



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

September 8, 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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22		Email from Ron Cachopo to Jennifer Codianne, copied to the board, dated 09/02/23, regarding broken fence and climbing mechanisms in Saratoga Creek across from Moonlight shopping center parking lot. C-23-0221
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30		Email from Jonathan Fleming, Deputy Chief of Staff for San Jose Councilmember Bien Doan to Director Santos, dated 08/30/23, requesting that a port-a-potty and garbage can be placed at Tully and Coyote Creek. C-23-0224
		<u>OUTGOING BOARD CORRESPONDENCE</u>
32		Email from Chair Varela to Sanchit Sharmaa, dated 09/05/23, providing an update on the alleged unauthorized use of the Naturally Occurring Asbestos Management database software.

CEO BULLETIN

CEO BULLETIN



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

Weeks of August 19 – September 8, 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
<u>1</u>	Anderson Dam Seismic Retrofit Project Draft Environmental Impact Report
<u>2</u>	City of Palo Alto to invest in Advanced Metering Infrastructure with Valley Water funding
<u>3</u>	Recurring Report on Personnel Vacancies
<u>4</u>	South San Francisco Bay Shoreline Project - Commencement of Phase III Feasibility Study
<u>5</u>	Valley Water hosted a successful Algae Identification workshop
<u>6</u>	<u>Eisenberg</u> Provide Director Eisenberg with a briefing on proposed support of new legislation that will allegedly assist the Palo Alto airport at the expense of the neighboring communities? She would like to understand the thinking behind this given that she has been part of the large group of residents fighting against the huge amounts of carcinogenic lead pollution caused by this private airport. I-23-0023

1. Anderson Dam Seismic Retrofit Project Draft Environmental Impact Report

Valley Water has released a Draft Environmental Impact Report (EIR) on the Anderson Dam Seismic Retrofit Project (Project) for public review beginning on September 1, 2023, and ending on November 1, 2023. The preparation of the Draft EIR fulfills Valley Water's lead agency responsibility under the California Environmental Quality Act (CEQA). The Draft EIR identified significant environmental effects for aesthetics, air quality, biological resources (wildlife and terrestrial resources), cultural resources, hydrology, geology and soils, groundwater, water supply, water quality, greenhouse gases, hazards and hazardous materials, noise and vibration, public services, recreation, transportation, tribal cultural resources, and wildfire.

The Draft EIR which may be reviewed at <https://www.valleywater.org/public-review-documents>. A public meeting will be held on October 4, 2023 at 6:30 pm to allow the public to provide comments on the Draft EIR in-person at the Morgan Hill Community and Cultural Center or virtually:

Zoom meeting link: <https://valleywater.zoom.us/j/87331718480>. Webinar ID: 873 3171 8480, Call in #: +16699009128, ID: 87331718480#

Written comments on the Draft EIR should be submitted electronically to ADSRPcomments@valleywater.org, or by mail to Tiffany Chao, Senior Environmental Planner, Santa Clara Valley Water District, 5750 Almaden Expressway, San José, CA 95118 by 5:00p.m. on Wednesday, November 1, 2023. At the conclusion of the public review period, Valley Water will prepare a formal response to comments, revise the Draft EIR as necessary, and prepare a Final EIR.

The Project involves retrofitting and upgrading Anderson Dam and its associated facilities to meet public safety requirements by the Federal Energy Regulatory Commission (FERC) and California Department of Water Resources Division of Safety of Dams (DSOD). Specifically, the Project will correct dam safety deficiencies that were identified between 2008 and 2016. The Project would allow Valley Water to maximize water supply and related benefits, while avoiding and minimizing environmental impacts. The Project also includes decommissioning the hydroelectric facility at the dam, implementing Conservation Measures along Coyote Creek to avoid and minimize adverse impacts, and conducting habitat and species monitoring during construction. Upon completion of the Project, Anderson Reservoir will return to its original storage capacity.

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

2. City of Palo Alto to invest in Advanced Metering Infrastructure with Valley Water funding

In November 2019, the Board approved Valley Water's 2040 Water Supply Master Plan (WSMP), which updated the long-term conservation targets to 99,000 acre-feet per year (AFY) and 110,000 AFY by 2030 and 2040, respectively. The 2040 WSMP's "No Regrets" package identified Advanced Metering Infrastructure (AMI) as a critical element in reaching Valley Water's conservation goals. AMI involves the installation of an integrated system of equipment (i.e., smart meters), communications, and information management systems for utilities to remotely collect and communicate with customers about their water usage in real time through a smart phone app or online portal. AMI has been shown to be effective in promoting water conservation through early leak detection and by providing easily accessible water use data so customers can adjust their behavior to meet their conservation goals.

The City of Palo Alto (Palo Alto) is Valley Water's newest partner in adopting AMI technology. On June 25, 2023, Valley Water established a \$1.4 million dollar cost-sharing agreement with Palo Alto to support the installation of approximately 21,000 new AMI meters and to fund Water Use Reports within Palo Alto's service area. Water Use Reports help customers track and manage their water use and provide targeted information, resources, and tools to save water, including information about applicable Valley Water conservation programs.

Palo Alto joins the Cities of Gilroy, Morgan Hill, and Milpitas, and Purisima Hills Water District to install AMI meters. The installation of over 70,000 AMI meters has been made possible through a combination of Valley Water cost-share agreement funding, Valley Water grant funding, and Valley Water support for external grant funding since Fiscal Year 2016.

