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Santa Clara Valley Water District

January 16, 2018

NOTICE OF AMENDED/APPENDED AGENDA AND REQUEST FOR RSVPS

Members of the Capital Improvement Program (CIP) Committee
Director Nai Hsueh, *Chairperson*
Director Tony Estremera, *Vice Chairperson*
Director Linda LeZotte, *Committee Member*

And Supporting Staff Members
Norma Camacho, Chief Executive Officer
Leslie Orta, Senior Assistant District Counsel
Rick Callender, Chief of External Affairs
Anil Comelo, Acting Chief Operating Officer – Administrative Services
Melanie Richardson, Chief Operating Officer - Watersheds
Nina Hawk, Chief Operating Officer – Water Utility
Darin Taylor, Chief Financial Officer
Katherine Oven, Deputy Operating Officer
Vincent Gin, Deputy Operating Officer
Garth Hall, Deputy Administrative Officer
Ngoc Nguyen, Interim Deputy Operating Officer
Sudhanshu Tikekar, Deputy Administrative Officer
Christopher Hakes, Assistant Officer
Charlene Sun, Budget Manager
Beth Redmond, Capital Program Planning and Analysis Unit Manager

The next meeting of the Santa Clara Valley Water District Capital Improvement Program Committee, is scheduled to be held at **11:00 a.m., on Thursday, January 18, 2018**, in the District Headquarters Building, Conference Room A-124, 5700 Almaden Expressway, San Jose, California.

Enclosed for your convenience, please find a copy of the **Amended/Appended Agenda** and corresponding materials.

Additional materials for this meeting will be distributed and made available to the public at or prior to the meeting, in compliance with the Brown Act.

Please RSVP at your earliest convenience to confirm your attendance by calling 408-630-2659, or via email to ndominguez@valleywater.org.

Regards,

Natalie F. Dominguez

Natalie F. Dominguez, CMC
Board Administrative Assistant II
Santa Clara Valley Water District
Office of Clerk of the Board

Enclosures

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CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE
District 5 Director N. Hsueh, Chairperson
District 6 Director T. Estremera, Vice Chairperson
District 4 Director L. LeZotte, Committee Member

Santa Clara Valley Water District

*AMENDED/APPENDED AGENDA

CAPITAL IMPROVEMENT PROGRAM COMMITTEE

Santa Clara Valley Water District Headquarters Building, Room A-124
5700 Almaden Expressway, San Jose, CA 95118

Thursday, January 18, 2017
11:00 AM

***ITEMS AMENDED AND/OR APPENDED SINCE THE ORIGINAL PUBLICATION OF THIS AGENDA ARE IDENTIFIED BY AN ASTERISK (*) HEREIN**

Time Certain:
10:00 a.m.

1. Call to Order/Roll Call.

2. Time Open for Public Comment on Any Item Not on the Agenda.
Comments should be limited to two minutes. If the Committee wishes to discuss a subject raised by the speaker, it can request placement on a future agenda.

*2-A. Handout, Waterways Consulting Report 011118

3. Election of 2018 Chairperson/Vice Chairperson.

4. Approval of Minutes: December 11, 2017.

Recommendation: Approve the minutes.

5. Action Items:

5.1. Fiscal Year 2017-18 Consultant Agreements and Amendments to Existing Consultant Agreements. (N. Nguyen)

Recommendation:

Receive information on upcoming consultant agreements and/or amendments that staff will be recommending for Board approval.

5.2. Review the Long-Term Purified Water Program Elements Project. (K. Oven/ D. Taylor)

Recommendation:

Receive information and provide direction for project refinements or modifications to be incorporated into the Draft and/or Final Fiscal Years 2019-23 CIP.

(OVER)

6. **2017 Committee Accomplishments Report.** (B. Redmond)

   Recommendation:

   Accept and authorize 2017 Chairperson Hsueh to present the Accomplishments Report to the Board.

7. **Review 2018 Committee Work Plan and Meeting Schedule**. (B. Redmond)

8. **Clerk's Review and Clarification of Committee Requests.** (N. Dominguez)

9. **Adjourn to Regular Meeting at 10:00 a.m., on February 12, 2018, in the Santa Clara Valley Water District Headquarters Building, Room A-124, 5700 Almaden Expressway, San Jose, CA 95118.**

REASONABLE EFFORTS TO ACCOMMODATE PERSONS WITH DISABILITIES WISHING TO ATTEND COMMITTEE MEETINGS WILL BE MADE. PLEASE ADVISE THE CLERK OF THE BOARD OFFICE OF ANY SPECIAL NEEDS BY CALLING (408) 630-2277.

Meetings of this committee will be conducted in compliance with all Brown Act requirements. All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the same time that the public records are distributed or made available to the legislative body, at the following location:

Santa Clara Valley Water District
Office of the Clerk of the Board
5700 Almaden Expressway
San Jose, CA 95118

CIP Committee Purpose: The CIP Committee is established to provide a venue for more detailed discussions regarding capital project validation, including recommendations on prioritizing, deleting, and/or adding projects to the CIP, as well as monitoring implementation progress of key projects in the CIP.

/nfd

Natalie Dominguez

Subject: FW: Metcalf Ponds (Coyote Percolation Ponds/Parkway Lakes) Opportunities and Constraints Report
Attachments: Waterways Consulting Report 1-11-2018.pdf

From: John Turner [mailto:jturner.scu@gmail.com]
Sent: Saturday, January 13, 2018 9:11 PM
To: Clerk of the Board <clerkoftheboard@valleywater.org>; mmeredith@valleywater.orlg
Subject: Metcalf Ponds (Coyote Percolation Ponds/Parkway Lakes) Opportunities and Constraints Report

12 January 2018

SCVWD Capital Improvement Committee

By email

Dear Ms. Hsueh, Mr. Estremera, and Ms Lezotte,

The Campus Community Association is pleased to send you the attached report, "Metcalf Ponds Opportunities and Constraint Report", Jan 2018.

We have sent this report to staff and requested comments by February 2, 2018.

The consultants at Waterways Consulting are now working on the engineering alternatives report; so in addition to commenting on the attached subject report, we have asked staff to provide any helpful suggestions about opportunities and constraints for a solution to the problems described in the report. We realize that staff are still gearing up to tackle this project, but we were hoping for their best thinking on the matter based on what is currently known.

We are sending this to you in the hopes you can support staff engagement with our efforts to assist the District in the development of alternatives for the site. Our consultants plan to submit the alternatives investigation in February/March.

Sincerely,

John Turner

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TECHNICAL MEMORANDUM

To: John Turner, Campus Community Association

From: Waterways Consulting, Inc.

Date: January 11, 2018

Re: 16-013- Metcalf Ponds/Parkway Lakes Steelhead Habitat and Passage Project:
DRAFT Data Review and Opportunities and Constraints Report

1. Introduction

Through a grant to the Campus Community Association from the Santa Clara Valley Water District (SCVWD), Waterways Consulting, Inc. (Waterways) conducted a background review and preliminary feasibility evaluation for an ecological enhancement project along Coyote Creek in the vicinity the Water District's Coyote Percolation Ponds, also known as the Metcalf Ponds[1].

The Metcalf Ponds are located at the edge of the Santa Clara Plain Groundwater Subbasin near the southern extent of San Jose, CA (Figure 1). The facility is located just downstream (northwest) of Metcalf Road, between Old Monterey Road and Highway 101, at a valley constriction known as "The Narrows", where Tulare Hill approaches the base of the Diablo Range (Figure 2).

In its current condition, the facility consists of a flashboard dam in Coyote Creek, a fish ladder, and several distinct pond features that are used for percolating water for recharge in the Santa Clara Plain aquifer (Figure 3). The facility is situated along the channel of Coyote Creek, and as a result, the operation of the Ponds directly impacts habitat and water quality in the creek. One possible approach for reducing the impacts and mitigating multiple habitat and geomorphic concerns is to take the Ponds "off-line"; in other words, isolate the Ponds from the main channel of Coyote Creek, and reconstruct a new, narrower channel and riparian zone that bypasses the Ponds. In the re-designed stream, the site would continue to be used as a controlled groundwater recharge facility, so even though the Ponds would be physically isolated from Coyote Creek, there would need to be some hydraulic connection.

Waterways' scope for this current project was to compile existing documents and data resources about the Metcalf Ponds (Data Review), identify the opportunities and constraints for the project, and based on these, provide some initial design concepts. This initial report, along with the accompanying digital data library (Appendix A), present the Data Review and Waterways interpretation of the most critical Opportunities and Constraints. Following review and input from stakeholders on Opportunities and Constraints identified below, a future revision of this memorandum is planned, which will include initial design concepts that address both Opportunities and Constraints at the site.

2. Background and Existing Condition

The Coyote Percolation Ponds Dam was constructed on Coyote Creek in 1936 as a way to augment groundwater storage in the Santa Clara Valley (Tibbetts and Kiefer, 1921; Tibbetts, 1932). Aquifer recharge is important not only to supply future water withdrawals, but also because the Santa Clara Plain is vulnerable to land subsidence and saltwater intrusion due to declining groundwater elevations.

[1] In this report, the term Metcalf Ponds to refers to the dam, fish ladder, and present area of active percolation, referred to as the Coyote Percolation Ponds in the main operational report and SCVWD documents (CDFG, 2010; SCVWD, 2012a, 2012b).

The original facility at the Metcalf Ponds included a dam in Coyote Creek and an in-stream impoundment area that would allow SCVWD to augment water storage in the Santa Clara Valley aquifer (Tibbetts, 1932) (Figure 3).

The Metcalf Ponds are situated just downstream of where Coyote Creek exits the Coyote Narrows, which approximately divides two of the main groundwater basins of the Santa Clara Valley (SCVWD, 2001; SCVWD, 2012a) (Figure 1). The Coyote Narrows are at the southern part of the 225 mi^2 Santa Clara Valley Subbasin, where the aquifer lacks an overlying clay layer that is present over much of the groundwater basin (SCVWD, 2012a). This part of the aquifer is known as the "forebay" (SCVWD, 2012a), where the geologic units that form the aquifer are close to the ground surface – making it a suitable location for supplemental recharge to the aquifer. The ponds themselves were originally formed by gravel mining in and adjacent to Coyote Creek (SCVWD, 2012b). The ponds are underlain by thick unconsolidated alluvium, consisting of complex, mixed or interbedded lenses of gravel, sand, silt and clay (Helley and Brabb, 1971). The dam site drains an area of approximately 220 square miles, and is about 9.5 miles downstream of Anderson Dam (SCVWD, 2012b).

Prior to construction of the Metcalf Ponds facility, SCVWD was granted a water right to store as much as 5,000 acre-feet per year at the proposed reservoir "from about April 1st to about December 15th of each season" (State of California Division of Water Resources, 1935). In addition to this amount, the Metcalf Ponds can be used by SCVWD to store water as part of an upstream 20,000 acre-feet per year water right at Coyote Reservoir and Anderson Reservoir at any time of the year. The withdrawals from Coyote Creek for groundwater recharge are subject to the specific instream flow requirements and ramping rates specified in the Final Streambed Alteration Agreement (CDFG, 2010).

The facility itself consists of a series of 8-foot-high steel panels placed on a concrete sill, with concrete abutments on each side, and two 11-foot wide radial gates that can be operated manually or electrically to control flow releases. The dam has a total width of about 112 feet. In 2008, a new fish ladder was installed at the facility to replace one built in 1999 (Independent Science Advisors, 2006), primarily to aid steelhead migration through the impoundment structure. The fish ladder contains 11 rectangular concrete pools and one semi-circular turning pool with a maximum 1-foot step between pools (SCVWD, 1998).

The present-day storage capacity and surface area of the instream impoundment facility are imprecisely defined. The Final Streambed Alteration Agreement (California Department of Fish and Game (CDFG), 2010), which directs the use of the facility, states that the in-stream percolation pond has a total capacity of 259 acre-feet and covers 38 acres. SCVWD's report on its Dam Maintenance Program refers in one place to a "design capacity of approximately 402 acre-feet and a surface area of 37 acres when filled" (SCVWD, 2012b; p. 3-138); and elsewhere the same document cites a capacity of 259 acre-feet and surface area of 30 acres (SCVWD, 2012b; Table 2.1-1, p. VI-9). Hunt (1940), in computing the amount of percolation that occurred in the 1930s, assumes an area of 32 acres. Cursory spatial analyses show that the entire area shown upstream of the dam in Figure 3, including the large separated pond (formerly used for fishing) in the southeastern corner of the site, on Santa Clara County property, is substantially larger than 38 acres. For the purposes of this report, the on-stream area of the ponds is assumed to be 38 acres, an amount which it is assumed that the hydraulically disconnected southeastern pond is not included.

In the context of the SCVWD's groundwater management program, the Metcalf Ponds facility is part of the District's managed groundwater recharge component of the water supply, which includes more than 390 acres of recharge ponds in 30 creeks throughout Santa Clara County. The total managed recharge throughout in the Santa Clara Plain was about 64,000 acre-feet per year between 2002 and 2011

(SCVWD, 2012a) – a dominant portion of the total groundwater replenishment of 102,000 acre-feet (Figure 4). Although the actual amount of recharge at the Metcalf Ponds was not reported, SCVWD (2012a; Appendix C) estimates the total annual recharge *capacity*[2] of the Metcalf Ponds to be 10,900 acre-feet per year. Isolating the percolation facility from the main channel of Coyote Creek will likely reduce the area available for groundwater recharge.

