



Santa Clara Valley Water District

SCW Independent Monitoring Committee (SCW IMC Meeting)

HQ Building Boardroom
5700 Almaden Expressway

REGULAR MEETING AGENDA

**Wednesday, February 7, 2024
4:00 PM**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

**SAFE, CLEAN WATER PROGRAM
INDEPENDENT MONITORING
COMMITTEE (IMC)**

COMMITTEE OFFICERS:
Jeffrey Hare, Committee Chair
Cari Templeton, Committee Vice Chair

During the COVID-19 restrictions, all public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available to the public through the legislative body agenda web page at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley

Water District will make reasonable efforts to accommodate persons with disabilities wishing to participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

Dave Leon (Committee Liaison)
Assistant Deputy Clerk II
DaveLeon@valleywater.org
(408) 630-2006

BOARD REPRESENTATIVES:
Nai Hsueh, Board Chairperson
Richard Santos, Board Vice-Chairperson

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

**Santa Clara Valley Water District
SCW Independent Monitoring Committee (SCW IMC)**

Wednesday, February 7, 2024

4:00 PM

**HQ Building Boardroom
5700 Almaden Expressway
San Jose CA 95118**

IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a "hybrid" meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to comply with Ordinance 22-03 - AN ORDINANCE OF THE SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM FOR PARTICIPATION IN BOARD AND COMMITTEE MEETINGS located at <https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/s3fs-public/Or d.pdf>

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee during public comment or on any item listed on the agenda, may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify yourself in order to speak, at the time the item is called. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board.

- Members of the Public may test their connection to Zoom Meetings at: <https://zoom.us/test>
- Members of the Public are encouraged to review our overview on joining Valley Water Board Meetings at: <https://www.youtube.com/watch?v=TojJpYCxXm0>

Valley Water, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Board of Directors/Board Committee meetings to please contact the Clerk of the Board's office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

This agenda has been prepared as required by the applicable laws of the State of

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Join Zoom Meeting:

<https://valleywater.zoom.us/j/85611501656>

Meeting ID: 856 1150 1656

Join by Phone:

1 (669) 900-9128, 85611501656#

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA.

Notice to the public: Members of the public who wish to address the Board/Committee on any item not listed on the agenda may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify yourself to speak. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board/Committee. Speakers' comments should be limited to three minutes or as set by the Chair. The law does not permit Board/Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board/Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board/Committee may take action on any item of business appearing on the posted agenda.

3. APPROVAL OF MINUTES:

3.1. Approve the January 24, 2024 IMC Minutes. [24-0200](#)

Recommendation: Approve the January 24, 2024 IMC minutes.

Manager: Candice Kwok-Smith, 408-930-3193

Attachments: [Attachment 1: 012424 IMC Minutes](#)

Est. Staff Time: 5 minutes

4. REGULAR AGENDA:

4.1. Receive Presentation on Project A1: Pacheco Reservoir Expansion. [24-0193](#)

Recommendation: Receive Presentation on Project A1: Pacheco Reservoir Expansion.

Manager: Ryan McCarter, 408-630-2983

Attachments: [Attachment 1: Pacheco Reservoir Presentation](#)

Est. Staff Time: 5 minutes

4.2. Report Drafting Committee Presents Final Independent Monitoring Committee (IMC) Annual Report for Fiscal Year 2022-2023. [24-0190](#)

Recommendation: Review and approve the Final Independent Monitoring Committee (IMC) Annual Report for fiscal year 2022-2023 (FY23).

Manager: Luz Penilla, 408-630-2228

Attachments: [Attachment 1: IMC FY23 Draft Annual Report Cover Letter](#)

[Attachment 2: IMC FY23 Draft Annual Report](#)

[Attachment 3: IMC FY23 Draft Notes for Future Program Annual F](#)

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

6. ADJOURN:

6.1. Adjourn.

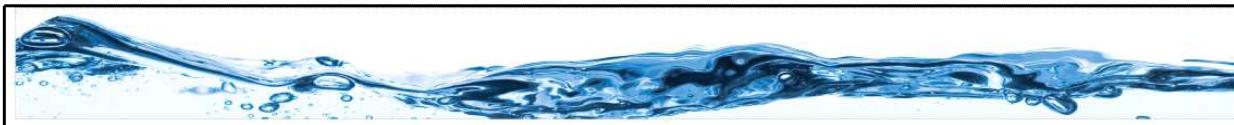


Santa Clara Valley Water District

File No.: 24-0200

Agenda Date: 2/7/2024

Item No.: 3.1.



Meeting Date:	February 7, 2024
Item No.	3.1
Unclassified Manager:	Candice Kwok-Smith
RENEWED SAFE, CLEAN WATER INDEPENDENT MONITORING COMMITTEE	

SUBJECT:

Approve the January 24, 2024 IMC Minutes.

RECOMMENDATION:

Approve the January 24, 2024 IMC minutes.

SUMMARY:

A summary of Committee discussions, and details of all actions taken by the Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the District's historical records archives and serve as historical records of the Committee's meetings.

ATTACHMENTS:

Attachment 1: 012424 IMC Minutes

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-930-3193

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

DRAFT MINUTES

WEDNESDAY, JANUARY 24, 2024

(Paragraph numbers coincide with agenda item numbers)

A regularly scheduled meeting of the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee was held on January 24, 2024 at Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, CA 95118.

1. CALL TO ORDER

Committee Chair Jeffrey Hare called the meeting to order at 4:32 p.m.

1.1. ROLL CALL

A quorum was established with 8 Members present.

Members in attendance were:

<u>Jurisdiction</u>	<u>Representative</u>	<u>Representative</u>
District 1	Marc Rauser	
District 2	Jeffrey Hare	Kathy Sutherland
District 3	Will Ector	
District 5	George Fohner	
District 6	Hon. Patrick S. Kwok	
District 7	Forest Peterson, Ph.D.	Cari Templeton

Members not in attendance were:

<u>Jurisdiction</u>	<u>Representative</u>
District 3	Jean Marlowe
District 5	Bill Hoeft (attended as a member of the public)
District 6	Hon. Andres Quintero

Board Members in attendance were: Director Nai Hsueh (Board Chair, Director, District 5) and Director Richard Santos (Board Vice Chair, District 3).

Staff members in attendance were: Emmanuel Aryee, Lisa Bankosh, Sandra Benavidez, Mark Bilski, Wade Blackard, John Bourgeois, Jen Codianne, Jessica Collins, Meenakshi Ganjoo, Laura Garrison, Chris Hakes, Nick Ingram, Dave Leon, Kurt Lueneburger, Ryan McCarter, Judy Nam, Sophie Padilla, Tracy Pena, Kirsten Struve, Ryan Tregoning, Bhavani Yerrapotu, and Tina Yoke.

Public In Attendance were: XXX-XXX-9115, Lynn Burke, Katja Irvin, SJ, and Stephen.

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA

There was no one who wished to speak.

3. APPROVAL OF MINUTES

3.1 APPROVE THE DECEMBER 6, 2023 IMC MINUTES

Member Rauser noted a correction to the December 6, 2023 minutes to remove a duplicate listing of Vice Chair Templeton's name in the roll call on item 1.1.

It was moved by Member Fohner, seconded by Member Rauser, and carried by unanimous vote, to approve the December 6, 2023 Committee meeting minutes as amended.

4. REGULAR AGENDA

4.1 OUTCOME OF SUBCOMMITTEE MEETINGS

Mark Bilski, Jessica Collins, Meenakshi Ganjoo, Ryan McCarter, and Bhavani Yerrapotu were available to answer questions.

The Chairs of the IMC Subcommittees provided information relating to their respective meetings and provided feedback for full Committee consideration. The Committee discussed various edits and several topics, including the status and representation of the Pacheco project; references to the Master Plan; the environmental review and status of the Anderson Dam project; the city of Sunnyvale defining a waterway under new Federal guidelines; climate change definitions; the use of graphics and charts in the report and the listing of correct jurisdictions; controlling land areas around some projects; the effect of AB 1469 on the Coyote Creek project; emergency response upgrades; ARkStorm 2.0, a flood emergency management and climate adaptation scenario; and, encampment cleanups relating to unhoused individuals.

Board Chair Hsueh and Board Vice Chair Santos offered their thanks to the Committee for its work.

The Committee took no formal action and requested tours of the Anderson Dam and Shoreline project sites.

4.2 NEXT STEPS

Meenakshi Ganjoo provided information relating to next steps, which include the initial drafting meeting to be attended by all Subcommittee Chairs on January 25, 2024; the final IMC meeting on February 7, 2024, where the Committee will give final approval of the report; and, the presentation of the final report to the Board of Directors on March 12, 2024.

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

The Committee took no formal action.