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

3. Recurring Report on Personnel Vacancies

Valley Water strives to attract, develop, and retain a talented and diverse workforce. Our employees come from diverse cultural and professional backgrounds. Valley Water promotes high performance, diversity, and equal employment opportunities.

Human Resources has been providing a monthly report on staffing levels and vacancies per the Board's request in the first CEO Bulletin of the month. The following is information through August 31, 2023.

Valley Water Staffing Levels

- 919 - Total Positions
- 857 - Number of positions filled
- 62 - Total Vacant positions
- 7% - Vacancy Rate
- 1 - Separation in August 2023

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

4. South San Francisco Bay Shoreline Project - Commencement of Phase III Feasibility Study

On August 28, 2023, the U.S. Army Corps of Engineers (USACE) enacted a Feasibility Cost Share Agreement with Valley Water to conduct a Feasibility Study for Phase III of the South San Francisco Bay Shoreline Project. The study is formally titled the "Shoreline (Sunnyvale) Feasibility Study" to align with the study's authorization language in the Federal Water Resources Development Act.

The study will explore opportunities to provide coastal flood protection accounting for sea level rise, ecosystem restoration, and expanded public access to the bay in the area between Permanente Creek and the Guadalupe River, which includes areas of Mountain View, Sunnyvale, San Jose, and Santa Clara.

Phase I of the project includes the Alviso area of San Jose and is currently in construction. Phase II of the project includes parts of Palo Alto and Mountain View between San Francisquito Creek and Permanente Creek and is currently closing out the planning study. Valley Water looks forward to continuing the partnership with USACE on the third phase of the effort to provide coastal flood protection to the South San Francisco Bay.

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

5. Valley Water hosted a successful Algae Identification Workshop

Valley Water's Water Quality Laboratory, in partnership with the California Department of Public Health (CDPH), hosted a two-day (August 9 to August 10, 2023) cyanobacteria identification and taxonomy workshop at CDPH's Microbial Disease Laboratory in Richmond, California. Cyanobacteria, or blue-green algae, are photosynthetic microscopic organisms that naturally occur in surface waters, lakes, ponds, the ocean and are critical components of the ecosystems. Certain conditions, such as stagnant water or nutrient abundance, can cause blue-green algae to bloom and produce toxins creating harmful algal blooms (HABs) and chemical compounds that can be harmful to humans and adversely affect the taste and odor of drinking water.

The workshop, presented by Phycologist Andrew Chapman of Greenwater Laboratories, was tailored to provide hands on experience in the proper identification of algae in environmental samples, especially HABs, and was designed to enhance local agencies' algal identification expertise and serve as a technical resource for the shared common goal of keeping the public safe from HABs. The workshop was well attended by staff from Valley Water, California Department of Public Health, State Water Resources Control Board, California Department of Fish and Wildlife, Central Valley Regional Water Quality Control Board, Zone 7 Water Agency, East Bay Municipal Utility District, Contra Costa Water District, City of San Jose, San Francisco State University, Big Valley Rancheria Environmental Protection Department, and Kern County Public Health Department.

Valley Water, one of Bay Area's leading agencies with well-established procedures for proactive monitoring and identification of cyanobacteria in source water supply, diligently works with local agencies, regulators, and treated water retailers to share updates about HAB issues, Valley Water's Cyanotoxin Monitoring and Response Plan, and communication strategies in the event of potential detection of algal toxins in the treated water.

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

6. Eisenberg

Provide Director Eisenberg with a briefing on proposed support of new legislation that will allegedly assist the Palo Alto airport at the expense of the neighboring communities. She would like to understand the thinking behind this given that she has been part of the large group of residents fighting against the huge amounts of carcinogenic lead pollution caused by this private airport.

I-23-0023

On August 21, 2023, Director Eisenberg requested information and a briefing with staff on HR 3896 (Cohen) Airport Resilience Act of 2023 ahead of the August 22, 2023 Board meeting. Staff responded via email with background information and also offered a briefing if she had additional questions. Director Eisenberg requested a briefing for later that afternoon that was held via Zoom with staff in which additional questions were addressed.

For further information, please contact Marta Lugo at (408) 630-2237.

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-23-0024	08/22/23	Eisenberg	Yoke	Ndah	Director Eisenberg requests that the current restroom signs inside the visitor's center at the SVAWPC be replaced with the non-binary symbol.	09/11/23		
R-23-0010	08/08/23	Beall	Yoke	Mcelroy	Director Beall requested that staff look at the feasibility of VTA supplying transit passes (or clipper cards) for employees and family members.	08/29/23		
R-23-0011	08/08/23	Eisenberg	Taylor	Chinte Salandan an	Director Eisenberg requested a report on BAO travel for the last year, including costs and how time was charged.	08/29/23		
R-23-0012	08/22/23	Hsueh	Hakes	Bourgeois	Staff to share newly adopted FY24 Board Policy Calendar with EWRC Chair/Vice Chair to assist in determining timely items discussion/input items on future EWRC Agendas.	09/12/23		
R-23-0013	08/22/23	Beall	Baker	Williams	Staff to investigate if the small empty pond on Sunnyside Avenue in Campbell, between the fire department and the training facility, can be used by the city and the fire department.	09/12/23		
R-23-0014	08/22/23	Beall	Baker	Williams	Staff to investigate if other small empty ponds within the City of Campbell can be used for other purposes.	09/12/23		
R-23-0015	08/22/23	Hsueh	Baker	Gin	Staff to work with the Sierra Club to set up information meeting for the public relative to the November 2023 and/or February 2024 Delta Conveyance Project Board agenda item update.	09/17/23		

