



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

October 4, 2024

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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CEO BULLETIN

CEO BULLETIN



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

Weeks of September 20, 2024 – October 03, 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>	40th Annual California Coastal Cleanup Day.
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<u>7</u>	<u>Beall</u> During the 9/18/24 Board Audit Committee Meeting Director Beall requested information on the breakdown of the Safe Clean Water special tax revenue by municipality. I-24-0015

1. 40th Annual California Coastal Cleanup Day

In support of the 40th Annual California Coastal Cleanup Day (CCD), Valley Water, in partnership with the Creek Connections Action Group (CCAG), coordinated another successful cleanup event in Santa Clara County on Saturday, September 21, 2024.

This year, 953 volunteers participated at 49 cleanup sites throughout the county and removed an estimated 32,874 pounds of litter along 56 miles of creeks, shorelines, and natural areas.

Valley Water Youth Commissioners and staff hosted a cleanup site along the shore of Alviso Slough in North San Jose. Nineteen volunteers, including five Youth Commissioners, attended the site. Vice Chair Richard Santos attended the Youth Commission-hosted site and another cleanup along Penitencia Creek in San Jose.

In addition to general trash and debris, volunteers removed some interesting items, including a chandelier, an 8-track player, a Pac-man arcade game, part of a Tesla charging station, a beach chair, fireworks pieces, a lawnmower, shopping carts, bikes, and tires.

Valley Water will leverage the momentum from the event to encourage volunteers to sign up for the Adopt-A-Creek Program and other Valley Water volunteer efforts, including National River Cleanup Day, which will take place on Saturday, May 17, 2025.

The CCAG is a consortium of public agencies that share the goal of protecting Santa Clara County's waterways. These agencies include Valley Water (Chair), Santa Clara County Parks and Recreation Department, West Valley Clean Water Program Authority (Campbell, Monte Sereno, Saratoga, and the Town of Los Gatos), and the cities of Santa Clara, Milpitas, Sunnyvale, Cupertino, Palo Alto, Morgan Hill, Gilroy, and San José (Parks Recreation and Neighborhood Services and Environmental Services Department).

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

2. Planned Two-Week Penitencia Water Treatment Plant Shutdown from November 4-15, 2024

Beginning November 4, 2024, the Penitencia Water Treatment Plant (PWTP) will be shut down for two (2) weeks to facilitate a sludge blend tank rehabilitation and backwash valve and actuator replacement work. During this shutdown, Valley Water will also carry out other plant maintenance activities that are required to ensure the efficient and reliable operations of PWTP.

During this period, customers who normally get their water from PWTP will be served by the Santa Teresa Water Treatment Plant (STWTP) and are expected to experience little to no change in their water characteristics.

This shutdown schedule has been communicated to the East Pipeline (EPL) retailers, and the joint Valley Water-San Francisco Public Utilities Commission intertie facility will be placed on standby to provide emergency supply to the EPL should any operational emergencies occur either at STWTP or a raw water source.

The PWTP is scheduled to return to service by the end of day on November 15, 2024.

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

3. Results of the Sale of Water Utility Debt Obligations

On September 24, 2024, Valley Water closed on \$314 million of debt issuances, comprised of \$198.5 million of tax-exempt debt and \$115.5 million of taxable debt, for the Water Utility capital program. The financing was authorized by the Board at its regular Board meeting on January 23, 2024 (Resolutions 24-03 and 24-04), and the Preliminary Official Statement was approved by the Board on August 13, 2024. The debt proceeds were primarily used to refund outstanding short-term debt issued for Water Utility capital projects. Valley Water received AA+ and Aa1 credit ratings from Fitch and Moody's, respectively.

The debt was sold in a competitive sale to the lowest cost bidders, with a total of seven bids submitted for the tax-exempt debt and four bids submitted for the taxable debt. The cost differential for the tax-exempt debt low bid at 3.82% vs. high bid at 3.86% was approximately \$840,000 and the taxable debt low bid of 4.76% vs. high bid of 4.92% was approximately \$1.7 million. The tax-exempt debt was sold to professional investors, bond funds, professional investment accounts and trading accounts through Jefferies LLC and the taxable debt was sold to large financial institutions, municipalities and other California water districts through Wells Fargo Bank, National Association. Both banks are currently qualified in the 2023-2025 State of California Underwriter Pool and meet the “medium” ESG ranking per Board Policy (Executive Limitation 4.7.7).

Valley Water achieved very favorable pricing with an aggregate true interest cost of 4.14% vs. 4.93% estimated in the August 13, 2024 Board Agenda Memo and achieved debt service savings of approximately \$1.5 million per year or \$43 million over the 30-year repayment term.

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

4. Update on Water Quality Permit and CEQA Litigation for Sites Reservoir Project

Sites Water Quality Permit Update:

There has been recent media coverage of the State Water Resources Control Board's (State Board) denial without prejudice of the Sites Section 401 Water Quality Permit and Army Corps of Engineers on Section 404 Wetlands Permit for the construction of Sites Reservoir. The State Board has a strict one-year deadline to make the water quality certification decision and the agencies have requested additional information from the Sites Project which cannot be submitted in this time frame. The State Board must procedurally deny the application in this instance to allow the Sites Project Authority to resubmit a complete application with the requested information. The Sites Project Authority plans to resubmit the applications with the requested additional information in 2025 and is working with the State Board to resume the application process at that time. This action is not anticipated to affect the viability or construction schedule of the Sites Project.

This permit and process is separate from the Sites water rights permitting process that is also before the State Board.

Sites CEQA Litigation Update:

On September 20, 2024, the Third District Court of Appeals upheld the decision by the Superior Court of Yolo County in *the Friends of the River vs. Sites Project* case. Friends of the River and five other environmental organizations had petitioned for review of certain aspects of the Sites Project Authority's CEQA process and certification of the Final Environmental Impacts Report (EIR) for the Sites Reservoir Project. The Superior Court of Yolo County and the Court of Appeals ruled in favor of the Sites Project Authority on every claim asserted by the environmental organizations and concluded that the Sites Project Authority had fully complied with the California Environmental Quality Act (CEQA) in its preparation of the EIR.

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

5. U.S. Army Corps of Engineers Site Visit and Tour Conducted for Lt. Col. Timothy W. Shebesta for the South San Francisco Bay Shoreline Phase 1 Project and the Upper Guadalupe River Project

On September 25, 2024, U.S. Army Corps of Engineers (USACE) conducted a tour of the South San Francisco Bay Shoreline Phase I Project and the Upper Guadalupe River Project for Lt. Col. Timothy W. Shebesta.

A tour of the Shoreline Phase I Project site started along the Reaches 2-3 levee, between the Union Pacific Railroad (UPRR) and the Don Edwards Wildlife Refuge Environmental Education Center (EEC). USACE, joined by Valley Water and State Coastal Conservancy, presented background on the project, described challenges during construction, and challenges remaining for the project, including Reaches 4-5 (from Artesian Slough to Coyote Creek). For context, Shoreline Phase I construction of Reaches 1-3, from Alviso Marina to the Don Edwards EEC began in December 2021 and is anticipated to be completed in the summer of 2025.

The tour continued to the Upper Guadalupe River Project site. Valley Water met with Lt. Col. Shebesta and USACE at the downstream end of Reach 7 and toured the Caltrain/UPRR bridge replacement and the Willow Street bridge sites. The team provided the status of the General Re-evaluation Study, its challenges, and responded to several questions from Lt. Col. Shebesta. The General Re-evaluation Study is scheduled for completion in 2025.