6. ADJOURN

Chairperson Hare adjourned the meeting at 5.41 p.m.

Dave Leon
Assistant Deputy Clerk II
Office of the Clerk of the Board

Approved:

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Santa Clara Valley Water District

File No.: 24-0193

Agenda Date: 2/7/2024

Item No.: 4.1.



Meeting Date:	February 7, 2024
Item No.	4.1
Unclassified Manager:	Ryan McCarter
RENEWED SAFE, CLEAN WATER INDEPENDENT MONITORING COMMITTEE	

SUBJECT:

Receive Presentation on Project A1: Pacheco Reservoir Expansion.

RECOMMENDATION:

Receive Presentation on Project A1: Pacheco Reservoir Expansion.

SUMMARY:

The Safe, Clean Water and Natural Flood Protection Program's (Program) Independent Monitoring Committee (IMC) is reviewing the Program's FY2023 Annual Report. This presentation on Project A1: Pacheco Reservoir Expansion is to assist the IMC in its review.

ATTACHMENTS:

Attachment 1: Pacheco Reservoir Presentation

UNCLASSIFIED MANAGER:

Ryan McCarter, 408-630-2983

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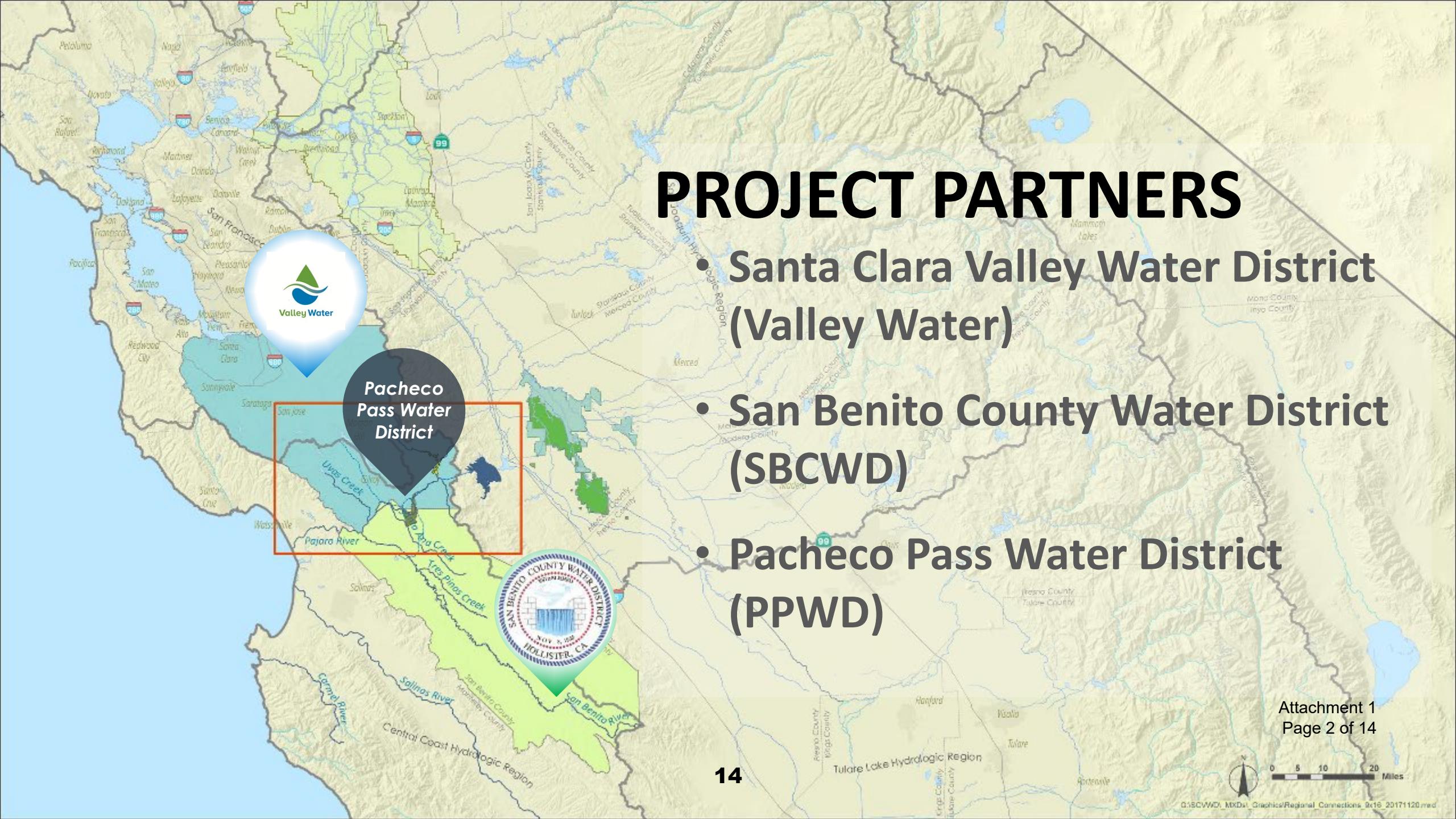
Pacheco Reservoir Expansion Project

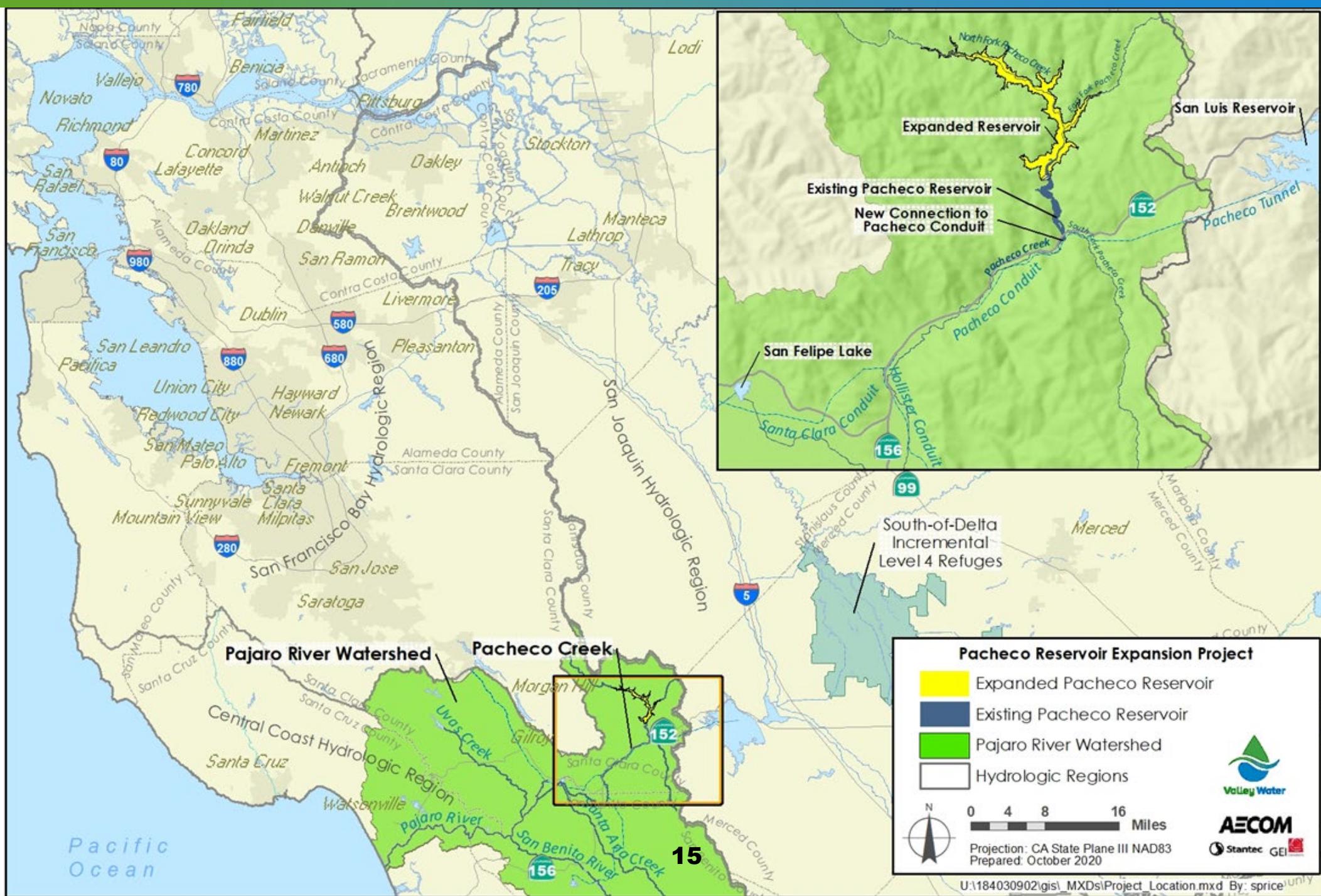
Safe, Clean Water Program's Independent Monitoring Committee

