



Santa Clara Valley Water District SCW Independent Monitoring Committee Meeting

HQ. Bldg. Boardroom, 5700 Almaden Expressway, San Jose, California
Join Zoom Meeting: <https://valleywater.zoom.us/j/85611501656>

REGULAR MEETING AGENDA

**Wednesday, February 18, 2026
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)

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) 630-2277.

Dave Leon (Committee Liaison)
daveleon@valleywater.org
BOARD REPRESENTATIVES:
Tony Estremera, Board Chairperson
Richard Santos, Board Vice Chairperson

COMMITTEE OFFICERS:
Susan Landry, Committee Chair
Marc Rauser, Committee Vice Chair

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
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AGENDA

Wednesday, February 18, 2026

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HQ. Bldg. Boardroom, 5700 Almaden
Expressway, San Jose, California

Join Zoom Meeting:

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

*****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/Ord.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 California, including but not limited to, Government Code Sections 54950 et. seq. and has

not been prepared with a view to informing an investment decision in any of Valley Water's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <https://emma.msrb.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

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 matters not listed on the agenda may do so by completing a Speaker Card and submitting it to the Clerk, or by using the "Raise Hand" feature within the Zoom meeting application to request recognition. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and, when recognized, will be granted speaking access to address the Board/Committee.

Public comments shall be limited to three (3) minutes per speaker, or such other time as determined by the Chair. State law does not permit the Board/Committee to take action on, or engage in extended discussion of, any item not appearing on the posted agenda, except as otherwise authorized under applicable law. If Board/Committee action is requested, the matter may be scheduled for consideration at a future meeting.

All public comments requiring a response will be referred to staff for a written reply. 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 29, 2026 IMC Minutes.

[26-0217](#)

Recommendation: Approve the minutes.

Manager: Wendy Ho, 408-630-3874

Attachments: [Attachment 1: 01292026 Draft IMC Minutes](#)

Est. Staff Time: 5 Minutes

4. REGULAR AGENDA:

- 4.1. Report Drafting Committee Presents Final Independent Monitoring Committee (IMC) Annual Report for Fiscal Year 2024-2025.

[26-0196](#)

Recommendation: Review, edit, and approve the Final Independent Monitoring Committee (IMC) Annual Report for Fiscal Year 2024-2025 (FY25).

Manager: Luz Penilla, 408-630-2228

Attachments: [Attachment 1: FY25 Draft IMC Annual Report Cover Letter](#)

[Attachment 2: IMC FY25 Draft Annual Report](#)

[Attachment 3: FY25 Draft Notes for Future Annual Reports](#)

[Attachment 4: Supplemental Response](#)

Est. Staff Time: 30 Minutes

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.: 26-0217

Agenda Date: 2/18/2026

Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM
Safe Clean Water Independent Monitoring Committee (SCW IMC)

Government Code § 84308 Applies: Yes No
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Approve the January 29, 2026 IMC Minutes.

RECOMMENDATION:

Approve the 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.

ENVIRONMENTAL JUSTICE IMPACT:

There are no environmental justice impacts associated with this item.

ATTACHMENTS:

Attachment 1: 01292026 Draft IMC Minutes

UNCLASSIFIED MANAGER:

Wendy Ho, 408-630-3874

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

DRAFT MINUTES

THURSDAY, JANUARY 29, 2026

(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 29, 2026 at the Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, CA 95118.

1. CALL TO ORDER

Committee Chairperson Susan Landry called the meeting to order at 4:02 p.m.

1.1. ROLL CALL

A quorum was established with nine Members present.

Members in attendance were:

District 1: Vice Chairperson Marc Rauser

District 2: Erika Laguna and Greg Pollock

District 3: Will Ector and Bill Chuan

District 4: Chairperson Susan M. Landry

District 6: Rebecca Gallardo

District 7: Forest Peterson

Members attending virtually were:

District 5: George Fohner

Members absent were:

District 5: Bill Hoelt

District 6: Patrick Kwok

Directors present were: Richard Santos, District 3.