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-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	Codianne Yerrapotu	03/04/23	03/03/23	n/a	03/10/23
C-23-0076	03/31/23	04/03/23	All	H.K. WILLARD	Email from H.K. Willard to the Board dated 3/31/23 regarding misleading information in March Water News.	Refer to Staff	Gibson	Rocha	04/11/23	04/07/23	n/a	04/17/23
C-23-0101	05/12/23	05/12/23	All	STEVE KELLY	Email from Steve Kelly, to the Board, dated 5/12/23, regarding concern for unhoused that may cause threats to residents living near the creeks in Santa Clara.	Refer to Staff	Blank Yerrapotu	Codianne	05/20/23	05/22/23	n/a	05/26/23
C-23-0207	08/16/23	08/16/23	All	KENNETH MURRAY	Email from Kenneth Murray to board, dated 8/16/23, regarding dead trees along trail on Almaden Expressway.	Refer to Staff	Hakes	Infante Bourgeois	08/24/23	08/24/23	n/a	08/30/23

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-23-0211	08/24/23	08/24/23	Varela	LUIS RAMIREZ	Email from Luis Ramirez to Chair Varela, dated 8/24/23, regarding homeless in Gilroy on Valley Water property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0212	08/24/23	08/24/23	Santos	ERIC HA	Email from Eric Ha to Director Santos, dated 8/24/23, regarding unhoused individual setting fire behind property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0217	08/31/23	08/31/23	All	JONATHAN FLEMMING	Email from Jonathan Fleming from Councilmember Doan's office requesting funding for Vietnamese Heritage Garden	Refer to Staff	Callender Gibson	Lugo	09/08/23	-	n/a	09/14/23
C-23-0218	09/01/23	09/01/23	Santos	SANDY ROSENTHAL	Email from Sandy Rosenthal, founder of Levees.org	Noted and Filed	-	-	09/09/23	-	n/a	09/15/23
C-23-0219	09/03/23	09/03/23	Beall	TRACY NAMIAN	09/03/23 Email from Tracy Namian on Campbell	Refer to Staff	Baker	Williams	09/11/23	-	n/a	09/17/23

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
					Tech Park Circulation Ponds							
C-23-0220	09/03/23	09/03/23	All	ARAM JAMES	Email from Aram James dated 09/03/03 forwarding Mercury News article on Sites Reservoir	Noted and Filed	-	-	09/11/23	-	n/a	09/17/23
C-23-0221	09/02/23	09/02/23	All	RON CACHOPO	Email from Ron Cachopo to Jen Codianne regarding broken fence along Saratoga Creek	Noted and Filed	-	-	09/10/23	-	n/a	09/16/23
C-23-0222	09/01/23	09/01/23	All	AJA YEE	Email from Aja Yee to directors on Trashy Tuesday Cleanups in October	Noted and Filed	-	-	09/09/23	-	n/a	09/15/23
C-23-0223	09/05/23	09/05/23	Varela	SANCHIT SHARMAA	Email response from Sanchit Sharmaa dated 09/05/23 regarding the NOA Management Database	Noted and Filed	-	-	09/13/23	-	n/a	09/19/23
C-23-0224	08/30/23	08/30/23	Santos	JONATHAN FLEMMING	Email from Jonathan Flemming from Councilmemb	Refer to Staff	Hakes	Codianne	09/07/23	09/06/23	n/a	09/13/23

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
					er Doan's office dated 8/30/23 requesting port-a-potties at Tully at Coyote Creek							
C-23-0225	09/07/23	09/08/23	Varela	ZEFERINO JIMENEZ	Email from Zeferino Jimenez to Chair Varela, dated 9/7/23, regarding meeting Request to Discuss Developer Funded Recycled Water Main Extension to Baily Avenue / McKean Road.	Refer to Staff	Baker	Struve Gin	09/16/23	-	n/a	09/22/23

Candice Kwok-Smith

From: Candice Kwok-Smith
Sent: Thursday, August 31, 2023 3:07 PM
To: Board of Directors
Subject: FW: Vietnamese Heritage Garden Funding Needed

From: Fleming, Jonathan <Jonathan.Fleming@sanjoseca.gov>
Sent: Thursday, August 31, 2023 11:47 AM
To: Otto Lee <supervisor.lee@bos.sccgov.org>; Chavez, Cindy <cindy.chavez@bos.sccgov.org>; supervisor.ellenberg@bos.sccgov.org <supervisor.ellenberg@bos.sccgov.org>; Tony Estremera <TEstremera@valleywater.org>; Richard Santos <rsantos@valleywater.org>; Barbara Keegan <BKeegan@valleywater.org>
Cc: ryan.guillen@asm.ca.gov; roy.sianez@asm.ca.gov; ashley.labar@asm.ca.gov; sunshine.borelli@sen.ca.gov; Kathy.Sutherland@bos.sccgov.org; Doan, Bien <Bien.Doan@sanjoseca.gov>
Subject: Vietnamese Heritage Garden Funding Needed

*** 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. ***

Honorable Elected Officials and Staff,

Councilmember Bien Doan requests your assistance with quickly securing funding for park improvements at the Vietnamese Heritage Garden to prepare for the installation of the "Thank You America" monument sent to be installed at the end of this fiscal year.

For over two decades, our Vietnamese Community has voiced their desire for the installation of the "Thank You America" monument to respect the American service members who fought alongside the soldiers of the Republic of South Vietnam, recognizing the connection and shared sacrifices made by our two countries for freedom. While the transportation and installation costs of the "Thank You America" monument have been funded, the area it is being installed at is a dirt lot with no improvements to it other than an entrance, flag pole, and community garden. The garden is basically four acres of dirt and weeds with dead trees and more.