The Metcalf Ponds site also interfaces with important public use and recreational facilities. The site is a part of the Coyote Creek Parkway County Park (Parkway), maintained by the Santa Clara County Parks and Recreation Department. The Parkway is the longest contiguous and publicly-owned riparian corridor in the Bay Area, extending 15 miles from the base of Anderson Dam in Morgan Hill north to Hellyer County Park in San Jose and includes trails and bridges that connect various regional parks, open space areas. Portions of the Coyote Creek Trail, including a bridge over Coyote Creek, pass adjacent to the Metcalf Ponds (Figure 3). Metcalf Park, a 6-acre City and County Park with picnic sites, sports facilities, and a playground, also borders the ponds on the south side. The ponds themselves have been used for fishing and waterskiing, and these uses could potentially be impacted (either reduced or expanded) in conjunction with isolating the ponds and reconstructing a new Coyote Creek channel through the site.

3. Agreements, Recommendations, and Plans for Isolating the Coyote Percolation Ponds

In 1996, Guadalupe-Coyote Resource Conservation District (GCRCD) filed a complaint that SCVWD's use of their water rights also degraded fish and other beneficial uses in local streams, including Coyote Creek. Shortly thereafter, the Water District retained CONCUR, an environmental mediation firm, to facilitate a collaborative process amongst the complainant, federal and state fishery regulatory agencies and the Water District to resolve the dispute. This process came to be known as the "Fisheries and Aquatic Habitat Collaborative Effort" (FAHCE). The FAHCE process included field investigations and studies of the limiting factors for steelhead and salmon in the Guadalupe River, Coyote Creek and Stevens Creek watersheds, to provide a scientific basis for an agreement on how to address and resolve impacts of SCVWD's operations on beneficial uses. The effort was formalized in a 2003 Settlement Agreement (FAHCE, 2003) that was signed by the GCRCD, SCVWD, CDFG, the U.S. Fish and Wildlife Service (USFWS), the National Marine Fisheries Service (NMFS), Trout Unlimited, the Pacific Coast Federation of Fishermen's Association, and California Trout, Inc.

The Settlement Agreement (FAHCE, 2003) outlined a program for restoring function in the Three Creeks, and committed SCVWD and the other parties to implementing the program in four phases. Among the requirements of the original Settlement Agreement (FAHCE, 2003) was that SCVWD would complete a "Coyote Creek Facilities Plan", including evaluating alternatives to isolate the Coyote Percolation Ponds (referred to as Metcalf Ponds) from the main channel of Coyote Creek (p. 20; sec. 6.4.2.1.3):

> *Metcalf Ponds Stream Corridor Restoration. The plan will evaluate alternatives to isolate percolation ponds, quarry pits, and other structures from the active channel in the vicinity of Metcalf Road, in order to reestablish a free-flowing condition through that vicinity. If a feasible alternative exists, the plan will recommend action, including design and construction schedules.*

In 2006, a group of "Independent Science Advisors" was convened to provide recommendations for improving habitat conditions in the Santa Clara Valley, as part of the Santa Clara Valley Habitat

[2] The estimation of recharge capacity assumed that ponds are operational and water is available all year, and does not account for water rights or instream flow requirements, or periods when the ponds are dry due to drought conditions or maintenance.

Conservation Plan/Natural Community Conservation Plan (Independent Science Advisors, 2006). Regarding percolation ponds in general, that report stated that both in-stream and off-channel percolation ponds can warm downstream waters because the cooler inflows sink and warmer surface waters flow out of the ponds. They also pointed out that the ponds harbor non-native fish. That report specifically stated that the Metcalf Ponds cause stream heating and increased abundance of nonnative fish in Coyote Creek, and recommended that the ponds be away from the channel to improve the potential for steelhead rearing and migration.

Some of the most specific ideas related to isolating the Metcalf Ponds are referenced in the Santa Clara Valley Habitat Plan (Plan), issued by the Santa Clara Valley Habitat Agency (SCVHA, 2012). This Plan provided a framework for protection and recovery of natural resources and endangered species, and was developed with input from many of the signatories to the FAHCE plan, including USFWS and CDFG, as well as stakeholder groups and the general public. The Plan covers development, infrastructure, and maintenance activities, and discussed plans for anticipated future in-stream capital projects, including the proposal to isolate the Metcalf Ponds from Coyote Creek. The Plan states (Chapter 2, p. 2-67) that SCVWD may propose to re-operate and expand existing off-stream percolation ponds at Ford Road, about 2 miles downstream of the Metcalf Ponds, to partially replace percolation capacity lost by separating in-channel percolation facilities (specifically Ogier Ponds and the Metcalf Ponds) from the main channel of Coyote Creek. Furthermore, the Plan anticipates that isolating the Ponds may require a new inflatable dam, diversion, fish ladder at Metcalf Road, and a pipeline to route water to the off-channel ponds:

> *As a result of isolating Ogier and Coyote recharge ponds from the main channel of Coyote Creek (a covered activity identified above under Three Creeks HCP In-Stream Capital Projects), the area of on-channel percolation will be reduced and SCVWD may need to install a new diversion facility to move flows to off channel recharge ponds in order to maintain the same level of water diversion to the groundwater basin. If needed, this new diversion would be installed along Coyote Creek at Metcalf Road. In addition, a new pipeline would be constructed that would provide water to the newly isolated Coyote recharge pond and the new Ford Road ponds (both ponds will be served by one diversion and pipeline). The diversion facility may require a seasonal operable (inflatable) dam to create an in-channel ponded area to provide flows to the diversion. If utilized, this dam would also include a fish ladder.*

In this scenario, the Ford Road Ponds site, which is about 19 acres in size, would replace some of the percolation capacity lost due at Metcalf Ponds site, which is presently about 30 acres.

4. Data Compilation and Review

To begin the process of developing the parameters for and evaluating the feasibility of different concepts, Waterways conducted a thorough Data Review, in which relevant information about the Metcalf Ponds was identified and compiled so it could be reviewed and interpreted. The purpose of the Data Review was to compile and systematically review the relevant resources in a way in which they could help identify the key Opportunities and Constraints for the project, inform the selection of various design alternative concepts, and create a data library that would be available for design purposes. The compilation of data was completed with the help of the SCVWD data librarian (Lonnie Spin), and culminated in a comprehensive data library that is included as Appendix A. Though the Data Review is thought to be complete, additional resources may have not been identified, and these could be added to the collection as the project proceeds.

The resources were obtained from a variety of sources, including web searches, personal communications, and formal public data requests from SCVWD. The following categories of information were compiled, organized, and reviewed:

- Technical Reports
- Data (including ground and aerial topographic survey, hydrology data, and well logs)
- Models
- Engineering Plans
- Operational Manuals and Planning Documents
- Legal Documents
- Newspaper and Online Media

Instead of summarizing each item in this section, the Data Review Summary Table (Table 1) describes each the reference materials that was reviewed, its origin, and primary conclusions relevant to the Coyote Percolation Ponds.

5. Opportunities and Constraints

Separating Metcalf Ponds from the main channel of Coyote Creek would result in both costs and benefits from multiple different perspectives. Since the overall goal is to maximize the project's benefits and minimize its costs, it is essential to clearly identify the intended positive outcomes as well as its potential negative effects or design constraints, prior to beginning the design process. This section outlines and explains the key Opportunities and Constraints that the design must consider.

The Opportunities and Constraints were identified through the review and interpretation of information compiled in the Data Review, supplemented by discussions with stakeholders to get input from multiple perspectives. Waterways held meetings and discussions with representatives from the SCVWD, SCCCC, GCRCD, and Santa Clara County Parks and Recreation Department in an effort to incorporate multiple stakeholder perspectives. Through this process Waterways identified 13 key opportunities and seven constraints that the project design should consider to maximize its benefits and enable it to be implemented with a minimum negative impact.

This initial list of Opportunities and Constraints is considered provisionary, and although it reflects the perspective of a wide range of stakeholders, additional input and review may identify further considerations for the design. Prior to presenting initial design concepts a stakeholder review of these Opportunities and Constraints is planned, to provide a process for stakeholders to add, remove, or modify these considerations.

Because of the multi-faceted nature of the project, it will interface with many different aspects of infrastructure and natural resources management in the Coyote Creek. To provide a framework to evaluate the proposed project, the specific Opportunities and Constraints are classified into the following categories:

- Ecological Function
- Water Supply
- Water Quality
- Public Safety
- Operations and Maintenance
- Recreation
- Public Outreach and Education

Table 2, the Opportunities and Constraints Table, contains a draft summary of the 13 opportunities and 7 constraints that were identified, and identifies the most important remaining data gaps or key unanswered questions related to each. The following discussion elaborates on the considerations raised in the Opportunities and Constraints table.

5.1. Opportunities

The concept of separating the Metcalf Ponds from the main channel of Coyote Creek was initially recommended to improve habitat conditions for fish and improve water quality (FAHCE, 2003; Independent Science Advisors, 2006). While improving habitat and water quality are the primary objectives, the project may also be able to provide ancillary benefits. The Opportunities discuss below include both the primary and ancillary opportunities.

OPPORTUNITIES FOR IMPROVING ECOLOGICAL FUNCTION

1. **Improve Fish Passage.** A primary purpose of separating the Ponds from the channel would be to improve fish passage, primarily for migrating salmon and steelhead in Coyote Creek (Independent Science Advisors, 2005). Although a fish ladder has been installed (the present one built in 1999), it is assumed that passage is still impeded by the dam to some extent, and during low flow and drought periods, the Ponds spread flow, reducing water depth and increasing temperature, impairing fish passage. Still water in the ponds also hinders outmigration of smolts. Reconstructing the site so that a new, narrower main channel of Coyote Creek bypasses the Ponds and dam would substantially improve the upstream and downstream fish migration.
2. **Improve In-stream Habitat.** About one mile of new channel through the Metcalf Ponds would be constructed, providing an opportunity to improve instream habitat in a portion of Coyote Creek. To accomplish this, the restored channel could be designed and constructed using natural channel design techniques, by considering both ecosystem limiting factors and geomorphic processes within the context of the site constraints discussed below. The historic channel of Coyote Creek was characterized by alternating reaches of braided channel with flood-prone stream benches (SFEI, 2006). It may be possible to emulate the historic geomorphology, maintain sediment transport, and contribute to flood attenuation using flood benches, braiding and other features meant to mimic natural geomorphic forms and processes while redesigning the Metcalf reach.
3. **Reduce Predation by Non-Native Predator Fish.** When full, the percolation ponds are unnatural features with standing water and warm temperatures, favoring non-native, warm water predatory fish like largemouth bass. The Independent Science Advisors (2006) specifically stated that the presence of Metcalf and other percolation ponds results in more nonnative fish in Coyote Creek. Taking the Ponds off-line would partially address the problem of the pools supplying non-native predators that would prey on native fish in Coyote Creek; however, off-line ponds could still harbor non-native fish, which prey on native fish if they were to enter the main channel. The design should include measures to prevent escape of non-native predator fish.
4. **Reduce Fish Stranding.** Fish stranding may occur when ponds dry up, especially during drought periods. Gradual drying of the water bodies within the main channel of Coyote Creek creates numerous isolated ponds in which steelhead smolt may be trapped and die due to suffocation, starvation, or predation. The FAHCE Settlement Agreement (FAHCE, 2003) requires SCVWD to have a plan to address entrainment of smolts at the Metcalf Ponds. Implementing this project would partially address this concern, because ponding and resultant fish stranding would be reduced if Coyote Creek were to bypass the Ponds in a narrow, contiguous, channel. While the redesigned channel should contain topographic complexity and pools, consideration should also be given to a

channel design that will minimize the entrapment of fish and, where possible, design some of the pools to contain cover and(or) groundwater inflows during the summer period, to maximize the chances of fish survival if the pools become isolated.

5. **Improve Operation of Constructed Freshwater Wetland.** The constructed "freshwater wetland" complex northwest of the site (Figure 2) consists of 7.6 acres of varied wetland habitat, created as mitigation for impacts from flood protection maintenance activities by SCVWD. The freshwater wetland receives water from the Metcalf Ponds, and water levels vary throughout the year. The water level variations are meant to support vegetation and wildlife, discourage mosquito and bullfrog reproduction, and presumably meet water supply needs at the percolation facility (SCVWD, 2008). However, there are stakeholder concerns that these fluctuations may also lead to unintended stranding of amphibians at the site (R. Castillo, GCRCD, pers. communication, 2017). These concerns should be investigated further, and if significant, addressed in the planning for the site. Redesigning the site configuration at the Metcalf Ponds and revising the operational plans will provide an opportunity to improve management of aquatic habitat in the freshwater wetland by considering site-specific and species-specific requirements, along with the requirements at the percolation facility. To maximize the value of the 7.6 acre wetland feature and minimize hazards to target species, it will be important to engage multiple stakeholders with differing priorities and perspectives.

OPPORTUNITIES FOR IMPROVING WATER QUALITY

6. **Reduce Stream Temperature.** In their current configuration on the channel of Coyote Creek, the Ponds result in stream heating (Independent Science Advisors, 2006) because they increase surface area and residence time of water exposed to solar radiation. The FAHCE document specifies a goal of maintaining water temperatures below 18 degrees Centigrade below Anderson Dam between May 1 and October 31 (FAHCE, 2003). Separating the warmer standing water in the percolation ponds from the cooler flowing water in the main channel, especially during low flow periods, will help achieve this goal.

