



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

August 23, 202

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

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	<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
10	BMR/IBMR Weekly Reports: 08/21/24
11	Memo from Rick Callender, CEO to the board, dated 06/30/24, providing the FY 23-24 Ends Policy Outcome Measure Status Report.
	<u>INCOMING BOARD CORRESPONDENCE</u>
18	Board Correspondence Weekly Report: 08/21/24
19	Email from Jim Kuhl to the board, dated 08/13/24, regarding selection of projects to be included in the 2050 Water Supply Water Plan. C-24-0205
20	Email from Ali Raghian to the board, dated 08/17/24, requesting Chair Hsueh withdraw from running a 4 th term. C-24-0206
21	Email to/from Ron Cachopo to Jennifer Codianne, Deputy Operating Officer- Watersheds Operations and Maintenance, (copied to the board), dated 08/18/24, regarding the Saratoga Creek Bowe Ave. gate being unlocked. C-24-0207
23	Email from Alice Orth, president of Millpond Resident Association to the board, dated 08/20/24, requesting Valley Water re-evaluates the water restrictions placed on Millpond Mobile home Community. C-24-0208
	<u>OUTGOING BOARD CORRESPONDENCE</u>
25	Email from Chair Hsueh to Jim Kuhl, dated 8/20/24, addressing their questions on what immediate actions Valley Water is planning to take to ensure the most cost-effective projects are being incorporated in the 2050 Water Supply Master Plan (WSMP) to address water rate affordability issue.

CEO BULLETIN

CEO BULLETIN



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

Weeks of August 9, 2024 – August 22, 2024

Board Executive Limitation Policy EL-7:

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

Item	IN THIS ISSUE
<u>1</u>	Anderson Dam Seismic Retrofit Project Submittal of Environmental Regulatory Compliance Permit Applications and Partially Recirculated Draft Environmental Impact Report
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<u>6</u>	Sunnyvale City Council Study Session on August 27th, 2024 will include an update on Valley Water/USACE Shoreline Sunnyvale Feasibility Study
<u>7</u>	<p><u>Beall</u> Is there any negative effect on Valley Water (VW) from the stock market situation on 08/05/2024? Please provide a status of VW's accumulated large cash reserves (cash on hand/semi-liquid money/assets) I-24-0011</p>
<u>8</u>	<p><u>Beall</u> 1. What happens when a mitigation site is impacted by the unhoused or another agency? Are we on the hook to fix it? Who pays? 2. How often does that happen? Examples? 3. What is our process to address this with the regulators? The perpetrators? Do we get reimbursed? I-24-0013</p>

1. Anderson Dam Seismic Retrofit Project Submittal of Environmental Regulatory Compliance Permit Applications and Partially Recirculated Draft Environmental Impact Report

Environmental Regulatory Compliance Permit Applications

The Anderson Dam Seismic Retrofit Project (ADSRP) reached a major milestone with the submittal of the environmental regulatory permit applications on June 28, 2024. Permit applications were submitted to the U.S. Army Corps of Engineers (Clean Water Act Section 404 permit), the Water Boards (Clean Water Act Section 401 water quality certification), California Department of Fish and Wildlife (Lake and Streambed Alteration Agreement per Section 1600 of California Fish and Game Code), and the Bay Conservation and Development Commission (Consistency Certification).

Partially Recirculated Draft Environmental Impact Report

Valley Water has released a Partially Recirculated Draft Environmental Impact Report (EIR) for the Anderson Dam Seismic Retrofit Project (ADSRP) for a 45-day public review period beginning on August 5, 2024, and ending on September 20, 2024.

The Draft EIR for the Project was circulated for public review between September 1 and November 8, 2023. Valley Water now proposes to make certain construction changes to the seismic retrofit component, such as extending daily work hours, adding some weekend days, and beginning work on certain ADSRP components sooner. These changes necessitated revisions to some sections of the Draft EIR, which are reflected in the Partially Recirculated Draft EIR. The Partially Recirculated Draft EIR discloses certain Project impacts on aesthetics, air quality, greenhouse gases, and noise and vibration, but does not change the significance conclusions for these impacts as compared to the Draft EIR.

The Partially Recirculated Draft EIR and instructions to provide comments can be found on the Valley Water Public Documents Review webpage, which is also linked here: <https://www.valleywater.org/public-review-documents>. Valley Water directs that reviewers of the Partially Recirculated Draft EIR limit their comments to those that relate to the sections of the Draft EIR that have been revised and recirculated. Written comments received in response to the Partially Recirculated Draft EIR, along with prior comments received on the Draft EIR, will be addressed in the Final EIR.

For further information, please contact Ryan McCarter at (408) 630-2983.

2. Direct Potable Reuse (DPR) Regulations Approved

After more than 14 years of development, on August 6, 2024, the Office of Administrative Law (OAL) approved the Direct Potable Reuse (DPR) Regulations. The DPR regulations had previously been adopted by the State Water Resources Control Board on December 19, 2023. The effective date of the regulation is October 1, 2024.

