



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

July 10, 2026

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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3	CEO Bulletin: 07/09/26
	<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
	BMR/IBMR Weekly Reports: None
10	Water Tracker-July
	<u>INCOMING BOARD CORRESPONDENCE</u>
13	Board Correspondence Weekly Report: 07/08/26
15	Email from Brian De Smet to Director Ballard, the board, and San Jose District 2, dated 07/04/26, expressing disappointment with the progress update on the Coyote Creek Flood Protection Project. BC-26-0059
18	Email from Davide Vieira to Ms. Castellanos at San Jose Unified School District (copied to Director Ballard and various others), dated 07/04/26, requesting that we not ruin the riparian corridor along Selma Olinder School and Park with 12-foot-high berms instead of the community-planned and preferred automated pop-up flood control walls. BC-26-0060
20	Email from George Schisler to Director Hsueh, dated 07/07/26, Water District easement for ingress and egress to the creek behind his client's property located 11230 Bubba Road in Cupertino. BC-26-0061
	<u>OUTGOING BOARD CORRESPONDENCE</u>
24	Email from Director Hsueh to Vice Mayor Chao, dated 07/01/26, responding to their follow-up regarding the relationship between fire safety and Assembly Bill (AB) 1572.

CEO BULLETIN

CEO BULLETIN



To: Board of Directors
From: Melanie Richardson, Interim CEO

Weeks of June 19, 2026 – July 9, 2026

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>	Pajaro River Watershed Resilience Plan Completed April 2026
<u>2</u>	Safe, Clean Water Refill Station Grant Closeout: City of Gilroy's Chestnut Fire Safety
<u>3</u>	Safe, Clean Water Refill Station Grant Closeout: City of Gilroy's Las Animas Project
<u>4</u>	Safe, Clean Water Refill Station Grant Closeout: City of Gilroy's Sunrise Fire Station Project
<u>5</u>	Safe, Clean Water Refill Station Grant Closeout: Central Christian Church Refill Station Project
<u>6</u>	Safe, Clean Water Refill Station Grant Closeout: Roman Catholic Bishop of San Jose's St. John Vianney Community Center Project
<u>7</u>	<u>Hsueh</u> At the 6/9/26 Board meeting, Director Hsueh requested that staff consider continued funding for water conservation programs beyond the 7 years allocated in the Safe Clean Water Program. R-26-0003
<u>8</u>	<u>Varela</u> Review the Amazon project proposed in Gilroy and determine impacts on potable water supply and agriculture. I-26-0002

1. Pajaro River Watershed Resilience Plan Completed April 2026

In 2024, the California Department of Water Resources selected the Pajaro Valley Water Management Agency, also known as PV Water, to lead the Pajaro River Watershed Resilience Planning Pilot Program. The program supports planning efforts to strengthen watershed resilience to climate change. The Pajaro River Watershed was one of five watersheds statewide selected for the pilot program, which the Department of Water Resources supported with a \$2 million grant. PV Water invited Valley Water to participate in developing the Pajaro River Watershed Resilience Plan (PRWRP) and to serve on the Advisory Group.

Over 18 months, public agencies, Tribal representatives, agricultural leaders, environmental organizations, community-based organizations, nonprofits, watershed residents, and regional partners worked together to address climate-related challenges, including flooding, drought, groundwater sustainability, habitat degradation, and water quality. The partners completed the Pajaro River Watershed Resilience Plan in April 2026 and submitted it to the Department of Water Resources. The plan establishes a framework for continued coordination and collaboration and identifies priority actions, with an emphasis on watershed-scale solutions.

The plan identifies priority actions such as floodplain restoration, groundwater recharge, agricultural land stewardship, voluntary land repurposing, and nature-based solutions. These actions are intended to reduce climate risks while supporting water supply reliability, ecosystem health, and thriving communities. The partners will use the plan to guide collaboration and strengthen grant applications for climate resilience projects in the watershed. For more information or to read the PRWRP, please go to <https://www.pvwater.org/prwrp>.

For further information, please contact Lisa Bankosh at (408) 630-2618.

2. Safe, Clean Water Refill Station Grant Closeout: City of Gilroy's Chestnut Fire Safety

In Fiscal Year 2025, Valley Water awarded City of Gilroy a \$5,000 Safe, Clean Water Program Refill Station Grant for their Chestnut Fire Station (Project). The City of Gilroy completed the Project and submitted the final invoice items on February 10, 2026, allowing for grant closeout.

