Valley Water
SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

March 24, 2023

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

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		INCOMING BOARD CORRESPONDENCE
33		**Board Correspondence Weekly Report:** 3/24/23
34		Email from Arya Shamain to Director Eisenberg and Board, dated 3/26/23, regarding mercury contamination conundrum at Guadalupe Reservoir. (C-23-0065)
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39		Email from Tempo90909 to the board, dated 3/18/23, regarding limited access to the Alviso Educational Park. (C-23-0067)
40		Email from Steve Kirsch to Director Eisenberg, dated 3/19/23, regarding removing fluoride from the water. (C-23-0066)
		OUTGOING BOARD CORRESPONDENCE
		None.

Board correspondence has been removed from the online posting of the Non-Agenda to protect personal contact information. Lengthy reports/attachments may also be removed due to file size limitations. Copies of board correspondence and/or reports/attachments are available by submitting a public records request to publicrecords@valleywater.org.

CEO BULLETIN

CEO BULLETIN

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

Weeks of March 10 – March 23, 2023

Board Executive Limitation Policy EL-7:
The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

Item	IN THIS ISSUE
1	DWR releases "Inadequate Determinations" on Revised Groundwater Sustainability Plans to Agencies, Initiating a Jurisdiction Shift to the State Water Resources Control Board.
2	Groundwater Well Permitting - Executive Order N-7-22 and N-3-23 Compliance Update
3	Renewal of the Memorandum of Agreement for the Santa Clara Valley Urban Runoff Pollution Prevention Program
4	Safe, Clean Water Grant Closeout: Trust for Conservation Innovation DBA Multiplier's Beyond Leak Detection: Evaluating Water Conservation and Leak Notification Benefits of "Smart Home" Devices Project
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8	Safe, Clean Water Mini-Grant Closeout: Marshmallow Minds' STE(A)M Education on Conservatory of Birds Project
9	U.S. Environmental Protection Agency Proposal to Limit PFAS in Drinking Water
10	Valley Water Staff Recognized for "Breaking Barriers" in Procurement
11	Eisenberg How much money the District has spent on (and has committed to) the Delta tunnel project (just totals, not requiring me to add up). I-23-0010

12	**Eisenberg** **This is for a document, not a number: I asked for this before, but could not locate it in the many documents I received in response: I need the current version of the District's contract with the San Jose Water Company, including any/all amendments, exhibits, and attachments? (Amendments alone aren't sufficient without including the contract that is being amended).** **I-23-0012**
13	**Eisenberg** **What is the process for employees to speak with Board Members? Do we have a policy on emotional support animals in the workplace? and location of salary structure for unclassified and classified positions.** **I-23-0013**

1. **DWR releases "Inadequate Determinations" on Revised Groundwater Sustainability Plans to Agencies, Initiating a Jurisdiction Shift to the State Water Resources Control Board.**

On March 2, 2023, the Department of Water Resources (DWR) released twelve determinations on Groundwater Sustainability Plans (GSPs) developed by local agencies to meet the requirements of the Sustainable Groundwater Management Act. DWR's determinations, signed by Karla Nemeth, Director of DWR, include official written statements of findings explaining DWR's decisions regarding the revised GSPs. DWR had provided a list of corrective actions on initial GSPs in January 2022 to local Groundwater Sustainability Agencies (GSAs) and reviewed the revised plans received in July 2022 to evaluate whether the deficiencies were sufficiently addressed in making its determinations.

DWR found in its technical review that the GSPs in six subbasins in San Joaquin Valley, including the Kern subbasin, did not take sufficient actions to correct the deficiencies previously identified by DWR, and the GSPs are determined to be 'Inadequate.' Once DWR determines that a GSP is inadequate, primary jurisdiction shifts from DWR to the State Water Resources Control Board (State Board), which may designate the subbasin probationary. The State Board will send out notices giving local GSAs 90 days' notice before a public hearing. At this public hearing, the State Board will determine whether a subbasin probationary status is warranted. If so, the State Board will begin collecting fees and data from local landowners in an attempt to correct the GSPs. After one year, if the deficiencies are not ratified, the State Board will develop and adopt an interim plan imposed on the local GSAs.

Valley Water is actively reviewing and analyzing the final determinations to assess potential impacts to its groundwater banking interests in the San Joaquin Valley. Valley Water is a banking partner in the Semitropic Groundwater Bank in the Kern subbasin in Kern County. DWR's determination letter on the Kern subbasin GSP can be found here:

https://sgma.water.ca.gov/portal/service/gspdocument/download/9588

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

2. Groundwater Well Permitting - Executive Order N-7-22 and N-3-23 Compliance Update

On March 28, 2022, Governor Gavin Newsom signed Executive Order N-7-22 in response to extreme and expanding drought conditions in California. With exceptions for certain single-family domestic wells and municipal water supply wells, the Executive Order immediately prohibited well permitting agencies from issuing permits for the construction of new water supply wells or the alteration of existing water supply wells unless a hydrogeologic assessment has demonstrated that the proposed well or alteration would not interfere with water production from existing nearby wells or create land subsidence that may damage nearby infrastructure.

To comply with Executive Order N-7-22, Valley Water has implemented a procedure whereby hydrogeologic assessment reports are received by the Wells Section as part of permit applications and reviewed by the Groundwater Management Unit to verify that a proposed well or alteration to an existing well will not cause potential interference with nearby wells or subsidence-related infrastructure damage. To date, seven hydrogeologic assessments have been received and reviewed by Valley Water. All these wells are agricultural wells and are in South County. After appropriate review, it was determined that the proposed wells would not result in negative impacts, and well construction permits were issued for five proposed wells. The remaining two permit requests and hydrogeologic assessments are currently being reviewed.

Most recently, on February 13, 2023, Governor Newsom ordered an extension of his declaration of emergency regarding drought and issued Executive Order N-3-23 which makes some modifications to his previous orders. The only change to the limitations on issuing well permits for new water supply wells or alteration of existing wells is an additional exemption for those wells acquired by eminent domain or under threat of condemnation; and that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced. Valley Water's Well Permitting staff have implemented the additional exemption into permitting procedures.

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

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3. Renewal of the Memorandum of Agreement for the Santa Clara Valley Urban Runoff Pollution Prevention Program

The Santa Clara Valley Urban Runoff Pollution Prevention Program (Program) was originally formed in the late 1980s through a Memorandum of Agreement (MOA) with other Santa Clara Valley-based local governments, as a means to assist Valley Water in negotiating and complying with a federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharges. This NPDES permit is now issued region-wide as the Municipal Regional Stormwater Permit (MRP), which is shared by 79 San Francisco Bay Area permittees, including Valley Water. The latest MRP was issued May 11, 2021 and became effective July 1, 2022.

The Program's allocation of costs to its member agencies is based upon a combination of benefits received and stormwater runoff factors. The Program allows Valley Water to coordinate and leverage resources with respect to its stormwater permit compliance. This approach has proven highly effective in assisting the water district in addressing its responsibilities. The Program has twice won national awards issued by the U.S. Environmental Protection Agency and the Water Environment Federation National Municipal Stormwater and Green Infrastructure Awards Program Gold Level. Since its original formation, the participating Santa Clara Valley local governments, including Valley Water, have three times previously authorized a continuation of the Program through the MOA without changing the original terms.