February 7, 2024

PROJECT PARTNERS

- Santa Clara Valley Water District (Valley Water)
- San Benito County Water District (SBCWD)
- Pacheco Pass Water District (PPWD)





Needs Addressed by Pacheco Reservoir Expansion Project

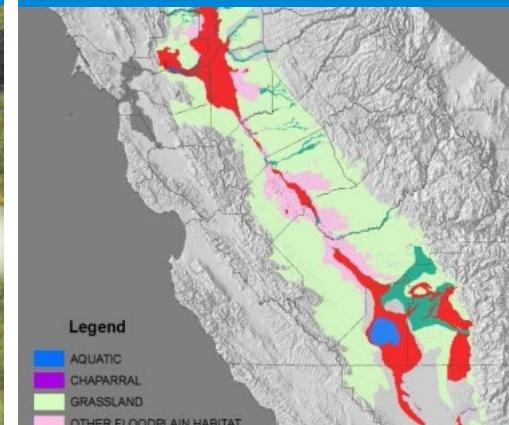
4

Restore Federally Threatened Steelhead Fish Habitat (WSIP Benefit)



90% population decline in Pajaro watershed from 1960s to 1990s

Improve Delta Watershed Wetlands (WSIP Benefit)



90% of Delta watershed wetlands have disappeared

Improve Resiliency and Emergency Water Supply (WSIP Benefit)



45% of water supply imported from Delta; 66% chance of Delta earthquake in next 50 years

Eliminate Water Quality Issues from San Luis Reservoir



Water quality issues during summer months in 57% of years

Reduction of Downstream Flooding (incidental benefit)

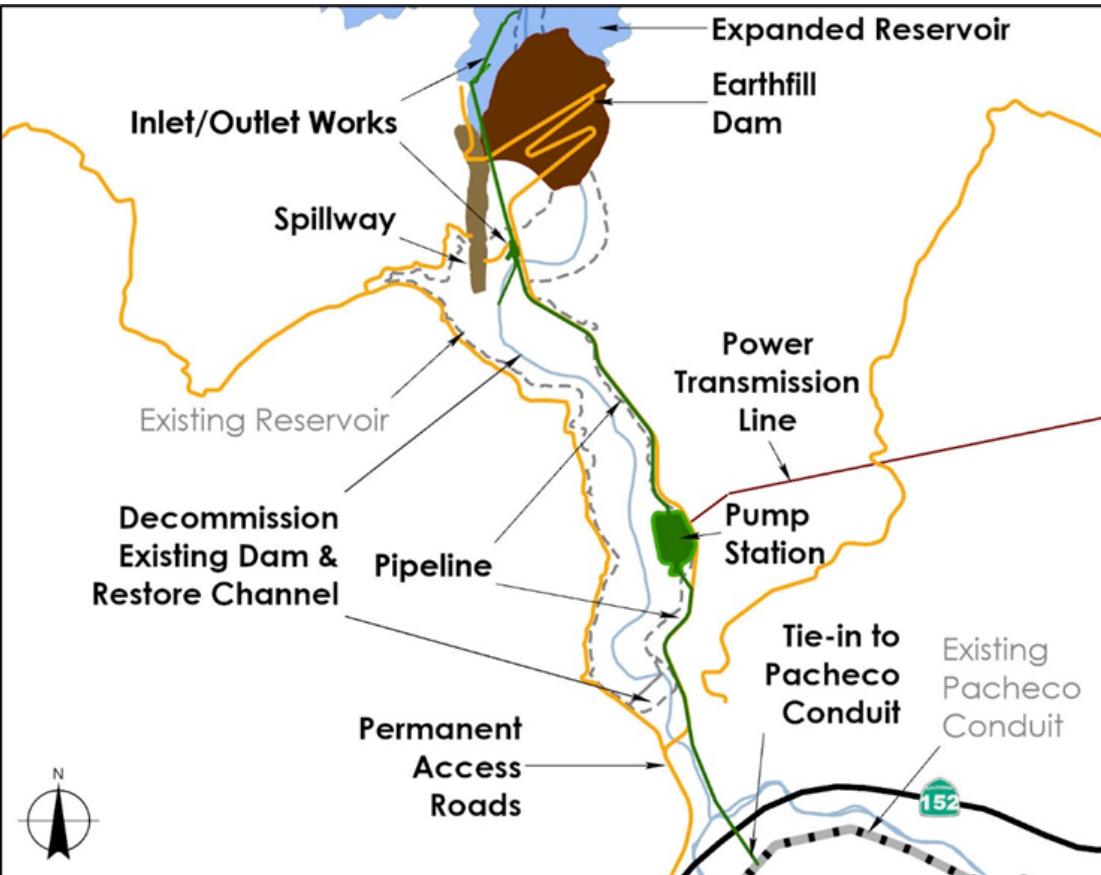


Extensive flooding even for frequent/small events; 20-year flood in 2017 (pictured)

How the Project Will be Operated



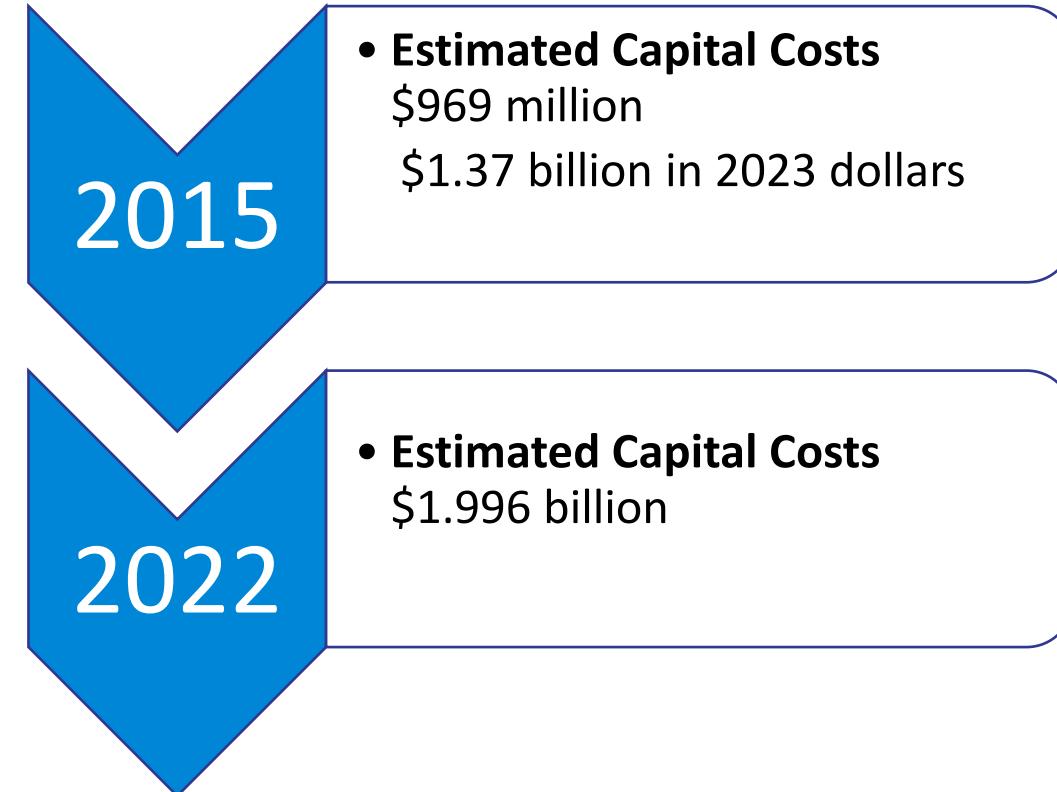
Project Facilities



- **Reservoir Expansion** 140 TAF
- **Earthfill Dam** ~ 310 feet high
- **Spillway** Ogee weir, chute, stilling basin
- **Inlet/Outlet Works** 3 adits (variable levels) and lower intake for temperature management
- **Pump Station & Conveyance Pipeline** Transfer water to and from Pacheco Conduit
- **Existing Dam Decommission/remove**
- **Channel Restoration** ~ 1.3 miles of new stream channel habitat
- **Power Transmission Line** ~ 6 miles
- **Roadways** Access to and from SR-152

Construction Costs

- There has been significant inflation and cost escalation impacts to land values, construction costs, labor, materials and services between 2015 and 2023
 - CPI has increased by 31%
 - Reclamation Construction Cost Trend increased by 40%
 - USDA land values have increased by 49%
- Those impacts have significantly affected both Project costs and value of public and non-public benefits