The Chestnut Fire Station, located in Gilroy, is a fire station owned and operated by the Grantee and serves as a publicly accessible facility. The City of Gilroy installed a new water refill station inside the fire station facility to provide convenient water access to public employees as well as members of the public visiting the facility.

Key Outcomes:

- Installed a new water refill station inside the Chestnut Fire Station facility.
- Increased access to clean drinking water for members of the public visiting the station.
- Since its installation, the refill station has saved over 276 bottles of water.
- Supports the hydration of the public and residents of all ages year-round.

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

3. Safe, Clean Water Refill Station Grant Closeout: City of Gilroy's Las Animas Project

In Fiscal Year 2025, Valley Water awarded City of Gilroy a \$5,000 Safe, Clean Water Program Refill Station Grant for their Las Animas Fire Station (Project). The City of Gilroy completed the Project and submitted the final invoice items on February 10, 2026, allowing for grant closeout.

The Las Animas Fire Station, located in Gilroy, is a fire station owned and operated by the Grantee and serves as a publicly accessible facility. The City of Gilroy installed a new water refill station inside the fire station facility to provide convenient water access to public employees as well as members of the public visiting the facility.

Key Outcomes:

- Installed a new water refill station inside the Las Animas Fire Station facility.
- Increased access to clean drinking water for members of the public visiting the station.
- Since its installation, the refill station has saved over 425 bottles of water.
- Supports the hydration of the public and residents of all ages year-round.

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

4. Safe, Clean Water Refill Station Grant Closeout: City of Gilroy's Sunrise Fire Station Project

In Fiscal Year 2025, Valley Water awarded City of Gilroy a \$5,000 Safe, Clean Water Program Refill Station Grant for their Sunrise Fire Station (Project). The City of Gilroy completed the Project and submitted the final invoice items on February 10, 2026, allowing for grant closeout.

The Sunrise Fire Station, located in Gilroy, is a fire station owned and operated by the Grantee and serves as a publicly accessible facility. The City of Gilroy installed a new water refill station inside the fire station facility to provide convenient water access to public employees as well as members of the public visiting the facility.

Key Outcomes:

- Installed a new water refill station inside the Sunrise Fire Station facility.
- Increased access to clean drinking water for members of the public visiting the station.
- Since its installation, the refill station has saved over 190 bottles of water.
- Supports the hydration of the public and residents of all ages year-round.

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

5. Safe, Clean Water Refill Station Grant Closeout: City of Gilroy's Central Christian Church Refill Station Project

In Fiscal Year 2025, Valley Water awarded Central Christian Church a \$5,000 Safe, Clean Water Program Refill Station Grant for their Refill Station (Project). Central Christian Church completed the Project and submitted the final invoice items in September 2026, allowing for grant closeout.

Central Christian Church, located in San José, California, participates in supportive housing programs, hosts addiction recovery meetings, runs summer camps for children onsite, and offers scholarships to those in need. Central Christian Church has an open courtyard with 24-hour public access and nearby basketball and pickleball courts. This area is used by the San José Police Department daily, as well local youth and community members. The refill station replaced an existing water fountain located near restrooms and a multipurpose room.

Key Outcomes:

- Installed a new water refill station at Central Christian Church.
- Increased access to clean drinking water for the local community.
- Supports the hydration of the public and residents of all ages year-round.

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

6. Safe, Clean Water Refill Station Grant Closeout: Roman Catholic Bishop of San Jose's St. John Vianney Community Center Project

In Fiscal Year 2025, Valley Water awarded Roman Catholic Bishop of San Jose (Grantee) a \$5,000 Safe, Clean Water Program F9 Refill Station Grant for their St. John Vianney Community Center (Project). The Grantee completed the Project and submitted the final invoice items in February 2026, allowing for grant closeout.

St. John Vianney Community Center, located in San Jose, California, is a gymnasium with public access operated by the Grantee. Local children, youth, and their families come to play in the inter-scholastic basketball tournaments located at the facility. The Grantee installed a water refill station on the outside of the gymnasium to replace a prior non-filtered drinking fountain that was previously unusable due to vandalism. The water refill station is outside and is accessible to the public from 8AM to 9PM every day, including during food distribution, community celebrations hosted at space, and sporting events.

Key Outcomes:

- Installed a new water refill station at the St. John Vianney Community Center.
- Increased access to clean drinking water for sporting events and food program participants.
- Since its installation, the refill station has saved over 470 bottles of water.
- Supports the hydration of the public and residents of all ages year-round.