Councilmember Doan secured \$150K to address some of the much-needed improvements to the surrounding area to transform about a half an acre of into a beautiful park, with working water irrigation, grass, a walking path, benches, trees, and other amenities for guests, but now we are being told by staff that the secured funding is not enough.

An additional \$200K - \$500K is required to transform about half an acre of this park into a beautiful space fit for monthly flag raising ceremonies, celebrations, events, and more. This is the first step of our quest to improve upon the entire four-acre site and fulfill a long-standing promise to our residents and the Vietnamese Community.

Completion of this portion of the Vietnamese Heritage Garden will provide a valuable regional asset for San Jose which will attract community members statewide. This influx of visitors will improve patronage of nearby Little Saigon and the surrounding small businesses, many of which have been impacted by the pandemic and are still on the long road to recovery.

Councilmember Doan thanks you for your assistance with helping fund Phase I of this project and beyond.

Thank you and all the best,

Jonathan Fleming

Deputy Chief of Staff

Office of Councilmember Bien Doan, District 7

City of San José

200 East Santa Clara Street

San José, CA 95113

408.535.4985



From: [Sandy Rosenthal](#)
To: [Richard Santos](#)
Cc: [Board of Directors](#)
Subject: Re: Add Santa Clara Valley?
Date: Thursday, August 31, 2023 3:25:20 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 Richard,

Just an FYI. Here is a story about our Engineering Schools campaign that the Associated Press ran two days ago. It also ran in the [San Francisco Gate](#).

<https://apnews.com/article/katrina-levee-failures-engineering-schools-53350c953507210f7206d92b03f6fccd>

Warmly,
Sandy

--



Sandy Rosenthal

Founder of [Levees.org](#)

[Speaker](#), [Author](#), [Podcast Host](#)



On Sat, Jul 29, 2023 at 9:05 AM Sandy Rosenthal <sandy@levees.org> wrote:

Richard,

If your board wants a full blown roadmap on how we intend to accomplish this admittedly large task, we can send it.

Meanwhile, as we speak, more and more support is rolling in.

Let me know.

Warmly,
Sandy

--



Sandy Rosenthal

Founder of [Levees.org](#)

[Speaker](#), [Author](#), [Podcast Host](#)

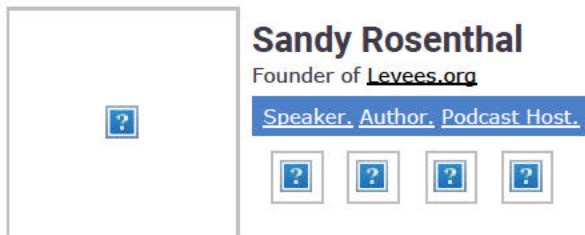


On Fri, Jul 28, 2023 at 6:22 PM Sandy Rosenthal <sandy@levees.org> wrote:
Richard,

We also approached the Southeast Flood Protection Authority East in April. After our request for support, the Authority sent a letter to every engineering school in Louisiana. A copy is attached.

Sandy

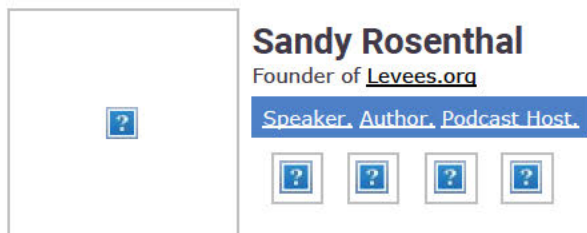
--



On Thu, Jul 27, 2023 at 9:08 PM Sandy Rosenthal <sandy@levees.org> wrote:

Thank you!
Warmly,
Sandy

--



On Thu, Jul 27, 2023 at 7:52 PM Richard Santos <rsantos@valleywater.org> wrote:

I will send this to our Chief Officer, for them to respond, thanks, R Santos

From: Sandy Rosenthal <sandy@levees.org>
Sent: Thursday, July 27, 2023 4:17 PM
To: Richard Santos <rsantos@valleywater.org>
Subject: Add Santa Clara Valley?

*** 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 Richard,

It's come to our attention that Engineering Schools are not required by ABET to provide instruction on engineering failures and the lessons they teach to its graduates.

In response, my organization, Levees.org will launch a campaign next month to change this.

Would the Santa Clara Valley Water District be interested in adding its name in support of our initiative? Just a sentence on a letterhead is enough. Like this:

The Santa Clara Valley Water District fully supports instruction on "engineering failures of the past and how to prevent them" be included in the curriculum of engineering schools so that engineers of the future do not repeat mistakes of the past.

Or something like that?

We are barely just getting started, but we have a list of experts and engineers in support. Attached.

Sandy

--

Sandy Rosenthal

Founder of Levees.org

[Speaker. Author. Podcast Host.](#)



Candice Kwok-Smith

From: Tracy Namian [REDACTED] >
Sent: Sunday, September 3, 2023 10:25 AM
To: Board of Directors
Subject: Campbell Technology Park Circulation Ponds

Follow Up Flag: Follow up
Flag Status: Flagged

*** 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 My name is Tracy Namian:

I am a long time Campbell resident. Almost every day I walk in the Technology Park area. It was so nice when those circulations ponds were full of water. Now they are just big dry brush bowls. I feel they are also a big fire hazard as well. Thank you for recently cutting them back.