DPR is the planned introduction of highly treated recycled water either directly into a public water system or into a raw water supply immediately upstream of a water treatment plant.

Valley Water has been involved in the development of DPR regulations since the beginning as part of the WaterReuse California Direct Potable Reuse Working Group, which has been guiding the development of these regulations for the past two years. Valley Water has worked with other partners and stakeholders to ensure progression of these important regulations.

The finalization of DPR regulations opens up new possibilities for implementing large-scale water recycling projects throughout the State. Valley Water is working to implement the San Jose Purified Water Project - Phase 1 (DPR Demonstration Facility) in collaboration with the Cities of San Jose and Santa Clara.

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

3. Safe, Clean Water Mini-Grant Closeout: Chopsticks Alley Art, Inc.'s Mę Earth (Mother Earth): Past, Present, Future Project

In Fiscal Year 2023, Valley Water awarded Chopsticks Alley Art, Inc. (Grantee) a \$5,000 Safe, Clean Water Program F9 Mini-Grant for their Mę Earth (Mother Earth): Past, Present, Future (Project). The Grantee completed the Project on June 24, 2023, and submitted the final invoice on April 15, 2024, allowing for grant closeout.

Chopsticks Alley Art, Inc. is an arts-based nonprofit organization focused on celebrating Southeast Asian cultural heritage. The Grantee hosted two community events and invited Valley Water and community partners, such as Society of Heart's Delight, Peninsula Open Space Trust (POST), Contemporary Asian Theater Scene (CATS), and Leadership Education, Activism and Dialogue (LEAD) Filipino to participate in group discussions on various water-related topics. The first event was an Earth Day event hosted on April 22, 2023, at Chopsticks Alley Art Gallery in San José. The event featured a panel discussion, an animated short film, and an art exhibit that promoted water conservation. The second event was an Asian American Healing Convening held on June 24, 2023. This event included a hike led by POST and a group discussion facilitated by Valley Water subject matter experts addressing the importance of nature and how water management affects wildlife.

Key Outcomes:

- Hosted one Earth Day Event and engaged 50 participants through a panel discussion about water conservation.
- Hosted an Asian American Healing Convening at Picchetti Ranch Open Reserve in Cupertino.
 - The event engaged 23 participants in discussions of wildlife and water management while they were led on a hike.
- Reported that 100% of responding participants learned more about water conservation and would consider joining another Asian American Healing Convening event.

For further information, please contact Rachael Gibson at (408) 630-2884.

4. Safe, Clean Water Mini-Grant Closeout: Compasspoint Mentorship's Ed Levin Park Mural Restroom Project

In Fiscal Year 2023, Valley Water awarded Compasspoint Mentorship (Grantee) a \$5,000 Safe, Clean Water Program F9 Mini-Grant for their Ed Levin Park Mural Restroom Project (Project). Grantee completed the Project on December 16, 2023, and submitted the final invoice on March 11, 2024 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, works on public art initiatives, and has installed murals in various parks throughout Santa Clara County. The mini-grant provided funding to install a mural at Ed Levin Park in Milpitas. The mural was designed by artist Haley Ferreira with feedback from the community. Santa Clara County Park management assisted in obtaining permits and refining the scope and budget.

The mural helped beautify the park and educate park-goers by displaying elements of local flora and fauna. The Grantee hosted a two-week long youth summer camp in June 2023, and incorporated activities like painting the mural and environmental education.

Key Outcomes:

- Engaged over 30 students in the mural planning, design, and installation.
- A ribbon-cutting ceremony was held on December 16, 2023, with approximately 50 participants to unveil the finished mural.
 - Valley Water Vice Chair Santos and Santa Clara County Supervisor, Otto Lee attended the ceremony.
- Administered an online and in-person post-installation survey.
 - Reported that 100% of respondents expressed satisfaction with the mural's beautification of the park restroom.
- Compasspoint Mentorship published a video on the mural creation process (link to video: <https://youtube.com/shorts/IQ4Rdx7v80U?si=kFcdhQmoeKg02lqH>).

For further information, please contact Rachael Gibson at (408) 630-2884.

5. Santa Clara Valley Water District Awarded District Transparency Certificate of Excellence

Valley Water is proud to announce that on August 6, 2024, the agency was awarded the District Transparency Certificate of Excellence by the Special District Leadership Foundation (SDLF). The SDLF is an independent non-profit organization supported by the California Special Districts Association and the Special District Risk Management Authority with the goal of promoting good governance among California's special districts through certification, accreditation, and other recognition programs.

The District Transparency Certificate of Excellence is awarded to special districts that meet rigorous transparency requirements. The program was established to promote openness in governance and operations of special districts and to allow these districts to showcase their dedication to transparency. The certificate, which is valid for three years, covers three main areas: Basic Transparency Requirements, Website Requirements, and Outreach Requirements. To earn this award, Valley Water demonstrated its adherence to key governance transparency standards, including conducting ethics training for all board members, ensuring that meetings are open and public, and timely filing of financial transactions and compensation reports with the State Controller. This recognition highlights Valley Water's commitment to transparency, accountability, and good governance in its operations.