By vote of the Program's Management Committee (which Valley Water chairs) on January 20, 2023, a fourth amendment of the MOA to extend the Program on its original terms was unanimously approved for referral to each party for execution. The extension amendment will allow the Program to continue to operate and serve the participating agencies throughout the current MRP's term plus one additional fiscal year, providing Program assistance until at least to the end of 2027 and addressing the next permit re-issuance by the Regional Water Quality Control Board. The CEO is authorized to execute this MOA amendment per Executive Limitation exemption 5.3.2 (Financial commitments resulting from an agreement with a governmental agency or regulated utility, including revenue and cost sharing agreements as well as grant matching fund commitments). This article serves to inform the Board of this collaborative agreement per Executive Limitation 7.2 (Inform the Board of the intent to approve a collaborative agreement and keep the Board informed on an ongoing basis). Budget for the continued participation is authorized under various programs, including under Safe, Clean Water and Natural Flood Protection Project B2 (Interagency Urban Runoff Program). Specifically, Funds 26 (33%), 61 (20%) and 12 (47%) provide funding for this agreement. The signed MOA will be submitted as a non-agenda item to the Clerk of the Board for the Board's information.

For further information, please contact John Bourgeois at (408) 630-2990.

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4. Safe, Clean Water Grant Closeout: Trust for Conservation Innovation DBA Multiplier's Beyond Leak Detection: Evaluating Water Conservation and Leak Notification Benefits of "Smart Home" Devices Project

In Fiscal Year 2018, Valley Water awarded Trust for Conservation Innovation DBA Multiplier (Multiplier) a $50,000 Safe, Clean Water Program A2 Grant for their Beyond Leak Detection: Evaluating Water Conservation and Leak Notification Benefits of "Smart Home" Devices Project (Project). Multiplier completed the Project on June 30, 2022, and submitted the final invoice items on December 9, 2022, allowing for grant closeout.

Multiplier is a 501(c)(3) nonprofit organization that provides project management services for environmental initiatives that protect and foster a healthy, sustainable, resilient, and equitable world. The Project, which was administered by Multiplier's sponsored partner WaterNow Alliance (WaterNow), identified water saving devices and strategies to address Valley Water's long-term water savings goal of 98,500 acre-feet per year by 2030. WaterNow evaluated two water saving devices, Smart Water Shutoff (from Flo by Moen Technologies) and the Buoy Whole Home Controller Device (from Resideo) across 158 single-family households served by the City of Burlingame, City of Foster City, City of Santa Clara, and San Jose Municipal Water System. For 79 households randomly assigned to the "treatment" group, the study found that households with leak detection devices reduced water use by 8%, generating a total water savings of approximately 569,000 gallons (or 1.75 acre-feet), and annual household savings of 7,900 gallons. These results yielded useful insights that can help inform future efforts to support the implementation and use of these devices.

Key Outcomes:

- Provided a cost savings of $0.075 per gallon of water saved by the treatment group of 79 single-family households over the 12-month study period
- Reported changes in water use attitudes and behaviors among treatment group survey participants:
    - 56% of participants reported changing water usage behavior in some way (e.g., taking shorter showers) compared to 37% of controlled group participants
    - 30% of participants reported confidence in educating others about opportunities for water conservation compared to 5% of controlled group participants

- Shared presentations of the study's key findings at the following events:
  - The 2019 American Water Works Association (AWWA) California-Nevada Section Fall Conference: https://fta.valleywater.org/dl/R4u3ZmoMD0
  - The Bay Area Water Works Association (BAWCC) (2019):
  - https://fta.valleywater.org/dl/qoZVjclBU4
  - The 2019 Sustainable Silicon Valley (SSV) Rains to Bay Event: https://fta.valleywater.org/dl/rAHdEe5B6f
  - The WaterSmart Innovations 2019 Conference, in a session titled *Customer-side Leak Detection Pilot Study*: https://fta.valleywater.org/dl/TkDm1PAqOe
  - The WaterSmart Innovations 2021 Conference, in a session titled *How Much Water Can Household Leak Detection Devices Save?*: https://fta.valleywater.org/dl/AF9XwNDDJr

For further information, please contact Donald Rocha at (408) 630-2338.

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5. Safe, Clean Water Mini-Grant Closeout: Bay Area Older Adults' Watershed Walk and Talk Program Project

In Fiscal Year 2021, Valley Water awarded Bay Area Older Adults a $5,000 Safe, Clean Water Program D3 Mini-Grant for their Watershed Walk and Talk Program Project (Project). Bay Area Older Adults completed the Project on August 10, 2022 and submitted the final invoice items on February 5, 2023, allowing for grant closeout.

Bay Area Older Adults is a 501(c)(3) nonprofit organization that serves communities of older adults through physical activities and educational and volunteering programs. Bay Area Older Adults provided one virtual and three in-person programs for older adults to experience the county's watersheds and raise their awareness and understanding of how watershed stewardship impacts humans and ecosystems alike. The Project's virtual program occurred in June 2021 and included an interactive slide presentation and a virtual tour of Joseph D. Grant County Park in San Jose, CA. A video of the program was published on Bay Area Older Adults' newsletter, website, and social media to increase Project's reach. The three in-person programs each took place in February, March and August 2022 and included an educational walk at each of the following watershed locations, respectively: Los Gatos Creek County Park in Campbell, CA, Coyote Creek Ogier Ponds in Morgan Hill, CA and Stevens Creek County Park in Cupertino, CA. Bay Area Older Adults developed educational materials and pre- and post-surveys that supplemented each virtual and in-person program to gauge learning and increase participant engagement. The Project had a total of 485 participants who learned about the importance of protecting the watersheds and dependent ecosystems.

Key Outcomes:

- Engaged a total of 485 people who participated virtually, in-person and watched the program videos at a later date.
- Created and shared a video for the virtual program and photo albums for the in-person programs:
  - (Virtual) Joseph D. Grant County Park: https://www.bayareaolderadults.org/videos#june2021jdgrant
  - (In-person) Los Gatos Creek County Park: https://www.bayareaolderadults.org/photo-gallery/2022/123
  - (In-person) Coyote Creek Ogier Ponds: https://www.bayareaolderadults.org/photo-gallery/2022/125
  - (In-person) Stevens Creek County Park: https://www.bayareaolderadults.org/photo-gallery/2022/126#gallery-1

- Collected survey results from 104 participants:
  - 95% of respondents answered multiple-choice questions correctly, indicating successful learning outcomes.
  - Received an average score of 1 in satisfaction ratings (1 being “very satisfied” and 2 being “satisfied”).

For further information, please contact Donald Rocha at (408) 630-2338.

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6. Safe, Clean Water Mini-Grant Closeout: Compasspoint Mentorship’s Stevens Creek County Park Wall Mural Project

In Fiscal Year 2022, Valley Water awarded Compasspoint Mentorship a $5,000 Safe, Clean Water Program F9 Mini-Grant for their Stevens Creek County Park Wall Mural Project (Project). Compasspoint Mentorship completed the Project on November 5, 2022, and submitted the final invoice items on January 30, 2023, allowing for grant closeout.