Valley Water staff in attendance were: Emmanuel Aryee, Erin Baker, Lisa Bankosh, Mark Bilski, Wade Blackard, John Bourgeois, Jen Codianne, Jessica Collins, Brian Dean, Meenakshi Ganjoo, Alexander Gordon, Chris Hakes, Wendy Ho, Candice Kwok-Smith, Dave Leon, Carlos Orellana, Sophie Padilla, Luz Penilla, Kirsten Struve, Madhu Thummaluru, and Kristen Yasukawa, and Bhavani Yerrapotu.

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 3, 2025 IMC MINUTES

Recommendation: Approve the minutes.

It was moved by Member Chuan, seconded by Member Laguna, and unanimously carried to approve the December 3, 2025 Committee meeting minutes as submitted.

4. REGULAR AGENDA

4.1 OUTCOME OF SUBCOMMITTEE MEETINGS

Recommendation: Subcommittee Chairs report out on key areas of discussion and recommendations for full committee consideration.

Jessica Collins, Meenakshi Ganjoo, Luz Penilla, 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 supplemental answers given by staff after the subcommittee meetings, the rising costs of projects and processes to revisit the decision to proceed with those projects in case of a large deviation from the initial budget forecast, status of various projects including the Coyote Creek Flood Protection Project, the cost and impacts on creeks of illegal dumping versus encampments of unhoused individuals, uses of artificial intelligence to assist with projects, and various financial topics including cost increases and budget projections.

Chairperson Landry left her seat at 5:30 p.m. Vice Chairperson Rauser acted as Chair in her absence.

The Committee took no formal action and requested that staff schedule visits to the Anderson Dam Seismic Retrofit and Llagas Creek Flood Protection project sites as part of the annual Committee tour.

5. INFORMATINAL ITEMS

5.1 STANDING ITEMS REPORT

Recommendation: Standing items report.

The Committee took no action.

6. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS

The Committee took no action.

7. ADJOURN TO REGULAR MEETING AT 4:00 P.M. ON FEBRUARY 19, 2025

Vice Chairperson Rauser adjourned the meeting at 5:36 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.: 26-0196

Agenda Date: 2/18/2026

Item No.: 4.1.

COMMITTEE AGENDA MEMORANDUM Safe Clean Water Independent Monitoring Committee (SCW IMC)

Government Code § 84308 Applies: Yes No
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Report Drafting Committee Presents Final Independent Monitoring Committee (IMC) Annual Report for Fiscal Year 2024-2025.

RECOMMENDATION:

Review, edit, and approve the Final Independent Monitoring Committee (IMC) Annual Report for Fiscal Year 2024-2025 (FY25).

SUMMARY:

The IMC met on December 3, 2025, to begin its FY25 Program review process and elected a Chair and Vice-Chair. The IMC set up subcommittees to review the Safe, Clean Water Program progress by reviewing Valley Water's Safe, Clean Water Program Annual report for FY25. The IMC set up subcommittees for priorities A and C, B, D, E, and F. It also established a Finance Subcommittee to review program-level financial information contained in "Appendix A: Financial Information" and "Appendix B: Inflation Assumptions".

The six subcommittees met with Valley Water staff from January 5 to 9, 2026. Each subcommittee elected a Chair, heard presentations by staff, asked questions, and held discussions. The subcommittee chairs presented their findings to the full IMC on January 29, 2026.

IMC members agreed that the subcommittee chairs would draft the IMC report to the Board under the direction of IMC Chair, who delegated this responsibility to the Vice-Chair. The report was drafted on January 30, 2026. 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 presented to the full IMC for review and finalization.

Additionally, the IMC report drafting group also noted the issue raised by an IMC member regarding the comparative risks posed by encampments versus illegal dumping to waterways, as well as the associated project costs and requested staff to provide additional information. The additional information is provided in the Supplemental Response (Attachment 4).

ENVIRONMENTAL JUSTICE IMPACT:

There are no environmental justice impacts associated with this agenda item.