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

6. Beall

During the 9/18/24 Board Audit Committee Meeting Director Beall requested: (1) Information related to the Local Area Investment Fund (LAIF); (2) Interest rate paid on Valley Water's debt; and (3) Information related to Valley Water's debt issuance strategy. I-24-0014

In response to questions received from Director Beall during the Board Audit Committee meeting on September 18, 2024, staff is providing the following information:

1. Local Area Investment Fund (LAIF): LAIF is a voluntary program created by statute, began in 1977 as an investment alternative for California's local governments and special districts and it continues today under Treasurer Fiona Ma's administration. The enabling legislation for the LAIF is Section 16429.1 et seq. of the California Government Code. As of August 31, 2024, 2,342 California public agencies are currently participating in LAIF, with a total balance of \$19.7 billion, with an average annual yield of 3.927% for FY 2023-24. LAIF investments must comply with the California Government Code, and the current investment composition is 59% U.S. Treasuries, 23% U.S. Agencies, 8% in Bank Certificates of Deposit, and the remainder in other allowable investments (Time Deposits, Commercial Paper, Bonds, Loans). Additional details are available on the State Treasurer's website: <https://www.treasurer.ca.gov/pmia-laif/laif/index.asp>.

2. The interest rate for the Valley Water debt portfolio is reported in the Annual Comprehensive Financial Report, which is available online at: https://s3.us-west-1.amazonaws.com/valleywater.org.us-west-1/s3fs-public/2024-01/FY2023-ACFR-full-reduced_0.pdf

The long-term debt interest rate range is 2.07% to 5.11%. (see page 77 of the FY 2023 Annual Comprehensive Financial Report). The short-term debt interest rate range as of September 2024 is 3.05% for tax-exempt debt to 5.84% for taxable debt. Short-term debt is issued to reimburse against actual expenditures incurred, thus minimizing the interest cost for Valley Water. Long-term debt is issued to refund/repay the short-term debt, with a 30-year repayment period at a fixed rate.

3. Valley Water follows best practices related to debt issuance. To facilitate the efficient use of debt, Valley Water primarily uses a “just-in-time” borrowing methodology in which short term debt (such as Commercial Paper) is used to reimburse actual capital expenditures as they are incurred, and when outstanding short-term debt nears Valley Water's short-term debt capacity, the short-term debt is refunded with long term debt. This strategy is consistent with the California State Treasurer's debt financing guide that advises local agencies to issue debt to pay for capital improvements with long useful and economic life, with large capital cost such that the project cannot be reasonably constructed with currently available resources.

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

7. **Beall**

**During the 9/18/24 Board Audit Committee Meeting Director Beall requested information on the breakdown of the Safe Clean Water special tax revenue by municipality.
I-24-0015**

The Safe Clean Water special tax is collected county-wide and pays for the program approved by the voters in November 2020. The budgeted amount in the current year, Fiscal Year 2024-25, is \$53.5 million with roughly \$149 million collected since the current program has been in place. The program includes projects that provide county-wide benefits, as well as projects that directly benefit specific communities. Valley Water does not calculate or track the amount of special tax revenue generated by a specific community or municipality. Substantive additional time would be necessary to calculate an estimated breakdown by community or municipality if that is desired, and per Board policy, would require Board approval to do so.

As a reminder, any changes to the voter approved projects under the Safe Clean Water (SCW) program that impact key performance indicators (Valley Water's commitment to the voters) must be made in compliance with the Change Control Process, which requires a public hearing. Also, the projects and priorities of the renewed SCW Program will be reevaluated every 15 years through a public engagement process to ensure alignment with the community's priorities.

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

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-24-0015	09/18/24	Beall	Callender	Taylor	During the 9/18/24 Board Audit Committee Meeting Director Beall requested information on the breakdown of the Safe Clean Water special tax revenue by municipality.	10/14/24		
I-24-0014	09/18/24	Beall	Callender	Taylor	During the 9/18/24 Board Audit Committee Meeting Director Beall requested: (1) Information related to the Local Area Investment Fund (LAIF); (2) Interest rate paid on Valley Water's debt; and (3) Information related to Valley Water's debt issuance strategy.	10/14/24		

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-24-0230	09/20/24	09/20/24	All	DOUG JACKSON	Email from Doug Jackson to Director Eisenberg (copied to the board), dated 09/20/24, inquiring about future plans for the Alamitos Creek.	Refer to Staff	Hakes	Codianne	09/28/24	-	n/a	10/04/24
C-24-0232	09/23/24	09/23/24	All	MARY DUNN	Email from Mary Dunn to the Board, dated 09/23/24, requesting that a downed tree behind 580 Matadero on Matadero Creek be inspected.	Refer to Staff	Hakes	Codianne	10/01/24	-	n/a	10/07/24
C-24-0237	09/30/24	09/30/24	All	JOEY CHILDS	Joey Childs's email to the board, dated 09/30/24, inquires about a partnership by setting up a toy collection at Valley Water.	Refer to Staff	Gibson	Cofre	10/08/24	-	n/a	10/14/24

Board of Directors

From: Raymond White [REDACTED] >
Sent: Wednesday, September 25, 2024 10:50 AM
To: dave@padailypost.com; Braden Cartwright; Emily Yarsinske; Board of Directors;
City.Council@mountainview.gov; City.Council@cityofpaloalto.org
Subject: Court rules EPA must regulate fluoride

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. *****

FAN will issue a press release today,
but Tuesday's alert:

Dear Friends,

History has been made. After 7 years of pursuing legal action against the U.S. Environmental Protection Agency (EPA) over the risk posed to the developing brain by the practice of water fluoridation, the *United States District Court of the Northern District of California* **has just ruled on behalf of the Fluoride Action Network and the plaintiffs** in our precedent-setting [court case](#). A U.S. federal court has now deemed fluoridation an "unreasonable risk" to the health of children, and the EPA will be forced to regulate it as such. The decision is written **very strongly** in our favor, and we will share it in its entirety tomorrow. Below is an excerpt from the introduction of the ruling:

"The issue before this Court is whether the Plaintiffs have established by a preponderance of the evidence that the fluoridation of drinking water at levels typical in the United States poses an unreasonable risk of injury to health of the public within the meaning of Amended TSCA. For the reasons set forth below, the Court so finds. Specifically, the Court finds that fluoridation of water at 0.7 milligrams per liter ("mg/L") – the level presently considered "optimal" in the United States – poses an unreasonable risk of reduced IQ in children..the Court finds there is an unreasonable risk of such injury, a risk sufficient to require the EPA to engage with a regulatory response...One thing the EPA cannot do, however, in the face of this Court's finding, is to ignore that risk."

In this moment, I want to recognize attorney Michael Connett for pursuing this case and leading the effort every step of the way. He's a true superhero to all of us here at FAN. Many other amazing team members were also involved in making this a reality and deserve great appreciation and thanks, including our co-plaintiffs and all of you who donated and spread the word about our case. Take a moment to celebrate this momentous occasion tonight, wherever you are. After 7 years, we all deserve it.

Please stay tuned as we will provide further comprehensive details in a press release and bulletin tomorrow.

Sincerely,

Stuart Cooper
Executive Director
Fluoride Action Network

copied to you by: Raymond R. White
TSCA = Toxic Substances Control Act

Board of Directors

Subject: FW: Matadero Creek maintenance?

From: Mary Dunn [REDACTED]
Sent: Thursday, September 26, 2024 8:47 AM
To: Board of Directors <board@valleywater.org>
Subject: Matadero Creek maintenance?