OPPORTUNITIES FOR IMPROVING PUBLIC SAFETY

7. **Contribute to Flood Protection.** Flooding in Coyote Creek is a persistent hazard, most recently demonstrated during the February 2017 Coyote Creek flood. The Metcalf Ponds provides water storage for the purposes of groundwater recharge, but re-designing the facility and the way it is operated may also provide an opportunity to contribute some additional flood water detention storage within the context of the broader flood management program in Coyote Creek. In their current configuration within Coyote Creek channel, the infiltration area at Metcalf Ponds covers about 38 acres and provide about 259 acre-feet of water storage capacity[3] (SCVWD, 2012). If the Ponds were to be separated from the main channel of Coyote Creek, the total storage capacity is likely to be reduced; however, it may also be possible to design the new inlet and outlet in a way that some of their storage capacity could be made available for emergency flood storage. In addition, the channel in the mile-long bypass reach could be designed with floodplain benches that emulate natural features and would also provide a small amount of flood water detention (SFEI, 2006). To try to optimize this function, the design could make use of an existing 1-dimensional hydrodynamic model for Coyote Creek developed by SCVWD (included within Appendix A). A more

[3] Section 2 contains additional discussion of discrepancies in different sources about the aerial extent of the ponds.

useful option would be to develop a site-specific 2-dimensional hydraulic model that would more accurately represent the movement and storage of water at the site during a flood event.

8. **Improve Public Safety**. The on-channel water storage facility and infrastructure may create actual or perceived public safety concerns, especially during floods (R. Castillo, GCRCD, personal communication, 2017; L. Johmann, GCRCD, personal communication, 2017). Some features of the Metcalf Ponds facility may accumulate large wood and other debris during floods, creating the possibility for a sudden release of water and floating debris during floods. During the 2017 event, emergency removal of flashboard dam panels occurred during high water, creating a potential safety hazard (Castillo, 2017). The operational document for the Coyote Percolation Dam (CDFG, 2010) does not make provisions for managing public safety at the facility during floods. Moving the Ponds off the main channel of Coyote Creek would reduce the amount of in-stream infrastructure, partly addressing these safety concerns. The redesign should incorporate a flood hazard assessment and provisions for safe operation prior to and during flooding on Coyote Creek. Consideration should also be given during the design phase in the new channel to avoid creating geometries that would favor the formation of sediment accumulation and debris jams.

OPPORTUNITIES FOR IMPROVING OPERATIONS AND MAINTENANCE

9. **Reduce Operations and Maintenance Costs and Related Disturbance.** Presently, the Metcalf Ponds, dam and fish ladder need to be periodically maintained, especially clearing accumulated sediment and vegetation. Screened pumps and heavy equipment are required for removal of the flashboard dam, making maintenance expensive. Moreover, SCVWD also incurs costs of meeting requirements for monitoring and reporting associated with in-stream maintenance (CDFG, 2010). Moving the facility off-line, and designing a stream channel that maintains sediment transport continuity provides an opportunity to reduce the maintenance costs associated with operating the facility.

10. **Reduce Disturbance Due to Maintenance.** Some disturbance to the riparian ecosystem occurs any time SCVWD performs maintenance activities. During maintenance, SCVWD must monitor for turbidity, conduct erosion control measures, and monitor and report impacts to amphibians, reptiles, birds and mammals (CDFG, 2010). Improvements in sediment conveyance and in the riparian vegetation assemblage will reduce or eliminate such disturbances. The new channel and off-channel ponds should therefore be designed with a consideration of maintaining sediment continuity, to prevent sediment accumulation; the channel cross section should also be designed in a way that would prevent vegetation encroachment that may impede flow.

OPPORTUNITIES FOR IMPROVING RECREATION AND PUBLIC USE

11. **Opportunity to Re-Introduce Recreational Fishing.** Separating the Ponds from the main channel of Coyote Creek may increase the feasibility of some public uses, including recreational fishing. At least the southeastern pond was previously stocked with fish and used for recreational fishing (R. Castillo, GCRCD, personal communication, 2017), but this was discontinued because of the concern of introducing invasive fish along the main channel of Coyote Creek (J. Farr, SCVPRD, personal communication, 2017). Isolating the ponds and their fish populations from the main channel could possibly provide an opportunity to re-introduce recreational fishing in the area. If so, the concerns related to invasive fish would be reduced by separating the ponds, although some danger of the fish escaping to the main channel would remain (see Opportunity 3). Re-introducing fishing in the Ponds after they are separated from Coyote Creek may or may not be a desired outcome of the project; the subject would need to be addressed through a public discussion and with input from various

stakeholders. Such a discussion should be done early in the design process so that any related infrastructure may be incorporated into the design.

12. **Provide Alternate Location for Some Activities that May Be Displaced at Ogier Ponds.** The Ogier Ponds area, upstream of the Metcalf Ponds, is being redesigned and rebuilt as a separate project by SCVWD. As a result of this, some activities may be displaced at Ogier Ponds, and it may be possible to accommodate some of them in the redesign of the Metcalf Ponds. For example, police and other dog training that occurs in the Ogier Ponds area may no longer be able to occur there under the new operations; it might be possible to accommodate this and other uses by planning for them within the redesign of the Metcalf Ponds (J. Farr, SCVPRD, personal communication, 2017). Prior to the design it would be advisable to evaluate public uses that will be displaced at the Ogier Ponds site, and solicit feedback on what would need to be done to relocate those activities to the Metcalf Ponds site.

13. **Improve Aesthetics, Public Access, and Educational Opportunities.** The Metcalf Ponds facility was initially designed in the 1920s and 1930s. At that time, public access and educational facilities were not considered a priority for the site. Today, natural spaces that may provide opportunities for public access and outdoor education within dense urban areas like San Jose are valued as desirable resources and desired by some stakeholders (R. Castillo, GCRCD, personal communication, 2017). The Coyote Creek Trail provides some public access to the site, but with the redesign of the channel and ponds, there may be additional opportunities for education for citizens and schoolchildren. Features like signage, supplemental trails, and buildings may help facilitate field trips, nature camps, or other recreational activities and not be prohibitively costly for SCVWD. It would be advisable in the early design process to solicit public feedback on the types of features that would be desired by the community, and design decisions about the value and feasibility of incorporating these could be made based on that feedback.

5.2. Constraints

Although a redesign of the Metcalf Ponds facility and the Coyote Creek channel would offer many opportunities for potential benefits, the design will need to address certain constraints, drawbacks, and tradeoffs. The facility will continue to be subject to regulations and requirements, constraining some of the opportunities and design parameters.

The following constraints will need to be considered in the development of feasible concepts:

CONSTRAINTS RELATED TO WATER SUPPLY

1. **Maintain Infiltration Function of Percolation Ponds.** The most direct constraint on the design is that the Metcalf Ponds must continue to provide groundwater recharge. The Metcalf Ponds currently serve the SCVWD as one of the main groundwater recharge areas in the Coyote Creek watershed, and their continued use as a groundwater recharge area will remain the primary function of the site. Isolating the Ponds from the main stem of Coyote Creek will reduce the total area available for infiltration at the site. A central part of the design process will be to clearly define the site requirements in this regard, to minimize the loss of infiltration capacity through the design, and determine where any lost capacity can be made up for elsewhere in the system. A full analysis of this topic is beyond the scope of the current effort, but the basic parameters are summarized here.

In its existing condition, the Metcalf Ponds cover an area of about 38 acres, with a reservoir storage capacity of 259 acre-feet (SCVWD, 2012b). According to the SCVWD, the recharge *capacity*[4] of the site is 10,900 acre-feet per year (SCVWD, 2012a; Appendix C, Table C-2). Based on this, and assuming a total area of 38 acres, the infiltration capacity amounts to about 287 acre-feet per acre, per year; or an estimated infiltration rate of about 0.8 foot per day[5]. This amount is less than the rate estimated with a test aimed at quantifying the percolation rate in the same part of Coyote Creek, was performed in 1932 (before the Metcalf Ponds was constructed), in which the reported infiltration rate equated to about 5 feet per day (SCDWR, 1933; see Table 1; item T3). Shortly after the Metcalf Ponds was built, Hunt (1940) cited percolation capacities of 33.2, 23.8, and 26 cubic feet per second in 1937, 1938, and 1939, respectively, over an area of 32 acres; this amounts to between 1.5 and 2.1 feet per day[6]. Based on these values, and the likelihood that the infiltration of fines in the gravel bed has reduced the infiltration capacity over the past 90 years, a rough estimate of about 1 foot per day of infiltration seems reasonable interim value to use for the percolation capacity of the ponds. Because of the great importance of the infiltration rate to this project, more data and analysis to better constrain this value would be advisable.

Regarding water rights and the water supply, the total amount of water that SCVWD must infiltrate at the site is not clear. According to the Streambed Alteration Agreement (CDFG, 2010), which is the effective Operations and Maintenance Manual for the Metcalf Ponds facility,

> *"5,000 acre feet may be collected and allowed to percolate by natural means between April 1 and December 15 (State Water Resource Control Board License 2210). Up to 20,000 may be collected from storage appropriate under upstream water rights (Coyote Reservoir, SCRCB License 7211; and Anderson Reservoir, SWRCB Licenses 7212 and 10607) at any time of year".*

By comparison, the total annual recharge to the Santa Clara Plain aquifer is estimated to be 94,000 acre feet (Figure 4). It is understood that whereas the 5,000-acre-foot water right must be used at the Coyote Percolation Ponds facility between April and December, the 20,000-acre-foot water right can be used at multiple locations in any month. Based on the research and a meeting with SCVWD staff, Waterways was not able to determine what proportion of the 20,000-acre-foot water right is currently used at the Metcalf Ponds and at what time of the year, or what proportion of this SCVWD would aim to retain following the redesign of this project. At a minimum, it is assumed below that in the redesigned facility, SCVWD would aim to use the full 5,000-acre-foot water right (subject to water availability and minimum bypass flows) between April and December 15.

The SCVWD anticipates a future loss of percolation capacity due to isolating the both the Ogier and Coyote recharge ponds from the main channel of Coyote Creek. One place that SCVWD plans to offset some of the loss is at Ford Road Pond, about 2 miles downstream of the Coyote Percolation Ponds . The Santa Clara Valley Habitat Plan (Plan) (SCVHA, 2012, p. 2-67) states that SCVWD may propose to re-operate and expand existing off-stream Ford Road Ponds, which is approximately 19

[4] This is the estimated total recharge capacity of the ponds based on SCVWD's estimate of the infiltration capacity, and assumes water is available year-round. This does not take into account the SCVWD's water rights, and does not account for periods in which the Ponds are not filled to capacity due to drought, maintenance, or other reasons. Based on this,

[5] The data that led to the recharge capacity estimate of 10,900 acre-feet per year, provided in the Groundwater Management Plan (SCVWD, 2012), is not provided. Therefore the level of uncertainty associated with these estimates is not known.

[6] Hunt (1940) reported that the maximum annual percolation amount over the first years at the facility was 13,900 acre-feet in 1937; the minimum was 2,260 acre-feet, in 1939.

acres. The Plan also assumes that, to accomplish this, a pipeline between the two facilities would be constructed, and an inflatable diversion dam, along with a fish ladder, may need to be installed near Metcalf Road. It is not currently known how much of the percolation capacity would be able to shifted the Ford Road site, nor how much lost capacity SCVWD may be willing to tolerate due to the isolation of the Metcalf Ponds.

The area that will need to be available for percolation following the project is a key piece of information that needs to be determined to begin to develop design concepts. In general, the design for restoring Coyote Creek through the Metcalf reach would benefit from using as much area for the new channel, floodplain benches, and riparian areas as possible. The area available depends on how much loss of pond area is acceptable, however, and this remains unclear. An initial estimate is provided for the purposes of conceptual design: assuming an infiltration rate of one foot per day, and that the ponds remain full, using the 5,000-acre-foot water right at the site between April 1 and December 15 (258 days) would require a minimum of around 19 acres of area, compared with the 38 acres that currently comprise the site[7]. Thus, to meet the 5,000-acre-foot water right (SCDPW, 1935), the area percolation ponds could not be reduced by more than about ½ (19 acres) from their present surface area to accommodate the restored creek and riparian corridor.

A realistic estimate of the required post-project percolation area, and therefore the amount of area that would be available for restoring Coyote Creek, would require a clearer idea of the SCVWD's need for percolation at the site based on water rights and its plans at other sites (such as the Ford Road Ponds). Additionally, estimating the necessary percolation area will depend on design approach, timing of future flows, and possibly require a hydraulic model. For the concept design, based on the above assumptions, it is assumed that the ponds will require about 20 to 25 acres of useable percolation area, leaving about 13 to 18 available for the channel and riparian area throuth the reach. It is recognized that the uncertainty about this value is high, but it provides an initial order-of-magnitude estimate for the purpose of developing initial concepts. Constraining this value remains one of the key data gaps that needs to be filled before the design can be advanced.