ATTACHMENTS:

Attachment 1: FY25 Draft IMC Annual Report Cover Letter

Attachment 2: IMC FY25 Draft Annual Report

Attachment 3: FY25 Draft Notes for Future Annual Reports

Attachment 4: Supplemental Response

UNCLASSIFIED MANAGER:

Luz Penilla, 408-630-2228



Independent Monitoring Committee

Susan M. Landry, Chair
Marc Rauser, Vice Chair

Bill Chuan
Will Ector
George Fohner

Rebecca Gallardo
Bill Hoeft
Hon. Patrick S. Kwok

Erika Laguna
Forest Peterson
Greg Pollock

February 18, 2026

To: Santa Clara Valley Water District Board of Directors
Subject: Independent Monitoring Committee Report of Safe, Clean Water and Natural Flood Protection FY2024-2025 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 2024-2025 to the Santa Clara Valley Water District (Valley Water) Board of Directors (Board). The IMC members agreed with the status of the projects as reported in the FY2024-25 Safe, Clean Water Program Annual Report.

The IMC acknowledges and appreciates the progress staff have made in addressing prior recommendations and notes. During this annual review, the committee has no new recommendations, but it has identified notes for consideration in future annual reports to provide continuous improvement. The IMC also wishes to state its appreciation and recognition of staff for their timely responses and assistance in preparing this report. In addition, IMC requests that the filling of 3 vacant IMC positions with qualified candidates be made a top priority.

PROCESS

The IMC met on December 3, 2025, to begin its FY2024-2025 Program review process and elected a Chair and Vice Chair. The IMC set up subcommittees to review the Safe, Clean Water Program progress by reviewing Valley Water's Safe, Clean Water Program Annual report for fiscal year (FY) 2024-25. The IMC set up subcommittees for priorities A and C, B, D, E, and F. It also established a Finance Subcommittee to review program-level financial information contained in "Appendix A: Financial Information" and "Appendix B: Inflation Assumptions."

The six subcommittees met with Valley Water staff from January 5 to 9, 2026. Each subcommittee elected a Chair, heard presentations by staff, asked questions, and held discussions. The subcommittee chairs presented their findings to the full IMC on January 29, 2026.

IMC members agreed that the subcommittee chairs, led by the IMC Chair, would draft the IMC report to the Board. The draft report was presented to the IMC on February 18, 2026, for final edits and approval.

REVIEW OUTCOME

Overall, the IMC members agreed with the status of the projects as reported in the FY2024-25 Safe, Clean Water Program Annual Report. The Committee has NO new Recommendations. However, here is a summary of the prior year's recommendations that were fulfilled.

Prior Recommendations Fulfilled:

Maps and Graphs - New graphs were included to show different funding sources on projects where Safe, Clean Water Program funds are not the only source. For example, Figure A3.4 shows Project A3, Pipeline Reliability Project, received nearly a third of its funding from the Water Utility Enterprise Fund. Many other improvements were also made to improve accessibility. For instance, Figure D.1.9, FY24 Revegetation Maintenance, the map of mitigation sites had 11 color-coded watersheds. In the FY25 Annual Report, this was reduced to the 5 major watersheds, with colors that are more easily distinguishable.

Capital Projects – Appendix C was revised to show confidence levels that changed from the prior year by printing them in bold font. In addition, the project text now includes explanations for these changes. An example is Project E1, the Coyote Creek Flood Protection Project, which had the State Grants confidence level change from Very High to Medium. As explained in the text, “this funding source has been impacted by changing Federal priorities, and the current expected award date is 2028. As a result, the confidence level has changed from Very High in FY24 to Medium in FY25.”

Financial Appendices – With respect to the Financial Appendices, the Committee requested that the summary chapter include information explaining the purpose and importance of long-term debts, repayment timeline, debt costs, the different financing options available, and how they support the Program goals. This request was satisfied in the Program Summary chapter, under the heading “Debt Financing for Capital Projects”, on page 6.

Annual Report Paper – The FY2024-2025 Annual Report was printed on recycled paper as suggested by the IMC.