For further information, please contact Theresa Chinte at (408) 630-2714.

6. Sunnyvale City Council Study Session on August 27th, 2024 will include an update on Valley Water/USACE Shoreline Sunnyvale Feasibility Study

The City of Sunnyvale will have a study session for its City Council on August 27th to provide an update on ponds and levees located along Sunnyvale's shoreline. The study session will include a brief update on Valley Water/U. S. Army Corps of Engineers' (USACE) Shoreline Sunnyvale Feasibility Study. As part of the Shoreline Sunnyvale Study, Valley Water and the City of Sunnyvale are exploring strategies for multi-beneficial use of Valley Water's Pond A4 and the City's Water Pollution Control Plant (WPCP) Ponds. The ponds are located along the shoreline area that would be protected by a new levee if constructed as part of the Shoreline Sunnyvale project. One concept being investigated is the city decommissioning and then restoring its WPCP ponds, and instead using a small portion of Pond A4 (currently owned by Valley Water) to house equalization tanks.

This concept of using Pond A4 was already evaluated as an alternative in the Sunnyvale Water Pollution Control Plant Master Plan published in 2016, which is currently being updated. For the Shoreline protection project, this alternative would allow for a shorter shoreline levee alignment as it would not need to go around the WPCP ponds and would provide significant ecosystem restoration benefits for the region as it creates more tidal marsh along the shoreline. This concept requires further investigation into land conditions, mitigation, permitting, pond cleanup costs, impacts to other projects, and more. Valley Water staff and City of Sunnyvale are considering entering into a Memorandum of Agreement (MOA) to jointly investigate these topics as the Shoreline Sunnyvale Study progresses.

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

7. **Beall**

Is there any negative effect on Valley Water (VW) from the stock market situation on 08/05/2024? Please provide a status of VW's accumulated large cash reserves (cash on hand/semi-liquid money/assets).

I-24-0011

As of August 2, 2024, Valley Water's unrestricted cash holdings (funds that can be drawn at any time with no restrictions) totaled approximately \$180 million, which is approximately 25% of the total investment portfolio of \$720M. Valley Water's investment portfolio is not impacted by the current stock market pull back because of two primary factors: (1) per the California Government Code, Valley Water invests only in high-grade fixed income securities (i.e. bonds rated AA or better), and has no investments in any stocks; (2) Valley Water's investment strategy of buy and hold to maturity protects it from market volatilities, though unrealized gains and losses are reported pursuant to the Government Accounting Standards Board (GASB) requirements.

Valley Water actively manages the daily, monthly, and annual cashflow needs to fund operations, capital and debt service requirements, and ensures sufficient liquidity is available at all times to pay for all expenditures on a real-time basis.

For further information, please contact Darin Taylor at (408) 630-3068.

8. **Beall**

1. What happens when a mitigation site is impacted by the unhoused or another agency? Are we on the hook to fix it? Who pays?

2. How often does that happen? Examples?

3. What is our process to address this with the regulators? The perpetrators? Do we get reimbursed?

I-24-0013

As the holder of the permits that require mitigation, Valley Water is responsible for making sure that mitigation sites are successful. If a mitigation site is impacted by the unhoused, to the degree that we fail to meet the site's permit-required performance criteria, we must make efforts to attain those criteria. Such efforts may include abating encampments from sites; protecting sites and plantings by installing fencing, putting up signs, supplying more water, installing more/new plantings; managing and monitoring sites for more years; and in the worst case, starting over at a different location.

Even when impacts are from the unhoused, we are still financially responsible for responding to those impacts. This is also the case when impacts are from drought, rodents, pathogens, flood, or fires. If a mitigation site is impacted by another agency, they are required to restore or replace the mitigation to our satisfaction.

Such restoration or replacement is typically a condition of an Encroachment Permit that Valley Water's Community Projects Review Unit (CPRU) issues for other agencies' activities on Valley Water property.

The frequency and severity of unhoused impacts on mitigation sites is primarily related to location. Mitigation sites near urban areas are much more susceptible to such impacts and likely to require corrective action. While avoiding such areas for mitigation sites is certainly a strategy for reducing maintenance costs, there is a strong regulatory and environmental preference for locating mitigation at or near a project site. Because Valley Water CIP projects tend to be in urban areas, so must the associated mitigation. Examples of CIP project mitigation sites that have required some form of corrective action due to impacts from the unhoused include:

- Downtown Guadalupe River Flood Protection Project: site fencing; encampment abatement; additional monitoring requirements and years of monitoring to track impacts from unhoused
- Upper Guadalupe River Project (UGRP): extra years of watering and maintenance due to trampling and fire damage; additional monitoring requirements to track impacts from unhoused; replanting may be necessary (to be determined from monitoring this year)
- Lower Berryessa Creek Flood Protection Program: extra effort and cost for trash removal.