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

7. Hsueh

At the 6/9/26 Board meeting, Director Hsueh requested that staff consider continued funding for water conservation programs beyond the seven years allocated in the Safe Clean Water Program.

R-26-0003

Staff have included a memo in the July 10, 2026 Non-Agenda that contains their response.

For further information, please contact Luz Penilla at (408) 630-2228.

8. Varela

Review the Amazon project proposed in Gilroy and determine impacts on potable water supply and agriculture.

I-26-0002

Based on the completed Environmental Impact Report, Water Supply Assessment, and Architectural and Site Approval, which can be found on the City of Gilroy's website, the Amazon Web Services Gilroy Data Center Project includes two data center buildings totaling approximately 438,500 square feet on a 56-acre undeveloped parcel in Gilroy. Construction will occur in 2 phases and is expected to take approximately 6.5 years total. At full buildout, the project will have a water demand of up to 23 acre-feet per year (AFY): 18 AFY for cooling (9 AFY per building); 3 AFY for landscaping; and 2 AFY for domestic purposes. Cooling will be achieved through evaporative cooling and will primarily be needed in summer months when outside temperatures are high.

The cooling systems will initially use Gilroy's potable supply of groundwater pumped from the Llagas subbasin but are designed to accept recycled water. The City of Gilroy is requiring recycled water use for the second phase of the project, once new recycled water infrastructure is in place. Valley Water is currently constructing a critical recycled water pipeline segment that will support future data center water use. Additional infrastructure will be funded by Amazon and includes a recycled water line to the project and storage tanks on-site and at the South County Regional Wastewater Authority (SCRWA) Treatment Plant. As the recycled water wholesaler in South County, Valley Water will coordinate with the City, SCWRA and the project developer on these efforts.

The project will convert farmland to non-agricultural use and will be mitigated under the City of Gilroy's Agricultural Mitigation Policy. This policy requires 150-foot buffers adjacent to agricultural land use as well as a 1:1 ratio of additional agricultural land to be protected. The project would not substantially interfere with groundwater recharge because it is not located within a designated groundwater recharge zone.

Valley Water submitted comments on multiple stages of the project's environmental review, requesting additional information on demands and impacts to groundwater quality and supply. The comments were addressed in the final EIR and the Water Supply Assessment conducted by the developer. The WSA found there is ample groundwater supply in normal, single dry, and multiple dry years.

Valley Water's Water Supply Master Plan 2050 and Urban Water Management Plan project demands into the future. Data Centers are a portion of the 26% of water demand from the commercial, industrial and institutional sector, which is expected to remain largely stable. Valley Water estimates the additional data center would represent less than 0.1% of increase in future groundwater pumping if it were using potable water, however, as described, the full build out will be using recycled water. Valley Water's policies and efforts regarding water conservation and water recycling apply to all water users.

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

BOARD MEMBER REQUESTS and Informational Items

Outlook as of July 1, 2026

On May 19, 2026, the U.S. Bureau of Reclamation announced an increase in the 2026 south-of-delta Central Valley Project (CVP) allocation from 70% to 75% of historic Municipal and Industrial (M&I) use and from 20% to 25% of agricultural allocation. On May 14, 2026, the California Department of Water Resources increased the State Water Project (SWP) allocation from 30% to 45% of contract amount for 2026. Locally, there was below-average rainfall in June as compared to the historical average for this month. Total storage in local reservoirs, with the exception of Anderson Reservoir, is near the historical average level for this time of year. Treated water deliveries were slightly below average in June, and groundwater conditions remain healthy.

Weather

- Rainfall in San José:
 - » Month of June, City of San José = 0.08 inches or 80% of the historical average for this month
 - » Rainfall year total = 15.16 inches or 107% of the historical average to date (rainfall year is July 1 to June 30)
- San José average daily high temperature was 79.2 degrees Fahrenheit in June, which is higher than the five-year average for June (78.8 degrees Fahrenheit)

Local Reservoirs

- Total July 1 storage = 46,403 acre-feet

Reservoir Storage	All Ten Valley Water Reservoirs	All Reservoirs Except Anderson
Storage as % of unrestricted capacity	28%	56%
Storage as % of restricted capacity (1)	74%	72%
Storage as % of the 20-year average for July 1	56%	101%

(1) Per the Federal Energy Regulatory Commission's order, the capacity of Anderson Reservoir was restricted to the deadpool storage as of October 1, 2020