Key Milestones

Fall 2021

Draft EIR, WSIP
Supplemental
Feasibility
Documentation &
CWC Feasibility
Determination

**Summer
2025**

Recirculated Draft
EIR/Draft EIS

Summer 2026

Final EIR/EIS

**Late Summer
2027**

Permits/
Approvals

Winter 2027

Public Benefit
Contracts w/CDFW
& DWR

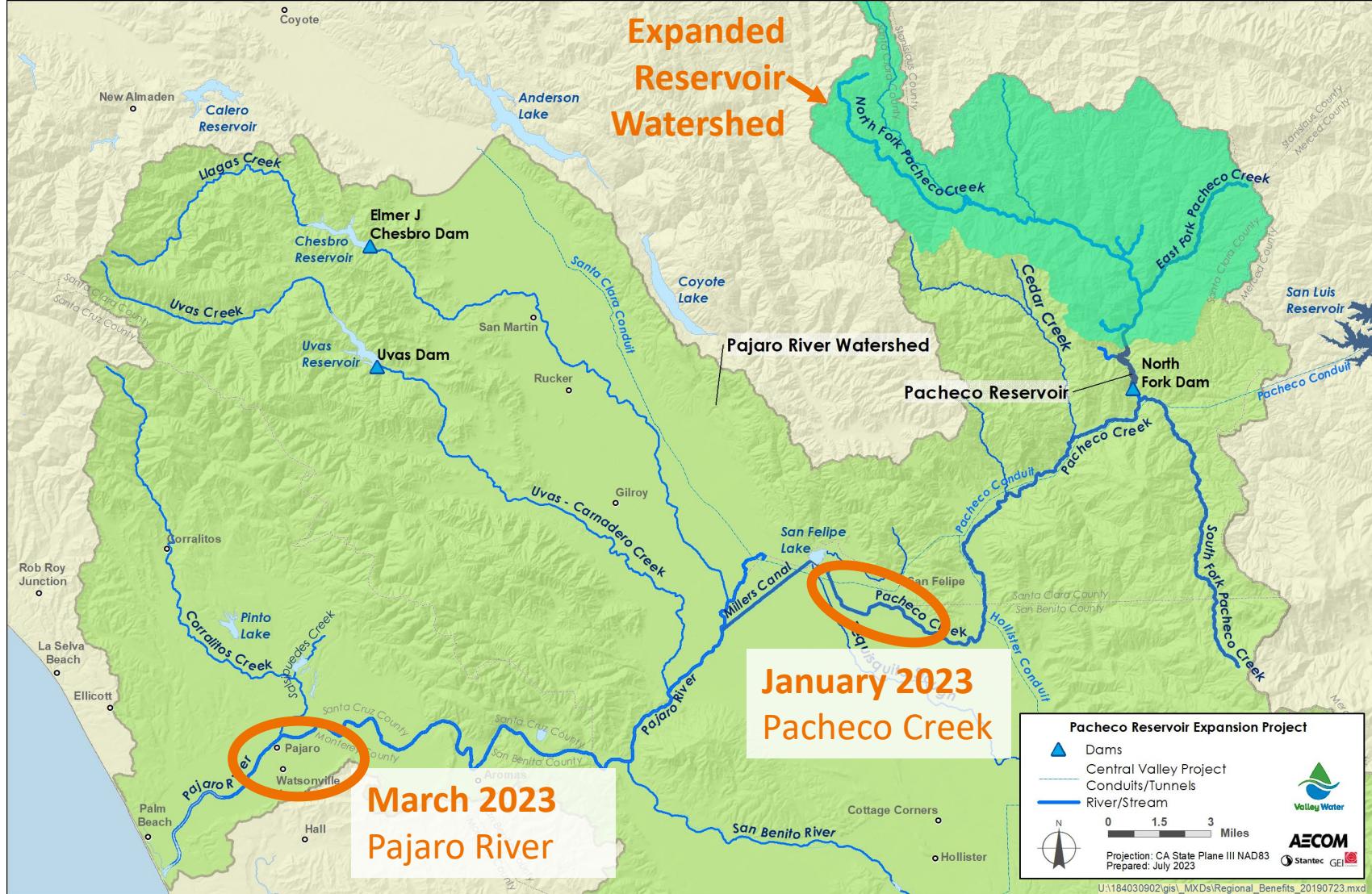
Fall 2027

Construction

Early Fall 2027

CWC Funding
Agreement

Pacheco Creek and Pajaro River Watershed



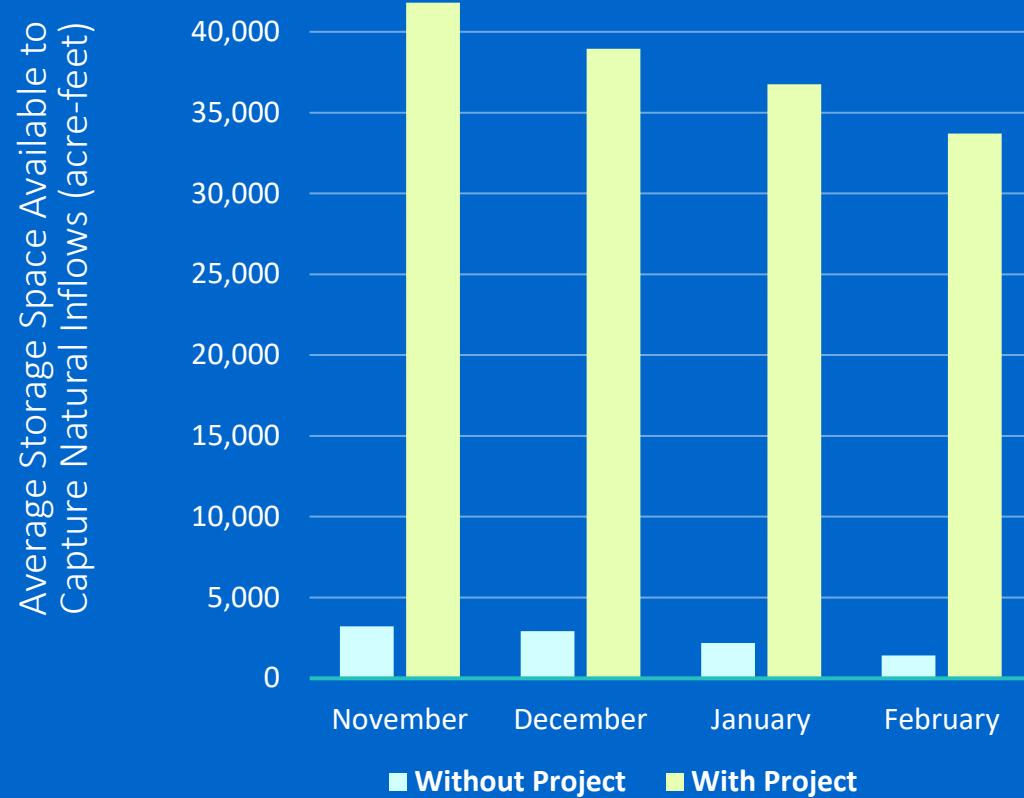
2023 Flooding Events

- Expanded Pacheco Reservoir would not have dedicated flood space but would provide incidental flood water storage
- Following 2021-2022 drought conditions, if in place, expanded Pacheco Reservoir anticipated to have substantial storage space available during 2023 flood season

Reduces Flooding in Downstream Communities

The project will protect vulnerable communities against flooding

- Expanded reservoir will reduce peak flows:
 - Additional storage in expanded reservoir available to capture flood flows
 - Attenuation of flows/reduction of flood peaks due to routing of flows through larger reservoir and modified spillway configuration
- Reservoir expansion can reduce peak flood flows by up to 46 % in Pacheco Creek