*** 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 Whom It May Concern,

Thank you for your prompt reply / Monday Sept. 23 2024. I appreciate you passing on my concern regarding a maintenance situation of a tree precariously leaning over the waterway/ Matadero Creek.

I am eager to have this looked at prior to the start of our rainy season. Hopefully the Creek Maintenance Department is going to address its responsibility of the needed maintenance situation in this area of Matadero Creek.

I received a voicemail from Cecilia with Valley Water relaying : She submitted a case to?..... victor W water - 016297 to be inspected.

I also received a vm from a Neil Church whom I phoned back at 408 461 5144.

He has said he will have it inspected to determine how to proceed.

Please have someone from SCVWD email us with their plan for maintenance of this area of Matadero Creek.

Mary Dunn : [REDACTED]
And
Ron Pearl : [REDACTED]

Thank you in advance for your effort and prompt response with this situation.

Regards,
Mary Dunn





Sent from my iPad

From: [Ron Johnstone](#)
To: [Board of Directors](#)
Subject: RO Water
Date: Monday, September 30, 2024 10:27:04 AM

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I'm shocked that Valley Water is apparently providing RO water to their customers. A good RO system will remove ALL "contaminants" from water including minerals that are vital to health. I was in charge of delivering ultra pure water to various companies in the semiconductor business for many years and it was gospel that it was utterly unsafe to drink it was never to be given to animals.

Any statements that RO water is safe for humans and animals has come from the RO industry. You are inviting lawsuits by possibly supplying a dangerous product to your customers, needlessly. Making RO, rejects a great deal of water and essentially wastes it. Proper filtration is enough.

Worth a read: [Warnings about reverse osmosis water | Cat & Bird Clinic](#)



Warnings about reverse osmosis water | Cat & Bird Clinic

Best regards, Ron Johnstone

From: [Kim Macpherson](#)
To: [Board of Directors](#)
Cc: [Kim Macpherson](#)
Subject: Re: SUBJECT: Comments on the Partially Recirculated Draft Environmental Impact Report – SPM-2013-00327 | State ClearingHouse # 2013082052: Request for Comprehensive Bay Area Air Quality Management District Health Risk Assessment for Holiday Lake Estate...
Date: Monday, September 30, 2024 4:20:49 PM
Attachments: [image001.png](#)

***** 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: Thank You for Your Response

Dear Director Varela,

Thank you for your kind response and for acknowledging my comments on the Anderson Dam Seismic Retrofit Project Partially Recirculated Draft Environmental Impact Report. I appreciate Valley Water's commitment to thoroughly reviewing and addressing the public's feedback throughout the environmental review process.

I look forward to seeing the Final EIR and learning more about how the community's concerns are addressed as the project moves forward.

Thank you again for your dedication to ensuring a comprehensive review.

Best regards,
Kim Macpherson

On Mon, Sep 30, 2024 at 8:30 AM Board of Directors <board@valleywater.org> wrote:

Sent on Behalf of Director Varela:

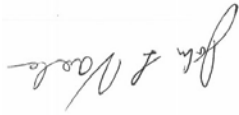
Dear Kim Macpherson,

Thank you for your comment. The Valley Water Board as well as staff have received your comment on the Anderson Dam Seismic Retrofit Project (ADSRP) Partially Recirculated Draft Environmental Impact Report (PR-DEIR). Valley Water appreciates your participation in the environmental review process.

Valley Water will respond to all comments submitted on the Draft Environmental Impact Report (DEIR) and PR-DEIR in the Final EIR. The Board will then consider the Final EIR, including responses to public comments, before deciding whether to approve the Project or an alternative.

Valley Water remains committed to thoroughly reviewing and addressing all substantive comments received during the DEIR and PR-DEIR public review periods as part of the Final EIR preparation process.

Sincerely,



John L. Varela,

District 1, Board of Directors

C-24-0299

From: Kim Macpherson [REDACTED]
Sent: Thursday, September 19, 2024 9:12:52 AM
To: John Varela <jvarela@valleywater.org>
Cc: Kim Macpherson [REDACTED]
Subject: SUBJECT: Comments on the Partially Recirculated Draft Environmental Impact Report – SPM-2013-00327 | State ClearingHouse # 2013082052: Request for Comprehensive Bay Area Air Quality Management District Health Risk Assessment for Holiday Lake Estates Re...

*** 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. ***

William & Kim Macpherson

[REDACTED]
Morgan Hill CA 95037

[REDACTED]
Email: [REDACTED]

September 19, 2024

Santa Clara Valley Water District (SCVWD)
Attention: *John L. Varela, District 1, Board Member*
5750 Almaden Expressway
San Jose, CA 95118
Email: jvarela@valleywater.org

SUBJECT: Comments on the Partially Recirculated Draft Environmental Impact Report – SPM-2013-00327 | State ClearingHouse # 2013082052: **Request for Comprehensive Bay Area Air Quality Management District Health Risk Assessment for Holiday Lake Estates Residents**

PROJECT: Anderson Dam Seismic Retrofit

PUBLIC NOTICE NUMBER: SPN-2013-00327

SCVWD NOTICE DATE: August 5, 2024

COMMENTS DUE DATE: September 20, 2024

Dear Mr. Varela,

I am writing as a 17-year resident and homeowner in Holiday Lake Estates, a community located near Anderson Dam, to express our family's and my serious concerns regarding the revised plan for the Anderson Dam Seismic Retrofit Project, as outlined in the Partially Recirculated Draft Environmental Impact Report (REIR 2024, SCH #2013082052) released on August 5, 2024.

The revised plan includes sustained construction activity in stockpile and staging areas near our homes. Additionally, it introduces construction traffic on the Anderson Dam lakebed adjacent to Holiday Lake Estates residences, with at least 60,000 trips planned over 6.5 miles of unpaved roads. The construction traffic speed is set at 25 mph, exceeding the 15 mph limit established by Best Management Practice (BMP) AQ-1 (Use Dust Control Measures).

Recent changes to the plan also involve an increase in the number of workers, extended project hours, and intensified activity near Holiday Lake Estates. The project will operate up to 7 days a week, 13 hours a day, for a duration of 7 years.

Holiday Lake Estates is home to approximately 2,000 to 3,000 residents, including vulnerable populations such as children, the homebound, the elderly, and those with preexisting health conditions. We seek assurance that the health and safety risks associated with the Anderson Dam Seismic Retrofit Project have been thoroughly evaluated for all residents, not just the Maximally Exposed Individual (MEI).

The Recirculated Environmental Impact Report, August 4, 2024 (REIR), particularly Table K, shows that for the MEI, the anticipated health risks exceed Bay Area Air Quality Management District (BAAQMD) thresholds, even after mitigation measures are implemented. Specifically:

1. **Excess Lifetime Cancer Risk:** The unmitigated risk is 81 cases per million (threshold: 10), while the mitigated risk is 17 cases per million, still exceeding the BAAQMD threshold.
2. **Acute Health Index (HI):** The unmitigated risk is 15 (threshold: 1), and the mitigated risk is reduced to 3.7, which still exceeds the BAAQMD threshold.
3. **PM_{2.5} Concentration:** The unmitigated concentration is 1.78 $\mu\text{g}/\text{m}^3$ (threshold: 0.3 $\mu\text{g}/\text{m}^3$), and the mitigated concentration is 0.58 $\mu\text{g}/\text{m}^3$, again exceeding the threshold.