In addition, this year Valley Water's Stream Maintenance Program had to abandon 36 acres of mitigation and delay implementation of another 15 acres due to repeated impacts from the unhoused. Mitigation site impacts from other agencies are relatively infrequent. A recent example is Caltrain's Guadalupe River Bridge Replacement Project, which will impact mitigation planting areas on Valley Water property. Caltrain was issued an Encroachment Permit by CPRU that requires the successful reestablishment of those areas upon completion of the project.

Addressing this issue begins in the planning stages by trying to establish flexible performance criteria with the regulatory agencies so that some impact from unhoused can be accounted for at urban mitigation sites. For example, such sites may have requirements for tree canopy cover, but less stringent requirements for shrubs and grasses. When impacts are compromising mitigation site performance, such impacts and the necessary and planned corrective actions are disclosed to regulatory agencies in annual monitoring reports. Overall, the regulatory agencies that require mitigation share Valley Water's concerns for the unhoused and encampment impacts on environmental condition, and they applaud Valley Water's diverse efforts to help reduce homelessness in the County and clean up creeks. Generally, the regulatory agencies are understanding of the constraints along urban waterways and will work with us to resolve site specific issues. However, Valley Water is ultimately responsible for meeting our mitigation obligations at the chosen site or shift to a new location in collaboration with the regulatory agencies. Encampments can and have been abated where impacts to mitigation have occurred, but this is usually only a temporary relief. Staffing of Fish and Game wardens has been curtailed along County creeks, and prosecution of perpetrators of environmental damage is not the focus or priority of police units patrolling creeks. Valley Water does not get reimbursed for the cost to maintain or implement corrective actions at mitigation sites. Valley Water does not currently pursue civil actions against perpetrators because even if Valley Water were to prevail in court, collecting on a judgment would be unlikely. Because mitigation is a regulatory requirement, the establishment and maintenance of mitigation is not eligible for grant funding.

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

BOARD MEMBER REQUESTS and Informational Items

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-24-0013	08/20/24	Beall	Hakes	Bourgeois	At the June 2024 CIP Committee Meeting Director Beall asked: 1. What happens when a mitigation site is impacted by the unhooded, or another agency? Are we on the hook to fix it? Who pays? 2. How often does that happen? Examples? 3. What is our process to address this with the regulators? The perpetrators? Do we get reimbursed?	09/09/24		
I-24-0012	08/09/24	Eisenberg	Orellana	Hopper	Can Valley Water implement a match charitable donation program like many other employers in the Bay Area? If so, how?	08/29/24		
I-24-0011	08/06/24	Beall	Callender	Taylor	During 8/6/24 BAC Director Beall requested: 1. Is there any negative effect on VW from yesterday's stock market situation? 2. Please provide a status of VW's accumulated large cash reserves (cash on hand/semi-liquid money/assets).	08/26/24		



MEMORANDUM

FC 14 (08-21-19)

TO: Board of Directors

FROM: Rick Callender
Chief Executive Officer

SUBJECT: Fiscal Year 2023-2024 (FY 24) Ends Policy
Outcome Measure Status Report

DATE: July 30, 2024

The latest update of the outcome measures report is attached for your review. The last report I provided was in February 2024. The report is one of the ways that the Santa Clara Valley Water District Board of Directors (the Board) monitors the degree to which the Board policies are being met.

The organization’s performance toward accomplishing the Board’s Ends policy goals and objectives is the responsibility of the Board Appointed Officers (BAOs). Outcome Measures are derived and implemented through the budget process and guide development of project and individual staff work plans. These plans specify operational activities to be implemented to achieve the Board’s direction for the organization.

The BAOs analyze and monitor organizational performance through operational management reviews and report results to the Board through Performance Reports, as required by Board-BAO Linkage Policy 5.4:

All policies which instruct the BAOs will be monitored at a frequency and by a method chosen by the Board. The Board can monitor any policy at any time by any method, but will ordinarily depend on a routine schedule.

The performance of the Outcome Measures is regularly monitored to ensure that they are achieved and meet the Board’s expectations and are used to monitor my performance.

The alignment of the Board policies, and the Budget Process supports a cycle of continual improvement. The outcomes from monitoring either reinforce existing Board policy or facilitate recommended policy changes for Board consideration.

The report summarizes the status of eighteen (18) Outcome Measures, grouped by Board Ends Policy. These performance areas were monitored by Watersheds, Water Utility Enterprise, and Admin Services and their status was reported to me. The report provides information that can be used to determine the current status, and redirect the effort as needed based on the current situation and/or anticipated challenges. This report will be provided at the beginning and halfway through each fiscal year.

Please contact me if you have comments or questions about this report.

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Rick L. Callender, Esq.
Chief Executive Officer
Valley Water

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FY24 Ends Policy Performance Matrix



Project Manager: K. Anthony Mendiola
Extension: X2437
Date: 7/30/24

FC 1778 (10-18-22)

CEO APPROVAL REQUEST

SUBJECT: Fiscal Year 2023-2024 (FY 24) Ends Policy Outcome Measure Status Report

RECOMMENDATION:

Review and provide feedback; or Review and Sign the attached memo.