Compasspoint Mentorship is a 501(c)(3) non-profit organization that provides summer camp programs in Alviso and at Santa Clara University, and works on public art initiatives, having installed murals in various parks throughout Santa Clara County. The mini-grant provided funding to install a mural at Stevens Creek County Park in Cupertino, California. The mural was designed by artist Xiangfei (Simon) Bai with feedback from the public. The mural beautifies the park and continues to educate parkgoers by displaying elements of local flora, fauna, and the nearby Stevens Creek. Grantee hosted a summer camp for high school students and community volunteers to paint the mural, hike with and learn from environmental educators, and collect litter.

Key Outcomes:
- Over 20 high school students participated in the summer camp
- Over 90 survey responses were collected from the community on the mural design
- Over 50 members of the public attended the ribbon-cutting event including Director Nai Hsueh
- On August 8, 2022, project was reported by the San Jose Mercury News:
  - https://www.mercurynews.com/2022/08/08/photos-bay-area-artists-new-wildlife-murals-in-south-bay-parks/
- On August 1, 2022, the County of Santa Clara published a press release about the project:
  - https://news.sccgov.org/news-release/new-murals-bring-outdoor-art-county-parks
- On August 23, 2022, Compasspoint Mentorship published a video that shares the successful completion of the project:
  - https://www.youtube.com/watch?v=gKLOomqqtyU

For further information, please contact Donald Rocha at (408) 630-2338.

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7. Safe, Clean Water Mini-Grant Closeout: Evergreen Islamic Center’s Industry and Faith-Based Water Conservation

In Fiscal Year 2021, Valley Water awarded Evergreen Islamic Center a $5,000 Safe, Clean Water Program A2 Mini-Grant for their Industry and Faith-Based Water Conservation Education Project (Project). Evergreen Islamic Center completed the Project on December 12, 2021 and submitted the final invoice items on January 14, 2023, allowing for grant closeout.

The Evergreen Islamic Center is a 501(c)(3) nonprofit, faith-based organization that provides cultural, religious, and educational services to the local community in San Jose, California. The organization aims to serve communities of diverse faiths to promote peace and justice through secular and nonsecular activities. The grant funds allowed Evergreen Islamic Center to conduct an in-person seminar to educate their members and the larger community about water conservation and the county's water supply. The Project featured guest speakers from various religious faiths and professions who incorporated technological and faith-based perspectives into their discussions. Evergreen Islamic Center distributed a post-event survey to gather feedback from the participants which showed that the seminar had a lasting impression on their knowledge of water conservation and Santa Clara County's water supply.

Key Outcomes:

- Conducted a four-hour seminar on December 11, 2021 for 200 attendees on the topics of water conservation and water supply.
- Featured eight speakers from various faiths including Muslim, Christian, Jewish, Hindu, Buddhist and Sikh.
- Distributed a post-event survey to gather community feedback and received six responses.
- Livestreamed the event on their Facebook page: https://www.facebook.com/evergreenmasjid/videos/630869584912142

For further information, please contact Donald Rocha at (408) 630-2338.

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8. Safe, Clean Water Mini-Grant Closeout: Marshmallow Minds' STE(A)M Education on Conservatory of Birds Project

In Fiscal Year 2020, Valley Water awarded Marshmallow Minds a $5,000 Safe, Clean Water Program D3 Mini-Grant for their Environmental STE(A)M Education on Conservation of Birds Program (Project). Marshmallow Minds completed the Project in August 2021 and submitted the final invoice items on November 17, 2022, allowing for grant closeout.

Marshmallow Minds is a 501(c)(3) nonprofit whose mission is to make future-ready, highly engaging, and experiential education easily accessible and affordable for Title 1 schools (schools with a high percentage of students from economically disadvantaged communities). The mini-grant provided funding to pilot Marshmallow Minds' Migratory Birds and Their Conservation curriculum for 4th-8th grade students, which was designed to meet Next Generation Science Standards and Common Core State Standards. Marshmallow Minds partnered with San Francisco Bay Bird Observatory (SFBBO) to create a 54-minute video lesson of a migratory bird conservation curriculum accessible on YouTube. Marshmallow Minds led classroom exercises of the curriculum with hands-on science, technology, engineering, art, and mathematics (STEAM) kits, which included a workbook, copper tape, LED stickers, conductive fabric patches, and Chibitronic's "Love to Code" Chibi Chip (Chibi Chip). Chibi Chip devices allowed students to power LED stickers and upload different code sets to manipulate lights. Students used the STEAM kits to learn how circuits work, design paper circuits, run code, and create designs for structures that reduce bird collisions by using blinking lights instead of steady lights.

Key Outcomes:

- Engaged more than 300 students from the Franklin-McKinley School District's Windmill Springs and Stonegate Elementary Schools in San Jose during the 2020-2021 school year.
- Conducted eight hours of virtual classes with 14 different classrooms.
- Packaged and delivered 325 "Love to Code Chibi Chip" STEAM kits.
- Developed and delivered a video lesson about Migratory Bird Conservation Design:
    - https://youtu.be/yEKDMAn1SGs

- Received thank you letters from the students, which included testimonials such as:
  - "It was really interesting and I learned a LOT about birds and coding and design thinking", "I like the coding when the LED lights up" and "in the future, I would make sure that people respect bird habitats".
- To read all the testimonials, please visit: https://www.marshmallowminds.org/testimonials

For further information, please contact Donald Rocha at (408) 630-2338.

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9. U.S. Environmental Protection Agency Proposal to Limit PFAS in Drinking Water

Valley Water continues to track the rapidly evolving science and regulatory developments related to per- and polyfluoroalkyl substances (PFAS), and to evaluate potential impacts on local water supplies. PFAS are a group of thousands of man-made chemicals that have been widely used in consumer and industrial products such as stain-resistant fabrics, food packaging, and firefighting foam. PFAS break down slowly and can accumulate in humans, animals, and the environment.

On March 14, 2023, the U.S. Environmental Protection Agency (EPA) released a proposal to limit six PFAS in drinking water by establishing a Maximum Contaminant Level (MCL) of 4 parts per trillion for PFOA and PFOS. The rule would also regulate combined amounts of four other types of PFAS chemicals (PFNA, PFHxS, PFBS, and GenX).

If the EPA rule is finalized, public water systems will need to monitor their water supply for these chemicals and ensure drinking water does not exceed these limits, which may require treatment or blending. The EPA will consider comments received during a 60-day public comment period and expects to finalize the regulations by the end of 2023.

Valley Water's treated water supplies meet the proposed drinking water regulations as none of the six PFAS have been detected. This means that all the water supplied by Valley Water's three treatment plants to water retailers continues to meet all federal and state regulatory requirements, including this proposed regulation, and is safe to drink. PFOA and PFOS have been detected at and just above the proposed MCL in two of three wells in Valley Water's Campbell Well Field. However, water from these emergency supply wells has never been served to water retailers or the public. Some water retailer wells are expected to be impacted if the EPA rule is adopted as proposed, which could require treatment or other actions.

Valley Water continues to collaborate with regulatory agencies and water retailers to assess impacts to local supplies and to evaluate potential sources and treatment technologies. Valley Water will also continue to provide timely, transparent communication to customers and the public.

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

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10. Valley Water Staff Recognized for “Breaking Barriers” in Procurement

March is National Procurement Month, celebrated by The Institute for Public Procurement (NIGP) and public purchasing departments across the country. In recognition of National Procurement Month, Valley Water employee, Huggen Angeles, received the 2023 “Breaking Barriers Award” from PlanetBids! The award was created to acknowledge those professionals who have guided their organizations to greater levels of efficiency through eProcurement.