2. **Account for Future Changes in Hydrology due to the Anderson Dam Retrofit and Future Climate Changes**. Future flows in Coyote Creek are likely to be different from those in the past, due to changes in both climate change and infrastructure. Predictions of changes in the precipitation regime in the Bay Area due to climate change vary, but many forecasts predict less rain during the dry season, and a higher proportion of the overall runoff occurring during floods. Hydrology will also change due to the seismic retrofit that will occur at Anderson Dam, which is currently kept below capacity due to seismic hazards. Because of the retrofit it is possible that flood attenuation in Coyote Creek may be reduced, leading to flashier hydrographs. Overall, it is likely that the redesigned facility will need to cope with higher peak flows and lower low flows, but the project design would benefit from having more specific and rigorous predictions of future flows in Coyote Creek.

CONSTRAINTS RELATED TO ECOLOGICAL FUNCTION

3. **Maintain Minimum Instream Flows.** According to the Streambed Alteration Agreement (CDFG, 2010), bypass flows at the current dam site must be above 7.5 cfs as measured at the stream gage below the dam (SF-89). The daily average flow minimum at stream gage SF-58 (Coyote Creek at Edenville, about 3.5 miles downstream) should remain above 2.5 cfs, and the instantaneous minimum flow should be 1 cfs. SCVWD will likely be required to maintain the same minimum

[7] Section 2 contains additional discussion of discrepancies in different sources about the aerial extent of the ponds.

instram flows in the redesigned channel, as it currently does downstream of the dam. However, renegotiation of flow requirements in the Three Creeks HCP will supercede these flow requirements. While diverting water into the off-channel ponds, the new design would need to allow for minimum instream flows to be maintained. Through the design, flow diversion into the Ponds could be set to occur only when the minimum instream flows are exceeded.

4. **Avoid Trapping Steelhead and Salmon in the Off-Channel Ponds.** The separated Ponds would primarily be designed to infiltrate water, not provide habitat and connectivity for native fish. If fish were to enter the facility they would not easily be able to return to Coyote Creek. Thus, depending on the design of the diversion, an appropriate fish screen is likely to be required. An outlet feature, which allows water to return to Coyote Creek at the downstream end of the Ponds, would also likely be needed in the design.

CONSTRAINTS RELATED TO RECREATION

5. **Avoid Having to Relocate Coyote Creek Trail and Bridge.** Changes in the configuration of the Metcalf Ponds could have both direct and indirect impacts on the Coyote Creek Trail (Trail), part of the Coyote Creek Parkway County Park. The Trail traverses the southern edge of the site, adjacent to the southernmost pond, and the bridge crosses the existing Coyote Creek channel just downstream of Metcalf Road (Figure 3). The new Coyote Creek channel is likely to also follow the southern edge of the property, with the off-channel ponds to the north. To the extent possible, to avoid unnecessary cost increases and lost recreational use, the design should avoid having to re-route the Trail or move the bridge (J. Farr, SCVPRD, personal communications, 2017).
6. **Avoid Increasing Erosion Risk at Coyote Creek Trail and Bridge.** The Trail follows a route near what is likely to be the south side (river left) of the newly designed Coyote Creek channel. Removing the spreader dam and confining flows in a narrower channel is likely to increase erosion risk, especially in the first several years following construction, before mature bank vegetation has developed. Bank migration should be an important consideration for the channel design, and the channel should be designed in a way that would reduce the chances of bank erosion impacting the trail.
7. **Continue to Allow Water Skiing in the Coyote Percolation Ponds.** At present, when conditions allow, the Santa Clara County Waterski Club uses the southernmost pond for recreational waterskiing (Figure 3). The Coyote Creek Parkway County Park Integrated Master Plan (SCVPRD, 2007) specifies that waterskiing should be continued, though it acknowledges that the use may need to be eliminated if required by the SCVWD pond design. If possible, the design should attempt to allow water skiing to continue, at least during certain times of the year.

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Tibbetts, F.H. 1932. Report on Minor Streamflow Conservation Projects, Including Coyote Percolation Dam. Final Report to Board of Directors of the Santa Clara Valley Water Conservation District. June 1932.

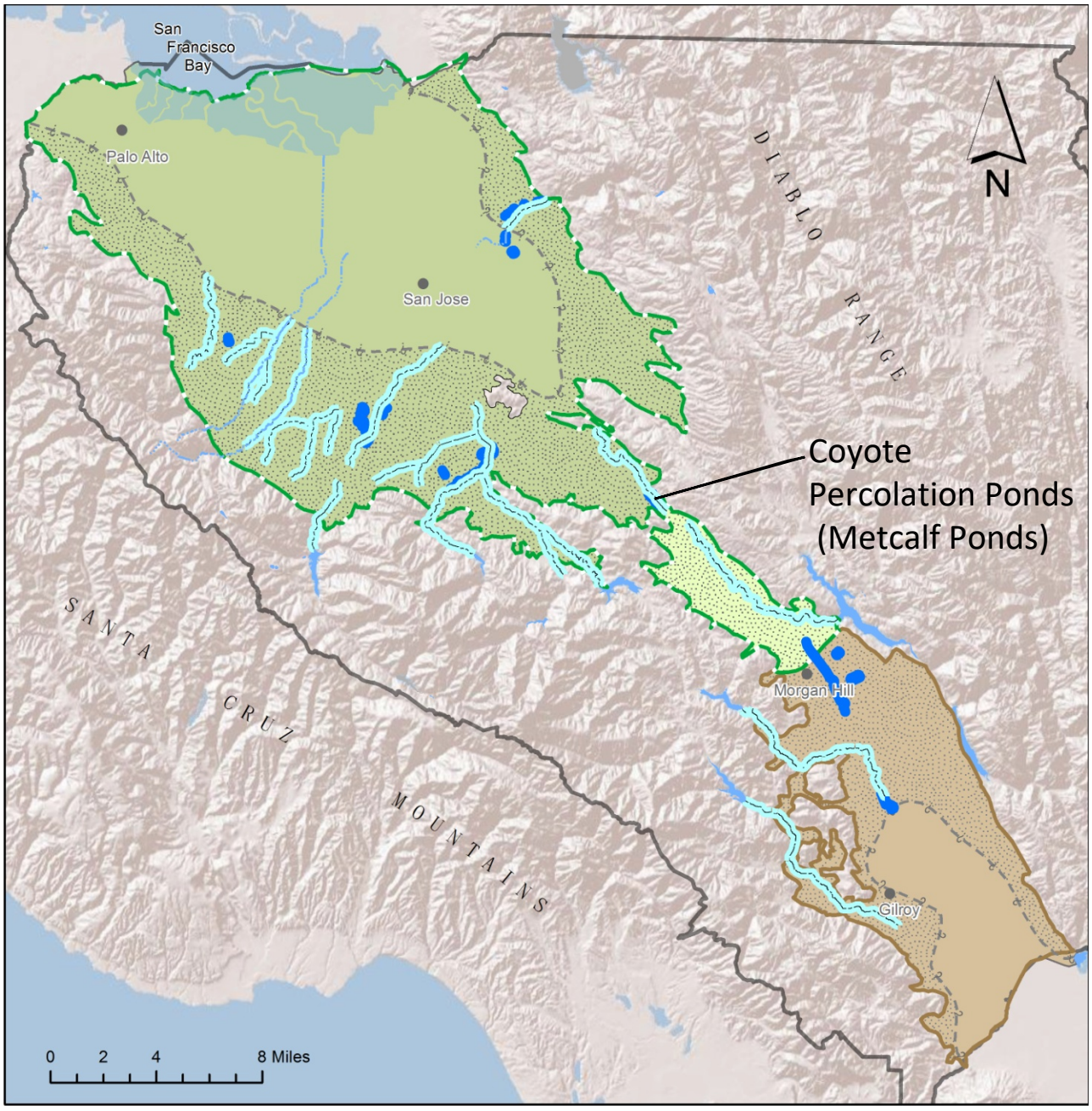
APPENDIX A. DIGITAL DATA LIBRARY

The Draft digital data library for the Metcalf Ponds site is included as a digital attachment available at request through Waterways' FTP site. The library contains 2.24 GB of reports and data, summarized in Table 1.

Please contact danielm@watways.com to receive link and password to access download.

(Draft data library as of 1/11/2018; additional entries may be added later)

Figure 1. Location of Metcalf Ponds (Coyote Percolation Ponds) within the Santa Clara Valley Groundwater Management System (Map reproduced from SCVWD, 2012a)



Legend

- District Recharge Pond or Facility
- Instream Recharge
- District Reservoir
- Santa Clara Plain Confined Area
- Santa Clara Plain Recharge Area
- Coyote Valley Recharge Area
- Llagas Confined Area
- Llagas Recharge Area
- Santa Clara County
- Santa Clara Subbasin (DWR Basin 2-9.02)
- Approximate Extent Confined Area
- Llagas Subbasin (DWR Basin 3-3.01)

Figure 2. Oblique Aerial Photo of the Coyote Percolation Ponds (Metcalf Ponds) on December 16, 2017

Figure 3. Metcalf Ponds Site Map and Topography

SITE PLAN
SCALE: 1"=500'

ELEVATION LEGEND

- BELOW 210'
- 210'-215'
- 215'-220'
- 220'-225'
- 225'-230'
- 230'-235'
- ABOVE 235'

Topography based on aerial survey data (2014)
Provided by Guadalupe Coyote Resource Conservation District

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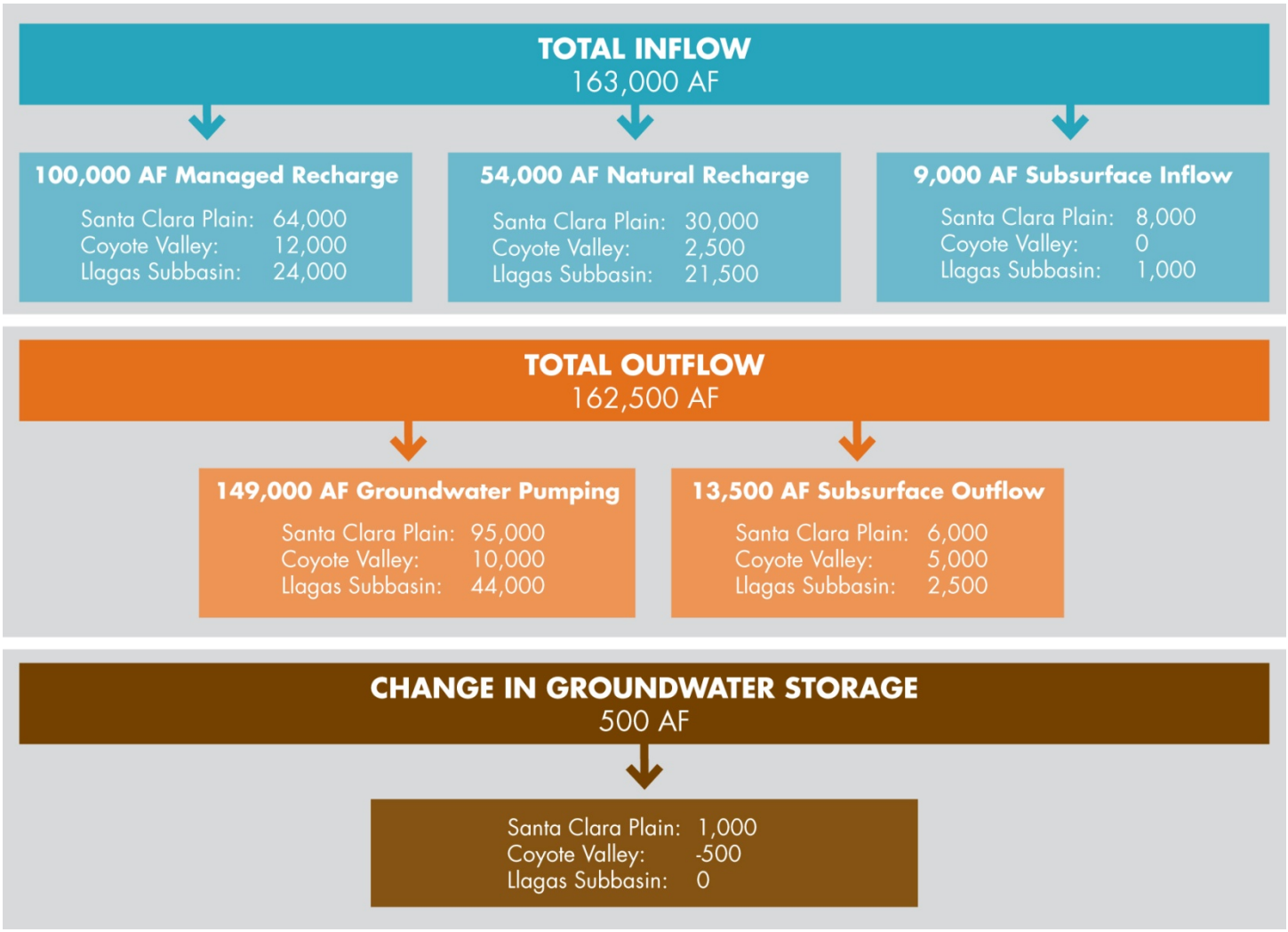
Santa Cruz, CA | waterways.com | Portland, OR

METCALF PONDS FEASIBILITY STUDY

BAR IS ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES FOR REDUCED PLOTS
0 1"

FIGURE
3

Figure 4. Average Annual Groundwater Budget for the Santa Clara Plain, Coyote Valley, and Llagas Subbasin, 2002-2011 (reproduced from SCVWD, 2012)



Notes:

1. Managed recharge represents direct replenishment by the District using local and imported water.
2. Natural recharge includes all uncontrolled recharge, including the deep percolation of rainfall, septic system and/or irrigation return flows, and natural seepage through creeks.
3. Subsurface inflow represents inflow from adjacent aquifer systems. In the Santa Clara Plain, this includes inflow from the Coyote Valley. In the Llagas Subbasin, it represents inflow from the Bolsa Subbasin in San Benito County.
4. Groundwater pumping is based on pumping reported by water supply well owners.
5. Subsurface outflow represents outflow to adjacent aquifer systems. In the Santa Clara Plain, this includes outflows to San Francisco Bay. In Coyote Valley, this includes outflow to the Santa Clara Plain, and in the Llagas Subbasin, this includes outflows to the Bolsa Subbasin in San Benito County.