Jurisdictional Complexities – The IMC received an informational presentation by Valley Water staff on the impact of jurisdictional complexities on projects in the Safe, Clean Water and Natural Flood Protection Program on December 3, 2025, as requested by the IMC in the prior year. Staff reported on the effect of those complexities on the cost and rate of progress of Safe, Clean Water projects. They also described Valley Water efforts to address those complexities. We believe more should be done to acknowledge the innovative steps that Valley Water is taking – and the progress it is making – to address these complexities. Those steps include strategies implemented at the organizational level as well as those taken for individual Safe, Clean Water projects. We also believe that the public needs to be better informed about these complexities and their impact on the cost and progress of Safe, Clean Water projects. Valley Water and Safe, Clean Water projects are being held accountable for the impact of these complexities. Communication about specific obstacles can be problematic. Communication about the systemic problem and the need for improvement is imperative.

New Notes:

Overall, the IMC members agreed that the FY2024-25 Safe, Clean Water Program Annual Report is an incremental improvement over prior years. The Committee has identified some new Notes for consideration in future annual reports to provide greater clarity. Most of the notes are suggestions of minor clarifications, such as adding footnotes to provide additional information. The following items are slightly more substantial:

Financial Appendices A-B – Include in the Program’s 5-Year Implementation Plan (FY2027-31) information about the use of long-term debt in the Safe, Clean Water Program.

A2: Water Conservation Rebates and Programs – Under benefits, list the goal of conserving 126,000 acre-feet of water per year by 2050.

A3: Pipeline Reliability –

- Include information about the connection between the Pipeline Rehabilitation Plan and Project A3 schedule.
- Include clearer funding details, such as the Safe, Clean Water funding cap and the Water Utility Enterprise Fund contribution, within the project update.

F2: Emergency Response Planning and Preparedness – Update the annual report that the after-action review in KPI #4 was completed.

F3: Flood Risk Assessment Studies – Through the development of the next 5-year implementation plan, specifically take a look at the remaining funds available for the delivery of this project’s KPI to ensure that there is sufficient funding.

OTHER RELATED IMC ACTIVITIES

PMA Audit – In 2023, the IMC recommended that an audit be scheduled to maintain the five-year schedule as originally adopted by the voters in the 2012 Program. As stated in our last letter to the Board, on December 4, 2024, an audit performed in conjunction with the closeout of the 2012 Safe, Clean Water and Natural Flood Protection Program was presented to the Committee. During the current review cycle, on December 3, 2025, the IMC received the renewed Safe, Clean Water and Natural Flood Protection Program Independent Performance Audit Report for the period covering July 1, 2021, through June 30, 2024, with Valley Water management's response. As reflected in the minutes of that meeting, the Committee received the information and took no formal action. However, during the vibrant discussion many of the IMC members gave high praise for the thoroughness of the audit and the meaningful recommendations. Following are some findings that directly involve IMC members:

Finding 3 - A Clearer Crosswalk is Needed between CIP and SCW Schedule Adjustments

Collaboration between the IMC and staff has substantially improved the reporting of progress of Safe, Clean Water projects. Still, we have again found instances this year when substantive

departures from original projected costs have not been adequately described for the public in the annual report. One instance is related to the need to better harmonize Safe, Clean Water reporting with CIP adjustments. Again, we consider that reporting is a shared responsibility between Valley Water staff and the IMC.

Finding 4 (Closed) - One of the recommendations from the audit was for Valley Water to finalize and implement a formal Conflict of Interest framework for the IMC. The conflict-of-interest procedure was updated by the Board on Sept. 23, 2025, to strengthen the IMC Members' disclosure responsibilities, especially concerning actual or potential financial conflicts of interest. It is imperative that IMC members adhere to this new procedure.

Finding 5 - Another recommendation was for IMC to partner with the Board to enhance recruitment strategies, to identify, attract, and recruit qualified candidates for the IMC. As stated earlier, at the time of this letter, there are 3 vacancies, one each in Districts 1, 4, and 7. The IMC seeks to work with the Board and staff to identify and implement ways to better attract and retain IMC members. We consider this a shared responsibility. The IMC's own efforts to improve its ways of working can help to both attract and retain members.