- No imported water was delivered into Calero Reservoir during June 2026
- Total estimated releases to streams (local and imported water) during June 2026 were 4,140 acre-feet (based on preliminary hydrologic data)

Treated Water

- Below average demands of 9,292 acre-feet were delivered in June
- This total is 97% of the five-year average for the month of June
- Year-to-date deliveries are 30,541 acre-feet or 79% of the five-year average

Groundwater

- Groundwater conditions remain healthy throughout the county. Groundwater levels in most regional monitoring wells are lower compared to last month as normal, seasonal declines continue. While many water levels are lower relative to June 2025 and the prior five-year average for June, managed recharge is above the prior five-year average for June. The end of 2026 groundwater storage is projected to be in the normal stage and greater than the Water Shortage Contingency Plan shortage stages

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
June 2026 managed recharge estimate	6,000	1,200	2,500
YTD managed recharge estimate	32,100	7,300	11,900
YTD managed recharge as % of five-year average	109%	106%	125%
May 2026 pumping estimate	6,500	1,200	2,800
YTD pumping estimate	29,900	4,700	12,700
YTD pumping as % of five-year average	122%	101%	127%
Current index well groundwater levels compared to June 2025	2 feet lower	2 feet lower	6 feet lower

All volumes are in acre-feet. All data is for 2026 except where noted. YTD = Year-to-Date.

continued on back10

Imported Water

- In June (through June 30th), the SWP operated Banks pumping plant with an average daily export of 1,442 acre-feet, resulting in a total export of 43,271 acre-feet from the Sacramento-San Joaquin Delta for the month. This is the total amount pumped in June for the entire SWP to support the SWP allocation. Valley Water's SWP contract provides Santa Clara County with roughly 2.5% of the total SWP water supplies available south of the Delta each year
- In June (through June 30th), the CVP operated Jones pumping plant with an average daily export of 3,923 acre-feet, resulting in a total export of 117,698 acre-feet from the Sacramento-San Joaquin Delta for the month. This is the total amount pumped in June for the entire CVP to support the south-of-delta CVP allocation. Valley Water's CVP contract provides Santa Clara County roughly 4.7% of the total CVP supplies pumped at Jones and made available south of the Delta each year
- Delta flow and water quality requirements were controlling the Sacramento-San Joaquin Delta export facilities this past month. Project facilities, including delta exports, were operated to maintain the Projects' respective flow requirements and water quality standards in the delta for the month of June

WY 2026 Imported Water Allocations	Allocation (%)	Allocation (acre-feet)	Details
SWP	45%	45,000	Allocation updated on 5/14/26
CVP	25% Ag 75% M&I	Approximately 104,000	Allocation updated on 5/19/26
State-wide Reservoir Storage	Capacity	Current Storage (acre-feet)	Percent of Average for Date (as of 6/30/26)
Shasta Reservoir	78%	3,557,728	101%
Oroville Reservoir	90%	3,082,291	115%
San Luis Reservoir	74%	1,198,273	108%
Semitropic Groundwater Bank	Capacity	Current Storage (acre-feet)	Date of Data
	87%	304,084	7/1/26
Estimated SFPUC Deliveries	May 2026 (acre-feet)	2026 Total to Date (acre-feet)	Five-Year Annual Average (acre-feet)
	4,355	19,513	45,800

Conserved Water

- Saved 87,392 acre-feet in FY25 through Valley Water's long-term conservation program (baseline year is 1992)
- Long-term program goal is to save nearly 100,000 acre-feet by 2030, 110,000 acre-feet by 2040, and 126,000 acre-feet by 2050
- On June 13, 2023, the Board of Directors adopted a resolution to support water conservation as a way of life in Santa Clara County and an ordinance with a set of permanent water waste prohibitions

Recycled Water

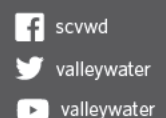
- Estimated June 2026 production = 1,820 acre-feet
- Estimated year-to-date through June = 6,580 acre-feet or 99% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.4 billion gallons (4,387 acre-feet) of purified water in 2025. Since the beginning of 2026, about 2,292 acre-feet of purified water has been produced. The purified water is blended with existing tertiary recycled water for South Bay Water Recycling Program customers

CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, email info@valleywater.org or use our **Access Valley Water** customer request system at <https://deliver.com/2yukx>.