Table 1. Coyote Percolation Ponds Existing Data Review Summary

Document Index[1]	Category	Year	Title	Source	Description and Summary of Information Relevant to Coyote Percolation Ponds Study
Technical Reports					
T1	Technical Report	1921	Tibbetts, Fred H. and Kieffer, S.F. Report to SCVWCC, 1921	Received via SCVWD public records request	Early report on the Santa Clara Valley groundwater resources. A 243-pg report by SF engineers on the Santa Clara Valley, irrigation and development history, geological structure and groundwater, early water budgets, and data on how Coyote Creek runoff relates to gravel absorption (Table 14, p. 4-34); distribution of water storage. Data are total runoff volume in WY's 1902-1907 and 1917-1918. Found data from Bay City Water Company that shows "gravel absorption" from "upper gorge to Julian St." averaged around 20,000 ac-ft even though runoff varied widely.
T2	Technical Report	1932	Tibbetts, Fred H. Report on SCVWD minor streamflow conservation projects, including Cyote Percolation Dam; 1932	Received via SCVWD public records request	Report describing a preliminary design and cost estimate for the Coyote Creek Percolating dam just below the "Lower Gorge" (Coyote Narrows). Three different sites were considered. Dam would be capable of passing 20,000 cfs of flood water with nominal raise in flood height. Preliminary cost estimate for the structure was $38,000, and provides preliminary plans and detailed 1932 river bed map from Lower Gorge to Tenant Avenue.
T3	Technical Report	1933	Coyote River Percolation; Report of test made during season of 1932-1933. DWR – Bul #42, Santa Clara Investigation 1933	SCVWD public records request – scanned pages from Lonnie Spin	Report on percolation measurements in WY 1933 in Coyote Creek channel from Metcalf Rd to E. Santa Clara Street in San Jose. Ten gaging stations used, with between 4 and 9 discharge measurements at each; wet areas were measured at high and low stages. Test covered 8 days from Jan 25-Feb 1, 1933. Flow was variable throughout the period until it stopped on Feb 1. Conclusions were highly uncertain. "Major conclusion to be drawn" is that 46% of the infiltration in 8 days of the test occurred in the uppermost section of the channel (near Metcalf Road) and that the rate did not vary greatly between high and low stages in that section. Overall, for the 8 days, 64% of the water passing Metcalf Road reached San Jose. Station 13= Metcalf Road Bridge. A Supplementary test at lower flow (4 cfs) on Mar. 22, 1932, between Metcalf Road Bridge and "point of complete absorption" showed about "2.47 sec-ft per acre" of streambed (~8 ac-ft per day per 1.62 acres of streambed, or about 5 ft/day of infiltration). Electronic version of this document in the Digital Data Compilation (Appendix A) is poor.
T4	Technical Report	1933	DWR – Bul #42, Santa Clara Investigation 1933, Appendix D	Full Report from SCVWD online library Internet Archive (accessed 5/8/17)	Water budget study carried out by the Department of Water Resources in response to declining water levels. Contains flow and precipitation data along with a more legible summary of the results of the above (T3) percolation study. Appendix D summarizes the percolation data for all the streams in the Santa Clara Valley. Data for Coyote River is in two parts (3 gages)+: Madrone to Coyote (Madrone USGS gage, plus 9 additional measurement stations to Metcalf Road bridge); and Coyote (Metcalf) to San Jose (Edenvale gage). Report also contains subsurface water level data, 1920-1933, from dozens of wells around the Santa Clara Valley. 3 maps of wells and groundwater levels are provided at the end of the Appendix.
T5	Technical Report	1940	Hunt, G.W. Description and results of the SVWCD's project, 1940	Received via SCVWD public records request	Narrative in an American Geophysical Union Compilation describing the topography, subsidence, erosion, and water resources in Santa Clara Valley. References the above cited report by Tibbetts and Kieffer estimating percolation and absorption measurements between 1902-1918; annual percolation of 76,500 AF (average), 18,200 AF (min), and 126,000 AF max. On p. 4 discusses percolating pond operations. A section of the Coyote Creek channel was used for temporary percolating facilities, just downstream of the dam, increasing area. Cites a percolation rate of value of 2.1 acre-feet per acre per day for Coyote Ck in vicinity of the dam in 1937. Discussion by Paul Baumann at the end discusses the factors that control percolation rates at the CPP: absorbed 33.2 CFS in 1937 and 23.8 cfs in 1938 (over 32 acres). Attribes to differences in groundwater level, and a "mounding" effect potentially due to clay lenses.
T6	Technical Report	2001	2001 Groundwater Management Plan, SCVWD	Available Online	Overall summary of the groundwater management and status in Santa Clara Valley. Metcalf Road (Coyote Narrows) divides two of the 3 groundwater basins in SC Valley. Metcalf Ponds is at the southern end of the 22 mile long, 225 mi2 Santa Clara Valley Subbasin. In the southern part of the basin a confining clay layer is not found, area referred to as the "forebay", more suitable for groundwater recharge. Based on water budget at the time, in-stream recharge accounts for 45 percent of groundwater recharge throughout District. Uncontrolled in-stream recharge accounts for 20 percent of groundwater recharge, spreader dams increase in-stream recharge capacity by 15,000 AF, or 10 percent. They have been constructed at more than 60 sites since 1920s (p. 16-17). Area is in the highest sensitivity ranking for groundwater sensitivity (Fig 5-6).
T7	Technical Report	2005	Appendix D, Coyote Creek Parkway Master Plan, Hydrological Conditions TM, 2005	Available Online	Balance Hydrologics study of hydrologic conditions in Coyote Creek as part of the Santa Clara Parks and Recreation District planning study for the Coyote Creek Parkway County Park. Review summary of SCVWD and FAHCE documents, stream functions, and hydrogeology and USGS data from Coyote Creek gaging station near Madrone. Previous work by Balance characterized channel conditions and substrate properties and available borings in or near the channel (Balance 2002 – instream discharge for fish passage in critical riffles in Stevens and Coyote Creeks). Visual estimates of grain size D50 was 16-128 mm; with embeddedness at 5-20 percent.
T8	Technical Report	2006	Final Report: Coyote Creek Watershed Historical Ecology Study, SFEI, 20076	Available Online	Graphically illustrated general conceptual review of historic geomorphology and landscape change in Coyote Creek. Provides general ideas for increasing flood protection, floodplain restoration, comparing naturally wide versus narrow reaches. Identified "benches" as an important landscape element that existed prior to human modification and confinement of the Coyote Creek channel.
T9	Technical Report	2006	Report of Independent Science Advisors for SCV HCP/NCCP, 2006	Available Online	Report summarizes recommendations from a group of independent science advisors for the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan, early in the planning process, to provide advisory recommendations. Report states that both instream and off channel percolation ponds can warm downstream waters because the cooler inflows sink and warmer surface waters flow out of the ponds. They also harbor non-native fish. Panel recommends that percolation ponds be located as far downstream as possible to minimize the affected stream length. They say that several existing ponds, including Ogier and Metcalf on Coyote Creek, should be moved off-stream. Also say that Metcalf Ponds results in stream heating but since it's located further downstream than Ogier Ponds, has less of an impact. Recommend that on-channel ponds incl. Metcalf be moved off channel to increase steelhead rearing potential.
T10	Technical Report	2008	Coyote Parkway Freshwater Wetland, 2008 FACT SHEET	Available Online	SCVWD built a 7.6 acre freshwater wetland project, converting a former dry field into a "near-perennial" wetland immediately north of the Coyote Percolation ponds, and receives water from the Ponds. Water levels are allowed to fluctuate in attempt to control bullfrogs and mosquitos. There's a solar-powered fish screen to prevent steelhead entering the constructed wetland from Coyote Creek. Project was done as mitigation for flood protection maintenance activities and was completed in Jan 2007.
T11	Technical Report	2012	2012 Groundwater Management Plan, SCVWD	Available Online	Updated water management plan by SCVWD produced in 2012, meant to summarize basin management objectives, strategies, programs and activities that support those objectives. The Coyote Creek recharge system includes Anderson and Coyote Reservoirs plus Coyote in-stream recharge. Appendix C (Table C-2) lists recharge facilities. According to this, Coyote Percolation Ponds, at the southern extent of management zone Zone W2, Lower Coyote Creek. Annual Pond Recharge Capacity is 10,900 AF. By comparison the total inflow into the Santa Clara Plain aquifer over 2002-2011 is 104,000 AF/yr, of which 64,000 AF/yr is from "managed discharge". Thickness of the aquifer ranges from 150' near Coyote Narrows to more than 1,500' in the interior of the subbasin (p. 2-9). Santa Clara Plain is susceptible to major subsidence problems due to groundwater extraction. Operational Storage capacity of the Santa Clara Plain is estimated to be 350,000 AF.
T12	Technical Report	2012	Dam Maintenance Plan Final PEIR, 2012	Received via SCVWD public records request	Final EIR for the SCVWD's proposed program to maintain its 14 regulated water retention facilities, including Coyote Percolation Ponds (covers 13 earthen dams and the 1 instream facility at Coyote/Metcalf Ponds). Mentions that red-legged frogs and yellow-legged frogs could be present, and may also be introduced to Coyote Percolation Ponds (CPP) vicinity. Chinook and steelhead could be present upstream/ds of the pond due to the fish ladder. Western pond turtle has been documented (CDFG 2010). Suitable golden eagle habitat at CPP. Known woodrat nesting locations at CPP. Provides mitigation measures for all the above. Mentions that the ponds were originally created by in-channel gravel mining. No significant earthquake faults near the site, but among all 14 dam sites, has the highest potential for liquefaction due to being located on the valley floor. Recreation: fishing, pickn