January 2023 Flooding Pacheco Creek



January 2023 Floods along Pacheco Creek



First responders rescued 24 people and four animals



March 2023 flooding along Pajaro River

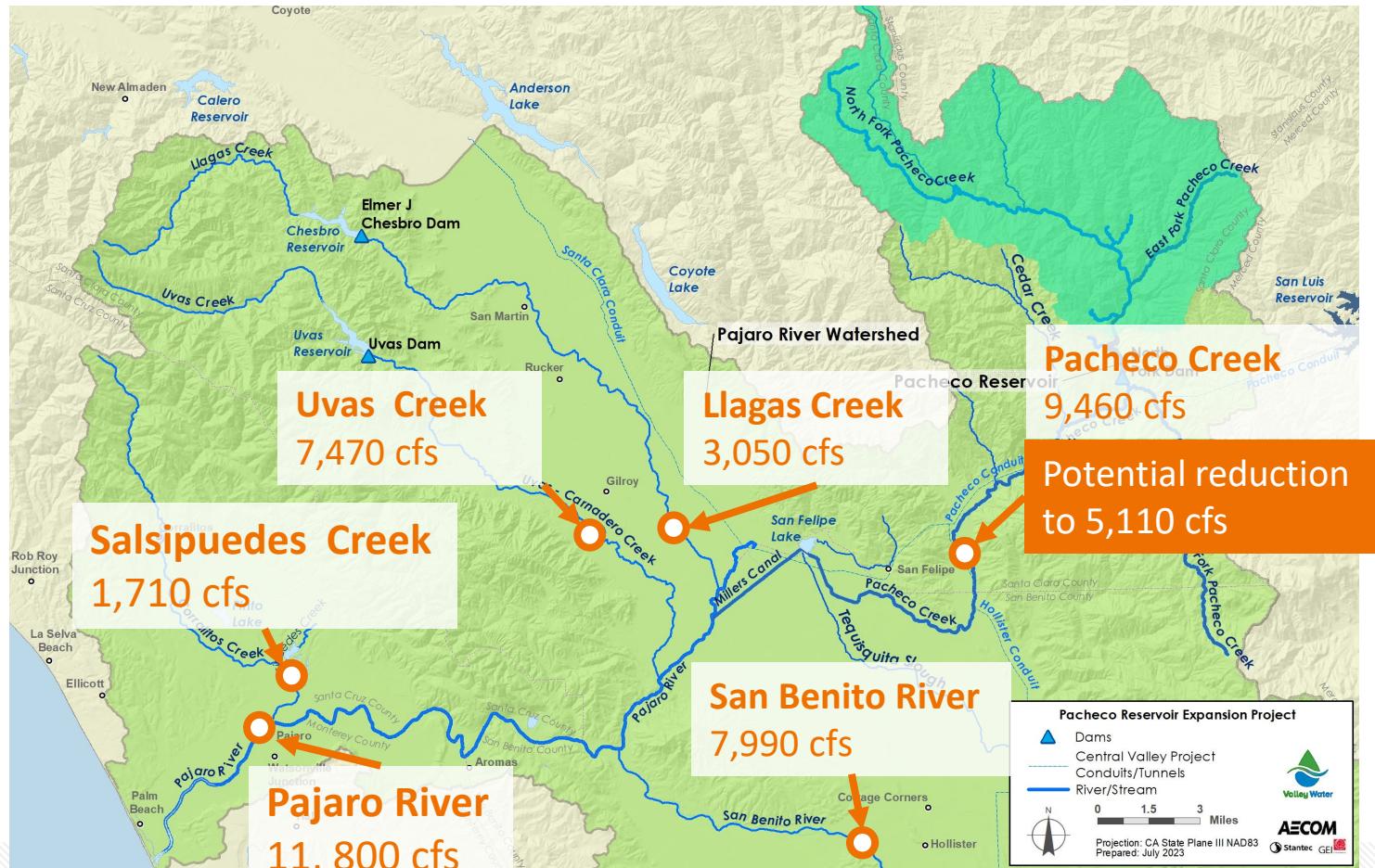
- Levee Failure along Pajaro River near Watsonville
- 11,800 cfs peak flow at Watsonville
- Pacheco Creek largest tributary

Pacheco Reservoir Expansion
reduction in Pacheco Creek flows ≈
4,360 cfs (9,460 cfs to 5,110 cfs)

March 2023 Flooding

Pajaro River

12



QUESTIONS





Valley Water

Clean Water • Healthy Environment • Flood Protection



Santa Clara Valley Water District

File No.: 24-0190

Agenda Date: 2/7/2024

Item No.: 4.2.

	Meeting Date:	2/7/2024
	Item No.	4.2
	Unclassified Manager:	Luz Penilla
RENEWED SAFE, CLEAN WATER INDEPENDENT MONITORING COMMITTEE		

SUBJECT:

Report Drafting Committee Presents Final Independent Monitoring Committee (IMC) Annual Report for Fiscal Year 2022-2023.

RECOMMENDATION:

Review and approve the Final Independent Monitoring Committee (IMC) Annual Report for fiscal year 2022-2023 (FY23).

SUMMARY:

On December 6, 2023, the IMC met to begin reviewing the FY23 annual report of the Safe, Clean Water and Natural Flood Protection Program that Santa Clara County voters overwhelmingly approved in November 2020.

At the December 6th meeting, the IMC elected a Chair and Vice Chair and set up six (6) subcommittees to review the annual report. The subcommittees met with Valley Water staff from January 4-10, 2024. Each subcommittee elected a Chair, heard presentations by staff, asked questions, and discussed topics of concern. The subcommittee chairs presented their findings to the full IMC on January 24, 2024.

IMC members agreed that the subcommittee chairs, led by the Chair of the IMC, would draft the IMC report to the Board. The report was drafted on January 25, 2024, and the Draft IMC Annual Report Cover Letter (Attachment 1), the Draft Annual Report (Attachment 2), and the Draft Notes for Staff for Future Program Annual Reports (Attachment 3) are for review and finalization by the full IMC.

ATTACHMENTS:

- Attachment 1: IMC FY23 Draft Annual Report Cover Letter
- Attachment 2: IMC FY23 Draft Annual Report
- Attachment 3: IMC FY23 Draft Notes for Future Program Annual Reports

UNCLASSIFIED MANAGER:

Luz Penilla, 408-630-2228



Independent Monitoring Committee

Jeffrey Hare, Chair
Cari Templeton, Vice Chair

Hon. Patrick S. Kwok
Will Ector
George Fohner

Bill Hoeft
Jean Marlowe
Forest Peterson

Andres Quintero
Marc Rausser
Kathy Sutherland

February 7, 2024

To: Santa Clara Valley Water District Board of Directors
Subject: Independent Monitoring Committee Report of Safe, Clean Water and Natural Flood Protection FY2022-2023 Annual Report

SUMMARY

The Independent Monitoring Committee (IMC) presents its annual review of the renewed Safe, Clean Water and Natural Flood Protection Program (Program) for Fiscal Year 2022-2023 to the Santa Clara Valley Water District (Valley Water) Board of Directors (Board).

PROCESS

The IMC met on December 6, 2023, to begin its FY2022-2023 Program review process and elected a Chair and Vice Chair. The IMC set up subcommittees to review the six priorities in the Program report: Priorities A, B, C, D, E, and F. To review the document, the IMC combined Priorities A and C. The IMC also established a Finance Subcommittee to review Program-level financial information, which is contained in “Appendix A: Financial Information” and not covered during individual Priority reviews.

The six subcommittees met with Valley Water staff (Staff) from January 4-10, 2024. Each subcommittee elected a Chair, heard presentations by Staff, asked questions, and discussed topics of concern. The subcommittee chairs presented their findings to the full IMC on January 24, 2024.

IMC members agreed that the subcommittee chairs, led by the Chair of the IMC, would draft the IMC report to the Board. The draft report was presented to the IMC on February 7, 2024, for final edits and approval. The IMC report consists of three parts: overview concerns/recommendations about the Program (included in this letter), specific project recommendations for Board review (Attachment 1), and notes for Staff for future Program reports (Attachment 2).

GENERAL RECOMMENDATIONS

This section is divided into two parts: A. Procedural Recommendations, and B. Program Recommendations. Measure S expressly authorizes the IMC to make recommendations to the Board regarding reasonably necessary measures to meet the priorities of the Program.

A. Procedural Recommendations:

Overall, the IMC acknowledged and appreciated that Staff had adopted several recommendations from 2023, including but not limited to expanding the range of confidence levels used to rate capital projects with respect to the status of schedule, funding, permits and jurisdictional complexity. The IMC also noted that Staff had modified the categories to reflect the annual project status, changing the prior status categories from “On Target,” “Adjusted,” “Modified,” or “Scheduled to Start,” to “Active,” “On Hold,” “KPI Not Achieved,” “Completed,” “Closed,” and “Scheduled to Start in Future.” One suggestion would be to include a chart showing the relationship between the old and new categories, as follows:

Old Categories	New Categories
On Target	Active
Adjusted	Adjusted
Modified	Modified
Scheduled to Start	On Hold KPI not achieved Completed Closed Scheduled to Start in Future

However, the IMC observed that the graphic pie chart (Figure 1) seems to only reflect that all but three (3) of the 32 projects were simply “Active;” the balance were “Scheduled to Start.” None of the other status categories were applicable. As a consequence, the IMC felt that Figure 1 is somewhat misleading. Figure 3 shows that almost one-third of the projects that are reported as “Active” in Figure 1 were reported in Figure 3 as either modified or adjusted, or both. The text of the report provides some details as to the reasons for the modifications and/or adjustments.