Mr. Angeles is a Senior Construction Contracts Administrator in the Construction Contracts and Support Unit. In 2021, Valley Water's procurement team moved to automate the procurement

process through PlanetBids. The system makes doing business with Valley Water easier by allowing vendors to maintain their own profiles as a new or existing vendor. Vendors also receive automatic e-mail notifications for selected bid opportunities, get up-to-date information regarding bid requests, and can submit responses to bid proposals through the system.

Even further, earlier this year, Mr. Angeles and team recently made the move to implement electronic bid bonds (eBonds) for Valley Water, eliminating the need for vendors to transmit paper copies of their bonds ahead of bid openings. With eBonds, Vendors can simply place an attachment as part of their response and Procurement staff can view the validity of the bond directly through the PlanetBids system.

Congratulations to Huggen Angeles and all Valley Water staff who were a part of this effort!

For further information, please contact Tony Ndah at (408) 630-2208.

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11. Eisenberg

How much money the District has spent on (and has committed to) the Delta tunnel project (just totals, not requiring me to add up).
I-23-0010

On March 14, 2023, in response to Informal Board Request No. I-23-0010, the following information was provided to Director Eisenberg regarding the total amount of money Valley Water has spent on Delta conveyance projects (Bay Delta Conservation Plan, California WaterFix, and Delta Conveyance Project).

	Bay Delta Conservation Plan (FY 2007 - 2015)	California WaterFix (FY 2015 - 2020)	Delta Conveyance Project (FY 2021 - 2025)	Total
Total Paid (as of March 2023)	$8,968,249	$399,265	$5,047,492	$14,415,005
Total Committed (through FY 2025)	$8,968,249	$399,265	$11,314,304	$20,681,818

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

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12. Eisenberg

This is for a document, not a number: I asked for this before, but could not locate it in the many documents I received in response: I need the current version of the District's contract with the San Jose Water Company, including any/all amendments, exhibits, and attachments? (Amendments alone aren't sufficient without including the contract that is being amended).
I-23-0012

On March 7, 2023, in response to Informal Board Member Request No. I-23-0012, the current Treated Water Contract between Valley Water (Santa Clara Valley Water District) and San Jose Water Company (San Jose Water Works) was provided to Director Eisenberg.

For further information, please contact Sam Bogale at (408) 630-3505.

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13. Eisenberg

What is the process for employees to speak with Board Members? Do we have a policy on emotional support animals in the workplace? and location of salary structure for unclassified and classified positions.
I-23-0013

In response to the request during Board and in person meetings with Valley Water's Human Resources staff, the following is information regarding Board members communication with employees; policy on emotional support animals, and information on the staff salary ranges.

The process for employees to speak with Board Members is described in the Board's Governance, under Board-Board Appointed Officer (BAO) Linkage, BL-2. Section 2.2 states that Board members may directly approach BAOs or designee to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making. Any Board member requests that require substantive work should come to the Board for direction. Section 2.1.1 states when seeking information, all Board members will contact the BAO or designee. The Board members must schedule an appointment in advance with the appropriate BAO or designee. Finally, section 2.2.2.1 states that nothing shall preclude staff from meeting with Board members on District business. This is further clarified in BL-3, sections 3.1, which states that the Board, as a whole, will not give direction to a person who reports directly or indirectly to the BAOs. The expected protocol is for staff to work with their unclassified management chain on any matters with the Board.

Valley Water does not have a policy or practice for emotional support animals in the workplace. A study of comparable public agencies in the San Francisco Bay Area shows that most public agencies do not have a policy on emotional support animals, nor are emotional support animals allowed in the workplace as a matter of practice. However, many of the public agencies surveyed stated that allowing emotional support animals in the workplace would be reviewed as part of a medical reasonable accommodation. At this time, Valley Water does not allow emotional support or regular pets in the workplace.

In response to an inquiry at the Board Policy and Planning Committee meeting on February 6, 2023, salary ranges of all classifications, both classified and unclassified, are posted on the Careers page of our Valleywater.org webpage (https://www.governmentjobs.com/careers/scvwd/classspecs). A link to the Government Compensation in California website from the California State Controller's office is also listed on the Valley Water Career Page for easy reference by the public.

For further information, please contact Patrice McElroy at (408) 630-3159.

BOARD MEMBER REQUESTS and Informational Items

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-23-0010	02/20/23	Eisenberg	Baker	Gin	How much money the District has spent on (and has committed to) the Delta tunnel project (just totals, not requiring me to add up).	03/12/23		
I-23-0012	02/20/23	Eisenberg	Baker	Bogale	This is for a document, not a number: I asked for this before, but could not locate it in the many documents I received in response: I need the current version of the District's contract with the San Jose Water Company, including any/all amendments, exhibits, and attachments? (Amendments alone aren't sufficient without including the contract that is being amended).	03/12/23		
I-23-0013	02/13/23	Eisenberg	Yoke	Bella Mcelroy	Provide Director Eisenberg with answers to the following questions - What is the process for employees to speak with Board Members? and Do we have a policy on emotional support animals in the workplace?	03/05/23		

MEMORANDUM

FC 14 (02-08-19)

TO: Board of Directors

FROM: Michele King, Clerk of the Board

SUBJECT: 3/14/23 Board Agenda Item 2.8 – Additional Emails Received Since 3/15/23

DATE: 3/22/23

The Board received additional form emails from constituents regarding 3/14/23 Board Agenda item 2.8 - Monthly Drought Emergency Response and Water Supply Update.

Attached to this memo are a copy of the email and the list of constituents who submitted emails after the 3/15/23 Non-Agenda packet.

Michele King

From: Board of Directors
Subject: FW: Agenda Item 2.8 March 14 meeting - respectful request to remove the drought mandate

Dear Valley Water Board,

I am writing to express my concerns regarding agenda item 2.8 on your upcoming March 14th meeting, which pertains to the Monthly Drought Emergency Response and Water Supply Update (File #: 23-0114). Given the recent record-breaking rainfall and especially, the above-average snowpack in the Sierras, I respectfully request that you remove the drought mandate and urge the San Jose Water Company to eliminate the drought surcharge through a CPUC filing.

According to reports, this has been the 13th wettest January in the past 129 years in our county, and our reservoirs in Northern California have benefited greatly from this precipitation. Furthermore, NBC news' Damian Trujillo has reported that Valley Water has been strategically releasing water from reservoirs in preparation for future storms, which is why the county's reservoir capacity currently stands at only 50%. While we all will continue to conserve water this summer, I request that the June 9, 2021 15% reduction in water usage be changed from "mandatory" to "recommended." As a long-time resident, I fully support water conservation efforts, including the conversion of my front yard to low water in 2017 at a significant expense. However, the current mandate has unfortunately allowed San Jose Water Company to impose a surcharge that directly feeds into their profits. The result is a spike in our water bills that is not sustainable and puts a strain on our finances. My water bills this year have been far in excess of previous bills for 30% less water. San Jose Water Company's relentless rate increases and the surcharge resulting from the drought mandate have significantly increased their profits despite our successful efforts in water conservation. San Jose Water Company's annual income in 2020 was $60.4 million, and it increased to $61 million in 2021, a staggering increase from the $20 million baseline between 2010-2013.

As a resident of Santa Clara County, I urge you to prioritize the well-being of the community and remove the mandate. Thank you for your attention to this matter.