EL-5 COMPLIANCE:

Not Applicable. The attached memo does not require Valley Water to procure any goods or services.

CEQA COMPLIANCE:

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

SUMMARY:

The latest update of the outcome measures report and memo have been attached for your review. The last report provided by the Chief Executive Officer (CEO) to the Santa Clara Valley Water District Board of Directors (the Board) was in February 2024. The report is one of the ways that the Board monitors the degree to which the Board policies are being met by the CEO.

The performance of the Outcome Measures is regularly monitored to ensure that they are achieved and meet the Board's expectations and are used to monitor the CEO's performance.

The report summarizes the status of eighteen (18) Outcome Measures, grouped by Board Ends Policy. These performance areas were monitored by Watersheds, Water Utility Enterprise, and Admin Services and their status was reported to the CEO. The report provides information that management can use to determine the current status and redirect the effort as needed based on the current situation and/or anticipated challenges. This report will be provided at the beginning and halfway through each fiscal year, in August and February respectively.

ENVIRONMENTAL JUSTICE IMPACT:

There is no environmental impact associated with the acceptance of this report.

FINANCIAL IMPACT:

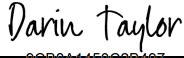
There is no financial impact associated with this item.

ATTACHMENTS:

Attachment 1: Fiscal Year 2023-2024 (FY 24) Ends Policy Outcome Measure Status Report

Subject: Fiscal Year 2023-2024 (FY 24) Ends Policy Outcome Measure Status Report

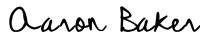
APPROVALS:

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 Darin Taylor
 Chief Financial Officer
 Financial Planning and Management
 Services

7/30/2024


 Date

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 Aaron Baker, P.E.
 Chief Operating Officer
 Water Utility Enterprise

7/30/2024

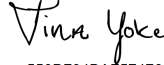
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 John Bourgeois
 Acting Chief Operating Officer
 Watersheds

8/1/2024


 Date

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 Tina Nguyen-Yoke, C.P.M.
 Chief Operating Officer
 Administrative Services

8/1/2024

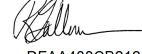
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 Christopher Hakes, P.E.
 Acting Assistant Chief Executive
 Officer

8/1/2024

 Date

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 Rick L. Callender, Esq.
 Chief Executive Officer

8/19/2024

 Date

BOARD ENDS POLICIES - OUTCOME MEASURES

OUTCOME MEASURE	FY 22-23 Outcome	FY 23-24 Outcome	Target Outcome
E-2: Valley Water provides reliable, safe, and affordable water supply for current and future generations in all communities served.			
Did Valley Water meet its annual water demand?	100% of annual water demand was met. Annual demand was down 7% compared to 2019 due to drought (on June 9, 2021 the Board called for a 15% reduction in water use compared to 2019).	100% of annual water demand was met. FY23-24 demand was down 7% compared to 2019.	100% of annual water demand is met without calling for more than 20% water use reduction.
Total acre-feet of groundwater storage	Total groundwater storage of more than 374,000 acre-feet.	Total groundwater storage is 423,000 acre-feet (as of June 2024).	Total groundwater storage is greater than 300,000 acre-feet .
Percentage of subsidence index wells with groundwater levels above subsidence thresholds	100% of subsidence index wells with groundwater levels above subsidence thresholds.	100% of subsidence index wells with groundwater levels above subsidence thresholds.	100% of subsidence index wells with groundwater levels above subsidence thresholds.
Percentage of water supply wells that meet or exceeds quality standards	83% of water supply wells tested meet all primary drinking water standards (based on calendar year 2022 data)	79% of water supply wells tested meet all primary drinking water standards (based on calendar year 2023 data). Short of target outcome due to elevated nitrate (primarily in	95% of water supply wells meet or exceeds quality standards.
Percentage of treated water that meets or exceeds primary drinking water standards.	100% of treated water delivered met or exceeded all primary drinking water standards.	100% of treated water delivered met or exceeded all primary drinking water standards.	100% of treated water meets or exceeds primary drinking water standards.
Percentage of total annual maintenance work plans completed for water transmission and distribution facilities on schedule	Completed 76% of planned work at the water treatment facilities. Staff projects 80% of annual maintenance work plans for transmission and distribution facilities.	Staff projects to complete 40% of planned work at the water treatment facilities by end of FY 24-25 due to work carried over from prior fiscal years. Additionally staff completed large scale refurbishments initially planned for future years during the shutdown at Santa Teresea Water	Complete at least 70% of total annual maintenance work plans completed for transmission and distribution facilities on schedule
Acre-feet of water supply portfolio from recycled and purified water	Approximately 16,000 acre-feet of recycled water in FY23.	On target to achieve approximately 18,000 acre-feet of recycled water by end of FY24. Ability to achieve target outcome of 24,000 acre-feet by 2028 is contingent on implementing a potable reuse project.	24,000 acre-feet by 2028.