Why can we not fill these ponds with water? We had record rainfall last year. After that I thought they would be full. You now have the end one full. Which is nice. You had filled the middle one and then drained it a day later. I am not sure of the purpose of that. I guess maybe to moisten the dirt to maintain the bottom of it. Now it looks like you are trying to fill the middle one. I hope this is the case. I would like to see them ALL FULL again. It would make it a much nicer place to walk. Please fill the circulation ponds. Even the big long one in front. I have heard we are going to have a record rainfall again. So I feel there is enough water for them to support these ponds. Can someone get back to me with an update on this.

Thank you,
Tracy Namian

Sent from [Mail](#) for Windows

Candice Kwok-Smith

From: Aram James [REDACTED] >
Sent: Sunday, September 3, 2023 9:34 AM
To: Board of Directors
Subject: - Sites Reservoir is not the water solution that California needs

Follow Up Flag: Follow up
Flag Status: Flagged

*** 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. ***

Subject: - Sites Reservoir is not the water solution that California needs

I saw this The Mercury News e-edition article on the The Mercury News e-edition app and thought you'd be interested.

Sites Reservoir is not the water solution that California needs

https://edition.pagesuite.com/popovers/dynamic_article_popover.aspx?guid=1bfadfdf-5373-476d-842a-27f813e4ee8f&appcode=SAN252&eguid=3c708823-eaf4-4353-8230-2e36bff39806&pnum=25#

For more great content like this subscribe to the The Mercury News e-edition app here:

Sent from my iPhone

Candice Kwok-Smith

From: Ron Cachopo [REDACTED]
Sent: Saturday, September 2, 2023 12:58 PM
To: Jennifer Codianne
Cc: Cecilia Rocha; Board of Directors; Diana Martin
Subject: Re: Broken fence along Saratoga Creek - 1400 Bowe Ave - Santa Clara

Follow Up Flag: Follow up
Flag Status: Flagged

*** 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,

Returning home from shopping on Saturday noticed a open piece of fence across from the Moonlight shopping center parking lot close to the El Camino. (It is a good size opening.)

Also, There is a ladder up against the fence near the newly replaced Gate with a large plastic pallet on the inside of the fence for people to climb down.

Lastly, Looks like there are shopping carts butted up against various parts of the fence to facilitate climbing the fence easier.

Can you please have someone take a look and button it up the fence?

Thanks, Ron P. Cachopo

Hampton Place Santa Clara

[REDACTED]
Santa Clara, CA 95051

On Sunday, July 30, 2023 at 06:09:35 PM PDT, Ron Cachopo <[REDACTED]> wrote:

Hi Jen,

Noticed arriving home from shopping late Sunday afternoon a large opening in the Saratoga Creek Fence.

The opening is located to the left hand side of our main entrance complex gate. (PS: There is an abandoned Shopping Cart near the opening.)

Can you have someone take a look and button it up?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]
Santa Clara, CA 95051

On Tuesday, June 20, 2023 at 05:30:40 PM PDT, Ron Cachopo <[REDACTED]> wrote:

Hi Jen,

Leaving for work this morning and noticed the Fence Gate entering into the Saratoga Creek was ripped open on the bottom allowing easy access to the Saratoga Creek. (The Damaged Gate is located across from our Automatic Gate closest to the Moon Lite Shopping Center.

Is it possible to have someone take a look and make the repair?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]
Santa Clara, CA 95051

On Saturday, April 1, 2023 at 12:57:15 PM PDT, Ron Cachopo <[REDACTED]> wrote:

Hi Jen,

I E-mailed you back on March 11, 2023 regarding open piece of fence along the Saratoga Creek on 1400 Bowe Ave, Santa Clara.

My brother noticed returning home from shopping on Saturday April 1, 2023 a piece of open fence along the Saratoga Creek across the Moonlite Shopping Center side gate entrance on our Santa Clara Hampton Place Condominium Complex.

Our Manager for the Santa Clara Hampton Place Complex is Diana Martin at Common Interest. (I have cc'd here on this E-mail).

Is it possible to have someone button up the fence?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]
Santa Clara CA 95051

On Saturday, March 11, 2023 at 12:35:54 PM PST, Ron Cachopo <[REDACTED]> wrote:

Hi Jen,

I E-mailed you back on October 29, 2022 regarding open piece of fence along the Saratoga Creek on 1400 Bowe Ave, Santa Clara.

My brother noticed returning home from shopping on Saturday March 11, 2023 a piece of open fence along the Saratoga Creek across the Moonlite Shopping Center side gate entrance on our Santa Clara Hampton Place Condominium Complex.

Our Manager for the Santa Clara Hampton Place Complex is Diana Martin at Common Interest. (I have cc'd here on this E-mail).

Is it possible to have someone button up the fence?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]

Santa Clara, CA 95051

On Monday, October 31, 2022 at 01:18:55 PM PDT, Jennifer Codianne <jcodianne@valleywater.org> wrote:

Hi Ron,

Staff will investigate and I will get back to you as soon as I know more.

Thanks,

Jen

From: Ron Cachopo <[REDACTED]>
Sent: Saturday, October 29, 2022 12:44 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: Broken fence along Saratoga Creek - 1400 Bowe Ave - Santa Clara

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Hi Jen,

I E-mailed you back on July 28, 2021 regarding Homeless People entering the fence along the Saratoga Creek on 1400 Bowe Ave, Santa Clara.