FOLLOW US



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
BC-26-0054	06/22/26	06/22/26	All	DOUG PETERSON	Email from Doug Peterson to the board and the Palo Alto Park and Recreation Committee, dated 06/22/26, requesting that the Palo Alto Flood Basin's broken Sluice gate be repaired.	Refer to Staff	Hakes	Yerrapotu	06/30/26	06/25/26	n/a	07/06/26
BC-26-0059	07/04/26	07/06/26	Cc: Ballard	BRIAN DE SMET	Email from Brian De Smet to Director Ballard and the board, dated 07/04/26, expressing disappointment with the update on the Coyote Creek Flood Protection Project: Progress Update and Unforeseen Challenge.	Refer to Staff	Hakes	Yerrapotu	07/14/26	-	n/a	07/20/26
BC-26-0060	07/06/26	07/06/26	Ballard	DAVIDE VIEIRA	Email from Davide Vieira to Ms. Castellanos	Refer to Staff	Hakes	Yerrapotu	07/14/26	-	n/a	07/20/26

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
					at San Jose Unified School District (copied to Director Ballard and various others), dated 07/04/26, requesting that we not ruin the riparian corridor along Selma Olinder School and Park with 12-foot-high berms instead of the community-planned and preferred automated pop-up flood control walls.							

From: [Brian De Smet](#)
To: [Jose Villarreal](#); District2@bos.sccgov.org; [Shiloh Ballard](#); [Board of Directors](#)
Subject: Re: Coyote Creek Flood Protection Project: Progress Update and Unforeseen Challenge
Date: Saturday, July 4, 2026 9:02:01 AM

***** 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. *****

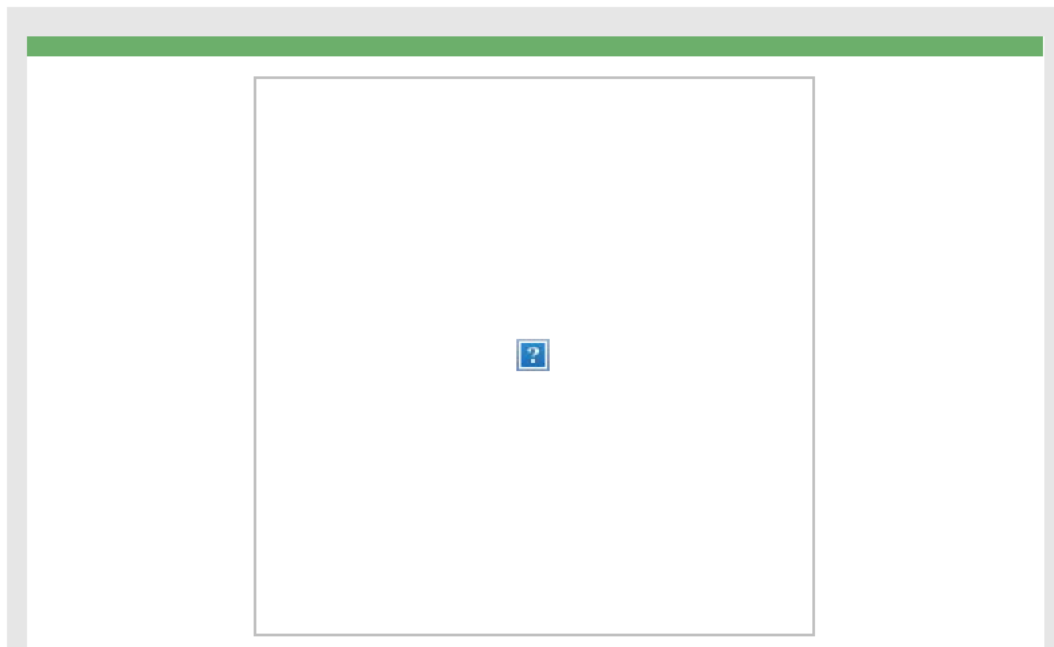
I won't be sharing feedback with SJUSD. I will instead be sharing feedback with the signatories of this request from Valley Water.

This issue was not unforeseeable. The very idea that the Valley Water board considered and approved for the plan to proceed on multiple occasions without having agreement or court orders from a major landowner where the project would be completed is baffling to me. It suggests to me Valley Water is not properly staffed to do a project like this or the board is not paying attention to their job as oversight to major work the organization is undertaking.

So I ask for a response from each of the elected officials that signed this email. Why did Valley Water not get SJUSD's sign off long ago? When specifically did Valley Water realize they had made this mistake?

Sincerely,
Brian De Smet
A disappointed constituent.