These findings indicate that despite mitigation efforts, the risks remain well above acceptable limits for the MEI, which raises serious concerns about the broader impacts on the rest of the community, particularly in densely populated areas like Holiday Lake Estates.

Moreover, the establishment of unpaved roads on the Anderson lakebed and the resulting fugitive dust from vehicular and construction activities are likely to exacerbate air quality risks. This dust may contain fine particulate matter (PM_{2.5}) and other harmful pollutants, further increasing the potential for respiratory, cardiovascular, and other health issues.

We are therefore requesting that a BAAQMD-based Health Risk

Assessment (HRA) be conducted to comprehensively evaluate the health and safety risks to Holiday Lake Estates residents, not just the MEI. The HRA should address the following:

1. **Air Quality Impacts and Fugitive Dust:** The increased levels of fugitive dust and diesel emissions from construction activity, combined with unpaved road use, may have significant cumulative effects on the entire community, particularly on vulnerable groups.
2. **Noise Pollution:** Prolonged construction hours and the use of heavy equipment may lead to chronic noise exposure, potentially affecting both mental and physical health.
3. **Cumulative Impacts on Vulnerable Populations:** Children, the elderly, and individuals with preexisting conditions may face greater health risks than the general population, necessitating more detailed analysis.
4. **Long-Term Health Risks:** Given the extended timeline of this project, long-term exposure to air pollution and noise should be thoroughly evaluated, particularly as risks to residents may increase over time.

We believe that a more comprehensive HRA, addressing the residents of Holiday Lake Estates in accordance with BAAQMD standards, is essential to fully understand the health risks our community faces and to ensure that appropriate mitigation measures are implemented by Santa Clara Valley Water District and other agencies to protect all residents.

Thank you for your attention to this important matter.

Sincerely,

William Macpherson & Kim Macpherson



Resident and Homeowner, Holiday Lake Estates

From: [Joey Childs](#)
To: [Board of Directors](#)
Subject: Partnership Opportunity for Christmas Toy Drive
Date: Monday, September 30, 2024 1:31:27 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 Valley Water Team,

I hope this message finds you well. My name is Joey Childs, and I am the founder of Joey's Toy Drive, a nonprofit organization dedicated to providing holiday joy to underprivileged children in the San Francisco Bay Area.

This year, we are organizing our annual toy drive and would love the opportunity to partner with Valley Water. We believe that setting up a toy collection at your offices could engage your employees and contribute significantly to our mission of bringing smiles to children in need.

In 2023 alone, we collected over **12,500 toys and partnered with 51 organizations**, including several schools, to support families during the holiday season. A collaboration with Valley Water would not only help us reach more children but also demonstrate your commitment to community service and social responsibility.

We would be happy to provide collection bins and promotional materials to facilitate the process. If you're interested, we can discuss logistics and any support you might need.

Thank you for considering this opportunity to make a difference in the lives of children and families in our community. I look forward to the possibility of working together.

Warm regards,
Joey Childs

Joey Childs, Founder
Joey's Toy Drive
www.Joey'sToyDrive.org



OUTGOING BOARD CORRESPONDENCE

Michele King

Subject: FW: Board Correspondence: Pond Problem
Attachments: Stream Maintenance and Property Management Fact Sheet.pdf

From: Rebecca Eisenberg <rebecca@rebecca4water.com>
Sent: Wednesday, September 25, 2024 7:17 PM
To: [REDACTED]
Cc: Rebecca Eisenberg <Reisenberg@valleywater.org>; Candice Kwok-Smith <ckwok-smith@valleywater.org>
Subject: Fwd: Board Correspondence: Pond Problem

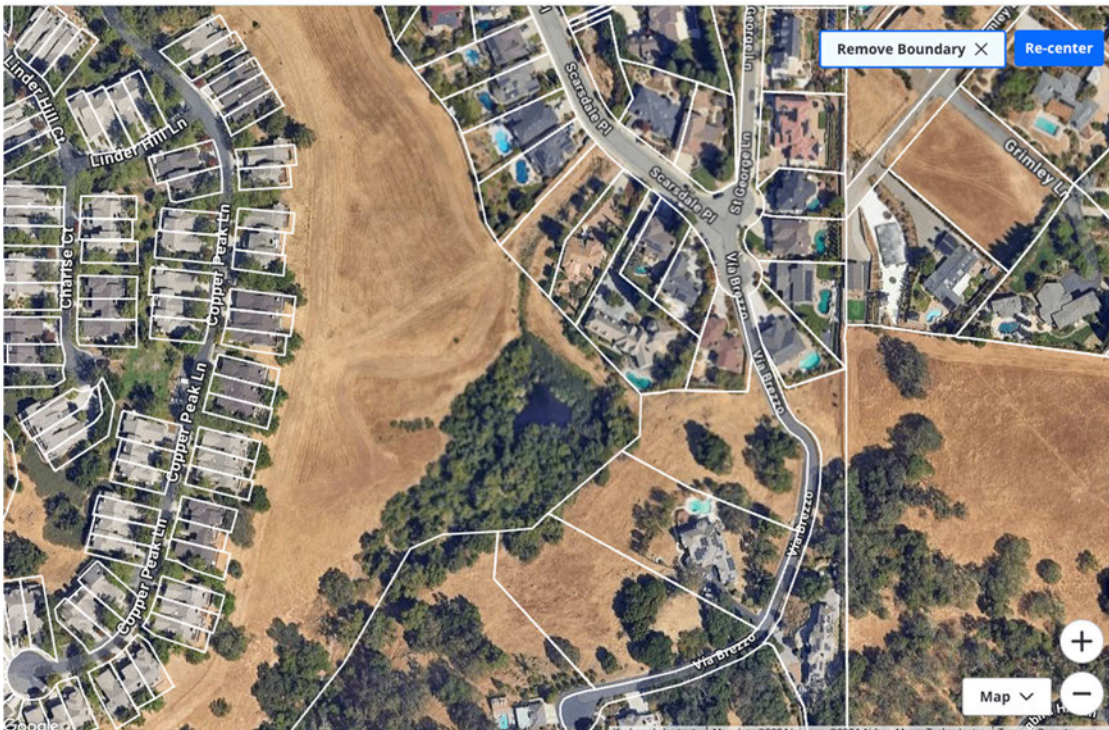
***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Dear Manou and Christina:

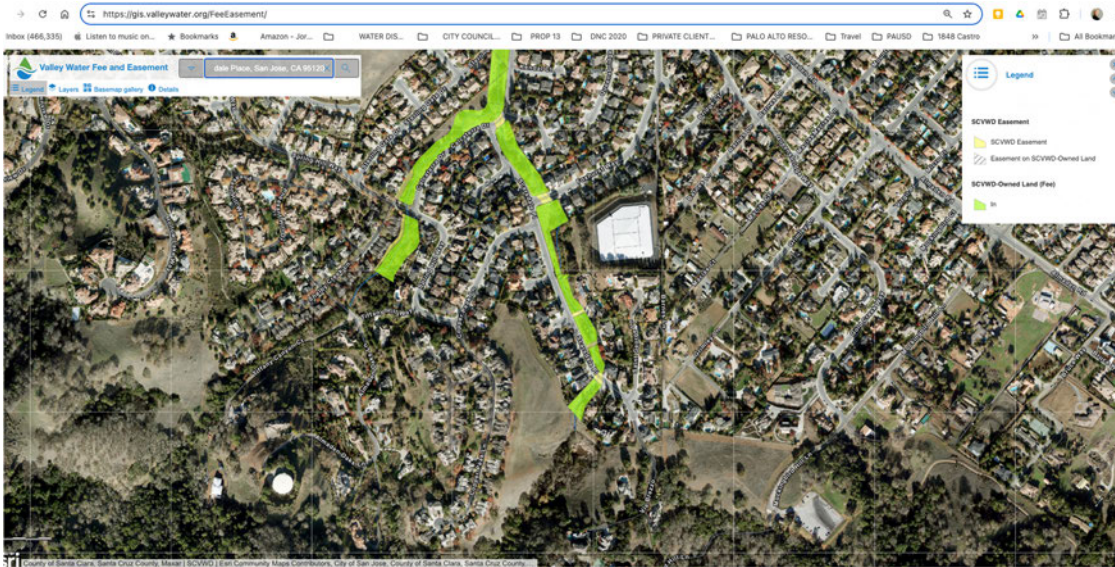
It was nice speaking with you by phone just now. I am responding from my personal email because it is more reliable, cc'ing my official email to make sure that these communications are official and public.