FUTURE TOURS

The Committee also commends the staff for providing IMC members with project site tours in 2025 and recommends that these continue. For FY2025-26, the IMC suggests the following project site tours:

1. Anderson Dam Seismic Retrofit Project
2. Upper Llagas Creek Flood Protection Project

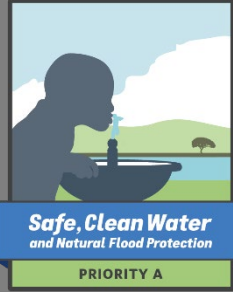
Sincerely,

Susan M. Landry, Chair
Independent Monitoring Committee

Attachments:

1. IMC Fiscal Year 2023-2024 Annual Report
2. IMC Notes for Future Program Annual Reports

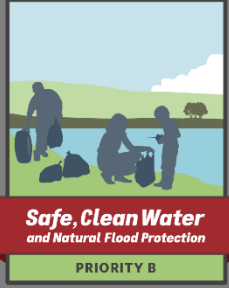
cc: Independent Monitoring Committee Members



Independent Monitoring Committee Report Fiscal Year 2024-2025
Project Recommendations
 Priority A - Ensure a Safe, Reliable Water Supply

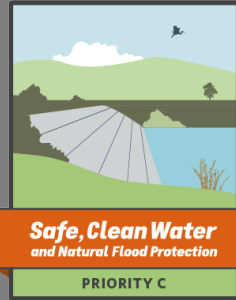
| Project: | KPI: | Status | | Comment: |
|---|---|--------------------|------------------------------|--|
| | | Annual: | Adjustment/ Modification: | |
| A1 Pacheco Reservoir Expansion | 1. Provide a portion of funds, up to \$10 million, to help construct the Pacheco Reservoir Expansion Project. | Scheduled to Start | Not Implement | |
| 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 | Adjusted (text) | IMC agrees with the project status. No recommendations. |
| A3 Pipeline Reliability | 1. Install four (4) new line valves on treated water distribution pipelines. | Active | Adjusted (schedule) | IMC agrees with the project status. No recommendations. |

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Independent Monitoring Committee Report Fiscal Year 2024-2025
Project Recommendations
 Priority B – Reduce Toxins, Hazards, and Contaminants in Our Waterways

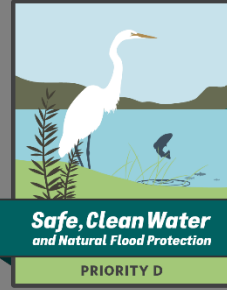
| Project: | | KPI: | Status: | | Comment: |
|----------|---|--|---------|-----------------------------|---|
| | | | Annual | Adjustment/ Modification | |
| B1 | Impaired Water Bodies Improvement | <ol style="list-style-type: none"> Investigate, develop, and implement actions to reduce methylmercury in fish and other organisms in the Guadalupe River Watershed. Prepare and update a plan for the prioritization of surface water quality improvement activities, such as addressing trash and other pollutants. 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. No recommendations. |
| B2 | Inter-Agency Urban Runoff Program | <ol style="list-style-type: none"> Address trash in creeks by maintaining trash capture devices or other litter control programs. 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. 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"> 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"> 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 2024-2025
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. | Active | None | IMC agrees with the project status. No recommendations. |

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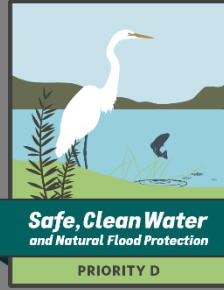


