences. 40% to 50% of San Jose Metropolitan Area residential water usage is due to irrigation, a commonly accept number. It is reasonable to assume high water consumptions users are primarily property owners who are irrigating yards. Now assume SJWC's progressive water conservation billing program is very successful making irrigation of yards so expensive that all landscaping water usage ceases. The impacted set of high consumption water customers generate a higher portion of SJWC's revenue because of the characteristics of the billing structure. As a logical analytical test, assume this 50% of SJWC's revenue is lost from those high-end water users. That lost revenue must be recovered by SJWC to remain solvent and profitable. As the revenue ends for these highly profitable customers, SJWC must increase all their customer's water bills to compensate. This in turn drives down water consumption even more into a 'death-spiral'. This possible phenomena change will, of course, be gradual in the 'real-world' but its specter must be understood and managed long-term by both SJWC and VW. **Preventing the possible 'death-spiral' phenomena must be satisfactorily addressed in the affordability study. For financial health of SJWC and VW, overall North County water consumption levels must stay relatively stable in total water volume requirements across the geographic area long-term unless VW's ability to supply the required amount ceases to be sufficient.**

2. **San Jose Metropolitan Area Population Growth Uncertainty and Projected Water Supply Requirements**

VW and SJWC have been assuming the population they serve will grow 26% between 2020 and 2040 in their Water Management Utility Plans per the Association Of Bay Area Governments (ABAG) planning assumption guidelines. However, San Jose's population declined 4.3% since 2020 according to the US Census Bureau. Independent researcher, Gaeton Lion, predicts it will be flat till 2060 (R7). The California Department Demographic Research Unit (DRU) official population forecast for California is flat after 2036.

The very high cost-of-living has been causing a migration of people out of the Bay Area. San Jose Metropolitan Area population is falling, not rising. All the prior ABAG population and housing growth predictions and planning assumptions are no longer valid. Mayor Matt Mahany calls ABAG's RHNA a fantasy. Valley Water must consider the full implications of their planned infrastructure programs in this wider context of non-population growth. **An initially declining through 2035 and then and flat population growth through 2060 should be assessed as an alternative planning assumption in the water *affordability* study and consequences predicted.**

Conclusion

Valley Water's water *affordability* report is scheduled to be published on July 25th under Darin Taylor's leadership. The report has the potential to provide very significant information. The information yielded will enable VW Board and Staff to make better project selection decision by accurately projecting end consumer water rates and the consequences in the San Jose Metropolitan Area. I hope you find this input on water *affordability* report informational requirements of some value.

Best regards,

Jim

Jim Kuhl, Civic Issue Activist and Environmental Advocate

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [John Bourgeois](#); [Lisa Bankosh](#); [Rosanne Carter](#); [Kathy Nguyen](#)
Cc: [Board of Directors](#)
Subject: FW: Partnering with Adopt-A-Storm-Drain Pilot Program
Date: Friday, August 2, 2024 10:48:36 AM
Attachments: [image001.png](#)

Good morning,

C-24-0193 has been approved, sent and closed.

Thanks,
Candice

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Friday, August 2, 2024 10:44 AM
To: D1Intern@sanjoseca.gov
Subject: Re: Partnering with Adopt-A-Storm-Drain Pilot Program

Sent on Behalf of Chair Hsueh:

Thank you for your email dated July 25, 2024. Through the Safe Clean Water program, Valley Water supports all the municipalities in the County in their efforts to protect and enhance stormwater quality. That support includes leading the development of two Stormwater Resource Plans, serving as chair of the Management Committee of the Santa Clara Valley Urban Runoff Pollution Prevention Program, and supporting the South County stormwater collaborative. Opportunities for public involvement are particularly valuable because protecting our stormwater resource requires action from everyone. Programs like the Adopt-a-Storm-Drain Pilot Program are a great way to help everyone understand their personal role in protecting our waterways. The program will have a beneficial effect on water quality, helping our natural stream environments thrive.

Valley Water funds stormwater related projects through our Safe, Clean Water grants and partnerships program. Please consider applying for a \$10K mini-grant, which is available year-round, has minimal required documentation, and provides 50 percent of the award amount upfront and the remainder upon completion. The mini-grant criteria and application process are available on our website: <https://www.valleywater.org/learning-center/grants-partnerships/mini-grants-program>

You may also contact our grants staff directly at grants@valleywater.org or schedule a meeting using the team's scheduling link: <https://calendly.com/d/2zq-pgz-gq7/valley-water-mini-grant-meeting>

Thank you again for your email.