On Jul 3, 2026, at 10:27 PM, Valley Water
<neighborhoodrelations@santaclaravalleywaterdistrict.ccsend.com> wrote:



Progress Update and Unforeseen Challenge

Dear Neighbors,

We are writing to thank you for your continued engagement in the important work of the Coyote Creek Flood Protection Project – Phase 2. The many community meetings—both in person and on Zoom—have helped the project team develop an inclusive plan of flood protection features. We are also pleased to report that all bids submitted for the project came in at or below the engineer's cost estimate.

Unfortunately, a significant challenge has emerged that could jeopardize the progress we have made together.

A key element of the community-supported plan is the installation of flood walls and passive flood barriers along the perimeter of our parks. The passive barriers were designed to be non-intrusive and safe. However, because Selma Olinder Elementary School and portions of Selma Olinder Park are located on property owned by the San José Unified School District, the school district's cooperation is essential, as both were affected by the 2017 flood.

At this late stage of the project, the school district has rejected the community-supported design and is calling for the flood protection features to be located outside of their property, which would result in a 12-foot-high flood wall along the trail and around the tennis courts, up to the sidewalk. This proposed change would require revisions to the project's approved Final Environmental Impact Report, permits, and design, resulting in additional costs, significant delays, and uncertainty for the entire project.

Many of you remember why Selma Olinder Park and its trail are so meaningful to our community on both sides of Coyote Creek. The park was created in the wake of the tragic 2003 murder of a young boy who was mistakenly targeted as a gang member. Selma Olinder Park stands as a symbol of healing, unity, and hope. We should not diminish that legacy by constructing a massive 12-foot wall that would permanently divide the park and fundamentally alter the character of this cherished public space.

We encourage you to share your concerns with your representatives on the San José Unified School District Board. Meanwhile, Valley Water is pursuing legal options that may result

in significant legal costs and delay the project schedule. With another El Niño winter possible, delaying this critical flood protection project puts our community at unnecessary risk.

Please join us for a walk and learn on the Selma Olinder Trail on July 8, 2026. We will meet at 6:00 pm at the tennis courts. We are hopeful that we can come together to raise awareness of this issue and demonstrate our community's support for preserving the approved plan and keeping this vital project on track.

Sincerely,

Shiloh Ballard, District 2
Valley Water Director

Betty Duong
Santa Clara County Supervisor, District Two



From: [Candice Kwok-Smith](#)
To: [Board of Directors](#)
Subject: FW: Please, NO 12-foot high berms at Olinder
Date: Monday, July 6, 2026 8:11:33 AM

----- Forwarded message -----

From: <davide@vieiracorp.com>
Date: Sat, Jul 4, 2026 at 10:57 AM
Subject: Please, NO 12-foot high berms at Olinder
To: <tcastellanos@sjusd.org>
Cc: Duong, Betty <betty.duong@bos.sccgov.org>, Shiloh Ballard
[REDACTED], Terry Christensen <terry.christensen@sjsu.edu>, Joan
Cosby [REDACTED], Andrew Kindon [REDACTED], Imelda
Rodriguez [REDACTED] Jonathan Perez [REDACTED],
Bill Rankin <bill@networds.com>, Helen Masamori [REDACTED]
Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>, Barcelos, Elizabeth
<Elizabeth.Barcelos@sanjoseca.gov>, Domingo Candelas
[REDACTED], Matt Mahan [REDACTED],
[Matthew Quevedo](#) [REDACTED]

Hello Ms. Castellanos,

Please do not ruin the riparian corridor along Selma Olinder School and Park with 12-foot-high berms instead of the community planned and preferred automated pop-up flood control walls. I knew and worked with the late Maria Mustonen who spearheaded the effort to build Selma Olinder Park. “Music in the Weeds” was an annual event meant to draw attention to what the land south of the school could become. Cindy Chavez managed to cobble together 9 different funding sources to make it happen. Berms are not only unsightly, but dangerous. Decades ago, Roosevelt Park had berms along E Santa Clara Street. The City launched a series of meetings to redesign the park and in the process eliminate the berms because they blocked police views into the park. Park visitors increased because the park became safer without berms.