As you know, as your elected Water District Board Director, I take seriously (and enjoy) my responsibility to assist constituents with their water-related challenges. Anyone in your situation would feel rationally frustrated, and I hope that the information in this email may help you reach an amicable resolution to this problem.

I read the email correspondence below, which I appreciate your sending, and I am confused by the statements made by the California Ridge Association. The pond adjacent to your property appears to be a part of the California Ridge open space areas, which is confirmed by Zillow in this map below (your home being the flag lot directly abetting the pond, and the rest of the open space above, to its left, and below the pond).



Additionally, when I checked the interactive map that shows what land is owned in full or via easement by Valley Water, the pond did not appear to be owned by Valley Water. Valley Water's interactive map is located online here: <https://gis.valleywater.org/FeeEasement/>. Entering in your address of [REDACTED], San Jose, CA 95120 in the search box, the result shows that although Valley Water owns some land nearby, its ownership (in both fee title and via easements) do not extend into the open space, and ends several lots away from your property.



Valley Water staff confirmed this fact to me. They explained that the pond next to your home is considered the "ponded area located on Randol Creek." And, put plainly, "This section of Randol Creek is owned by various private properties, not by Valley Water. Valley Water holds no jurisdiction here."

Staff also sent me the attached flyer, which explains that when private parties own ponds and waterways, the property owners are obligated to maintain the waterways, lakes, and ponds.

The most applicable portion says:

"Property Owner's Responsibility for Creek Maintenance

Every property owner has a duty to maintain his or her property in a reasonably safe condition that does not interfere with a neighbor's ability to enjoy their property. A property owner is not required to enlarge or increase the capacity of a creek for flood protection purposes. Maintenance duties may include vegetation management, erosion repair, and removal of graffiti, trash, debris, and fallen trees. Some activities are subject to permitting by local, state and federal regulatory agencies prior to performing the work."

In other words, property owners have an affirmative legal obligation to maintain the bodies of water they own. Because some of that maintenance requires permits, it is important that the property owner act promptly to take care of their maintenance obligations.

Does the Homeowners Association deny that they own the property that has the pond? If so, do they know who owns that property, as it does not appear to be part of your or Valley Water's ownership areas? If they agree that they own the property, can they help me understand the reasons that they do not believe they have the obligation to maintain the pond? I recognize that there may be some information that I am missing.

Please feel free to forward this email and its attachment to the California Ridge Association, and please let me know that they are welcome to contact me or Valley Water staff directly.

I know that these matters can be confusing, so I hope that this email and the attached PDF helps. Please feel free to reach out to me directly by email or phone (415-235-8078) at any time.

Sincerely,

Rebecca

Rebecca Eisenberg, Esq.
Director, District 7
Santa Clara Valley Water District
[linkedin.com/in/eisenberg](https://www.linkedin.com/in/eisenberg)
[valleywater.org](https://www.valleywater.org)
rebecca@rebecca4water.com
415-235-8078

From: Manou Darlou [REDACTED]
Sent: Saturday, September 14, 2024 11:34 AM
To: Board of Directors board@valleywater.org
Cc: ccordi@gocompass.com; bdredding@gmail.com
Subject: Pond Problem

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Santa Clara water District

To: Board of Director

We have been living at [REDACTED], San Jose, CA 95120 for 38 years. There is a large pond located behind several homes on the southern end of Scarsdale Place, including directly behind our backyard. This pond, situated in an open space, is part of the California Ridge homeowners' property. However, we have not seen any maintenance work on the pond in many years.

Over time, the pond's drainage outlet has become progressively clogged with silt, weeds, and other vegetation. The pond is now overgrown with tule grass, weeds, and thick, fast-growing trees. Year by year, the condition of the pond has deteriorated to the point where it now resembles a swamp rather than a pond. The foul smell and increasing swarms of mosquitoes make living conditions unbearable.

We are concerned that the pond's poor condition may pose a serious health threat to the surrounding community, due to the increasing number of mosquitoes and the potential risk of infection from West Nile virus-carrying mosquitoes.

I attached Google Earth image which shows pond and our resident and two other neighbors which close to the pond for your information. Also below, you will find recent communications with Barry Redding and Craig Cordi, Senior Association Manager of California Ridge Homeowners Association. They have indicated that they have no authority over the pond and believe that the Santa Clara Water District is responsible for maintenance, cleanup, and any related issues regarding the pond.

We kindly request your help in investigating the pond's condition and providing the results to us via email, as well as to Barry Redding at [REDACTED] and Craig Cordi at ccordi@gocompass.com