The IMC recommends that Figure 1 reflect the number/percentage of “Active” projects that were also modified and/or adjusted for a more accurate snapshot of the status of all projects.

The second Procedural Recommendation involves the need to encourage the Directors to take steps to appoint a full contingent of members to fill vacancies on the IMC. The current roster only lists 11 out of a possible 14 members, and with absences, there is a risk the IMC won’t have a quorum. Due to Brown Act requirements, the reduced roster restricts the number of members who can participate in the different subcommittees, thereby increasing the proportional workload of each member to complete the annual review.

The IMC recommends that the Directors redouble their efforts to recruit and appoint members for each of their Districts.

B. Program Recommendations:

In its 2023 Report, the IMC recommended that an audit be scheduled immediately in keeping with the original intent of the five-year schedule as originally adopted by the voters in the 2012 Program. It is the IMC's position that the Board approved this recommendation. As of this time, Staff has only reported that the 2012 Program Closeout is "underway," but no timeline for the requested audit of the renewed Program has been provided. The IMC has therefore requested that Staff provide a more concise timeline as to when the closeout audit and the renewed Program audit will be completed.

In several instances throughout the Report, Staff repeatedly lists "Addresses climate change" as one of the "Benefits," but infrequently includes any explanation of how this benefit is achieved. The IMC, therefore, makes a general recommendation that the Report identify specifically *how* the project achieves this benefit. For example, the reader should be told if the project reduces greenhouse gasses, reinforces or elevates levees to handle sea level rise, or achieves conservation goals.

The IMC also took note of the large amount of space devoted to various charts, some of which used distorted scales that were marginally useful in conveying useful information. For example, Figure A2.3 appears to indicate a year-over-year doubling of the budget for Water Conservation Rebates and Programs when, in fact, the actual budget increased less than 5.0%, and the percentage spent increased by 1.0%. In another instance (Example: Figure D1.8), a map was displayed in such a compressed manner as to render it virtually unreadable. In addition, the IMC members generally recommend including photos depicting examples of some of the species of invasive vegetation, as well as habitat, and maps showing areas to be added to program areas, which would be useful.

C. SPECIFIC RECOMMENDATIONS

Specific recommendations for some of the individual Projects are included in Attachment 1, along with Notes in Attachment 2. The IMC would like to highlight the following:

Project A1: Pacheco Reservoir Expansion: This project is ongoing and involves the potential expenditure of close to \$3 billion, and Valley Water has expended close to \$70 million to date, but this information is not shown. The IMC recommends that all projects funded by the Safe, Clean Water Fund and other sources, such as the Watershed Stream Stewardship Fund and/or the Water Utility Enterprise Fund, should show the total expenditures (for example, Figure B3.2).

Further, in future Safe, Clean Water annual reports, the IMC recommends that Valley Water provide context for the Pacheco Reservoir Expansion project in comparison to other options that are being considered for the Valley Water water supply portfolio (i.e., Los Vaqueros Reservoir, B.F. Sisk Dam, Sites Reservoir, etc.), as well as potential funding sources. The Report should include a reference to the Water Supply Master Plan, as well as links to obtain additional, updated information about the other projects.

Project E8: Upper Guadalupe River Flood Protection: The IMC noted that the Key Performance Indicator (KPI #2) mentions steelhead, but omits any mention of Chinook salmon, which are indigenous to the river. The IMC recommends that the Board modify the KPI to correct this oversight.

Project F7: Emergency Response Upgrades: The IMC agrees that the status of the project is Active, but recommends that Staff take into account ARkStorm 2.0, which is a cross-disciplinary flood emergency management and climate adaptation scenario aimed at quantifying and ultimately mitigating the consequences of a “plausible worst case” flood scenario in California.

Project F9: Grants, Partnerships for Safe, Clean Water, Flood Protection and Environmental Stewardship: The IMC recommends that in the annual grantee survey, schools that received water refill station grants should be surveyed whether the stations are still operational.

TOURS AND PRESENTATIONS

IMC members gain a greater understanding of Safe, Clean Water projects through tours and presentations. For FY2023-24, the IMC suggests the following:

Site Tours

1. Upper Llagas Creek Flood Protection Project
2. San Francisco Bay Shoreline Protection Project
3. Pacheco Reservoir Expansion Project
4. Anderson Dam Tunnel Project breakthrough.

Presentations

1. Pacheco Reservoir Project
2. ??????

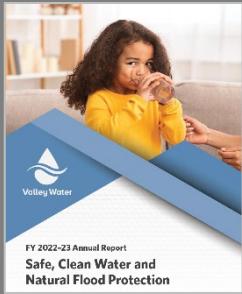
Sincerely,

Jeffrey Hare, Chair
Independent Monitoring Committee

Attachments:

1. IMC Fiscal Year 2022-2023 Annual Report
2. IMC Notes for Future Program Annual Reports

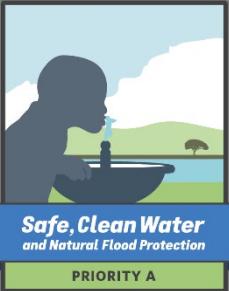
cc: Independent Monitoring Committee Members



Independent Monitoring Committee Report Fiscal Year 2022-2023

Financial and Overall General Recommendations

Topic:	Comments:
Finance	<p>Recommendation:</p> <ul style="list-style-type: none">• Develop a graphic that illustrates cost changes from the initial projections to the current year projections to help visualize the cost projection increases.
Audit	<p>Recommendations:</p> <ul style="list-style-type: none">• Provide a timeline for the following audits:<ul style="list-style-type: none">○ The 2012 Program Closeout (underway)○ Progress of the renewed Safe, Clean Water Program
Addressing climate change benefit	<p>Recommendation:</p> <ul style="list-style-type: none">• For projects identifying “Addresses climate change” as a benefit, briefly explain how the project addresses climate change.
Capital project schedule	<p>Recommendation:</p> <ul style="list-style-type: none">• When applicable include plant establishment period in the capital project schedule.

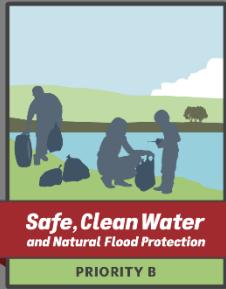


Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority A - Ensure a Safe, Reliable Water Supply

Project:		KPI:	Status		Comment:
			Annual:	Adjustment/ Modification:	
A1	Pacheco Reservoir Expansion	1. Provide a portion of funds, up to \$10 million, to help construct the Pacheco Reservoir Expansion Project.	Scheduled to Start	None	IMC agrees with the project status. Recommendation: <ul style="list-style-type: none">To address the process for evaluating these types of projects, note in the beginning that this is an ongoing effort and provide a link for more information. If possible, provide a mechanism for providing opinions and feedback.
A2	Water Conservation Rebates and Programs	1. Award up to \$1 million per year toward specified water conservation program activities, including rebates, technical assistance, and public education, within the first seven (7) years of the Program.	Active	None	IMC agrees with the project status. Recommendations: <ul style="list-style-type: none">Under Benefits, briefly explain how the project reduces greenhouse gases and increases water supply reliability.
A3	Pipeline Reliability	1. Install four (4) new line valves on treated water distribution pipelines.	Active	None	IMC agrees with the project status. No recommendations.

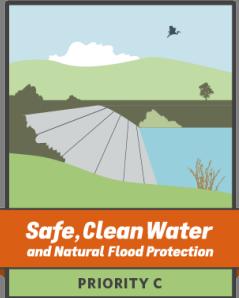


Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority B – Reduce Toxins, Hazards, and Contaminants in Our Waterways

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
B1	Impaired Water Bodies Improvement	<ol style="list-style-type: none">1. Investigate, develop, and implement actions to reduce methylmercury in fish and other organisms in the Guadalupe River Watershed.2. Prepare and update a plan for the prioritization of surface water quality improvement activities, such as addressing trash and other pollutants.3. Implement at least two (2) priority surface water quality improvement activities identified in the plan per 5-year implementation period.	Active	None	IMC agrees with the project status. Recommendation: <ul style="list-style-type: none">• Find a way to show the impact of the efforts to reduce contaminants.
B2	Inter-Agency Urban Runoff Program	<ol style="list-style-type: none">1. Address trash in creeks by maintaining trash capture devices or other litter control programs.2. Maintain Valley Water's municipal stormwater compliance program and partner with cities to address surface water quality improvements, including participation in at least three (3) countywide, regional, or statewide stormwater program committees to help guide regulatory development, compliance, and monitoring.3. Support at least one (1) stormwater quality improvement activity per 5-year implementation period in Santa Clara County, including providing up to \$1.5 million over 15 years to support implementation of green stormwater infrastructure consistent with Santa Clara Basin and South County Stormwater Resource Plans.	Active	None	IMC agrees with the project status. No recommendations.
B3	Hazardous Materials Management and Response	<ol style="list-style-type: none">1. Respond to 100% of hazardous materials reports requiring urgent on-site inspection in two (2) hours or less.	Active	None	IMC agrees with the project status. No recommendations.
B4	Support Volunteer Cleanup Efforts	<ol style="list-style-type: none">1. Fund Valley Water's creek stewardship program to support volunteer cleanup activities, such as annual National River Cleanup Day, California Coastal Cleanup Day, the Great American Litter Pick Up, and the Adopt-A-Creek Program.	Active	None	IMC agrees with the project status. No recommendations.