OUTGOING BOARD CORRESPONDENCE

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Aaron Baker](#); [Kirsten Struve](#); [Emelia Lamas](#); [Breanne Roderick](#)
Cc: [Board of Directors](#)
Subject: FW: Inquiry Regarding AB 1572 Compliance, Certification and Local Implementation
Date: Wednesday, July 1, 2026 4:31:44 PM
Attachments: [image001.png](#)
[image002.png](#)

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Wednesday, July 1, 2026 4:16 PM
To: LChao@cupertino.gov
Subject: Re: Inquiry Regarding AB 1572 Compliance, Certification and Local Implementation

Sent on Behalf of Director Hsueh:

Dear Vice Mayor Chao:

Thank you for your follow-up inquiry regarding the relationship between fire safety and Assembly Bill (AB) 1572. I also appreciate your recognition of Valley Water's role and efforts to provide educational resources and compliance support throughout Santa Clara County.

The concerns raised by Cupertino residents and homeowners' associations are understandable. Proper landscape design and maintenance play an important role in reducing wildfire risk while also supporting long-term water conservation. As communities begin implementing AB 1572, it will be important to balance these complementary public objectives.

Because the State Water Resources Control Board is responsible for implementing AB 1572, I encourage the City to share these concerns directly with the State Water Board and advocate for clear statewide guidance regarding any potential exemptions or implementation considerations related to fire safety. Many communities across California are likely evaluating similar questions, and consistent statewide guidance would help local agencies, property owners, and HOAs navigate these issues with greater confidence.

Valley Water's role remains focused on supporting our water retailers and customers through rebates, educational resources, and technical assistance. While AB 1572 requires only that sites cease irrigation of nonfunctional turf, we encourage HOAs to participate in our Landscape Rebate Program to convert lawns to low water use landscape instead of simply letting the lawn go brown. Our rebate program offers flexibility to adhere to Zone Zero recommendations, including less-flammable ground coverings such as gravel or composted mulch. Our recent webinar, [Fireescaping: Reduce the Vulnerability](#), offers tips for creating low-water, fire-safe landscapes.

City of Cupertino staff are encouraged to attend Valley Water's Water Conservation Subcommittee meetings and AB 1572 ad hoc meetings to collaborate with local agency

staff as implementation guidance continues to evolve. They can reach out to Ashley Shannon at ashannon@valleywater.org to be added to the meetings.

Please do not hesitate to contact Kirsten Struve, Assistant Officer of Water Supply, at kstruve@valleywater.org should you have any further questions.

Thanks,



Nai Hsueh
Director, District 5
BC-26-0055

From: Liang Chao <LChao@cupertino.gov>

Date: June 19, 2026 at 7:31:40 PM PDT

To: Nai Hsueh <NHsueh@valleywater.org>

Subject: Re: Inquiry Regarding AB 1572 Compliance, Certification and Local Implementation

***** 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 Director Nai Hsueh,

Thank you for your detailed response and for clarifying Valley Water's role as the wholesaler and groundwater management agency, as well as the distinction between Valley Water's education and conservation role and the enforcement role of the retail water agencies and other agencies under AB 1572.

I appreciate Valley Water's work to develop educational materials and outreach resources regarding non-functional turf, including information on identifying non-functional turf, protecting trees during landscape transitions, improving irrigation efficiency, and planning water-wise landscapes.

One concern raised by some Cupertino residents and HOAs is how to comply with AB 1572 while also addressing fire-safety concerns. A large portion of Cupertino has been designated as a High or Very High Fire Hazard Severity Zone. Some residents have expressed concern that certain

alternatives to green turf may be more susceptible to fire risk, depending on the material, location, slope, defensible-space needs, and site conditions.

I understand that Valley Water is not the agency responsible for the enforcement of AB 1572 or for fire-safety determinations. I would value your personal advice as Cupertino's representative on how the City might approach this issue.

For example, where turf or landscaped areas in a Fire Hazard Severity Zone may serve a documented fire-safety purpose, such as defensible space, fuel break function, emergency access protection, slope stabilization, or protection of trees and other perennial non-turf plantings, it would be helpful for the City to understand what process or local guidance could help clarify when limited irrigation may continue to the minimum extent necessary to address a health and safety need, consistent with State law and applicable water-provider requirements.

Given your years of experience on the Valley Water Board and your representation of Cupertino residents, I would appreciate any advice you may have on how the City could coordinate with various agencies so residents and HOAs receive practical guidance that supports both water conservation and fire safety.