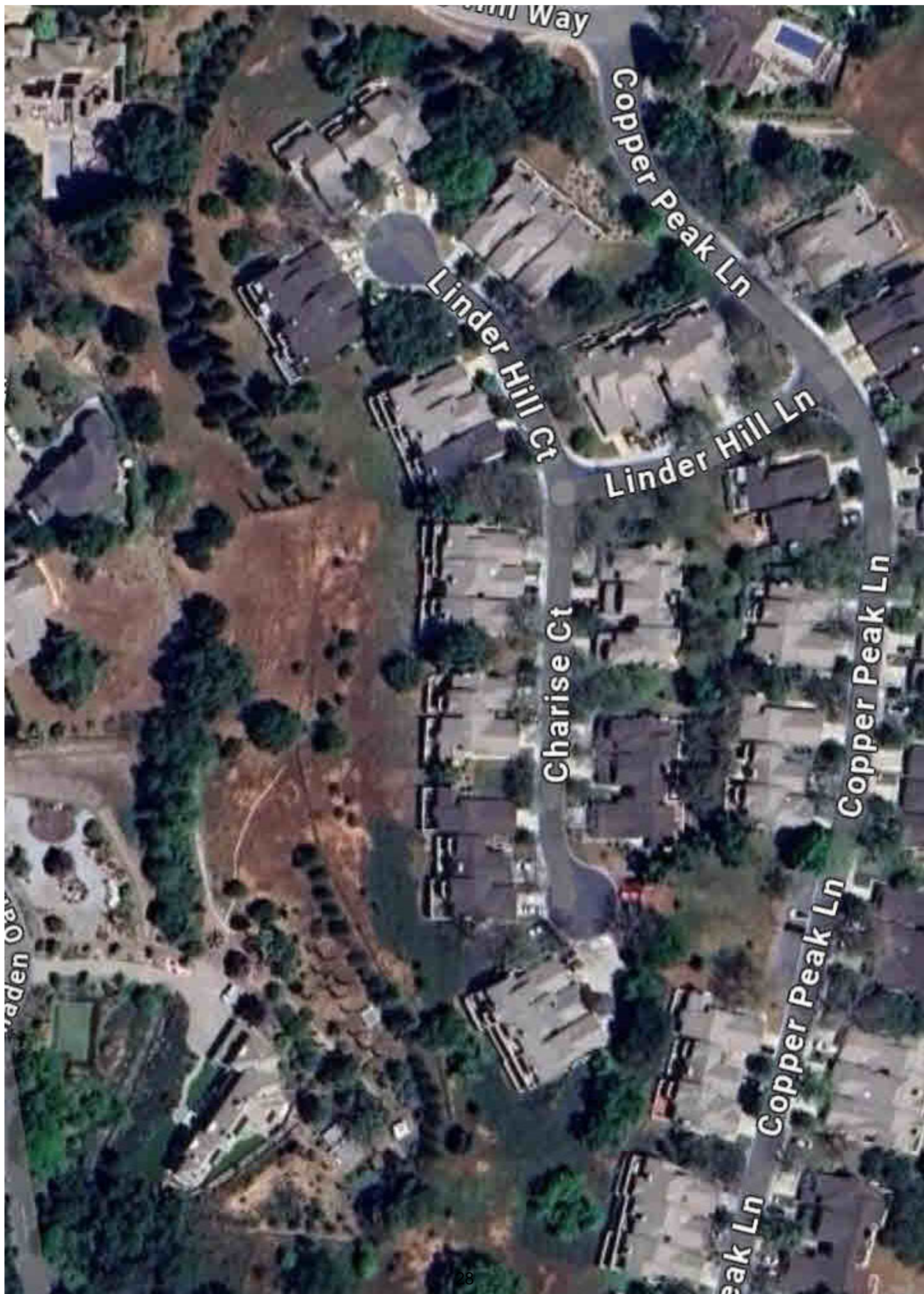
We hope this investigation will help identify the responsible parties and lead to a resolution for the pond's ongoing issues as soon as possible.

Sincerely,
Christina and Mike K. Darlou

[REDACTED]
San Jose, CA 95120

[REDACTED]

Phone: [REDACTED] & [REDACTED]



- **From:** Christina Soghra [REDACTED]
Date: September 14, 2024 at 9:36:09 AM PDT
To: Barry Redding [REDACTED]
Subject: Re: Pond at Scarsdale place

Hi, I contacted water district they told me this is California Ridge property they need to handle this.

Christina Darlou

Sent from my iPhone

On Sep 14, 2024, at 9:01 AM, Barry Redding [REDACTED] wrote:

Well handled Craig. The pond she may be referring to is owned and controlled by the San Jose Water District. She should contact them. We are not owners or stewards of any public watershed area.

Barry

On Fri, Sep 13, 2024 at 8:33 PM Craig Cordi <craig.cordi@rowcal.com> wrote:

Hi Christina,

Which pond are you referring to? The only body of water I can think of is near Lindsay Creek and Spring Hill and I'm not entirely sure that is even the Association's responsibility. Looking on a map, Scarsdale Place isn't anywhere close the California Ridge Association.

Can you provide a google map of the area you are referring to?

Regards,

Craig Cordi
Senior Association Manager
RowCal
77 Las Colinas Lane
San Jose, CA 95119
Office: 408-226-3300

From: Christina Soghra [REDACTED]
Sent: Friday, September 13, 2024 7:28 PM
To: Craig Cordi <ccordi@gocompass.com>
Subject: Re: Pond at Scarsdale place

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi, I am the owner of the single family home which the pond is behind my backyard. I want ask you please do the things I mentioned in my email as soon as possible.
Thank you.
Christina Darlou

> On Sep 13, 2024, at 12:30 PM, Craig Cordi <ccordi@gocompass.com> wrote:
>
> HI Christina,
>
> Thank you for your email. I look up your name in our database and could not find you. Are you a member of the California Ridge Homeowner's Association or do you own one of the single-family homes outside of the community or do you represent another organization?
>
>
> Craig Cordi
> Senior Association Manager
> RowCal
> 77 Las Colinas Lane
> San Jose, CA 95119
> Office: 408-226-3300
>
>
> -----Original Message-----
> From: Christina Soghra [REDACTED]

> Sent: Wednesday, September 11, 2024 12:49 PM
> To: Craig Cordi <ccordi@gocompass.com>
> Cc: robert@longscustomdiscing.com; shelby@longscustomidiscing.com; Timothy Wilson
<twilson@gocompass.com>
> Subject: Pond at Scarsdale place

>
> [Some people who received this message don't often get email
from [REDACTED] Learn why this is important
at <https://aka.ms/LearnAboutSenderIdentification>]

>
> To: Compass Management Group

>
> I hope this letter finds you well. I am writing to address an important issue concerning
the maintenance of [California Ridge properties pond by Scarsdale place]. It has come to
my attention that the pond is in need of dredging and the surrounding vegetation requires
management.

>
> As you may be aware, over time, sediment accumulation can negatively impact water
quality and aquatic life. Additionally, west Nile mosquitoes ,overgrown vegetation can
hinder access and reduce the pond's ecological balance. Regular maintenance is crucial to
ensure that the pond remains a healthy habitat for wildlife and a valuable resource for the
community.

>
> I kindly urge your office to consider initiating a dredging project and to implement a
vegetation management plan. This would not only enhance the aesthetics of the area but
also promote biodiversity and improve recreational opportunities for residents.

>
> Thank you for your attention to this matter. I look forward to your response and hope
to see positive action taken soon.

>
> Sincerely,

>
> Christina Darlou

> [REDACTED]
>

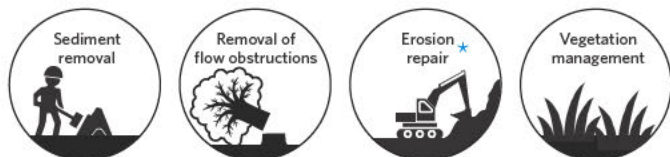
Stream Maintenance by Valley Water

Valley Water performs stream maintenance on completed flood protection projects to keep them in a safe and usable condition as originally designed and constructed. As the landowner, Valley Water also manages its property by performing work along streams.

Maintenance of Capital Projects

Capital projects are large-scale projects that maintain or improve capital assets. They involve a planning, design and approval process that includes public review, California Environmental Quality Act (CEQA) compliance, funding, and land and regulatory permit acquisition. Valley Water maintains the structural and functional integrity of these constructed projects to ensure the significant investment in infrastructure continues to provide the flood protection benefits as its intended design and construction.

Maintenance activities for Capital Projects



* Erosion is a natural process; Valley Water is not obligated to keep a creek "in place". Rather, Valley Water is obligated (considering the availability of resources) to preserve the functional and structural integrity of flood protection projects built or accepted by Valley Water.

Activities include removal of sediment and other obstructions to flow, erosion repair, and vegetation management.

Work activities are defined and permitted under a **Stream Maintenance Program (SMP)**, a ten-year program approved in 2013 by seven state and federal regulatory agencies.

Maintenance work is prioritized based on several considerations, including available resources. Higher priority is given to capital projects completed with federal partners, levee maintenance, and work to preserve channel capacity.



Staff removing fallen trees blocking creek flow.

Maintenance as a Landowner

Valley Water performs work on properties owned in fee title or where otherwise obligated by permit or agreement. These activities include weed abatement, hazardous tree removal, pruning for access, care of planted mitigation sites, fence and erosion repair, and graffiti, trash, and debris removal.