3/22/2023

3/14/23 Board of Directors Meeting

Agenda Item 2.8 - Log of additional emails received after 3/17/23 Non-Agenda Memo

Ming Sheu
Chandravadan Patel
Greg Horn
Virginia Parker
Nil Ustundag-Ates
Yunghwa Chang
Art Dave
Ran Parekh
Jay Kamdar
Cliff Marks
Marjon Amiri
Shan Huang
Elena Chen
Roberta Stewart
Murty Devarakonda
Michael Vedda
Diana Earl
Monique Bui
TJ Alldridge

MEMORANDUM

FC 14 (02-08-19)

TO: Board of Directors

FROM: Michele King, Clerk of the Board

SUBJECT: 3/16/23 Board Agenda Item 2.5 – Comment Received After Board Meeting

DATE: 3/22/23

Attached is a letter regarding 3/16/23 Board Agenda item 2.5 - Receive Information on Water Supply Strategy, Water Supply Master Plan Update, and Work Study Session on the Pacheco Reservoir Expansion Milestone Review, that was received after the Board meeting.

Verna Jigour PhD

March 16, 2023

Board of Directors, Santa Clara Valley Water District (Valley Water)
transmitted via email to:
board@valleywater.org and
clerkoftheboard@valleywater.org

Comments re: Agenda item 2.4: Water Supply Strategy, Water Supply Master Plan Update, and Work Study Session on the Pacheco Reservoir Expansion/ New Dam – Highlighting Alternative Approach Not Considered to Date

Honorable Board Members,

As discussed in some detail in my Feb 15, 2022 comments on the Pacheco Reservoir Expansion DEIR (27 pages), I sincerely invite Valley Water Board Members to apply your collective influence to promoting consideration of an overlooked **alternative approach** to add to the District's Water Supply Strategy and Master Plan, as a more cost-effective, environmentally sound alternative to the shockingly expensive, environmentally disrespectful proposed new dam and reservoir expansion project.

In short, that alternative is **ecohydrological restoration of watershed, a.k.a. catchment detention functions** where they have been unwittingly degraded through historical human land uses.

Recognizing that we all must be careful about clicking hyperlinks, as advised in the Board Agenda Memorandum, I can only offer my professional assurance that links I provide to pages on my website are secured by SSL and are all https. That said, I offer this hopefully helpful comparison, using visual examples:

Retention vs Detention Storage
https://rainfalltogroundwater.net/retention-vs-detention-storage/

along with the graphic summary on the following page.

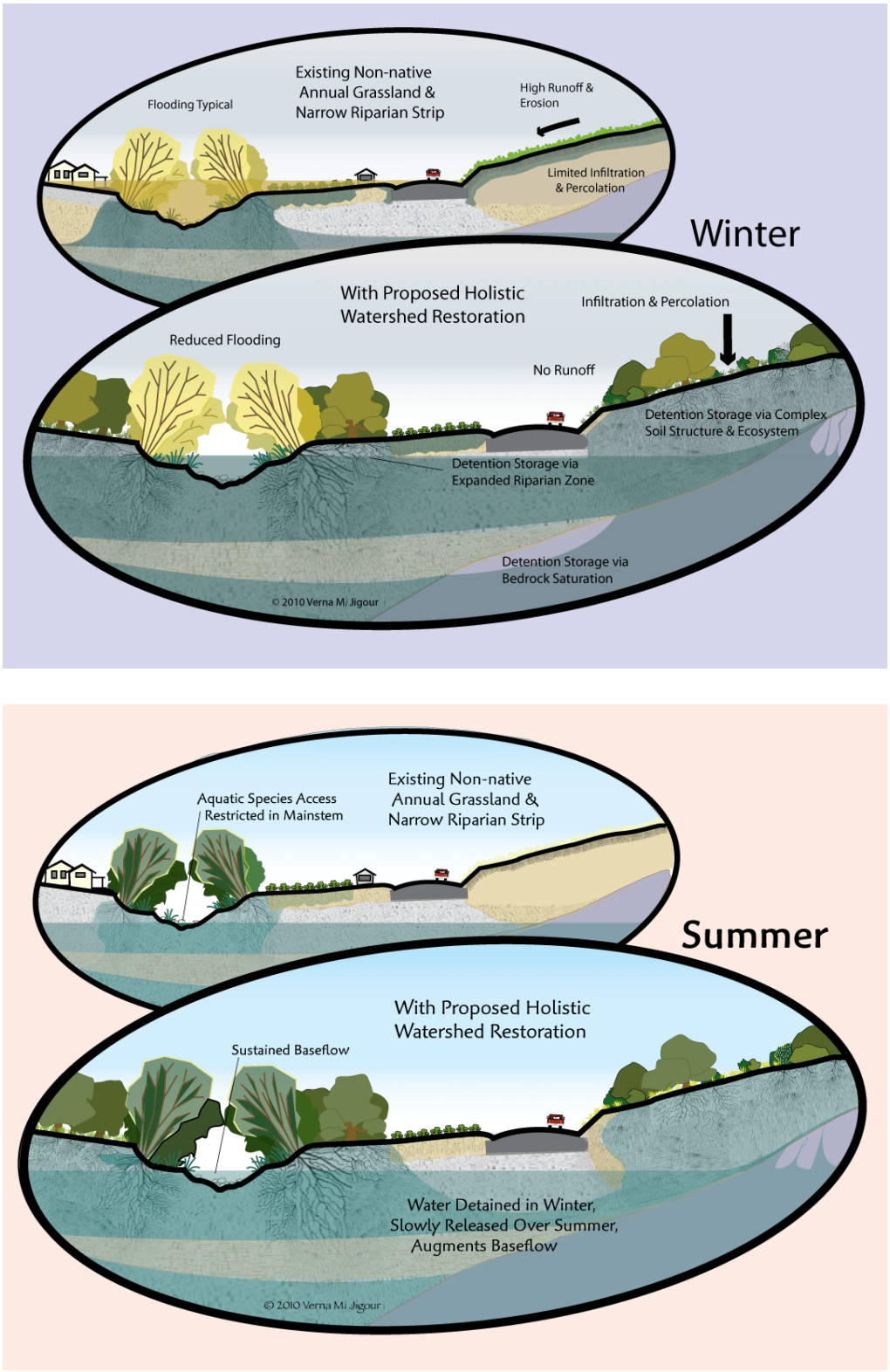

Figure 1. Rainfall to Groundwater Holistic Restoration Concept Summary

As hinted in the lower photo on that linked page, if you like what winter snowpack does for California's water supply, you are appreciating the **detention storage** it offers.

What goes unappreciated far and wide is the detention storage offered by the vadose, a.k.a. unsaturated zones of lands where native, especially **woody vegetation** remains intact. These woody root systems and the soil ecosystems they facilitate form the basis of hydrological connectivity between the land surface and the saturated, or groundwater zone and, moreover with **bedrock aquifers**. Where the native land cover has been replaced by **nonnative annual** grasslands, that hydrologic connectivity is broken and therein lie **opportunities to restore catchment detention functions**.

Doubtless, this portion of the hydrologic cycle goes unnoticed by District engineers because they have been trained only in either surface or groundwater hydrology/ hydraulics, with no governing equations to aid understanding of vadose zone functions that intervene between the two realms.