E-3 Natural flood protection is provided to reduce risk and improve health and safety for residents, businesses, and visitors, now and into the future.			
Prioritize rehabilitation of existing creek facilities to restore design levels of service, beyond routine maintenance, by ensuring annual funds budgeted for Watersheds Asset Rehabilitation Program (WARP) and Safe, Clean Water (SCW) F8 are included in the Watersheds Operation & Maintenance (O&M) budget.	Annual budget for WARP and SCW F8 projects amounted to 13.9% of annual Watersheds O&M budget.	Annual budget for WARP and SCW F8 projects amounted to 15.7% of annual Watersheds O&M budget.	Budget for WARP and SCW F8 projects is equivalent to at least 15% of Watersheds O&M Division annual budget.
Percent of flood protection facilities inspected annually.	100% of levees were inspected and maintained in FY23. Staff's ability to conduct creek and levee inspections continues to be compromised in certain high-risk areas due to safety concerns and at times, insufficient law enforcement support. In the second half of FY23, continued higher flows in some streams due to winter storms reduced the ability to conduct some creek and levee inspections.	99% of levees were inspected and maintained in FY24. Regarding the 1% of levee not inspected, inspections of said levee were deemed unsafe and infeasible due to eroded access road conditions. Staff is considering options for how best to address erosion to enable resumption of inspections at this location. Overall, staff's ability to conduct creek and levee inspections continues to be compromised in certain high-risk areas due to safety concerns and at times, insufficient law enforcement support.	100% of levees and at least 50% of other flood protection facilities inspected annually.
Point Sum of the National Flood Insurance Program's (NFIP) Community Rating System (CRS) of all the participating CRS Communities in Santa Clara County.	NFIP CRS total point sum (countywide) is being maintained in FY23 Q4. As of 06/30/23, the point sum remains as follows: 17,113 w/o Valley Water's points; 18,959 w/Valley Water points.	NFIP CRS total point sum (countywide) is being maintained in FY24 Q2. As of 1/24/24, the point sum remains as follows: 17,113 w/o Valley Water's points; 18,959 w/Valley Water points.	The point sum of all participating CRS Communities in Santa Clara County is 13,000 or higher.
Percent of flood protection projects that incorporate natural flood protection features	89% of Capital flood protection projects in the CIP incorporate NFP features.	93% of Capital flood protection projects in the CIP incorporate NFP features.	90% of flood protection projects incorporate natural flood protection (NFP) features that enhance the physical, hydrologic, and ecologic functions and process of streams within the community setting.

E-4 Water resources stewardship protects and enhances ecosystem health.			
Ecological data are made available to the public through the Valley Water webpage annually and the EcoAtlas tool.	100% of VW's data on ecosystem health are available to the public on EcoAtlas, and the related watershed reports are on the Valley Water webpage.	100% of VW's data on ecosystem health are available to the public on EcoAtlas, and the related watershed reports are on the Valley Water webpage.	100% of Valley Water annual ecological monitoring reports are made available to the public.
Percent of new Joint Use Agreements (JUAs) that comply with the Trails Policy Criteria and Guidance.	100% of new Joint Use Agreements (2 in FY23) comply with the Trails Policy Criteria and Guidance.	100% of new Joint Use Agreements (2 in FY24) comply with the Trails Policy Criteria and Guidance.	100% of new Joint Use Agreements comply with the Trails Policy Criteria and Guidance.

E-5 Valley Water is carbon neutral and provides equitable, climate-resilient water supply, flood protection, and water resource stewardship to all communities in Santa Clara County. This will be accomplished through the implementation of the Climate Change Action Plan.			
Maintain Valley Water's California Green Business Certification.	Yes, Valley Water is certified as a California Green Business.	Yes, Valley Water is certified as a California Green Business.	Valley Water is certified as a California Green Business.
Percent of Valley Water's operating facilities are equipped with Electric Vehicle (EV) charging infrastructure.	39% of Valley Water's operating facilities are equipped with EV charging infrastructure.	56% of Valley Water's operating facilities are equipped with EV charging infrastructure.	100% of Valley Water's operating facilities are equipped with EV charging infrastructure.
Percent of Valley Water's passenger vehicle portfolio that have been converted to electric vehicles (EVs).	Valley Water's passenger vehicle fleet is 55% Hybrid and 5% EVs.	Valley Water's passenger vehicle fleet is 47% Hybrid and 5% EVs.	100% of Valley Water's passenger vehicles are EVs.

E-6 Valley Water is committed, through a regional approach, to address the human health, safety, operational and environmental challenges posed by encampments of unsheltered people on Valley Water lands along waterways and at water supply and flood risk reduction facilities.			
Overall reduction in the number of encampments of unsheltered people located where Valley Water holds land rights, achieved through regional collaboration with the County, cities, and other service providers, as well as internal programmatic efforts.	N/A	Valley Water implemented new geospatial encampment mapping capability in February 2024. The first year-over-year comparison data will be available after the next annual count in February 2025.	7% year-over-year reduction in encampments located where Valley Water holds land rights, per annual Valley Water count.