Maintenance activities as a landowner



Maintenance on easements

Valley Water performs limited work on properties owned by others where Valley Water has an easement. Easements are generally acquired for flood protection or water management and storm drainage purposes and grant rights (not obligations) to take actions in accordance with those purposes.

Valley Water does not perform activities such as weed abatement, erosion repair, graffiti or trash removal on easements as these are landowner responsibilities. Removal of fallen trees or other obstructions to flow are flood protection activities that may be done by Valley Water. Unless otherwise stated, erosion repair on easements is a property owner responsibility.

The landowner retains rights to use the easement but cannot take actions, such as construction of a building, that conflict with the Valley Water easement right. A typical easement deed requires a property owner to seek Valley Water's approval for certain construction activities such as grading and fencing.

continued on back »

Property Owner's Responsibility for Creek Maintenance

Every property owner has a duty to maintain his or her property in a reasonably safe condition that does not interfere with a neighbor's ability to enjoy their property. A property owner is not required to enlarge or increase the capacity of a creek for flood protection purposes. Maintenance duties may include vegetation management, erosion repair, and removal of graffiti, trash, debris, and fallen trees. Some activities are subject to permitting by local, state and federal regulatory agencies prior to performing the work.

Property owner's responsibilities for creek management



Site of completed erosion repair.

Exceptions and Joint Efforts

There are limited situations where Valley Water may conduct work on private or other public agency owned property. Work may be conducted, subject to agreements, on other public agency owned property or on private property, with permission, during emergencies or for limited stream stewardship purposes.

Emergency Work

Valley Water may perform urgent and emergency flood protection work on other public or private property where a public purpose is endangered, subject to written permission to enter from the property owner. Staff availability and priorities will likely limit our response in an urgent or emergency situation.

Stream Stewardship

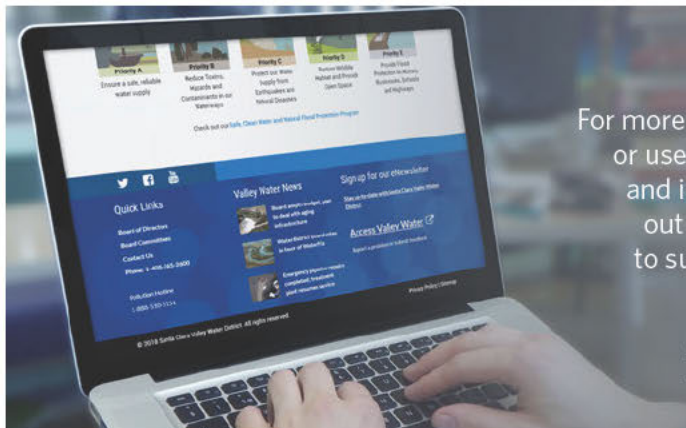
Stream stewardship activities that remove invasive plants along streams are conducted by Valley Water staff. This work may occur on Valley Water property and easements with permission from the property owner. Because it is important to eradicate invasive plants along a creek on a watershed and watershed wide basis and the **Safe Clean Water Program** provides funding for this activity, staff may also seek permission to perform this work on private property.



Crews removing giant reed (*arundo donax*), an invasive plant, from creek.

See link for care guidelines:

<https://www.valleywater.org/learning-center/healthy-creeks-and-ecosystems/creekside-property-program>



CONTACT US

For more information, contact us at (408) 630-2378 or use our **Access Valley Water** customer request and information system at valleywater.org to find out the latest information on district projects or to submit questions, complaints or compliments directly to a district staff person.



Follow us on:



Board of Directors

Subject: FW: 9-10-24 Valley Water Board Meeting - Agenda item 13.1 - Los Vaqueros Reservoir Expansion Project - Comment

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

Sent: Friday, September 27, 2024 10:02 AM

To: [REDACTED]

Subject: Re: 9-10-24 Valley Water Board Meeting - Agenda item 13.1 - Los Vaqueros Reservoir Expansion Project - Comment

Sent on Behalf of Chair Hsueh:

Dear Jim Kuhl,


Valley Water is reducing its targeted storage in Los Vaqueros Reservoir from 50 TAF to 20 TAF in response to the project risks identified in the Board Agenda Memo and staff presentation in the September 10th Board meeting. These risks could potentially increase Valley Water's project costs and/or impact Valley Water's ability to store water in Los Vaqueros Reservoir which would reduce the benefits provided by the Project.

On September 19, 2024, Valley Water received communication from Rachael Murphy, the General Manager of Contra Costa Water District (CCWD) regarding CCWD's participation in the Los Vaqueros Reservoir Expansion Project (Project). During CCWD's September 18, 2024 Board meeting, the CCWD Board directed the General Manager to develop an approach to end CCWD's participation in the Project. The CCWD Board concluded that the Project is no longer viable, citing the risk to water quality and water supply for CCWD customers during construction on the Dam, the reduction in the project benefits due to tightening regulatory and permitting restrictions, and significant cost increases, as factors in this decision.

Los Vaqueros Reservoir Expansion Project is being evaluated along with other storage projects as part of the Water Supply Master Plan 2050. A cost comparison of the storage projects was presented at the July 9, 2024 update to the Board. Valley Water's final level of participation in the Los Vaqueros Reservoir Expansion Project will be decided by our Board in the future and depend on the costs, benefits, and risks associated with Valley Water's participation in the Project and compared to other storage projects.

Thank you for bringing your concerns to our attention.

Sincerely,



Nai Hsueh

Chair, District 5

C-24-0219

From: [REDACTED]
Sent: Wednesday, September 11, 2024 12:56 PM
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>; Vincent Gin <VGin@valleywater.org>; Darin Taylor <DTaylor@valleywater.org>
Subject: 9-10-24 Valley Water Board Meeting - Agenda item 13.1 - Los Vaqueros Reservoir Expansion Project - Comment

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Email Date: 9/11/24
To Valley Water Board
From: Jim Kuhl
Subject: 9-10-24 Valley Water Board Meeting
Agenda item 13.1 - Los Vaqueros Reservoir Expansion Project

Presentation Comment Question

Why is Valley Water reducing their targeted share in the 115 TAF Los Vaqueros Reservoir Expansion project from 50 to 20 TAF?

Comment Background Information

From the presentation, the Vaqueros Reservoir Expansion Project costs is now is estimated to be \$1.56B, without interest, for an expansion of 115 TAF. This yields a Vaqueros expansion cost \$13,565/AF. In contrast, Pacheco Reservoir Expansion project is \$2.7B, without interest, for an expansion of 135 TAF. This yields a Pacheco expansion cost of 20,0000/AF. From a cost-effectiveness benchmarking comparison standpoint, Vaqueros' expansion is significantly less expensive Pacheco's for increasing imported Delta water surface reservoir storage capacity.

During the Board Meeting, a reason was not identified why the Contra Costa County Water District negotiation would not result in Valley Water obtaining their unused banked Vaqueros stored water, net of standard losses, on a timely basis. Valley Water appears to be headed in the wrong direction in reducing their Vaqueros expansion water storage share when considering the water long-term *affordability* issue due to the projected 620% increase of North County groundwater by 2044. A clear explanation by the Board and/or Staff is needed regarding the direction Valley Water is pursuing in the business agreement negotiation with Contra Costa Water District involving the Los Vaqueros

Expansion Project. The Valley Water direction appears to be illogical, unless it is a negotiation ploy that might explode adversely.