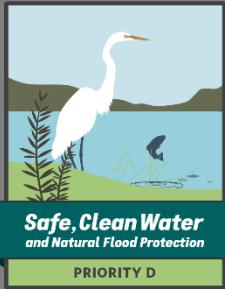
Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority C - Protect Our Water Supply and Dams from Earthquakes and Other Natural Disasters

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
C1	Anderson Dam Seismic Retrofit	1. Provide portion of funds, up to \$54.1 million, to help restore full operating reservoir capacity of 90,373 acre-feet.	Scheduled to Start	None	IMC agrees with the project status. No recommendations.

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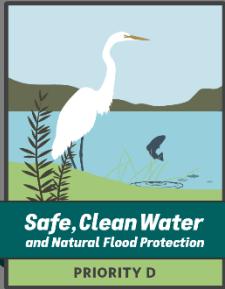


Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority D - Restore Wildlife Habitat and Provide Open Space

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
D1	Management of Riparian Planting and Invasive Plant Removal	<ol style="list-style-type: none">1. Maintain a minimum of 300 acres of riparian planting projects annually to meet regulatory requirements and conditions.2. Maintain a minimum of 200 acres of invasive plant management projects annually to meet regulatory requirements and conditions.3. Remove 25 acres of Arundo donax throughout the county over a 15-year period.	Active	None	IMC agrees with the project status. No recommendations.
D2	Revitalize Riparian, Upland and Wetland Habitat	<ol style="list-style-type: none">1. Revitalize at least 21 acres over a 15-year period through native plant revegetation and/or removal of invasive exotic species.2. Develop an Early Detection and Rapid Response Program Manual.3. Identify and treat at least 100 occurrences of emergent invasive species over a 15-year period, as identified through the Early Detection and Rapid Response Program.4. Develop at least eight (8) information sheets for Early Detection of Invasive Plant Species.	Active	None	IMC agrees with the project status. No recommendations.
D3	Sediment Reuse to Support Restoration Projects	<ol style="list-style-type: none">1. Reuse sediment meeting applicable screening criteria at available Valley Water or partnership project sites to support restoration.2. Provide up to \$4 million per 15-year period to support activities necessary for sediment reuse.	Active	Modified & Adjusted	IMC agrees with the project status. No recommendations.
D4	Fish Habitat and Passage Improvement	<ol style="list-style-type: none">1. Complete planning and design for one (1) creek/lake separations.2. Partially fund the construction of one (1) creek/lake separation project in partnership with local agencies.3. Use \$8 million for fish passage improvements by June 30, 2028.4. Update study of all major steelhead streams in the county to identify priority locations for fish migration barrier removal and installation of large woody debris and gravel as appropriate.5. Complete five (5) habitat enhancement projects based on studies that identify high priority locations for large wood, boulders, gravel, and/or other habitat enhancement features.	Active	Modified & Adjusted	IMC agrees with the project status. No recommendations.

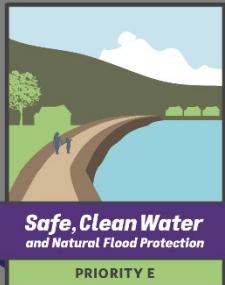


Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority D - Restore Wildlife Habitat and Provide Open Space

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/Modification	
D5	Ecological Data Collection and Analysis	<ol style="list-style-type: none">1. Reassess and track stream ecological conditions and habitats in each of the county's five (5) watersheds every 15 years.2. Provide up to \$500,000 per 15-year period toward the development and updates of five (5) watershed plans that include identifying priority habitat enhancement opportunities in Santa Clara County.	Active	None	IMC agrees with the project status. No recommendations.
D6	Restoration of Natural Creek Functions	<ol style="list-style-type: none">1. Construct the Hale Creek Enhancement Pilot Project, which includes restoration and stabilization of a 650-foot section of concrete-lined channel on Hale Creek, between Marilyn Drive and North Sunshine Drive on the border of Mountain View and Los Altos.2. Construct the Bolsa Road Fish Passage Project along 1,700 linear feet of Uvas-Carnadero Creek in unincorporated Santa Clara County, which includes geomorphic design features that will restore stability and stream function.	Active	Modified	IMC agrees with the project status. No recommendations.
D7	Partnerships for the Conservation of Habitat Lands	<ol style="list-style-type: none">1. Provide up to \$8 million per 15-year period for the acquisition or enhancement of property for the conservation of habitat lands.	Active	None	IMC agrees with the project status. Recommendation: <ul style="list-style-type: none">• Include maps showing areas where Valley Water is looking for opportunities to acquire habitat lands.

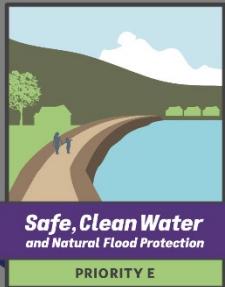


Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority E - Provide Flood Protection to Homes, Businesses, Schools, Streets, and Highways

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/Modification	
E1	Coyote Creek Flood Protection	1. Construct flood protection improvements along Coyote Creek between Montague Expressway and Tully Road to provide protection from floods up to the level that occurred on February 21, 2017, approximately a 5% (20-year) flood event.	Active	Adjusted	IMC agrees with the project status. No recommendations.
E2	Sunnyvale East and Sunnyvale West Channels Flood Protection	1. Provide 1% (100-year) flood protection for 1,618 properties and 47 acres (11 parcels) of industrial land, while improving stream water quality and working with other agencies to incorporate recreational opportunities.	Active	Modified & Adjusted	IMC agrees with the project status. No recommendations.
E3	Lower Berryessa Flood Protection, including Tularcitos and Upper Calera Creeks (Phase 3)	1. With local funding only: Complete the design phase of the 1% (100-year) flood protection project to protect an estimated 1,420 parcels.	Scheduled to Start	None	IMC agrees with the project status. No recommendations.
E4	Upper Penitencia Creek Flood Protection	1. Preferred project with federal and local funding: Construct a flood protection project to provide 1% (100-year) flood protection to 8,000 parcels. 2. With local funding only: Construct a 1% (100-year) flood protection project from Coyote Creek confluence to Capital Avenue to provide 1% (100-year) flood protection to 1,250 parcels, including the new Berryessa BART station.	Active	Modified & Adjusted	IMC agrees with the project status. No recommendations.
E5	San Francisquito Creek Flood Protection	1. Preferred project with federal, state and local funding: Protect more than 3,000 parcels by providing 1% (100-year) flood protection. 2. With state and local funding only: Protect approximately 3,000 parcels by providing 1% (100-year) flood protection downstream of Highway 101, and approximately 1.4% (70-year) protection upstream of Highway 101.	Active	Adjusted	IMC agrees with the project status. No recommendations.

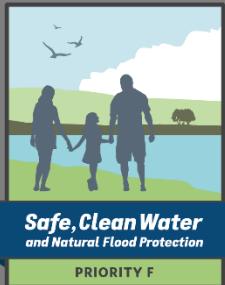


Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority E - Provide Flood Protection to Homes, Businesses, Schools, Streets, and Highways

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/Modification	
E6	Upper Llagas Creek Flood Protection	<ol style="list-style-type: none">Preferred project with federal and local funding: Plan, design and construct flood protection improvements along 13.9 miles of Upper Llagas Creek from Buena Vista Avenue to Llagas Road to provide flood protection to 1,100 homes, 500 businesses, and 1,300 agricultural acres, while improving stream habitat.With local funding only: Construct flood protection improvements along Llagas Creek from Buena Vista Avenue to Highway 101 in San Martin (Reaches 4 and 5 (portion)), Monterey Road to Watsonville Road in Morgan Hill (Reach 7a), approximately W. Dunne Avenue to W. Main Avenue (portion of Reach 8), and onsite compensatory mitigation at Lake Silveira.	Active	Adjusted	IMC agrees with the project status. No recommendations.
E7	San Francisco Bay Shoreline Protection	<ol style="list-style-type: none">Provide a portion of the local share of funding for planning, design and construction phases for the Santa Clara County shoreline area, EIAs 1-4.Provide a portion of the local share of funding for planning and design phases for the Santa Clara County shoreline area, EIAs 5-9.	Active	None	IMC agrees with the project status. No recommendations.
E8	Upper Guadalupe River Flood Protection	<ol style="list-style-type: none">Preferred project with federal and local funding: Construct a flood protection project to provide 1% (100-year) flood protection to 6,280 homes, 320 businesses and 10 schools and institutions.With local funding only: Construct flood protection improvements along 4,100 feet of Guadalupe River between the Southern Pacific Railroad (SPRR) crossing, downstream of Willow Street, to the Union Pacific Railroad (UPRR) crossing, downstream of Padres Drive, and provide gravel augmentation along approximately 800 linear feet of the Upper Guadalupe River in San José, from approximately the Union Pacific Railroad Bridge to West Virginia Street Bridge to improve aquatic habitat for migrating steelhead and channel stability.	Active	Adjusted	IMC agrees with the project status. Recommendation: <ul style="list-style-type: none">In KPI #2, mention Chinook salmon, as studies have shown that the salmon are indigenous to this river.