BOARD ENDS POLICIES - OUTCOME MEASURES

OUTCOME MEASURE	FY 22-23 Outcome	FY 23-24 Outcome	Target Outcome
Number of people who have transitioned into housing or shelter opportunities that were made possible through Valley Water's partnerships or agreements to support housing and shelter development.	N/A	86 individuals exited to Emergency Interim Housing sites, bridge housing communities, or other temporary shelter through Valley Water's agreement with City of San Jose to relocate encampments for the Coyote Creek Flood Protection Project. 2 households have been enrolled and housed in a Permanent Supportive Housing program through Valley Water's Outreach Services Agreement with County of Santa Clara.	Annually, at least 50 people transitioned into housing or shelter opportunities through Valley Water efforts.

INCOMING BOARD CORRESPONDENCE

Board Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-24-0198	08/05/24	08/05/24	Eisenberg	ROBERT LIU	Email from Robert Liu to Director Eisenberg (copied to the board), dated 08/05/24, requesting assistance in mitigating Hale Creek walls.	Refer to Staff	Hakes Bourgeois	Codianne	08/13/24	08/12/24	n/a	08/19/24
C-24-0203	08/12/24	08/13/24	All	ALAN ROWE	Email from Alan Rowe to the Board reporting a downed tree behind home and expressing dissatisfaction in ability to find information on web page.	Refer to Staff	Baker	Williams	08/21/24	-	n/a	08/27/24
C-24-0205	08/13/24	08/13/24	All	JIM KUHL	Committee submitted by Jim Kuhl at 8/13/24 Board meeting regarding selection of projects to be included in the 2050 Water Supply Water Plan.	Refer to Staff	Baker	Struve Gin	08/21/24	08/19/24	n/a	08/27/24
C-24-0208	08/20/24	08/20/24	All	ALICE ORTH	Email from Alice Orth, president of	Refer to Staff	Baker	Struve	08/28/24	-	n/a	09/03/24

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
					Millpond Resident Association to the board, dated 08/20/24, requesting Valley Water re-evaluates the water restrictions placed on Millpond Mobile home Community.							

Board of Directors

From: [REDACTED]
Sent: Tuesday, August 13, 2024 11:21 AM
To: Clerk of the Board; Board of Directors; John Varela; Barbara Keegan; Richard Santos; Jim Beall; Nai Hsueh; Tony Estremera; Rebecca Eisenberg
Cc: Aaron Baker; Kirsten Struve; Darin Taylor; Rachael Gibson
Subject: 8/13/24 Valley Water Board Meeting - Agenda Item 3.3 - Comment Water Affordability Analysis Too Late

Follow Up Flag: Follow up
Flag Status: Completed

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

To: Valley Water Board Members

Comment

Valley Water's has been planning and implementing an ambitious ≈\$30B infrastructure expansion program designed to improve water supply resiliency. The program is projected to increase the cost of north county groundwater wholesale 'Charge' rates ≈620% in the next 20 years. This 'Charge' increase is consequentially estimated to increase the retail water 'Billing' rates in the San Jose Metropolitan Area for a multiunit apartment ≈200%. However, these projections are unofficial. Valley Water's expert water *affordability* report, due mid-2025, is much too late to bring sharp focus on this issue.

The Bay Area is in a 'Cost-of-Living' crisis. Population has been declining as a consequence. The long-term economic health outlook of Silicon Valley looks bleak. What immediate actions is Valley Water planning to ensure their project investment program has been and is taking all the necessary actions in selection of only the most effective necessary projects are being incorporated in the 2050 Water Supply Master Plan to ensure their contributions to the 'Cost-of-Living' crisis are mitigated to the maximum extent possible?

Best regards,

Jim

Jim Kuhl, Civic Issue Activist and Environmental Advocate

From: [Ali Raghian](#)
To: [Board of Directors](#)
Subject: Rate increase
Date: Saturday, August 17, 2024 1:07:01 PM

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

Dear Vally water board members,

Vally water director Nai Hsueh has filed to run for a 4th term. We are asking her to withdraw from the race. The water oversight group will be moving forward with a recall ,if she fails to withdraw immediately.

From: [Ron Cachopo](#)
To: [Jennifer Codianne](#)
Cc: [Cecilia Rocha](#); [Board of Directors](#); [Diana Martin](#)
Subject: Re: Saratoga Creek Bowe Ave Gate Unlocked
Date: Tuesday, August 20, 2024 5:54:14 PM

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

Hi Jen,

Arriving back from work Tuesday noticed the New Gate was once again wide open and the chain was hanging from the gate.

Also, looks like some people have decided to move in with much of their belongings inside the fence along the creek.

Please advise.

Thank you, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]
Santa Clara, CA 95051
[REDACTED]

On Monday, August 19, 2024 at 09:24:33 AM PDT, Jennifer Codianne <jcodianne@valleywater.org> wrote:

Hi Ron,

Staff will be out today to put a new chain on the gate. Thanks for letting me know.