Sincerely,



Nai Hsueh
Chair, District 5

C-24-0193

From: D1Intern <D1Intern@sanjoseca.gov>
Date: July 25, 2024 at 11:04:26 AM PDT
To: Nai Hsueh <NHsueh@valleywater.org>
Subject: Partnering with Adopt-A-Storm-Drain Pilot Program

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Dear Director Hsueh,

San Jose District 1 recently launched the Adopt-A-Storm-Drain Pilot Program. We would be honored and grateful to welcome the partnership of Valley Water in making this program a success. This initiative is about caring for our city and environment.

When people “adopt” a storm drain, they are volunteering to clean and clear off the blockage on the surface by using a rake or a broom—simple implements that require no special training or knowledge to use. The Adopt-A-Storm-Drain Pilot Program can serve as an opportunity for the broader community to learn about the relationship between physical urban infrastructure in the Bay Area and the environment. This program gives residents and neighbors a means for helping their immediate community in a meaningful way. Community members can also get creative and develop a fun name for the drain they “adopt.” Together with our commitment to clean and well-maintained storm drains, we can improve drainage management, environmental stewardship, and consciousness of our impacts on the world around us.

See more information [here](#).

The assistance of the San Jose Water District would be most valuable in helping us to conduct outreach to interested community members. Please feel free to reach out to us at district1@sanjoseca.gov to learn more. We look forward to working with you.

In community,
San Jose District 1

From: [Michele King](#)
To: [Jennifer Codianne](#); [Candice Kwok-Smith](#); [Board Correspondence](#); [Board of Directors](#)
Cc: [Christopher Hakes](#); [Arthur Saye](#); [Kathy Nguyen](#); [Cecilia Rocha](#); [Mark Bilski](#)
Subject: RE: C-24-0197
Date: Tuesday, August 6, 2024 10:24:45 AM
Attachments: [image001.png](#)
[image002.png](#)

C-24-0197 has been approved, sent and closed.

Sent on behalf of Director Beall:

Dear John Hernandez,

Thank you for reaching out about Ross Creek. Santa Clara Valley Water District (Valley Water) staff are aware of the sediment near the culverts at Cherry Avenue, Jarvis Avenue and Meridian Avenue. Valley Water crews plan to remove the debris by the end of August pending biological clearances.

We are always appreciative of your comments. In the future, if you need to report other concerns to Valley Water, you may also use our online system at <https://access.valleywater.org/s/>.

Please contact Deputy Operating Officer Jennifer Codianne at jcodianne@valleywater.org for follow-up information.

Thanks again for contacting us.

Sincerely,



Jim Beall,
Director, District 4

C-24-0197

MICHELE L. KING, CMC

CLERK OF THE BOARD
Office of the Clerk of the Board
Santa Clara Valley Water District
Tel. (408) 630-2711 / Cell. (408) 593-5803



Clean Water • Healthy Environment • Flood Protection

5750 Almaden Expressway, San Jose CA 95118

www.valleywater.org

From: Jennifer Codianne <JCodianne@valleywater.org>

Sent: Tuesday, August 06, 2024 8:45 AM

To: Candice Kwok-Smith <ckwok-smith@valleywater.org>; Board Correspondence <boardcorrespondence@valleywater.org>

Cc: Christopher Hakes <CHakes@valleywater.org>; Arthur Saye <ASaye@valleywater.org>; Kathy Nguyen <KNguyen@valleywater.org>; Cecilia Rocha <CRocha@valleywater.org>; Mark Bilski <MBilski@valleywater.org>

Subject: C-24-0197

Dear John Hernandez,

Thank you for reaching out about Ross Creek. Valley Water staff are aware of the sediment near the culverts at Cherry Ave, Jarvis Ave and Meridian Ave. Valley Water crews plan to remove the debris by the end of August pending biological clearances.

We are always appreciative of your comments. In the future, if you need to report other concerns to Valley Water, you may also use our online system at <https://access.valleywater.org/s/>.

Please contact Deputy Operating Officer Jennifer Codianne at jcodianne@valleywater.org for follow-up information.

Thanks again for contacting us.

Sincerely,