Independent Monitoring Committee Report Fiscal Year 2024-2025

Project Recommendations

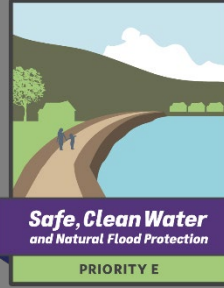
Priority D - Restore Wildlife Habitat and Provide Open Space

| Project: | | KPI: | Status: | | Comment: |
|----------|--|---|---------|----------------------------|---|
| | | | Annual | Adjustment/Modification | |
| D1 | Management of Riparian Planting and Invasive Plant Removal | <ol style="list-style-type: none"> Maintain a minimum of 300 acres of riparian planting projects annually to meet regulatory requirements and conditions. Maintain a minimum of 200 acres of invasive plant management projects annually to meet regulatory requirements and conditions. Remove 25 acres of Arundo donax throughout the county over a 15-year period. | Active | Adjusted (text) | IMC agrees with the project status. No recommendations. |
| D2 | Revitalize Riparian, Upland and Wetland Habitat | <ol style="list-style-type: none"> Revitalize at least 21 acres over a 15-year period through native plant revegetation and/or removal of invasive exotic species. Develop an Early Detection and Rapid Response Program Manual. 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. 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"> Reuse sediment meeting applicable screening criteria at available Valley Water or partnership project sites to support restoration. Provide up to \$4 million per 15-year period to support activities necessary for sediment reuse. | Active | None | IMC agrees with the project status. No recommendations. |
| D4 | Fish Habitat and Passage Improvement | <ol style="list-style-type: none"> Complete planning and design for one (1) creek/lake separation. Partially fund the construction of one (1) creek/lake separation project in partnership with local agencies. Use \$8 million for fish passage improvements by June 30, 2028. 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. 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 | Adjusted (text & schedule) | IMC agrees with the project status. No recommendations. |



Independent Monitoring Committee Report Fiscal Year 2024-2025
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. | Completed | None | 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. No recommendations. |

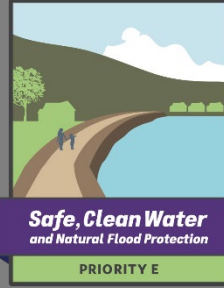


Independent Monitoring Committee Report Fiscal Year 2024-2025

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 (schedule) | 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 | Adjusted (schedule) | 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. | On Hold | Adjusted (schedule) | 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 (text & schedule) | IMC agrees with the project status. No recommendations. |

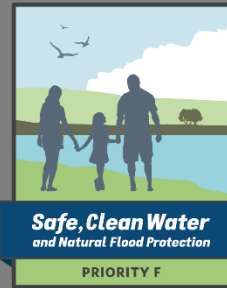


Independent Monitoring Committee Report Fiscal Year 2024-2025

Project Recommendations

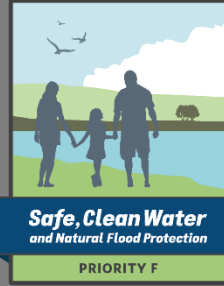
Priority E - Provide Flood Protection to Homes, Businesses, Schools, Streets, and Highways

| 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 (funding) | 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 all native fish species and channel stability. | Active | Modified (funding) | IMC agrees with the project status. No recommendations. |



Independent Monitoring Committee Report Fiscal Year 2024-2025
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. No recommendations. |
| F2 Emergency Response Planning and Preparedness | <ol style="list-style-type: none"> 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 | <ol style="list-style-type: none"> 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 | <ol style="list-style-type: none"> 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 2024-2025
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"> Cleanup identified trash and graffiti hotspots at approximately 80 sites four (4) times per year. Respond to requests on litter or graffiti cleanup within five (5) working days. 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"> Maintain existing capabilities for flood forecasting and warning. 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. No recommendations. |
| F8 Sustainable Creek Infrastructure for Continued Public Safety | <ol style="list-style-type: none"> 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 | Adjusted (schedule) | IMC agrees with the project status. No recommendations. |
| F9 Grants and Partnerships for Safe, Clean Water, Flood Protection and Environmental Stewardship | <ol style="list-style-type: none"> Provide a grant and partnership cycle each year for projects related to safe, clean drinking water, flood protection and environmental stewardship. Provide annual funding for bottle filling stations to increase drinking water accessibility, with priority for installations in economically disadvantaged communities and locations that serve school-age children and students. Provide annual mini-grant funding opportunity for projects related to safe, clean drinking water, flood protection and environmental stewardship. Provide up to \$3 million per 15-year period for a Creekside Neighbor Rebate Program for watershed activities, including bank repair, sediment removal, and downed tree management. | Active | None | IMC agrees with the project status. No recommendations. |