My brother noticed returning home from work on Thursday 10-27-22 people entering a piece of broken fence along the Saratoga Creek by the telephone pole across the main entrance on our Santa Clara Hampton Place Condominium Complex.

Our Manager for the Santa Clara Hampton Place Complex is Diana Martin at Common Interest. (I have cc'd here on this E-mail).

Is it possible to have someone button up the fence?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]

Santa Clara, CA 95051

[REDACTED]

[REDACTED]

Candice Kwok-Smith

From: Aja Yee <aja@keepcoyotecreekbeautiful.org>
Sent: Friday, September 1, 2023 3:27 PM
To: Linh Hoang; Board of Directors; Meghan Azralon
Subject: 10/10 Trashy Tuesdays! - Creek and Trail Cleanup
Attachments: 231010-Cleanup-Flyer.jpg; 231010-Cleanup-IG Post.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello,

Please see the information below for the creek and trail cleanup on Tuesday, October 10. Please see the information below to share with your constituents. We look forward to seeing new faces from your council districts!

Trashy Tuesdays Cleanup!

Location: TBD
Tue Oct 10th
5PM to 7PM

Come join us for Trashy Tuesdays 5-7pm once a Month for a fun Creek and Trail Cleanup!

Spend a few hours and help us work together for a healthy creek while we beautify the Coyote Creek trail and the creek through a community cleanup.

Free litter kits!

Community service hours available.

Groups Welcome

RSVP: <https://231010-cleanup.eventbrite.com/?aff=vw>

Aja Yee

Event Coordinator
Keep Coyote Creek Beautiful

www.keepcoyotecreekbeautiful.org

Candice Kwok-Smith

From: sanchit@sansoftims.com
Sent: Tuesday, September 5, 2023 1:39 PM
To: John Varela; Board of Directors
Cc: Candice Kwok-Smith
Subject: Thanks for Your Prompt Response to our inquiry

Importance: High

*** 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. ***

Respected Mr. John L. Varela ,

Sir,

I would like to extend my appreciation for your prompt response to our inquiry regarding the alleged unauthorized use of the Naturally Occurring Asbestos (NOA) Management database software developed by Sansoft IMS for the Calaveras Dam Replacement Project. We are grateful for your diligence in reviewing this matter.

Having received your response, we are satisfied with your findings and the conclusion that there is no evidence of our employees or consultants, including Asbestos TEM Laboratories, Inc., utilizing Sansoft IMS databases or applications in connection with the Anderson Seismic Retrofit project.

We agree with your assessment that no additional actions are necessary regarding this matter.

Furthermore, I would like to take this opportunity to provide additional context about the *Naturally Occurring Asbestos (NOA) Management database software*. **Dr. Wayne Berman, President at Aeolus, Inc.(USA)** and **Sansoft IMS** hold the **worldwide rights** to this software.

Our team's expertise in database development and management, coupled with our deep knowledge of NOA management, positions us uniquely to offer this valuable tool to facilities worldwide dealing with NOA risks.

I believe that your knowledge and experience in the field could be instrumental in identifying the appropriate individual or team within Valley Water to discuss how Sansoft IMS can assist in NOA management for the Anderson Seismic Retrofit project. Your insights and guidance would be invaluable as we explore potential collaboration opportunities.

Once again, thank you for your swift attention to this issue and for providing us with a clear resolution.

Note : As Asbestos TEM Laboratories, Inc., is concerned is providing Asbestos analysis and reports to support the Anderson Seismic Retrofit project since December 2021. Throughout this collaboration, all laboratory results have consistently been shared via email communication. In light of these circumstances, we would like to go for a comprehensive forensic examination of all reports shared over the past year and a half. I'm sure Valley Water's cooperation and support in facilitating this forensic examination.

regards

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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From: Candice Kwok-Smith [mailto:ckwok-smith@valleywater.org] **On Behalf Of** Board of Directors
Sent: Tuesday, September 5, 2023 11:10 PM
To: sanchit@sansoftims.com
Subject: Re: Follow-Up: Status of Investigation

Sent on Behalf of Chair Varela:

Dear Sanchit Sharmaa,

Santa Clara Valley Water District (Valley Water) has received your email dated August 23, 2023 requesting a brief update on the alleged unauthorized use of the Naturally Occurring Asbestos (NOA) Management database software developed by Sansoft IMS for the Calaveras Dam Replacement Project. Having reviewed the matter, Valley Water has found no evidence that its employees or consultants, including Asbestos TEM Laboratories, Inc., have utilized Sansoft IMS databases or applications on the Anderson Seismic Retrofit project. Valley Water does not believe any additional actions need to be taken regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John L. Varela", is shown on a light-colored, textured background.

John L. Varela
Chair, Board of Directors

C-23-0210

From: sanchit@sansoftims.com <sanchit@sansoftims.com>
Sent: Wednesday, August 23, 2023 1:55 PM
To: John Varela <jvarela@valleywater.org>
Cc: Board of Directors <board@valleywater.org>; Michele King <MKing@valleywater.org>
Subject: Follow-Up: Status of Investigation
Importance: High

*** 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. ***

Respected Mr. John L. Varela ,

Sir,

I trust this email finds you in good health. I wanted to reach out for a brief update regarding the matter I discussed in my previous communications. I remain grateful for your prompt attention and the commitment shown by Valley Water in addressing the issue.

As we previously discussed, I am eagerly awaiting news about the outcome of the investigation and the subsequent actions that will be taken to resolve the matter. While I understand that these processes can be time-consuming, I would greatly appreciate any information you can provide regarding the current status of my request.