Sincerely,

Liang Chao



Liang Chao

Vice Mayor
City Council
LChao@cupertino.gov
[408-777-3192](tel:408-777-3192)



From: Candice Kwok-Smith <ckwok-smith@valleywater.org> on behalf of Board of Directors <board@valleywater.org>

Sent: Thursday, June 18, 2026 9:17 AM

To: Liang Chao <LChao@cupertino.gov>

Subject: Re: Inquiry Regarding AB 1572 Compliance, Certification and Local Implementation

Sent on Behalf of Director Hsueh:

Dear Vice Mayor Chao:

Thank you for your inquiry regarding Assembly Bill (AB) 1572 and its implementation within Santa Clara County. We appreciate your interest in helping residents and businesses understand this new statewide water conservation requirement. Valley Water is the wholesaler and groundwater management agency for the county. Valley Water's role under AB 1572 is primarily to support our water retailers, property owners, and landscape managers through education, technical assistance, and water conservation programs. While Valley Water administers Ordinance 23-02, Enforcement Measures for Water Conservation in Santa Clara County, the retailers serving Cupertino are San Jose Water Company and California Water Service. Valley Water is not an enforcement agency under AB 1572 and does not have a direct compliance or enforcement role.

AB 1572 establishes a phased prohibition for use of potable (drinking) water to irrigate non-functional turf, generally defined as ornamental turf that is not regularly used for recreation or community gathering purposes. The compliance deadlines are January 1, 2027, for public properties, January 1, 2028, for commercial, industrial, and institutional properties, and January 1, 2029, for common areas managed by homeowners' associations and similar organizations. It is important to note that the law does not require turf removal by these dates; rather, it requires that potable water irrigation of non-functional turf cease by the applicable compliance deadline.

Regarding your question about certification requirements, based on information published by the State Water Resources Control Board (State Water Board), guidance and implementation materials are expected to be released in July 2026. Decisions regarding certification requirements, compliance procedures, and enforcement of AB 1572 will ultimately be determined through the State Water Board's implementation process and any applicable local requirements.

Valley Water has already taken steps to address non-functional turf irrigation locally through Ordinance 23-02, which was adopted by the Board of Directors in 2023 after extensive collaboration with the water retailers that Valley Water serves. Ordinance 23-02 includes restrictions on the irrigation of non-functional turf as part of Valley Water's permanent water waste prohibitions. These provisions are similar in intent to AB 1572 and were adopted to increase local

awareness of non-functional turf and encourage long-term water-use efficiency ahead of the State's implementation timeline.

To help customers prepare for both existing local requirements and future AB 1572 compliance deadlines, Valley Water is developing educational materials and outreach resources regarding non-functional turf, including information on identifying non-functional turf, protecting trees during landscape transitions, improving irrigation efficiency, and planning water-wise landscapes. Valley Water also offers landscape rebates and other conservation programs that may assist property owners interested in converting turf to more water-efficient landscaping. Additional information about available rebates and water-saving resources can be found at WaterSavings.org

Thank you again for your interest in this important water conservation measure. As additional guidance becomes available from the State Water Board, Valley Water will continue working with our retail water agencies and customers to provide information and resources that support compliance with the law.

Please do not hesitate to contact Kirsten Struve, Assistant Officer of Water Supply at kstruve@valleywater.org should you have any further questions.

Sincerely,



Nai Hsueh
Director, District 5
BC-26-0048

From: Liang Chao <LChao@cupertino.gov>

Sent: Sunday, June 7, 2026 4:32 PM

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

Cc: Clerk of the Board <clerkoftheboard@valleywater.org>

Subject: Inquiry Regarding AB 1572 Compliance, Certification and Local Implementation

*** 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 Board Members,

I am the Vice Mayor of Cupertino, writing in my individual capacity. A few businesses and residents have inquired about the implementation of AB 1572, which would prohibit the use of potable water to irrigate nonfunctional turf. As I understand it, the compliance deadline is January 1, 2027 for local governments, January 1, 2028 for commercial properties, and January 1, 2029 for HOAs.

AB 1572 authorizes “the State Water Resources Control Board to create a form for compliance certification and would require owners of covered properties to certify their compliance, as specified. The bill would authorize a public water system, city, county, or city and county to enforce these provisions, as specified.”

Has Valley Water received any guidance from the State Water Resources Control Board regarding the AB 1572 compliance certification form or certification process? I would also appreciate any clarification on Valley Water’s expected role, if any, in local implementation, including adoption of regulations or policies, compliance procedures, or enforcement.

Thank you for your assistance.

Sincerely,

Liang Chao

Liang Chao

Vice Mayor

City Council

✉ LChao@cupertino.gov

[408-777-3192](tel:408-777-3192)

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