Best regards,

Jim

Jim Kuhl, Civic Issue Activist and Environmental Advocate

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Sandra Benavidez](#); [Rita Chan](#); [Ryan McCarter](#); [Cynthia Johnson](#); [Andrew Garcia](#)
Cc: [Board of Directors](#); [Michele King](#)
Subject: FW: SUBJECT: Comments on the Partially Recirculated Draft Environmental Impact Report – SPM-2013-00327 | State ClearingHouse # 2013082052: Request for Comprehensive Bay Area Air Quality Management District Health Risk Assessment for Holiday Lake Estate...
Date: Monday, September 30, 2024 8:37:03 AM
Attachments: [image002.png](#)

Good morning,

C-24-0229 has been approved, sent and closed.

Thanks,
Candice

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Monday, September 30, 2024 8:30 AM
To: [REDACTED]
Subject: Re: SUBJECT: Comments on the Partially Recirculated Draft Environmental Impact Report – SPM-2013-00327 | State ClearingHouse # 2013082052: Request for Comprehensive Bay Area Air Quality Management District Health Risk Assessment for Holiday Lake Estate...

Sent on Behalf of Director Varela:

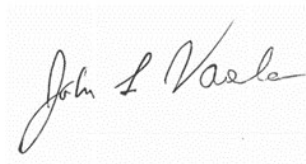
Dear Kim Macpherson,

Thank you for your comment. The Valley Water Board as well as staff have received your comment on the Anderson Dam Seismic Retrofit Project (ADSRP) Partially Recirculated Draft Environmental Impact Report (PR-DEIR). Valley Water appreciates your participation in the environmental review process.

Valley Water will respond to all comments submitted on the Draft Environmental Impact Report (DEIR) and PR-DEIR in the Final EIR. The Board will then consider the Final EIR, including responses to public comments, before deciding whether to approve the Project or an alternative.

Valley Water remains committed to thoroughly reviewing and addressing all substantive comments received during the DEIR and PR-DEIR public review periods as part of the Final EIR preparation process.

Sincerely,



John L. Varela,

District 1, Board of Directors

C-24-0229

From: Kim Macpherson [REDACTED]
Sent: Thursday, September 19, 2024 9:12:52 AM
To: John Varela <jvarela@valleywater.org>
Cc: Kim Macpherson [REDACTED]
Subject: SUBJECT: Comments on the Partially Recirculated Draft Environmental Impact Report – SPM-2013-00327 | State ClearingHouse # 2013082052: Request for Comprehensive Bay Area Air Quality Management District Health Risk Assessment for Holiday Lake Estates Re...

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William & Kim Macpherson

[REDACTED]

Morgan Hill CA 95037

Phone: [REDACTED]

Email: [REDACTED]

September 19, 2024

Santa Clara Valley Water District (SCVWD)
Attention: *John L.Varela, District 1, Board Member*
5750 Almaden Expressway
San Jose, CA 95118
Email: jvarela@valleywater.org

SUBJECT: Comments on the Partially Recirculated Draft Environmental Impact Report – SPM-2013-00327 | State ClearingHouse # 2013082052: **Request for Comprehensive Bay Area Air Quality Management District Health Risk Assessment for Holiday Lake Estates Residents**

PROJECT: Anderson Dam Seismic Retrofit

PUBLIC NOTICE NUMBER: SPN-2013-00327

SCVWD NOTICE DATE: August 5, 2024

COMMENTS DUE DATE: September 20, 2024

Dear Mr. Varela,

I am writing as a 17-year resident and homeowner in Holiday Lake Estates, a community located near Anderson Dam, to express our family's and my serious concerns regarding the revised plan for the Anderson Dam Seismic Retrofit Project, as outlined in the Partially Recirculated Draft Environmental Impact Report (REIR 2024, SCH #2013082052) released on August 5, 2024.

The revised plan includes sustained construction activity in stockpile and staging areas near our homes. Additionally, it introduces construction traffic on the Anderson Dam lakebed adjacent to Holiday Lake Estates residences, with at least 60,000 trips planned over 6.5 miles of unpaved roads. The construction traffic speed is set at 25 mph, exceeding the 15 mph limit established by Best Management Practice (BMP) AQ-1 (Use Dust Control Measures). Recent changes to the plan also involve an increase in the number of workers, extended project hours, and intensified activity near Holiday Lake Estates. The project will operate up to 7 days a week, 13 hours a day, for a duration of 7 years.

Holiday Lake Estates is home to approximately 2,000 to 3,000 residents, including vulnerable populations such as children, the homebound, the elderly, and those with preexisting health conditions. We seek assurance that the health and safety risks associated with the Anderson Dam Seismic Retrofit Project have been thoroughly evaluated for all residents, not just the Maximally Exposed Individual (MEI).

The Recirculated Environmental Impact Report, August 4, 2024 (REIR), particularly Table K, shows that for the MEI, the anticipated health risks exceed Bay Area Air Quality Management District (BAAQMD) thresholds, even after mitigation measures are implemented. Specifically:

1. **Excess Lifetime Cancer Risk:** The unmitigated risk is 81 cases per million (threshold: 10), while the mitigated risk is 17 cases per million, still exceeding the BAAQMD threshold.
2. **Acute Health Index (HI):** The unmitigated risk is 15 (threshold: 1), and the mitigated risk is reduced to 3.7, which still exceeds the BAAQMD threshold.

3. **PM2.5 Concentration:** The unmitigated concentration is 1.78 $\mu\text{g}/\text{m}^3$ (threshold: 0.3 $\mu\text{g}/\text{m}^3$), and the mitigated concentration is 0.58 $\mu\text{g}/\text{m}^3$, again exceeding the threshold.

These findings indicate that despite mitigation efforts, the risks remain well above acceptable limits for the MEI, which raises serious concerns about the broader impacts on the rest of the community, particularly in densely populated areas like Holiday Lake Estates.

Moreover, the establishment of unpaved roads on the Anderson lakebed and the resulting fugitive dust from vehicular and construction activities are likely to exacerbate air quality risks. This dust may contain fine particulate matter (PM2.5) and other harmful pollutants, further increasing the potential for respiratory, cardiovascular, and other health issues.

We are therefore requesting that a BAAQMD-based Health Risk Assessment (HRA) be conducted to comprehensively evaluate the health and safety risks to Holiday Lake Estates residents, not just the MEI. The HRA should address the following:

1. **Air Quality Impacts and Fugitive Dust:** The increased levels of fugitive dust and diesel emissions from construction activity, combined with unpaved road use, may have significant cumulative effects on the entire community, particularly on vulnerable groups.

2. **Noise Pollution:** Prolonged construction hours and the use of heavy equipment may lead to chronic noise exposure, potentially affecting both mental and physical health.

3. **Cumulative Impacts on Vulnerable Populations:** Children, the elderly, and individuals with preexisting conditions may face greater health risks than the general population, necessitating more detailed analysis.

4. **Long-Term Health Risks:** Given the extended timeline of this project, long-term exposure to air pollution and noise should be thoroughly evaluated, particularly as risks to residents may increase over time.

We believe that a more comprehensive HRA, addressing the residents of Holiday Lake Estates in accordance with BAAQMD standards, is essential to fully understand the health risks our community faces and to ensure that appropriate mitigation measures are implemented by Santa Clara Valley Water District and other

agencies to protect all residents.

Thank you for your attention to this important matter.

Sincerely,

William Macpherson & Kim Macpherson

 Morgan Hill CA 95037

Resident and Homeowner, Holiday Lake Estates