Document Index[1]	Category	Year	Title	Source	Description and Summary of Information Relevant to Coyote Percolation Ponds Study
T13	Technical Report	2012	Dam Maintenance Plan PEIR, Appendicies	Received via SCVWD public records request	Contains public comments; additional species information; glossery; monitoring plan; maps; detailed description of activities. CPP is only facility with a fish ladder.
T14	Technical Report	2005	Leidy, et al. (2005). Historical distribution steelhead in SF Bay streams	Available Online	Discussion of historic occurrences of steelhead by watershed in streams draining into the San Francisco Estuary. Contains thorough review of monitoring events in Coyote Creek from 1898 through the early 2000s. Coyote Percolation Ponds were sampled throughout, and a few individuals were found in the 1990s and early 2000s.
Data					
D1	Data	2014	2014 Aerial Survey	Provided by GCRCD - June, 2017	Topographic data from aerial or ground survey. Collected for Balance Hydrologics in 2014. Data were provided in CAD format.
D2	Data	2006	2006 LiDAR data for Santa Clara County, CA	Available Online[2]	1' resolution LiDAR dataset for parts of Santa Clara County; including along Coyote Creek. Data can be found at: https://data.noaa.gov/dataset/santa-clara-county-california. The 2006 data are referred to in the 1D modeling report as being stored in the following location in SCVWD's server. "W:\Hydrology Management System Information Library\Rating Curve Analysis\5058-Coyote at Edenvale\Survey coyote Lidar Extention"
D3	Data	2015	Survey Data: 2004, 2007, and 2015	Received via SCVWD public records request	815 MB of survey data covering at least 3 separate surveys. 2004: Survey data in many CAD files; extent and purpose is unclear, including 1995-2004 merged data. 2007:two CAD folders with data that appears to have been collected prior to the construction of the freshwater wetland northwest of the site. 2015: PDF survey cross sections of Metcalf Rd, Ogier Ponds, and longitudinal profile of entire Coyote Creek from Capitol Expressway to Anderson Dam. There is an Excel file containing the cross section survey data for entire river. Suspect this was possibly collected for a 1D model.MS Word survey request report explains that the purpose is to look at the two sites (Metcalf and Ogier Ponds) to evaluate options for fish habitat and passage. Also describes the existing data: 2006 LiDAR, Geomatics; 2011 Imagery, and 1999 survey data on an avulsion upstream of Ogier Ponds. Working towards whether to fly the pond sites. Not clear if that was done.
D4	Data	??-2017	Water level data for Coyote Percolation Ponds	Obtained through SCVWD public records request (available online)	Received from SCVWD data request preliminary flow in Coyote Creek below Coyote Percolation Ponds - telemetered data for gage 1495 (Coyote bl Ponds) and 1497 (Coyote in Ponds).Nominally, data are 2-hr water level data from 2015 until 4/21/17 (time of data retrieval). There appear to be some gaps in the reasonableness of the data, which have not been filtered by anyone. Data seem reasonable for 1495 fom 4/5/15 to about 4/5/2017, including the flood peaks of late winter 2017. Data for 1497 seem reasonable from 4/5/15 to about 2/18/17.
D5	Data	1916-1991	Flow and water quality data for Coyote Creek at Edenvale station (1916-1991)	Obtained from USGS NWIS	USGS 11171500 COYOTE C NR EDENVALE CA gaging station, 3-4 mi. below Coyote Ponds. Daily, monthly, and peak flows from 1916 to 1962. Water quality: Nearly 4,000 WQ measurements between 1979-1991, incl. temp, pH, Hg, turbidity, DOC, bed sediment, and many other parameters.
D6	Data	2006	Well Log Data, 2001-2006[3]	Received via SCVWD public records request	Well completion reports and lithologic logs from test pits and borings from multiple separate investigations. 2003, geotechnical investigations at Coyote Lakes for creating wetland habitat (2008 freshwater wetland); 6 test borings to 30-40'. 5 test pits, piezometers, and soil sampling. Additional Boring Log data from 2006 near 101/Metcalf; 2003-04 N of Metcalf; and City of San Jose property prior to the Calpine project (2001).[2]
Model					
M1	Model	2014	Coyote Creek HWY280 to Anderson Reservoir, Steady State Hydraulic Model	SCVWD public records request	1-D steady state HEC-RAS model of Coyote Creek from Anderson Dam to Highway 280; developed by the SCVWD in 2015, with a draft memo by Emily Zedler and Wendy Chang describing the model set-up, input data, and calibration. Data for the channel are from 4 separate surveys conducted between 2011 and 2014; floodplain topography and bridge data are from 2006 LiDAR; manning's n from site visits and photos using guidance from the HEC-RAS manual; and recurrence interval flows from the 2009 FEMA Insurance study (100-yr flow = 15,000 cfs). Model calibration was attempted using 18 high water elevations from the 1997 flood with a input steady flow of 6,820 cfs. The original n-values were multiplied by 0.8 through 1.2 and the original values shown to have lowest residuals, and calibration was not done.
Engineering Plans					
E1	Engineering Plans	1933	Coyote Percolation Dam Engineering Drawings and Pre-Dam topo	Received via SCVWD public records request	Two high quality scanned sheets from 1933 showing original stamped plans for the dam and the existing topography. Dam drawings specify radial gates base at El 220', 24' wide, near left abutment. There's steel sheet piling 15' long under the upstream wall along both abutments, and concrete block matress on the downstream side of the dam. Also includes results from 4 test borings 20' deep collected along the dam cross section, which show rock and gravel at surface 5' in middle, sand and loam on sides. Clay, sand and gravel were found to at least 20' depth at all sections, and clay and tree roots at 20' along the right bank. Second sheet includes pre-dam topo of pond area, cross section at dam site, and Area/Capacity curves. The topo identifies a pre-existing concrete dam at the upstream end of the percolation pond, just below Metcalf road. Length of proposed pond is about 3,950' btween dam and Metcalf Rd.
E2	Engineering Plans	1998	Map and Construction Plan for Coyote Percolation Dam Fish Ladder (As Built); 1998	Received via SCVWD public records request	Engineering sheets for construction of the fish ladder. Total of 14 sheets and 3 sheets with standard details. Needed to demolish concrete apron and sill to install fish ladder between the flashboard dam and existing radial gates. There is a fish attractant pool at downstream end, leading into 12 pools, each about 8'7" long. Some have fixed weirs, some adjustable weir
E3	Engineering Plans	1998	Specifications and Contract Documents for Construction of Coyote Percolation Dam, Fish Ladder	SCVWD public records request	Contracting and construction specification documents related to the construction of the fish ladder.
E4	Engineering Plans	2014	Map and Construction Plan for Flashboard Dam Panels Replacement, 2014	Received via SCVWD public records request	Plans for installation of new flashboard panels (5) in 2014 associated with the drought era maintenance that occurred in 2014.
Operational and Planning Documents					

Document Index[1]	Category	Year	Title	Source	Description and Summary of Information Relevant to Coyote Percolation Ponds Study
O1	Operational	2010	Final Streambed Alteration Agreement for Coyote Diversion Project, Sept 9, 2010 (AKA: Operations Manual for Coyote Percolation Ponds and Fish Ladder)	Received via SCVWD public records request	Description of Facility: Dam consists of a series of 8' high panels placed on top of a 2' high concrete sill with concrete abutments on each side. The on-stream pond has a storage capacity of 259 AF, and surface area of 38 acres when full. At full capacity, there's a 10' elevation difference between the pond surface and the bottom of the radial gate structure. Radial gates can be raised or lower to control flow releases. Heavy equipment such as cranes or loaders are required to install/remove flashboard dam. Vegetation and sediment removal can be done at that time. SCVWD must pay a fee to the DFG every time the dam is installed or removed. The fish ladder extends 30' upstream and 39' downstream of the dam and consists of 11 rectangular concrete pools and 1 semicircular turning pool with 1' elevation difference between pools. Three of the pools have adjustable weirs to maintain water levels and are adjusted daily. Flow is bypassed through fish ladder during removal of flash boards. According to water rights, 5,000 AF may be percolated between April 1 and Dec 15, and "Up to 20,000 may be collected from storage [i.e., from Coyote and Anderson Reservoirs] appropriated under upstream water rights" at any time of year. Bypass flows: Minimum 7.5 cfs as measured through stream gage SF-89 (below Perc dam). Minimum flow measurement location at gage SF-58 (Edenvale): daily average: 2.5 cfs; instantaneous minimum: 1 cfs). These gages will be checked with manual measurements. If a discrepancy is found, the bypass is adjusted conservatively. Renegotiation of flow requirements in the Three Creeks HCP will supercede these flow requirements. Ramping requirements: For flow increases less than 40 cfs, ramping will occur over minimum of 36 hrs; for flows over 40 cfs, ramping will occur over minimum of 72 hrs. Turbidity Requirements: Project may not increase turbidty by more than 5 NTUs (low turbity) or by 10% (at high turbity above 50 NTUs, 100' d/s of project site. Biological monitoring: within 1 week of heavy equipment use, biologist will survey red legged frog, western pond turtle, woodrat, nesting birds; if found, SCVWD will halt activities. Fish ladder: Project must maintain sufficient flow for passage at all times; inspection should occur daily during migration season (Sept-May) and weekly during rearing (June-Sept) to make sure obstacles are immediately cleared. [NOTE: SCVWD reports that this document is currently used as the effective O&M Manual for the Coyote Percolation Ponds facility; the draft Operations and Maintenance Manual for the dam and fish ladder from 1998 (Item O2 below) is superceded by this document].
O2	Operational	1998	Coyote Percolation Dam and Fish Ladder, Operations and Maintenance Manual (DRAFT), 1998	SCVWD public records request	Original draft of operation plan for the dam and fish ladder produced in 1998. This manual is superceded by the Streambed Alteration Agreement (2003) (Item O1 above) The later streambed alteration agreement contains more detailed information on operation of the facility.
O3	Operational	2014	Amendment and Extension of Final Streambed Alteration Agreement	Received via SCVWD public records request	Amendment to the Streambed Alteration Agreement (Item O1 above) in 2014. Due to drought, temporary operational changes were requested and granted by CDFW. This allowed suspension of bypass flows temporarily. Also allowed for corrective maintenance work to fishways, screens, and minor sediment removal in dry creek bed during the drought. Agreement was signed by Aaron Baker of SCVWD.
O4	Planning	2007	Coyote Creek Parkway County Park, Integrated Natural Resources Management Master Plan, 2007	Available online, County Parks Website	Extensive report is an overall vision for the parkway along the Coyote Creek. Review previous work, sets goals and objectives of the program, specifies priorities. "Waterskiing on the Coyote Percolation Pond will be allowed to continue" (p. 19). Under goal NRM-2, preserve and enhance hydrologic connectivity, states NRM-2.1 is to cooperate with SCWD to construct channel through the ponds; with SCVWD as lead agency (p. 27); maintain historic groundwater levels to retain wetlands (NRM-3.1). Priorities: Coyote Percolation Pond continue waterskiing use (permit); Eliminate use if required by the SCVWD pond design/management program under FAHCE agreement; Implement shoreline redesign/bank stabilization; canoe/kayak trail access point; restrooms; picnic/observation area. No changes to Metcalf park.
O5	Planning	2012	Santa Clara Valley Habitat Agency; Santa Clara Valley Habitat Plan, 2012	Availible online, SCVHA website	The Santa Clara Valley Habitat Plan (Plan), developed with USFWS, CDFG, and stakeholder groups, provides a framework for promoting natural resources protection in the context of continued development and maintenance of infrastructure. Plan covers activities including urban development, in-stream capital projects, in-stream operations and maintenance, rural capital projects, development, and O&M, and conservation strategy implementation. Document discusses plans for taking Coyote Percolation Ponds off main stem of Coyote Creek, and associated works. Discusses SCVWD plans to reoperate Ford Road Ponds to offset anticipated losses in percolation capacity at CPP and Ogier ponds off main channel. States that SCVWD anticipates building an inflatable diversion dam (at Metcalf Road), as well as a pipeline to carry water to Ford Road Ponds.
Legal Documents					
L1	Legal Documents	1960	Water Right document, 1960	Received via SCVWD public records request	This is a July 10, 1935 license granted by the California Division of Water Resources, to the SCVWD, for 5,000 AF/yr from the Coyote Percolating Reservoir. In 1960 there was an order allowing "change in place of use" for the same water right.
L2	Legal Documents	2003	FAHCE Settlement Agreement	Available Online	The 2003 Settlement Agreement between SCVWD, USFWS, NMFS, CDFG, and other organizations including Trout Unlimited, to resolve disputes about SCVWD's use of its water rights on Coyote, Guadalupe, and Stevens Creeks ("Three Creeks"). In 1996, Guadalupe-Coyote RCD filed a complaint that SCVWD's use of water right degraded fish and other beneficial uses. Starting in 2001, SCVWD and CDFG began settlement negotiations and studies on limiting factors for steelhead in Three Creeks. Recommends (p. 20; sec. 6.4.2.1.3) evaluating alternatives to isolate the Metcalf percolation ponds, quarry pits, and other structures from the active channel to establish a free flowing condition; and, in Phase 2, to relocate the Coyote percolation facility off stream (p. 21). States that as a management objective, SCVWD should have a completed plan for addressing entrainment of smolts in the facility, and consider modifying operation of the facility to minimize creation of ponds of water to reduce entrainment and predation of out migrating steelhead trout smolts.
Newspaper and Media Reports					
N1	Media	2014	Article on Valleywater.org website, 2014	Available Online	Due to the drought, the SCVWD completed a refurbishment of the steel panel dam, radial gates, and fish ladder on Cyote Creek Percolation Dam. The reach went dry in spring 2014 allowing inspection, which revealed corrosion in some steel panels and cables; a welder fabricated 6 panels spanning 125 feet, and other staff coated and cleaned the other components. There's a nice picture of the dam at dry conditions. The article says the dam, built in 1936, spreads water over 30- acres and helps the district utilize a water right for 5,000 AF from the creek.
N2	Video Posted on Website	2017	http://silichip.org/2017/04/02/coyote-creek-metcalf-fish-ladderflash-dam-flood-dangers/	Available Online	Video footage of Coyote Percolation Ponds during and after flood, showing wood accumulation and operations at the facility removing flashboard panels at high flows during February 2017 flood. Video narrated by Roger Castillo.

Notes:
1. Index number corresponding to that in the filename of resources in the Digital Data Compilation (Appendix A)
2. Due to large file sizes, LiDAR data are not included in the Digital Data Compilation (Appendix A); data are available online at https://data.noaa.gov/dataset/santa-clara-county-california
3. Identifying information of some well owners has been redacted by SCVWD. Per SCVWD, redacted data should not be published without further permission.