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Independent Monitoring Committee Notes

Fiscal Year 2024-2025

Notes for future Annual Reports

Safe, Clean Water and Natural Flood Protection Program

| Subject: | Note: |
|--|---|
| Financial Appendices A-B | <ul style="list-style-type: none"> Appendix A-1.2, Revenue, Beginning FY22 Reserves, there should be a footnote explaining why there is no Program-To-Date Actual. Also, perhaps insert a dash (-) or N/A instead of a zero, so it doesn't look like a number should be there. In Appendix A-1.2, near the bottom of the table (breakdown of Total Reserve Balance), there are two columns being added to a total, but these have zeros. Find a better way to show. Perhaps insert a dash (-) or N/A. Add a footnote to Appendix A-1.2 specifying the cost elements captured within the Planning and Development line item. In Appendix A-1.3, Priority A, Initial Funding Allocation vs. Adjusted 15-Year Plan (graph), include either as a separate item, a clearly labeled inactive project, or a footnoted adjustment to ensure that it reconciles with the previous table showing Initial and Adjusted 15-Year Plan for all priorities. Include in the Program's 5-Year Implementation Plan (FY2027-31) information about the use of long-term debt in the Safe, Clean Water Program. |
| A2: Water Conservation Rebates and Programs | <ul style="list-style-type: none"> Under benefits, list the goal of conserving 126,000 acre-feet of water per year by 2050. |
| A3: Pipeline Reliability | <ul style="list-style-type: none"> Include information about the connection between the Pipeline Rehabilitation Plan and Project A3 schedule. Include clearer funding details, such as the Safe, Clean Water funding cap and the Water Utility Enterprise Fund contribution, within the project update. |
| D1: Management of Revegetation Projects | <ul style="list-style-type: none"> Insert the acronym KPI at the first usage of Key Performance Indicator on a project page. Restate the complete KPI at the beginning of each update section so readers can easily understand which performance measure is being referenced. Correct the error in Figure D1.4 In Figure D1.4, also display the cumulative amount removed with the goal of 25 acres at the end of 15 years. Increase the size of the legend in Figure D1.9. |



Independent Monitoring Committee Notes Fiscal Year 2024-2025 Notes for future Annual Reports Safe, Clean Water and Natural Flood Protection Program

| Subject: | Note: |
|---|--|
| D6: Creek Restoration and Stabilization | <ul style="list-style-type: none"> • Increase the size of the legend in Figures D6.1 and D6.2. |
| F2: Emergency Response Planning and Preparedness | <ul style="list-style-type: none"> • Update the annual report that the after-action review in KPI #4 was completed. |
| F3: Flood Risk Assessment Studies | <ul style="list-style-type: none"> • Through the development of the next 5-year implementation plan, specifically take a look at the remaining funds available for the delivery of this project’s KPI to ensure that there is sufficient funding. |
| F7: Emergency Response Upgrades | <ul style="list-style-type: none"> • Add the term “Rating curves” to the glossary. |

Question: Can staff clearly communicate the risk posed by encampments to waterways vs. the risk posed by illegal dumping to help explain the magnitude of the cost associated with each project?

Supplemental Response: Valley Water performs creek maintenance and cleanup on waterways it owns or in areas where it has maintenance easements or other legal authority to access the site. For creeks that Valley Water does not own and where no easement exists, the agency does not have the authority to conduct routine cleanup or maintenance, including trash removal.

It is important to note that Valley Water removes all trash regardless of whether it originated from encampments or illegal dumping. Valley Water does not categorize trash at the item level. For tracking and budgeting purposes, debris collected by encampment cleanup crews is accounted for under Project F5: Good Neighbor Program - Encampment Cleanup (F5), while trash collected by other maintenance crews, such as those responding to illegal dumping, is tracked under F6: Good Neighbor Program: Graffiti and Litter Removal and Public Art (F6). In practice, trash sources are often intermingled at a site, and project costs reflect the responding crew and scope of work rather than a precise attribution of waste origin.