Jen

From: Ron Cachopo [REDACTED]
Sent: Sunday, August 18, 2024 12:24 PM
To: Jennifer Codianne <JCodianne@valleywater.org>
Cc: Cecilia Rocha <CRocha@valleywater.org>; Board of Directors <board@valleywater.org>; Diana Martin <dmartin@commoninterest.com>
Subject: Saratoga Creek Bowe Ave Gate Unlocked

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

Hi Jen,

I was on my walk this Sunday morning and noticed the New Installed Gate is Unlocked and missing the chain and lock. (I am able to freely walk into the creek area.)

Please advise.

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]

Santa Clara, CA 95051

[REDACTED]

From: [Alice Orth](#)
To: [Philip Dolan](#); [Board of Directors](#)
Subject: Removal of Water Restrictions
Date: Tuesday, August 20, 2024 12:50:22 PM

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

Dear Mr. Dolan, Valley Water Board,

We are elected representatives of the 360 homes in Millpond Mobilehome Community for Older Persons. We are requesting re-evaluation of the water restrictions put on our community by Valley Water. The incident that started all this was from a single resident. The incident (leak) was immediately taken care of when brought to the attention of maintenance. However, the watering restriction on our community landscape was not lifted, resulting in the dying of our green lawns and some of our beautiful Birch trees.

We are aware of AB 1572 - 10608 that will prohibit the watering of non functional areas starting in 2029. However, we would like to get water to our community landscaping now while we devise a plan to replace the current landscape and be in compliance by 2029. Additionally, we are greatly concerned with the fire hazard created by the dried grasses and dead dried trees surrounding us here - also on Communication Hill - which leads onto our property. This fire hazard is of great concern to all residents.

We welcome any member of your Board to come to our community and witness the devastation that the lack of water/irrigation has resulted in Valley Water not allowing our property management to continue watering as it had in the past. As President of MRA, I'd be happy to meet with you and show you around our community. You can contact me through this email or call me. (408 391-4850)
Thank you for your prompt reply.

Sincerely,
MRA (Millpond Resident Association)
President: Alice Orth
Vice President: Shauna Garzee
Secretary/Treasurer: Charlene Carter

OUTGOING BOARD CORRESPONDENCE

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Emelia Lamas](#); [Aaron Baker](#)
Cc: [Michele King](#); [Board of Directors](#)
Subject: FW: 8/13/24 Valley Water Board Meeting - Agenda Item 3.3 - Comment Water Affordability Analysis Too Late
Date: Tuesday, August 20, 2024 11:49:33 AM
Attachments: [image001.png](#)

Good morning,

C-24-0205 has been approved, sent and closed.

Thanks,
Candice

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Tuesday, August 20, 2024 11:48 AM
To: [REDACTED]
Subject: Re: 8/13/24 Valley Water Board Meeting - Agenda Item 3.3 - Comment Water Affordability Analysis Too Late

Sent on Behalf of Chair Hsueh:

Dear Jim Kuhl,

Thank you for your questions on what immediate actions Valley Water is planning to take to ensure the most cost-effective projects are being incorporated in the 2050 Water Supply Master Plan (WSMP) to address water rate affordability issue.

Water affordability is a key consideration of WSMP 2050 and incorporated in major aspects of the plan development:

1. One of WSMP 2050 planning goals is to 'Maintain affordable water rates through cost-effective water supply investments and management'.
2. Cost is a major criterion in evaluating and comparing various projects and portfolios and multiple cost matrices are used. The present value of portfolio costs ranges from \$3.4 to \$5.9 billion.
3. Multiple strategies are developed and evaluated to present tradeoffs of different investment options regarding their benefits, cost, and risk and challenges. One of the strategies is lower cost.

While cost is very important, other factors such as reliability and feasibility are equally important and need to be considered to ensure we have a diverse water supply portfolio to continue providing safe and clean water to our community. In addition, there is economic consequence of not having water in the future.

Thank you again for your interest in this effort.

Sincerely,



Nai Hsueh
Chair, District 5

C-24-0205

From: [REDACTED]
Sent: Tuesday, August 13, 2024 11:21 AM
To: Clerk of the Board <clerkoftheboard@valleywater.org>; Board of Directors <board@valleywater.org>; John Varela <jvarela@valleywater.org>; Barbara Keegan <BKeegan@valleywater.org>; Richard Santos <rsantos@valleywater.org>; Jim Beall <JBeall@valleywater.org>; Nai Hsueh <NHsueh@valleywater.org>; Tony Estremera <TEstremera@valleywater.org>; Rebecca Eisenberg <Reisenberg@valleywater.org>
Cc: Aaron Baker <ABaker@valleywater.org>; Kirsten Struve <KStruve@valleywater.org>; Darin Taylor <DTaylor@valleywater.org>; Rachael Gibson <rgibson@valleywater.org>
Subject: 8/13/24 Valley Water Board Meeting - Agenda Item 3.3 - Comment Water Affordability Analysis Too Late

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To: Valley Water Board Members

Comment

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