Table 2. Coyote Percolation Ponds Opportunities and Constraints					
	Opportunity or Coinstraint	**Category**	**Source of Relevant Information**	**Detail of Opportunities or Constraints**	**Key Remaining Data Gaps, Open Questions, and Design Considerations**
Opportunities					
1	Improve fish passage	Ecological Function	FAHCE Settlement Agreement (2003) [L2]; Report of Independent Science Advisors (2006) [T9];	Removing in-line ponds and concentrating low flow in well-defined channel will improve fish passage for native Coyote Creek steelhead. Need to know the range of low flows to be expected in order to design a low flow channel that can ensure passability.	What are the Coyote Creek low flows likely to be during key fish passage periods? What are the minimum depths needed for adequate fish passage?
2	Improve instream habitat	Ecological Function	FAHCE Settlement Agreement (2003) [L2]; Coyote Creek Historical Ecology Study (2006); [T8] Report of Independent Science Advisors (2006) [T9];	Separating Coyote Creek from the percolation facility would provide an opportunity to design and build about a mile of channel. The redesigned channel could be designed in a way that maximizes ecological benefit and geomorphic function, using natural channel design techniques.	What are the primary physical habitat limiting factors that could be addressed in the redesigned channel? What types of design features would work within the infrastructure and flooding constraints listed below? What is the reference/target condition of the main channel through the bypass reach? Braided or straight? Stable or dynamic? What will be the initial bankfull width, depth and discharge?.
3	Reduce predation by non-native predator fish	Ecological Function	FAHCE Settlement Agreement (2003) [L2]; Report of Independent Science Advisors (2006) [T9];	Separating the Coyote Percolation Ponds from Coyote Creek will reduce the ability of non-native pond fish to interact with juvenile steelhead in the main channel.	What predatory fish are present? How will fish that enter the ponds get back to the main channel? Does there need to be a fish screen on the flows that recharge the ponds?
4	Reduce fish stranding	Ecological Function	FAHCE Settlement Agreement (2003) [L2]; Roger Castillo, GCRCD, personal communication 2017	Separating the Coyote Percolation Ponds from Coyote Creek will help avoid stranding steelhead in main channel due to ponds drying up. The FAHCE Settlement Agreement states (6.4.2.1.1, p. 19) that SCVWD must have a plan for minimizing ponding between February and April, to reduce entrainment and predation of out-migrating steelhead trout smolts at the facility.	Are the minimum bypass flows sufficient to avoid strainding in main stem?
5	Improve habitat in constructed freshwater wetland	Ecological Function	Roger Castillo, GCRCD, personal communication 2017	It is alleged that due to the current fluctuating water levels in the constructed wetland feature, red-legged frogs and other rare amphibians may be stranded when wetland is drained. Periodic draining of the wetland may also benefit rare amphibians and other needs by controlling bullfrogs and mosquitos. Re-design of the area around Metcalf Ponds offers an opportunity to re-examine the hydrology and operation of the freshwater wetland, and gain consensus by engaging multiple stakeholders.	Needed confirmation of the alleged stranding of red-legged frogs and other protected species in freshwater wetland under current conditions. Does periodic draining of wetland to discourage mosquito and bullfrog reproduction outweigh the threat to protected species? How does the water supply of this feature relate to the operation of the Coyote Groundwater Percolation Ponds?
6	Reduce stream temperatures	Water Quality	FAHCE Settlement Agreement (2003) [L2]; Report of Independent Science Advisors (2006) [T9];	Separating the in-stream ponds from the main channel will reduce the proportion of summer flow in Coyote Creek that is subjected to solar insulation standing in percolation ponds.	What is the current impact of ponding on downstream water temperatures? Will disconnecting the ponds from the main channel reduce water temperatures in the main stem?

Table 2. Coyote Percolation Ponds Opportunities and Constraints					
	Opportunity or Coinstraint	**Category**	**Source of Relevant Information**	**Detail of Opportunities or Constraints**	**Key Remaining Data Gaps, Open Questions, and Design Considerations**
7	Provide flood water storage	Public Safety	SCVWD 1-D HEC-RAS model Coyote Creek [M1]; Larry Johmann, GCRCD; personal communication.	Redesign of the operation of Coyote Percolation Ponds facility may provide an opportunity to alter the design in a way to maximize water detention storage in off line ponds during floods.	How much water storage volume in the ponds can be reserved for flood storage? Is that enough water to impact flood peaks? What are the hazards that must be considered in the design?
8	Improve public safety	Public Safety	Video from Roger Castillo [N2]; Larry Johmann, GCRCD; personal communication	Taking dam and ponds off main channel could reduce debris accumulation and potential for sudden localized flood generation; also, a re-design of off-channel pond system provides an opportunity to include public safety controls.	What are the present and likely future public safety concerns around the ponds? How can these be considered in the design? Where is debris currently accumulating and where would it accumulate in the redesigned channel?
9	Reduce operations and maintenance costs	Operations and Maintenance	Streambed Alteration Agreement (2010) [O1]; Percolation Dam Operations and Maintenance Manual [O2]	Improved sediment conveyance in well-designed bypass channel may reduce or eliminate the need for maintenance due to sediment removal.	What is the bedload supply from upstream? What is the bedload transport rate through the project reach under existing and proposed conditions? Are there any likely depositional zones in the project or downstream?
10	Reduce disturbance due to maintenance	Operations and Maintenance	Streambed Alteration Agreement (2010) [O1]; Percolation Dam Operations and Maintenance Manual [O2]	Sediment removal and other maintenance must currently be monitored to ensure that disturbances do not exceed turbidity thresholds or impact listed species. Improving sediment conveyance and improving the riparian vegetation assemblage will reduce need for ground disturbances. If dredging is required within isolated ponds, this will have a lesser impact on turbidity in the main stem.	Same questions as above (Opportunity #7) about bedload conveyance. Also, what is the current maintenance budget for sediment dredging in the ponds?
11	Opportunity to re-introduce recreational fishing	Recreation and Public Use	Jeremy Farr, Santa Clara County Parks; personal communication	Metcalf ponds used to be stocked with fish for recreational fishing, but this was stopped because of safety and invasive fish because the ponds are along main channel. Taking ponds off channel may allow opportunities to resume fishing and other recreational activities. Canoe and kayak are presently not permitted in Coyote Creek due in part to risk of introducing Quagga mussels and other invasives.	What is the risk of stocked fish entering the main channel? Can increased recreational activities, including canoeing, kayaking, and waterskiing be accomodated in the off-line pond(s)?
12	Provide alternate location for some activities that could be displaced at Ogier Ponds	Recreation and Public Use	Jeremy Farr, Santa Clara County Parks; personal communication	Police and other dog training, in both water and on land, is a common use of Ogier Ponds that may be displaced by future projects at that location. Redesigned Metcalf Ponds may provide alternate site for this and other activity.	What recreation and other activities should be accomodated at the site? How much and what type of space need to be available and at what times of the year?
13	Improve aesthetics, public access and educational opportunities	Recreation and Public Use	Roger Castillo; personal communication	Re-designing of the Metcalf Ponds/Parkway Lakes water recharge facility might provide an opportunity to develop new educational opportunities for local schoolchildren. One potential opportunity suggested is to establish an outdoor education camp or field trip site at the deepest pond (Parkway Lake). Members of public or schoolchildren may assist in post-project monitoring.	Who would be responsible for establishing and running an educational facility? What are the most important features and goals of such a facility?

Table 2. Coyote Percolation Ponds Opportunities and Constraints					
	Opportunity or Coinstraint	**Category**	**Source of Relevant Information**	**Detail of Opportunities or Constraints**	**Key Remaining Data Gaps, Open Questions, and Design Considerations**
Constraints					
1	Maintain infiltration function of percolation ponds	Water Supply	Early eports on Santa Clara Valley groundwater resources [T1-5]; Groundwater Management Plan [T6, T11]; discussions with SCCC, SCVWD	At a minimum, maintain of 5,000 ac-ft per year between April 1 and December 15, to meet the 1935 water right (SWRCB, 1935). Additional percolation beyond this water right may also be needed to help meet SCVWD's water right to water from Anderson Reservoir through the Coyote Canal and distributed to multiple recharge facilities inside and outside the Coyote Creek basin	Need a clearer definition of how much percolation is required and when. Improved data and estimates of infiltration rates would be valuable. Is any loss of capacity tolerable? How much lost percolation capacity can be supplemented by renewing operations at the Ford Road percolation ponds?
2	Account for future changes in hydrology due to Anderson Dam retrofit and climate changes	Water Supply	Santa Clara Valley Water District website (www.valleywater.org/Services/AndersonDamAndReservoir.aspx)	Presently, Anderson Reservoir is being limited to about half its capacity due to seismic concerns. Seismic retrofit of Anderson Dam, currently planned to begin in 2020, will likely lead to more use of storage capacity and therefore less flood attenuation. Re-design of the Metcalf Ponds should account for the reduction in flood attenuation due to this related project	What is the likely future hydrological regime of Coyote Creek at the Metcalf Ponds site?
3	Maintain minimum instream flows	Ecological Function	Streambed Alteration Agreement (2010) [O1]; Percolation Dam Operations and Maintenance Manual [O2]	Bypass flows must be maintained at a minimum of 7.5 cfs as measured at the stream gage below the dam; renegotiation of flow requirements in the Three Creeks HCP will supercede these flow requirements. If flows are diverted through a pipeline to a new Ford Road percolation facility downstream of Metcalf Ponds (SCVHA, 2012), minimum instream flows in the bypass reach would need to be considered.	What are the renegotiated instream flow requirements? What are the minimum instream flows needed to maintain adequate fish passage through the redesigned bypass channel?
4	Avoid trapping steelhead and salmon in off-channel ponds	Ecological Function	Santa Clara Valley Habitat Jabitat Plan (SCVHA, 2012)	Fish screens would likely be required to prevent movement and stranding of fish in off-channel percolation facility.	What is the configuration of the inlet and outlet of the off-channel ponds?
5	Avoid having to realign Coyote Creek trail and bridge	Recreation	Coyote Creek Parkway County Park Integrated Master Plan (SCVPRD, 2007) [O4]; Jeremy Farr, Santa Clara County Parks; personal communication	Proposed project must not require an alignment of the Coyote Creek trail and bridge, or else must such a realignment must be paid for by SCVWD.	Need shapefiles showing trail and bridge, and other recreational infrastructure.
6	Avoid increasing erosion threats to road and trail infrastructure	Recreation	Jeremy Farr, Santa Clara County Parks; personal communication	Proposed project could concentrate high flows in the main channel of Coyote Creek, where presently flows are spread out. Project must not increase erosion hazards to road and trail infrastructure along creek.	Identify current areas of high erosion and where high erosion may exist post-project.
7	Continue to allow waterskiing on ponds if possible	Recreation	Jeremy Farr, Santa Clara County Parks; personal communication	If possible, continue to allow use of waterskiing facilities in Coyote Ponds during certain times of the year.	What are the requirements for the area, depth, and seasonality of ponded water needed to maintain waterskiing useage?

Santa Clara Valley Water District

Item 3

CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE MEETING

MINUTES

December 11, 2017
10:00 A.M.

(Paragraph numbers coincide with agenda item numbers)

A regular meeting of the Capital Improvement Program (CIP) Committee was called to order at 10:00 a.m., on December 11, 2017, in the Santa Clara Valley Water District Headquarters Building Conference Room A-124, 5700 Almaden Expressway, San Jose, California.

1. Call to Order/Roll Call

Committee members in attendance were District 6 Director Tony Estremera, District 4 Director Linda LeZotte, and District 5 Director Nai Hsueh, Chairperson presiding, constituting a quorum of the Committee.

Staff members in attendance were J. Aranda, Assistant District Counsel, M. Meredith, Deputy Clerk, H. Desai, V. Gutierrez, C. Hakes, N. Hawk, K. Oven, B. Redmond, D. Taylor, and S. Tikekar

2. Time Open for Public Comment on any Item not on the Agenda

Chairperson Hsueh declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

3. Approval of Minutes

The Committee considered the minutes of the November 27, 2017 meeting.

Chairperson Hsueh requested that the minutes be amended as follows: on Page 2, Item 4.1, Paragraph 4, Lines 3 through 5, revise to read *…potential solution would be to enter into cooperative agreements with* ***~~its retail providers~~ the cities,*** *whereby the* ***~~retailers~~ cities*** *could agree to adopt and impose these fees on developments within their jurisdiction…;* on Page 3, Bullet 1, Lines 1 through 3, revise to read *Suspend work on Upper Penitencia Creek Project, Coyote Creek to Dorel Drive* ***~~, in Fiscal Year 2019,~~*** *and provide approximately $2 million* ***~~to fully fund the~~ for*** *planning* ***~~phase starting in the Fiscal Year 2020~~ if funding is available***.; and on Page 3, Bullet 3, Lines 2 and 3, revise to read *Coordinate Safe, Clean Water and Natural Flood Protection Program* ***Change Management*** *processe****s*** ***~~to suspend~~ for the*** *Upper Penitencia Creek Project****, upon Board approval of Committee recommendations****;.*

It was moved by Director Estremera, seconded by Director LeZotte, and unanimously carried that the minutes be approved as amended.

4. Action Items

4.1. Review and Discuss Preliminary Fiscal Years (FY) 2019-23 Capital Improvement Program (CIP) in Advance of it Being Presented to the Board of Directors

Ms. Katherine Oven, Deputy Operating Officer, reviewed the information on this item per attached Committee Agenda Memo, and Ms. Beth Redmond, Capital Program Planning and Analysis Manager, distributed and reviewed the information on the attached Preliminary FY19-23 CIP, identified as Handout 4.1-A herein. Copies of the Handout were distributed to the Committee and made available to the public.

Ms. Redmond explained that Handout 4.1-A replaced Item 4.1, Attachment 1, and had been revised to include a watermark indicating the information as draft. She noted that on Page 11, dollar amounts shown for the Expedited Purified Water Program were based on an assumption of Public-Private Partnership funding, and confirmed that staff would continue reviewing costs for other proposed projects so that accurate cost projections are included in the Preliminary FY19-23 CIP when it is presented to the Board of Directors (Board) on January 9, 2018.

The Committee made the following requests:

- Staff is to come back with information on the renegotiation of the 2004 Cost Share Agreement between the District and the City of Gilroy for the South County Recycled Water Expansion Project;
- Staff is to make clear during the January 9, 2018 Preliminary CIP presentation to the Board, what portions of the SCADA project are funded;
- Staff is to more clearly communicate during the January 9, 2018 presentation to the Board, information on the Fisheries and Aquatic Habitat Collaborative Effort Stevens Creek Fish Passage Enhancement Project, the Stevens Creek Fish Barrier Removal Project, and the Multi-Port Project, to demonstrate that no double-funding of projects has occurred and to provide assurance that priority work is being funded;
- Staff is to examine the South Bay Salt Pond Restoration Project and the South Bay Salt Ponds Infrastructure Improvement Project, evaluate what work is being performed in each project and whether the work should be funded as a capital or operations project;
- Staff is to review and revise the manner in which unfunded projects (Attachment 3) are presented so it is clear to the Board and the public which projects will be funded and transferred to the Preliminary CIP list, which projects remain unfunded, and the urgency or priority of the unfunded projects.