Yet scientific evidence of the significance of this connectivity for water resources has only grown rapidly over the past decade-plus since I documented pertinent science and policy dating back over a century before that in my doctoral dissertation. For example, consider the below findings, which I excerpted in my blog post #15. Catchment Restoration for Biodiversity, Climate Change Resilience https://rainfalltogroundwater.net/2022/02/07/catchment-restoration-for-biodiversity-climate-change-resilience/ Below is a pertinent excerpt from that post.

Continuity of tree roots with bedrock aquifers has been brought to recent attention by the following publication [the 2nd link offers free access]:

McCormick, E. L., D. N. Dralle, W. J. Hahm, A. K. Tune, L. M. Schmidt, K. D. Chadwick, and D. M. Rempe. 2021. Widespread woody plant use of water stored in bedrock. *Nature* 597:225–229. https://doi.org/10.1038/s41586-021-03761-3 https://assets.researchsquare.com/files/rs-138459/v1_stamped.pdf?c=1610662325

A few excerpts from McCormick and colleagues (2021) are appropriate here:

Abstract [with endnotes omitted, formatting added for this context]:

In the past several decades, field studies have shown that woody plants can access substantial volumes of water from the pores and fractures of bedrock. If, like soil moisture, bedrock water storage serves as an important source of plant-available water, then conceptual paradigms regarding water and carbon cycling may need to be revised to incorporate bedrock properties and processes. Here we present a lower-bound estimate of the contribution of bedrock water storage to transpiration across the continental United States using distributed, publicly available datasets. Temporal and spatial patterns of bedrock water use across the continental United States indicate that woody plants extensively access bedrock water for transpiration. Plants across diverse climates and biomes access bedrock water routinely and not just during extreme drought conditions. **On an annual basis in California, the volumes of bedrock water transpiration exceed the volumes of water stored in human-made reservoirs, and woody vegetation that accesses bedrock water accounts for over 50% of the aboveground carbon stocks in the state.** Our findings indicate that *plants commonly access rock moisture, as opposed to groundwater, from bedrock and that, like soil moisture, rock moisture is a critical component of terrestrial water and carbon cycling*.

Other germane excerpts [with endnotes omitted, formatting added]:

… The circulation of near-surface water by plant roots has consequences for a large number of Earth-system processes, including landscape evolution, ecosystem carbon storage and nutrient delivery to streams. …

… For example, our deficit analysis suggests that **in California alone, 20 km3 (16.2 million acre-feet) of water can be extracted from bedrock by woody plants annually. This is approximately equal to the volume of water stored in all of the state's reservoirs combined, and about three times the state's annual domestic water use.**

> … Given that the dynamics of rock moisture have the potential to regulate the timing of groundwater recharge and runoff, **bedrock water storage may be critical to water resource planning**. …
>
> Thus, bedrock water storage dynamics are likely key to understanding the sensitivity of carbon, water and latent heat fluxes to changes in climate. (McCormick and colleagues 2021)

McCormick and colleagues reviewed minimal data on hardwood species, apparently missing this piece, as noted in that blog post [again, the 2nd link offers free access]:

Lewis, D. C. and R. H. Burgy. 1964. The relationship between oak tree roots and groundwater in fractured rock as determined by tritium tracing. *Journal of Geophysical Research* 69:2579-2588.
https://doi.org/https://doi.org/10.1029/JZ069i012p02579
https://agupubs.onlinelibrary.wiley.com/doi/epdf/10.1029/JZ069i012p02579

In any case, attitudes about plant ecological relationships have changed to some degree in the intervening nearly six decades. However, many readers might respond to this news not too dissimilarly to Lewis and Burgy's (1964) own reaction to the results of their research that showed that blue oaks are absolutely accessing bedrock moisture. In the blog post I include an excerpt from their Conclusions, but here I'll just encapsulate that these authors, enmeshed in the prevailing 20th century scientific paradigm of their time, reasoned that these trees "pump" water out of the ground, thereby depressing the water table and that then-ongoing efforts to remove woody vegetation from California rangelands were a "good thing" since those plants are clearly "stealing" water that we humans need.

Yet, even during the 20th century, a contrasting, more systematic view of such processes ran through a lineage of primarily U.S. Forest Service hydrologists, among the last of whose publications (for a couple decades, at least) is represented in the following quotation – contrast their take on trees as "pumps" with that of Lewis and Burgy (1964).

> In this respect plants may be likened to pumps emptying out a reservoir. The more water that is pumped out, the more space is available in the reservoir for precipitation. (Lassen and colleagues 1952)

Lassen, L., H. W. Lull, and B. Frank. 1952. Some plant-soil-water relations in watershed management. Circular 910. U.S. Dept. of Agriculture Division of Forest Influences, Washington, D.C. https://www.google.com/books/edition/Some_Plant_soil_water_Relations_in_Water/7PfvylnV8R8C?hl=en&gbpv=0

A 21st century view is that this documented hydrological connectivity is evidence of a dynamic **system**, in which the deep roots of woody plant species and their fungal ecological associates operate actively in the breakdown of saprock at the bedrock surface into saprolite, and that the entire system has been shown to hold copious amounts of water that are particularly supportive of ecosystems with Mediterranean-type climates, such as most of California. (Klos and colleagues 2018)

Klos, P. Z., M. L. Goulden, C. S. Riebe, C. L. Tague, A. T. O'Geen, B. A. Flinchum, M. Safeeq, M. H. Conklin, S. C. Hart, A. A. Berhe, P. C. Hartsough, W. S. Holbrook, and R. C. Bales. 2018. Subsurface plant-accessible water in mountain ecosystems with a Mediterranean climate. *WIREs Water* 5:e1277. https://doi.org/10.1002/wat2.1277 https://escholarship.org/content/qt9n73p87j/qt9n73p87j.pdf

Rather than "stealing" water we humans might otherwise use, these woody plants prime and sustain the ecohydrological systems that sustain the groundwaters and baseflows we do depend on.

Prior to the bedrock connections becoming established, among the earliest scientific recognitions of detention storage was by U.S. Forest Service researchers:

Hursh, C. R. and P. W. Fletcher. 1942. The soil profile as a natural reservoir. *Proceedings Soil Science Society of America 7:480-486.* https://doi.org/10.2136/sssaj1943.03615995000700C0082x https://www.srs.fs.usda.gov/pubs/ja/1943/ja_1943_hursh_001.pdf

Combining these two recognitions, you have an **entire arena of subsurface storage potential** that has not even been considered as part of Valley Water's Water Supply Strategy. For "ballpark" simplicity I equate one acre of existing nonnative annual grassland with the potential for one acre-foot of additional detention storage with restoration of native, especially woody, plant cover.

Given, not only the "soil profile as a natural [detention] reservoir" but the ecohydrological connectivity woody root systems establish and maintain with weathering bedrock aquifer storage, this correlation is a reasonable "ballpark" estimate. Currently degraded rangeland riparian zones could detain more than uplands upon restoration, further supporting that estimate.

It may be necessary to shift one's thinking a bit to fully grasp the potential of catchment restoration. The apparently most common perception of watersheds is woefully linear – seeing only the streams and not the far vaster area of **contributing uplands upon which the majority of precipitation actually falls**. And this is partly a scale issue – seeing only those streams blinds the observer to the much more expansive potential for **distributed storage**. The proposed restoration of degraded catchment uplands and riparian zones aims to augment infiltration and percolation of precipitation right where it falls – Rainfall to Groundwater.