Differences in project costs, therefore, should not be interpreted as a comparison of trash volumes or efficiency, but rather as a reflection of the conditions under which the work occurs and the broader risks being managed within Valley Water's jurisdiction.

Illegal dumping creates ongoing issues by blocking creek flow, reducing channel capacity, and increasing the risk of localized flooding, especially during storms. Dumped debris can also degrade water quality and harm aquatic habitats. Valley Water identifies illegal dumping through routine creek inspections, reports from maintenance crews, partner agencies, and public notifications.

Similar to illegal dumping, encampment-related dumping within creek corridors poses significant and persistent threats to water quality, aquatic habitat, and the risk of localized flooding. But encampments also involve ongoing activity within creek corridors and floodplains and are characterized by repeated disturbance, vegetation and tree removal, soil compaction, unauthorized excavation, human waste, fire risk, and physical obstructions that increase flood risk. These activities lead to vegetation and tree loss, embankment excavation, increased erosion and sedimentation, obstruction of fish passage, and the introduction of trash, biohazardous waste, nutrients, and other contaminants into waterways. Human waste and nutrient runoff contribute to harmful

algal blooms, further degrading water quality and aquatic ecosystems. Fires, unauthorized vehicle access, and unpermitted construction within channels and floodplains exacerbate these impacts, creating additional flood risk and public safety concerns.

Addressing these impacts often requires repeated site visits, enhanced worker safety measures, regulatory compliance, and, in some cases, costly repair and restoration of damaged channels, levees, and habitat.

Valley Water’s 2013–2026 Stream Maintenance Program (SMP) includes extensive mitigation and habitat enhancement measures—such as revegetation, invasive plant management, concrete removal, and repair of encampment-related damage—to comply with regulatory requirements and protect water resources. The agency has invested millions of dollars in terrestrial and aquatic habitat improvements as part of these efforts. However, encampment activity has repeatedly compromised mitigation sites through trampling, excavation, vegetation removal, and fire damage, resulting in failed restorations, loss of mitigation credit, and the need for costly rework.

For example, encampment impacts prevented the successful establishment of 2.5 acres of riparian and floodplain habitat, which was constructed as advanced mitigation for the Upper Guadalupe River Project and will need to be rehabilitated and replanted (planned for fall 2027). In addition, safety hazards and repeated damage forced Valley Water to abandon seven Invasive Plant Management Program sites and revoke more than 36 acres of mitigation credit. To date, over \$1.8 million has been spent on labor, equipment, and materials to manage and respond to encampment-related impacts at these sites alone.

Beyond ongoing maintenance costs, Valley Water must also undertake targeted restoration projects to repair unpermitted excavation and construction associated with encampments. These corrective actions are substantially more expensive than preventative measures and compete with limited seasonal staff availability for flood protection work. Valley Water typically completes one encampment-related creek restoration project per construction season.

Recent examples include:

- **Coyote Creek (Milpitas, 2023):** Floodplain and vegetation restoration following unauthorized excavation and soil compaction (\$27,533).
- **Coyote Creek (San José, 2024):** Repair of embankment excavations and revegetation associated with encampment activity (\$106,694).
- **Thompson Creek (San José, 2025):** Rehabilitation of underground excavations and compacted soils (\$16,164).

The impacts of encampments extend well beyond trash generation, given their complexity, frequency, and cumulative effects. As a result, comparing funding for illegal dumping with encampment cleanup is not an equivalent comparison. Valley Water’s approach is guided by its responsibility to complete a defined scope of work on Valley Water–owned or maintained waterways at a frequency necessary to prevent environmental degradation, infrastructure damage, and regulatory noncompliance. Current spending levels are intended to ensure timely responsiveness and to avoid substantially higher corrective costs associated with deferred action or insufficient intervention.

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