Thank you once again for your ongoing efforts and attention. I am looking forward to hearing from you soon with an update.

regards

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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From: [Candice Kwok-Smith](#)
To: [Board of Directors](#)
Subject: FW: Port-a-potty and Garbage Can at Tully and Coyote Creek
Date: Tuesday, September 5, 2023 6:02:44 PM
Attachments: [image001.png](#)

From: Fleming, Jonathan <Jonathan.Fleming@sanjoseca.gov>
Sent: Wednesday, August 30, 2023 4:34 PM
To: Richard Santos <rsantos@valleywater.org>
Cc: Doan, Bien <Bien.Doan@sanjoseca.gov>
Subject: Port-a-potty and Garbage Can at Tully and Coyote Creek

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

Hello Richard,

Councilmember Doan would like to take you up on the offer for a port-a-potty and garbage can at Tully and Coyote Creek.

Thank you and all the best,

Jonathan Fleming

Deputy Chief of Staff

Office of Councilmember Bien Doan, District 7

City of San José

200 East Santa Clara Street

San José, CA 95113

408.535.4985



OUTGOING BOARD CORRESPONDENCE

Michele King

Subject: FW: Follow-Up: Status of Investigation

From: Candice Kwok-Smith **On Behalf Of** Board of Directors

Sent: Tuesday, September 5, 2023 10:40 AM

To: sanchit@sansoftims.com

Subject: Re: Follow-Up: Status of Investigation

Sent on Behalf of Chair Varela:

Dear Sanchit Sharmaa,

Santa Clara Valley Water District (Valley Water) has received your email dated August 23, 2023 requesting a brief update on the alleged unauthorized use of the Naturally Occurring Asbestos (NOA) Management database software developed by Sansoft IMS for the Calaveras Dam Replacement Project. Having reviewed the matter, Valley Water has found no evidence that its employees or consultants, including Asbestos TEM Laboratories, Inc., have utilized Sansoft IMS databases or applications on the Anderson Seismic Retrofit project. Valley Water does not believe any additional actions need to be taken regarding this matter.

Sincerely,



John L. Varela
Chair, Board of Directors

C-23-0210

From: sanchit@sansoftims.com <sanchit@sansoftims.com>

Sent: Wednesday, August 23, 2023 1:55 PM

To: John Varela <jvarela@valleywater.org>

Cc: Board of Directors <board@valleywater.org>; Michele King <MKing@valleywater.org>

Subject: Follow-Up: Status of Investigation

Importance: High

*** 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. ***

Respected Mr. John L. Varela ,

Sir,

I trust this email finds you in good health. I wanted to reach out for a brief update regarding the matter I discussed in my previous communications. I remain grateful for your prompt attention and the commitment shown by Valley Water in addressing the issue.

As we previously discussed, I am eagerly awaiting news about the outcome of the investigation and the subsequent actions that will be taken to resolve the matter. While I understand that these processes can be time-consuming, I would greatly appreciate any information you can provide regarding the current status of my request.

Thank you once again for your ongoing efforts and attention. I am looking forward to hearing from you soon with an update.

regards

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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From: sanchit@sansoftims.com [<mailto:sanchit@sansoftims.com>]
Sent: Tuesday, July 4, 2023 4:42 PM
To: 'John Varela'
Cc: 'Board of Directors'; 'Michele King'
Subject: Thanks for the prompt attention to the matter
Importance: High

Respected Mr. John L. Varela ,

Sir,

I am writing to acknowledge the receipt of your email and express my gratitude for Valley Water's prompt attention to the matter.

I am pleased to learn that Valley Water has initiated an investigation into the issue . I am confident that Valley Water's diligent investigation will lead to the identification of any unauthorized access and provide a clear resolution to this issue. If there is any further information or assistance required from my end to aid in the investigation, please do not hesitate to reach out to me.

Once again, thank you for taking this matter seriously and for providing updates on the investigation. I trust that Valley Water will handle the situation with the utmost professionalism and transparency.

Looking forward to hearing from you with the outcome of the investigation and the necessary actions taken to address the matter.

regards

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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From: Michele King [<mailto:MKing@valleywater.org>] **On Behalf Of** Board of Directors

Sent: Tuesday, July 4, 2023 1:53 AM

To: sanchit@sansoftims.com

Subject: RE: Urgent: Unauthorized Use of Naturally Occurring Management Database (NOA) at Anderson Dam Seismic Retrofit Project

Sent on Behalf of Chair Varela:

Dear Sanchit Sharma,

Santa Clara Valley Water District (Valley Water) has received your email and has begun investigating the issue. At this time, Valley Water is unaware of any employees or consultants using the Naturally Occurring Asbestos (NOA) Management database developed by Sansoft IMS for the Calaveras Dam Replacement Project. Valley Water has formally contacted the consultant team performing the sampling and testing of NOA samples and provided your correspondence regarding alleged unauthorized use of the NOA database developed by Sansoft IMS.