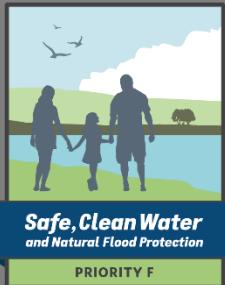


Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority F – Support Public Health and Public Safety for Our Community

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
F1	Vegetation Control and Sediment Removal for Capacity	1. Maintain completed flood protection projects for flow conveyance.	Active	None	IMC agrees with the project status. Recommendation: <ul style="list-style-type: none">Include information on how Valley Water is working with the different regulatory agencies so that the process doesn't require annual approval.
F2	Emergency Response Planning and Preparedness	1. Coordinate with local municipalities to merge Valley Water-endorsed flood emergency processes with their own emergency response plans and processes. 2. Complete five (5) flood management plans/procedures per 5-year period, selected by risk priorities. 3. Train Valley Water staff and partner municipalities annually on disaster procedures via drills and exercises before testing the plans and procedures. 4. Test flood management plans/procedures annually to ensure effectiveness.	Active	None	IMC agrees with the project status. No recommendations.
F3	Flood Risk Assessment Studies	1. Complete engineering studies on three (3) creek reaches to address 1% (100-year) flood risk. 2. Annually, update floodplain maps on a minimum of three (3) creek reaches in accordance with new FEMA standards.	Active	None	IMC agrees with the project status. No recommendations.
F4	Vegetation Management for Access and Fire Safety	1. Provide vegetation management for access and fire risk reduction on an average of 495 acres per year, totaling 7,425 acres along levee, property lines and maintenance roads over a 15-year period.	Active	None	IMC agrees with the project status. No recommendations.
F5	Good Neighbor Program: Encampment Cleanup	1. Manage 300 acres annually to clean up trash, debris, and hazardous pollutants generated from encampments and to reduce the amount of these pollutants entering streams. 2. Provide up to \$500,000 per year in cost-share with local agencies for services related to encampment cleanups, including services supporting staff safety, discouraging re-encampments along waterways or addressing the socio-environmental crisis with the goal of reducing the need for encampment cleanups.	Active	None	IMC agrees with the project status. No recommendations.

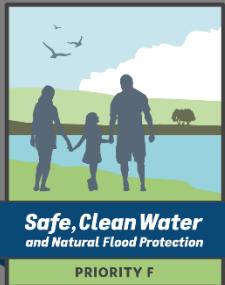


Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority F – Support Public Health and Public Safety for Our Community

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
F6	Good Neighbor Program: Graffiti and Litter Removal and Public Art	<ol style="list-style-type: none">1. Cleanup identified trash and graffiti hotspots at approximately 80 sites four (4) times per year.2. Respond to requests on litter or graffiti cleanup within five (5) working days.3. Provide up to \$1.5 million over 15 years to implement public art projects on Valley Water property and infrastructure.	Active	None	IMC agrees with the project status. No recommendations.
F7	Emergency Response Upgrades	<ol style="list-style-type: none">1. Maintain existing capabilities for flood forecasting and warning.2. Improve flood forecast accuracy and emergency response time working with the National Weather Service and through research and development.	Active	None	IMC agrees with the project status. Recommendations. <ul style="list-style-type: none">• Take into account ARkStorm 2.0 scenario. ARkStorm 2.0 is a cross-disciplinary flood emergency management and climate adaptation scenario aimed at quantifying and ultimately mitigating the consequences of "plausible worst case" flood scenarios in California in a warming climate. It is an updated version of the original ARkStorm exercise (ARkStorm 1.0) completed in 2010.
F8	Sustainable Creek Infrastructure for Continued Public Safety	<ol style="list-style-type: none">1. Provide up to \$7.5 million in the first 15-year period to plan, design and construct projects identified through Watersheds asset management plans.	Active	None	IMC agrees with the project status. No recommendations.



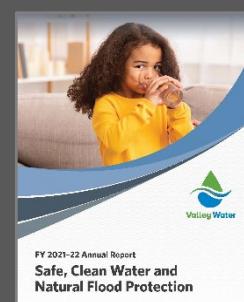
Independent Monitoring Committee Report Fiscal Year 2022-2023

Project Recommendations

Priority F – Support Public Health and Public Safety for Our Community

Project:	KPI:	Status:		Comment:
		Annual	Adjustment/ Modification	
F9	Grants and Partnerships for Safe, Clean Water, Flood Protection and Environmental Stewardship	Active	None	<p>IMC agrees with the project status.</p> <p>Recommendation:</p> <ul style="list-style-type: none">• In the annual grantee survey, ask the schools that received water refill station grants whether the stations are still operational.

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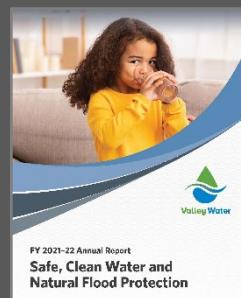
Independent Monitoring Committee Notes

Fiscal Year 2022-2023

Notes for future Annual Reports

Safe, Clean Water and Natural Flood Protection Program

Subject:	Note:
Overall general note.	<ul style="list-style-type: none">Include language that the report covers a particular fiscal year, and for more current information, visit the project webpage with the link provided.
A1: Pacheco Reservoir Expansion	<ul style="list-style-type: none">Provide a pie chart showing various funding sources.Include a photo of Pacheco to show its terrain.
A2: Water Conservation Rebates and Programs	<ul style="list-style-type: none">Fix the bar chart scale for figures like A2.3 to reflect a more accurate representation.Include before and after photos of conversion to water-efficient landscaping.
B1: Impaired Water Bodies Improvement	<ul style="list-style-type: none">Design bar graphs to enhance visibility and provide a clearer and quicker understanding.
C1: Anderson Dam Seismic Retrofit	<ul style="list-style-type: none">For this project, have a page with the definitions of the acronyms/abbreviations or define them more than once.If a table needs to be split over two pages, put "Continued" at the top of the second page.Fix the typo on the last sentence of page 51 for the last sentence to read "Valley Water plans to ..."When discussing endangered species, include pictures of the species.Break up the long text in the Opportunities and Challenges section.Add a footnote to Figure C1.2, referring readers to the project construction schedule.
D1: Management of Revegetation Projects	<ul style="list-style-type: none">When discussing invasive plants in the report, provide pictures of the plant or a picture showing the invasive aspect of it.In the section detailing project Opportunities and Challenges, include the challenge of physically getting equipment to the site.When reporting on acres maintained, distinguish between those requiring high-level vs. low-level maintenance.



Independent Monitoring Committee Notes

Fiscal Year 2022-2023

Notes for future Annual Reports

Safe, Clean Water and Natural Flood Protection Program

Subject:	Note:
D2: Revitalize Riparian, Upland and Wetland Habitat	<ul style="list-style-type: none">• Show a picture or provide a link to a video of a jump-out.
D4: Fish Habitat and Passage Improvement	<ul style="list-style-type: none">• Fix the site locations on the maps on page 76.
D6: Restoration of Natural Creek Functions	<ul style="list-style-type: none">• Fix the site location on the map on page 90 and fix the typo on page 92.
F1: Vegetation Control for Capacity & F1.2: Sediment Removal for Capacity	<ul style="list-style-type: none">• For vegetation control activity, include before and after pictures, especially where you leave the native vegetation, as those are more indicative of Valley Water's work and goals.• Provide the weblink to the approach to maintaining creek capacity document.
Appendix A-1.2: Current 15-year Forecast of Anderson Dam	<ul style="list-style-type: none">• For the C1 - Anderson Dam project, in the column reflecting the Current 15-year Forecast, the last number should be three. So, it should read 54,053.