A hopefully helpful reminder is offered in my blog post #10.
How Does Groundwater Get There? Some Basics
https://rainfalltogroundwater.net/2019/07/01/how-does-groundwater-get-there-some-basics/

As summarized in my aforementioned DEIR comments, over two decades ago I developed a GIS database of historic steelhead streams ***and their watersheds*** that enabled me to assess the land cover/ vegetation present on watersheds/catchments supporting those steelhead streams. While I no longer have access to GIS, I still have the data generated through my analyses, which were documented in my doctoral dissertation. Following are some pertinent figures from that analysis.

Santa Clara County (all): 131,610 acres nonnative annual grassland
San Benito Co., Pajaro R. watershed: 233,954 acres nonnative annual grassland
Merced County, Pajaro R. watershed: 17.67 acres nonnative annual grassland

Stanislaus County, Pajaro R. watershed: 3.93 acres nonnative annual grassland

Therefore, using my ballpark estimate, the potential for enhanced subsurface water storage in Santa Clara County – 131,610 AF comes close to matching the full capacity of the expanded reservoir – 140,000 AFt, stated on Board Agenda Memorandum, page 5, under Project Status. And, in contrast to surface water storage, subsurface water detention storage is *not subject to uncontrollable evaporative losses intensified by ongoing climate change*. California native plants have long-honed ecological adaptations to drought. Moreover, recent research suggests that plants may be drawing from completely different subsurface water sources than those that gradually drain to dry season baseflows and feed alluvial aquifers.

A program for voluntary ecohydrological restoration of degraded catchments must include incentives for both private and public landowners to accomplish the restoration and long-term management of catchment detention functions. For private landowners, tailored conservation easements seem the likeliest tool.

Such a program for **"green" infrastructure, a.k.a. nature-based solutions,** will doubtless provide significantly better cost/benefit values than the proposed, uber-expensive "gray" infrastructure project, especially over time, as restored, effectively managed catchments will only host more robust detention storage as the restored ecosystems mature.

Comments re Board Agenda Memorandum (BAM) & Attachment 1 PowerPoint

Given that highly abbreviated summary of the Rainfall to Groundwater approach, I now offer comments pertaining to specific sections of the Board Agenda Memorandum (BAM) by page # and the Attachment 1 PowerPoint slides by #.

The Rainfall to Groundwater approach addresses the first two of the three-prong Water Supply Strategy (BAM p 1-2; Slide 4) – #1 because it offers more subterranean water storage through **green infrastructure** and #2 because **it expands "the use of drought-resilient supplies"** – drought resilient because it stores more water underground, rendering it less subject to increasing evaporative demand with

climate change, while subsurface supplies may be carried over from wet to dryer years.

Strategy -Pair Supply with Diversified Storage (Slide 9): – the Rainfall to Groundwater approach offers new supply through **diversified, distributed storage in the watershed/ catchments** supporting the District.

Public Benefits of Pacheco Reservoir Expansion Project (PREP): BAM p 4-5 states,

> Climate extremes also impact terrestrial and aquatic resources as prolonged droughts impact fish passage and habitat. The PREP will provide for **regulated, consistent, and cool water to improve the habitat for the federally threatened South Central Coast Steelhead in Pacheco Creek as well as other species**. This will be accomplished by storing runoff water during high-rainfall periods and **releasing it in a regulated fashion year-round when the creek would otherwise be dry**. [formatting added for emphasis]

Public Benefits: Slide 13 claims the PREP will "Enhance habitat for federally threatened steelhead", while Slide 14 touts California Dept of Fish and Wildlife's determination that the proposed project meets the legal requirement cited there.

As for the **regulated**, year-round releases – since when did South Central Coast Steelhead enjoy such even, year-round flows? Off the top of my head, my recollection of statements made in the recovery plan (2013, below) is that the inland segments of this particular population (e.g., Salinas and Pajaro Rivers) likely host genetic adaptations to extreme conditions that could be important in sustaining the entire population segment through the impacts of climate change.

National Marine Fisheries Service. 2013. *South-Central California Coast Steelhead Recovery Plan*. West Coast Region, California Coastal Area Office, Long Beach, CA. https://www.us-ltrcd.org/files/1d0e4610f/2013_scccs_recoveryplan_final.pdf

Transforming seasonally variable flows into **regulated**, year-round releases promises to tweak the evolution of Pajaro River steelhead in a manner not unlike how hatcheries have homogenized the genetic diversity of other native salmonids in California.

While the California Dept of Fish and Wildlife may have given cursory approval, that approval is *tainted by the political influence coming from the top* – a Governor pressured to do something about public water supplies – even if it's wrong, only partially effective, or environmentally harmful (see "Editorial: Governor takes a page from Trump water playbook" The Mercury News e-edition, Mar 1, 2023).

A Disneyland-Style Steelhead Stream?

PREP proposes a Disneyland-style approach to habitat restoration – 'looks good on paper but is based on a wholly mechanistic, artificial infrastructure that is not to be trusted in the context of ecological restoration of the steelhead population.

Please just name a reservoir that is truly helping to restore any salmonids in California. They offer big promises but if they had actually delivered on those promises, salmonids would not be in the poor shape they are in today. For a recent example, please refer to this paper:

Willis, A. D., R. A. Peek, and A. L. Rypel. 2021. Classifying California's stream thermal regimes for cold-water conservation. *PLOS One* 16:e0256286. https://doi.org/10.1371/journal.pone.0256286

Please consider the following excerpt from the abstract:

> … Several salient findings emerge from this study. Groundwater-dominated streams are a ubiquitous, but as yet, poorly explored class of thermal regimes. Further, flow regulation below dams imposes serial discontinuities, including artificial thermal regimes on downstream ecosystems. Finally, and contrary to what is often assumed, California reservoirs do not contain sufficient cold-water storage to replicate desirable, reach-scale thermal regimes. …

Those findings are summarized in this blog post:

"Dammed hot: California's regulated streams fail cold-water ecosystems"
Posted on August 29, 2021 by UC Davis Center for Watershed Sciences
by Ann Willis, Ryan Peek, and Andrew L. Rypel

https://californiawaterblog.com/2021/08/29/dammed-hot-californias-regulated-streams-fail-cold-water-ecosystems/

If those much larger dams are incapable of providing the cold flows needed by salmonids, what makes Valley Water assume they can achieve that objective with this significantly smaller reservoir? Hubris, perhaps? Definitely **greenwashing!**

Rainfall to Groundwater is the only approach to water resources I've seen to date that addresses the ubiquitous groundwater-dominated streams that the above abstract refers to as a "poorly explored class of thermal regime". Not by me. That's what Rainfall to Groundwater is all about.

And then, consider the history of aquatic species biodiversity in Santa Clara County under the historical management of Valley Water. Your agency has no qualifications to recommend you as "stewards of steelhead". That is why the historical steelhead population on Coyote Creek has apparently met its demise. Witness:

Smith, J. 2018. Fish population sampling In 2017 on Coyote Creek. Pages 48-86 in Comment Letters Received subsequent to the Workshop for the 2018 Triennial Review of the San Francisco Bay Basin Water Quality Control Plan (Basin Plan). Water Boards, CA.
https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/basinplan/web/docs/Triennial_Review/2018%20Triennial%20Review%20Workshop%20Comments%20Package%205-21-18.pdf

We can see how Valley Water's regulation of flows on Coyote Creek have transformed Coyote Valley's original, ecologically diverse sycamore alluvial woodlands into narrow linear strips of homogeneous cottonwood and willow – mere remnants of the biodiversity that once existed there. This kind of **flow regulation** has greatly diminished the ecological and even ecohydrological functions of the valley and Valley Water is the prime culprit in this history due to its long insistence on mechanistic approaches to water management.