Sincerely,



John L. Varela
Chair, Board of Directors

C-23-0139

MICHELE L. KING, CMC

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



Clean Water • Healthy Environment • Flood Protection
5750 Almaden Expressway, San Jose CA 95118
www.valleywater.org

From: sanchit@sansoftims.com <sanchit@sansoftims.com>

Sent: Wednesday, June 21, 2023 4:57 AM

To: John Varela <jvarela@valleywater.org>

Cc: Board of Directors <board@valleywater.org>

Subject: Urgent: Unauthorized Use of Naturally Occurring Management Database (NOA) at Anderson Dam Seismic Retrofit Project

Importance: High

*** 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. ***

Kind Attn: Valley Water Board of Directors *Chair John Varela*
Chief Executive Officer of Valley Water **Rick Callender**

Respected Sir,

I hope this email finds you well. My name is **Sanchit Sharma, Technical Manager at Sansoft IMS**, and I am writing to you today to address a matter of utmost importance regarding **the unauthorized use of the Naturally Occurring Asbestos Management database (NOA) developed by Sansoft IMS for the Calaveras Dam Replacement Project at your facility, specifically the Anderson Dam Seismic Retrofit Project.**

In my previous email, I briefly introduced myself and expressed my intention to establish communication with higher authorities. The primary purpose of this correspondence is to bring to your attention the serious concern surrounding the unauthorized utilization of the NOA database by an employee at your organization who was involved in the Calaveras Dam Replacement Project and had access to the NOA database.

To my dismay, it has come to my attention that the **Asbestos TEM Laboratory**, responsible for testing NOA samples for the Anderson Dam Seismic Retrofit Project, has been using the NOA Database and providing NOA Sample Analysis reports generated by the NOA Lab Module to your facility in an unauthorized manner. It is important to emphasize that these reports were specifically developed for the Calaveras Dam Replacement Project and should not be used without explicit authorization.

I want to underscore the significance of this matter and request that you immediately undertake a thorough investigation to identify the responsible parties and cease the unauthorized use of the Naturally Occurring database (NOA) application at your facility. As the rightful owner and developer of the database, Sansoft IMS takes the protection of intellectual property and data integrity with utmost seriousness. Unauthorized use not only infringes upon our rights as the developer but also poses substantial risks in terms of data accuracy, consistency, and confidentiality.

I fully comprehend the potential complications and risks that arise from unauthorized usage and the detrimental implications it could have on your organization's reputation. By addressing this matter promptly, we can prevent any potential legal or ethical consequences that may arise from the unauthorized use of the NOA database.

Therefore, I kindly request that you take immediate action to investigate this issue, identify the responsible parties, and enforce appropriate measures to halt the unauthorized utilization of the NOA application at your facility.

I am readily available to provide any additional information or clarification you may require to address this situation effectively. Please do not hesitate to reach out to me. I eagerly await your prompt response and cooperation in resolving this urgent matter.

Thank you for your immediate attention to this critical issue.

Sincerely,

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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From: sanchit@sansoftims.com [<mailto:sanchit@sansoftims.com>]
Sent: Wednesday, June 7, 2023 4:06 AM
To: 'jvarela@valleywater.org'
Cc: 'Board@valleywater.org'
Subject: Introduction Sansoft IMS - Naturally Occurring Asbestos (NOA) Air Monitoring Database System
Importance: High

Kind Attn: Valley Water Board of Directors *Chair John Varela*
Chief Executive Officer of Valley Water **Rick Callender**

Respected Sir,

I am writing to introduce **Sansoft IMS** and share some information about our work on the '**Naturally Occurring Asbestos Program Database**' project for the **Calaveras Dam Replacement Project (CDRP)**. My name is **Sanchit Sharmaa**, and I had the privilege of leading the team at Sansoft IMS as Technical Manager on this important project. We worked alongside Dr. Wayne Berman, as well as with SFPUC and Black & Veatch from 2012 – 2018 on this project (Till the completion of the project).

As you may know, The Calaveras Dam Replacement Project(CDRP) was an infrastructure initiative that involved the construction of a new dam to replace the existing Calaveras Dam, located in Alameda County, California, United States. The project aims to improve the seismic safety of the dam and increase its capacity to ensure a reliable water supply for the region.

The Calaveras Dam Replacement Project took place in an area where NOA was identified as a potential environmental concern. This meant that precautions and mitigation measures needed to be implemented to address the presence of asbestos during the construction activities.

Sansoft IMS role in this project was to develop a comprehensive custom Naturally Occurring Asbestos (NOA) Air Monitoring Database System, in order to ensure the safety of workers and protect the environment. The Database Management system implemented comprise of 3 modules i.e. Field Module , Lab Module and Data consolidation and MIS module are critical components of the Naturally Occurring Asbestos Program Database project implemented at Calaveras Dam Replacement

- **Field Module :** Keeping records of collected samples include Construction Activity Area (CAA) Samples, Perimeter Samples, Ambient Air Samples, Personal Breathing Zone Samples , and meteorological data.
- **Lab Module :** Implemented at Labs (Sample testing units), to keep track and records of all samples tested at their end. Two microscopic examination techniques were used to analyse the CDRP air samples, namely Phase Contrast Microscopy (PCM) and Transmission Electron Microscopy (TEM). System analysed and maintained records of all the analysis conducted by the Labs using different methods, including
 - **PCM-NIOSH 7400**
 - **TEM-CARB/AHERA**
 - **TEM-NIOSH 7402**
 - **TEM-CARB/NIOSH 7402**
 - **TEM-ISO 10312.**

- **Data consolidation and MIS Module:** Project used to guide decision-making and risk management throughout the project's lifespan.

Our team's expertise in database development and management, coupled with our deep knowledge of NOA management, make us uniquely positioned to provide this valuable tool to facilities around the world that need to manage NOA risks.

I believe that your knowledge and experience in the field could be very valuable in helping me identify the appropriate individual or team to discuss with how Sansoft IMS can assist you with NOA management.

Thank you for your time and consideration, and please do not hesitate to contact me if you have any questions or if there is anything further I can assist you with. I look forward to hearing from you soon.

regards

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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