The Rainfall to Groundwater approach was originally conceived as a strategy to augment cold baseflows supporting steelhead habitat connectivity, but it also happens to offer clear benefits to human water resource needs.

Incidental Benefit: Flood Protection (Slide 16, BAM p 5) This claim of offering flood protection to Pacheco Creek and downstream disadvantaged communities ***pales by comparison*** to the potential flood reduction offered through widespread watershed/ catchment restoration ala Rainfall to Groundwater. As noted in the Figure 1 Winter view, catchment restoration offers greater infiltration and percolation, reducing winter runoff and flooding. The Rainfall to Groundwater approach helps reduce flooding while extending summer baseflows.

Surely the District Board recognizes that trees and debris in the Coyote Creek channel were NOT the cause of flooding there in 2017, as simplistically assumed by many. It was the cumulative runoff from the entire Coyote Creek watershed that overwhelmed the District's infrastructure.

Relatedly, the most cost-effective solution to flooding on the Pajaro River coastal plain is to restore detention storage throughout degraded portions of its watershed, which encompass its greatest expanse. As noted on page 7, bottom, in addition to nonnative annual grasslands in Santa Clara County, San Benito County hosts 233,954 acres of nonnative annual grassland– all in the Pajaro River watershed and all opportunities to restore detention functions. Restoration of degraded catchment functions on those upper watershed lands could significantly reduce downstream flooding, as noted in my dissertation abstract, while boosting that county's groundwater resources.

Watershed Restoration for Baseflow Augmentation
Verna M. Jigour (2008-11) PhD Dissertation Abstract
https://rainfalltogroundwater.net/watershed-restoration-for-baseflow-augmentation-jigour-2008-11-abstract/

Finally, I offer one additional graphic representation of the potential of the Rainfall to Groundwater approach, as compared with the California Department of Water Resources' Water Available for Replenishment (WAFR) report, Figure 3 – my Figure 2 in this document – please see the next page. As illustrated there, even wholesale ecohydrological restoration of watersheds is not claimed to shave off all flood peaks. But it can move more of that potential flooding into detention storage – augmenting natural groundwater recharge – than can any Managed Aquifer Recharge using surface waters.

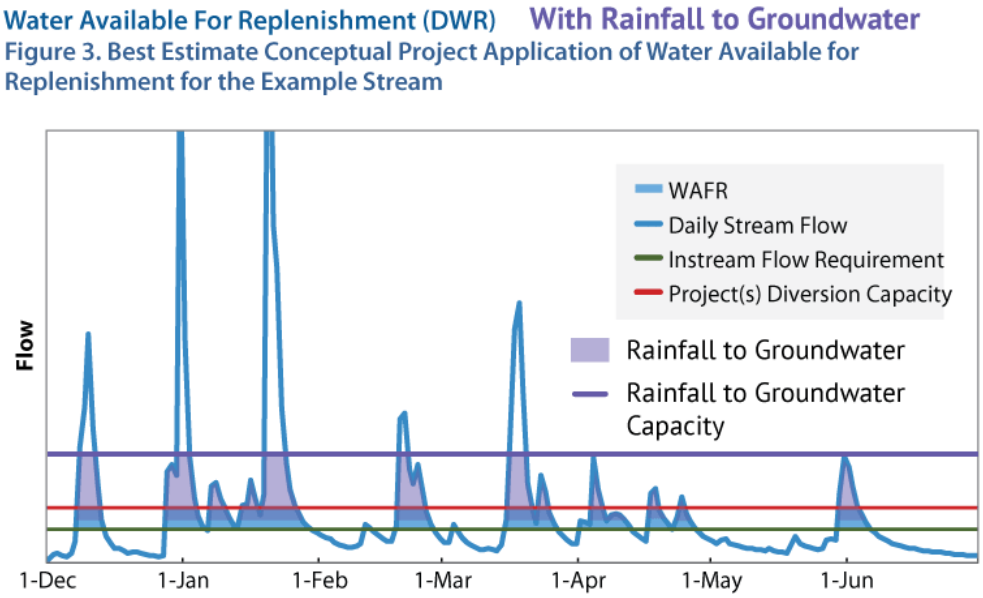

Figure 2. WAFR Figure 3 With Rainfall to Groundwater Notes

I encourage the Board to steer the District toward a more cost-effective approach than the PREP. Should the Board elect to stay the course on PREP, I trust my proposed catchment restoration approach will be formally considered as an alternative in the refined DEIR. I expect to have a paper published summarizing the scientific literature support for this approach long before the refined DEIR is circulated, so please keep that in mind.

Can Valley Water rise above its historical pattern of long-lasting environmental impacts to achieve its constituents' water needs through collaborating with Nature rather than attempting to bend her to your will???

Thank you for your consideration of my comments,

Verna Jigour, PhD

V•Jigour LLC: Rainfall to Groundwater https://rainfalltogroundwater.net

INCOMING BOARD CORRESPONDENCE

Report Name: Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-23-0030	01/18/23	01/18/23	All	STEPHEN QUAN	Email from Stephen Quan, to the Board of Directors, dated 01/18/23, regarding Dam Levels and the Drought.	Refer to Staff	Baker	Williams	01/26/23	01/31/23	n/a	02/01/23
C-23-0045	02/23/23	02/24/23	All	MELISSA MALLORY	EMail from Melissa Mallory regarding unhouse along Los Gatos Creek Trail.	Refer to Staff	Blank	Yerrapotu Codianne	03/04/23	03/03/23	n/a	03/10/23
C-23-0049	02/28/23	03/01/23	All	DON HALSEY	Email from Don Halsey to the Board requesting that the ponds at the Blackberry Farm golf course be filled.	Refer to Staff	Baker	Williams	03/09/23	03/17/23	n/a	03/15/23
C-23-0062	03/10/23	03/10/23	All	KELLY LOCKE	Email from Kelly Locke regarding debri on the banks of Los Gatos Creek causing issue with a raw sewer line.	Refer to Staff	Blank	Yerrapotu Codianne	03/18/23	03/15/23	n/a	03/24/23
C-23-0064	03/17/23	03/17/23	Varela	RICH SOTELO	Email from Rich Sotelo to Chair Varela regarding removing trees and bushes from Llagas Creek.	Refer to Staff	Yerrapotu	Codianne	03/25/23		n/a	03/31/23
C-23-0065	03/16/23	03/17/23	Eisenberg	ARYA SHAMAIN	Email from Arya Shamain to Director Eisenberg and Board regarding Mercury Contamination Conundrum at Guadalupe Reservoir.	Refer to Staff	Yerrapotu	Bourgeois	03/25/23		n/a	03/31/23
C-23-0067	03/18/23	03/20/23	All	TEMPO90909 TEMPO90909	Email from constituent regarding Alviso Educational Park inaccessibility.	Refer to Staff	Yoke	Ndah	03/28/23		n/a	04/03/23