It was moved by Director LeZotte, seconded by Director Estremera, and unanimously carried that the Committee recommend the preliminary Fiscal Year 2019-2023 CIP be presented to the Board of Directors on January 9, 2018.

Mr. Christopher Hakes, Assistant Officer, reviewed the information on Items 4.2 and 4.3, per the attached Committee Agenda Memos.

4.2. Review and Discuss Revisions to the Capital Improvement Program Priority Ranking Criteria and Related Prioritization Outcomes.

It was moved by Director LeZotte, seconded by Director Estremera, and unanimously carried that the Committee recommend the revised CIP Priority Ranking Criteria be presented to the Board of Directors on January 9, 2018.

4.3. Update on Rinconada Water Treatment Plant Reliability Improvement Project.

The Committee noted the information, without formal action.

4.4. 2017-18 Consultant Agreements and Amendments to Existing Consultant Agreements. (K. Oven)

Ms. Oven reviewed the information on this item, per the attached Committee Agenda Memo.

Chairperson Hsueh suggested that staff consider the feasibility of utilizing a multiple-project Request for Proposal process for the Third-Party Construction Quality Assurance/Quality Control Consultant Services Contracts for the Anderson, Calero, Guadalupe, and Almaden Dam Seismic Retrofit/Improvement Projects.

The Committee expressed support for staff's proposal to incorporate limited construction management services to Black and Veatch for the Anderson, Calero, Guadalupe, and Almaden Dam Seismic Retrofit/Improvement Projects.

5. Review and Discuss 2017 and 2018 Committee Work Plans.

Item 5 was continued to the January 2018, CIP meeting.

6. Discussion of Next Committee Meeting Agenda and Schedule.

Chairperson Hsueh requested that the January 8, 2018, CIP Committee meeting be rescheduled to January 18, 2018, at 11:00 a.m.

7. Clerk's Review and Clarification of Committee Requests.

Ms. Michelle Meredith, Deputy Clerk of the Board, read the new Committee requests into the record.

8. Adjourn.

Chairperson Hsueh adjourned the meeting at 11:30 a.m. to the rescheduled meeting at 11:00 a.m. on January 18, 2018, in the District Headquarters Building Conference Room A-124, 5700 Almaden Expressway, San Jose, California.

Michelle Meredith
Deputy Clerk of the Board

Approved:

Committee:	CIP
Meeting Date:	1/18/18
Agenda Item No.:	5.1
Unclassified Manger:	Ngoc Nguyen
Email:	nnguyen@valleywater.org

COMMITTEE AGENDA MEMO

SUBJECT: Fiscal Year 2017-18 Consultant Agreements and Amendments to Existing Consultant Agreements.

RECOMMENDED ACTION:
Receive information on upcoming consultant agreements and/or amendments that staff will be recommending for Board approval.

SUMMARY:
At the March 28, 2017 meeting, the Board of Directors approved revising the CIP Committee's purpose to include monitoring implementation progress of key projects in the CIP. Consistent with this direction, the Committee has requested that staff provide regular updates on new consultant agreements and planned amendments to existing consultant agreements.

Staff anticipates recommending Board approval of three (3) consultant agreement amendments within the next few months. A brief description of these recommended amendments are as follows:

1. **Construction Management Services for the Permanente Creek Flood Protection Project – at Rancho San Antonio Detention.** Staff is recommending an amendment to a construction management agreement with Harris and Associates for Board consideration and approval at the February 13, 2018 Board meeting. Construction on the Project began in late 2016, The agreement was originally negotiated with the assumption that one construction manager would be able to manage both the Rancho San Antonio and McKelvey Park Projects. Due to unforeseen impacts (such as a gas line relocation delay and archeological finds during excavation work), it has become apparent that a dedicated construction manager is required for each Project. This amendment will add additional construction management services and archaeological support; extend the agreement schedule; and increase the agreement Total Not-to-Exceed Fee amount from $1,270,410 to $2,083,362.

2. **Construction Management Services for the Permanente Creek Flood Protection Project – at McKelvey Park Detention. –** Staff is recommending an amendment to a construction management agreement with Harris and Associates for Board consideration and approval at the February 13, 2018 Board meeting. Construction on the Project began in early 2017. As mentioned above, the agreement was originally negotiated with the assumption that one construction manager would be able to manage both the Rancho San Antonio and McKelvey Park Projects. Due to unanticipated impacts (PG& E electrical overhead relocation delay, extensive coordination with the adjacent residents and businesses for construction activities, and resequencing of the construction activities due to PG&E delay), it has become apparent that a dedicated construction manager is required for this Project. This amendment will add additional construction management services, extend the agreement schedule, and increase the agreement Total Not-to-Exceed Fee amount from $2,769,851 to $3,203,021.

3. **Design Services for the Pope/Chaucer Street Bridge Replacement .** This Project will replace the existing bridge with a new bridge that will provide additional hydraulic capacity to pass all historic events. Project design began in 2012; however, the Project was suspended in 2013 until additional public outreach was conducted and stakeholders agreed on the bridge configuration. The San Francisquito Creek Joint Powers Authority (SFCJPA), which is the local sponsor for the San Francisquito Creek Flood Protection Project, agreed with the design criteria to carry the maximum flow that is conveyed from the upstream channel with maximum freeboard that can be obtained without impacting the adjacent properties along the road. In addition, Caltrans standard seismic design criteria for slab bridges has been revised requiring a more complicated design process and increasing the cost for preliminary engineering and final design.

   The design of the Project has recently resumed and is scheduled to be completed in the Fall of 2018. The Agreement was amended three times since 2012 to allow time extensions without any rate increases. The contract hourly rates and the cost for the remaining activities have increased since the last amendment. Staff recommends amending the Agreement to increase the Not-to-Exceed amount from $509,797 to $718,700 to address the suspension of the Project from 2013 to 2017 and to fund changes in bridge design criteria.

Staff has been actively monitoring and managing the consultants' performance to meet the goals and terms of the agreements. Monthly meetings and frequent technical discussions are held with the consultants to assess task progress. Both consultants are on task to complete the predefined scope of service of their agreements within their approved not-to-exceed fee. The above-described amendments do not include work already included in the original scopes. There is no portion of project scope or funding not completed in the original agreements that is now included in these amendments.

ATTACHMENT(S):

None.

Santa Clara Valley Water District

Committee:	CIP
Meeting Date:	01/18/18
Agenda Item No.:	5.2
Unclassified Manger:	K. Oven/D. Taylor
Email:	koven@valleywater.org dtaylor@valleywater.org

COMMITTEE AGENDA MEMO

SUBJECT: Review the Long-Term Purified Water Program Elements Project.

RECOMMENDED ACTION:
Receive information and provide direction for project refinements or modifications to be incorporated into the Draft and/or Final Fiscal Years 2019-23 CIP.

SUMMARY:
At the January 30, 2017 CIP Committee meeting, the Committee discussed the proposed FY2018-22 Water Utility Capital Program and the anticipated FY2018 and subsequent years' water rate increases to fund the Program.

In the case of the Expedited Purified Water Program, staff reported to the Committee that the draft 2017 Water Supply Master Plan (WSMP) had identified 24,000 acre-feet per year (AFY) of purified water as a baseline element of the water supply portfolio by 2025. This volume of purified water would be adequate for the District's water supply portfolio until 2040.

Based on the draft WSMP, staff recommended dividing the Expedited Purified Water Program into:

1. A near-term element (producing 24,000 AFY at an estimated cost of $640M) that would remain in the 5-Year CIP; and
2. A long-term element (with an estimated cost of $350M) that would be initiated in the late 2020s or early 2030s.

At the January 30, 2017 CIP Committee meeting, the Committee agreed to staff's recommendation. However, at the February 27, 2017 CIP Committee meeting, the Committee revised the minutes from the January 30, 2017 meeting to reflect a decision to retain the Long-Term Purified Water Program Element in the five-year CIP. The key driver for the Committee's decision was to position the District to be eligible for federal and/or state grant opportunities.

As the draft FY2019-23 CIP is being prepared, staff requests the Committee to again consider the placement of the Long-Term Purified Water Program Element in the District's CIP. The near-term forecast of water rate increases is significantly impacted by the timing of this Project's funding. Table 1 presents the financial projections of North County water rate increases during the next 10 years based on the timing of the subject Project.

Table 1. Projected Annual Water Rate Increases Based on Timing of Long-Term Purified Water Program Element

Project Initiation	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28
FY2023	9.2%	9.2%	9.2%	9.2%	9.2%	9.2%	9.2%	4.0%	3.6%	2.8%

FY2028	8.3%	8.3%	8.3%	8.3%	8.3%	8.3%	8.3%	4.0%	3.8%	2.9%

ATTACHMENT(S):

None.

2017 ACCOMPLISHMENTS – CAPITAL IMPROVEMENT PLAN COMMITTEE

Santa Clara Valley Water District

Item 6

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
01/30/17	Election of Chair and Vice Chair	M. Meredith	Elect Committee Officers 1. Chair 2. Vice Chair	Elected as follows: Chair – N. Hsueh Vice Chair – T. Estremera
	Approval of Minutes, 12/15/16	M. Meredith	Approved minutes.	Approved
	Water Utility Capital Project Prioritization.	C. Hakes	Review and discuss Water Utility capital Program, provide direction on project refinements or modifications to be incorporated into Draft/Final FY18-22 CIP.	• Break down EAPW Program in FY18-22 CIP so funding for EAPW Project is separated from EAPW Expansion; • Refer to RWC for feedback on timelines for implementation of the EAPW Expansion Project • Bring EAPW Expansion discussion back to full Board; • Prepare scenario where Winfield Project is deferred to future and funding is shifted back to General Funds.
	Review Committee Work Plan	Committee	Establish Agenda Topics for Next Meeting(s)	Schedule 2/27/17 meeting, agendize Watershed Streams Stewardship Funding and staff presentation on Almaden Lake Separation Project, including issues raised by McMurtry/Poeschel.
	Next Meeting Date	Committee	Establish Next Meeting Date(s)	February 27, 2017

2017 ACCOMPLISHMENTS – CAPITAL IMPROVEMENT PLAN COMMITTEE

Santa Clara Valley Water District

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
02/27/17	Approval of Minutes, 01/30/17	M. Meredith	Approved minutes.	Approved as amended.
	Watershed Stream Stewardship Funding.	N. Nguyen	Review and discuss the Watershed Capital Program; and Provide direction for project refinements or modifications to be incorporated into the Final FY 2018-22 CIP.	Staff to come back with a complete list of unfunded Watershed Capital Projects, identify those waiting for planning/feasibility study to be completed vs. those that are ready to move forward but have no identified funds, and add on old projects such as the Mid-Coyote Creek and Rock Springs; and identify projects for Governor's $1.5 billion funding.
	Alternative Analysis for Almaden Lake/Creek Separation Project	N. Nguyen	Receive information on the Almaden Lake Improvements Project water options.	
	Response to Letter from Mr. Richard McMurtry, dated January 28, 2017, and Submitted to the Committee on January 31, 2017 as Handout 2-A.	G. Hall	Receive information from staff and discuss an approach for addressing the various requests from stakeholders for fish habitat improvement projects into the CIP.	Staff is to come back with discussion to develop a process/approach for addressing requests from stakeholders, and advise Mr. Holmes of internal process and steps involved in qualifying a project for the preliminary CIP.
	Discuss Committee Purpose	Committee	TBD	Staff is to prepare a Board item regarding new purpose and name change for Board consideration.
	Review Committee Work Plan	Committee	Establish Agenda Topics for Next Meeting(s)	Schedule 03/10/17 10am meeting for discussion of Committee Work Plan
	Next Meeting Date	Committee	Establish Next Meeting Date(s)	03/10/17 10:00 a.m.
3/10/17	Committee Work Plan	Committee	Discuss 2017 Work Plan	Discussed and established discussion schedules for 2017
	Next Meeting Date	Committee	Establish Next Meeting Date(s)	Established regular monthly meeting schedule, 2nd Mondays of Month, 10am – 12pm. Rescheduled next meeting from 4/17/17 1pm to 4/10/17 10am.

2017 ACCOMPLISHMENTS – CAPITAL IMPROVEMENT PLAN COMMITTEE

Santa Clara Valley Water District

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
04/10/17	Approval of Minutes, 02/27/17, 03/10/17	M. Meredith	Approve minutes.	Approved.
	Status of Rock Springs Flood Risk Reduction Study (2012 SCW Program) and Mid-Coyote Creek from Montague Expressway to Hwy 280 (2000 CSC Program) **Assigned at 2/28 Board meeting, Board Agenda Item 6.1*	N. Nguyen/ V. Gin	Receive a status on the Rock Springs Flood Risk Study and Mid Coyote Creek Projects Discuss Strategies Formulate recommendation to the Board **Staff to provide large map showing street names, Coyote Creek, identification of various neighborhoods, and project impact areas.*	Staff to prepare/publish to District website, response to questions raised by Mr. McMurtry Staff to improve District web site to make is easier for public to find flood info, including real time storm data Staff is to continue working with the City of San Jose to develop an Emergency Action Plan Staff is to complete Rock Springs Study and bring to full Board, a report on immediate, intermediate and long term flood protection measures for Coyote Creek, including investigation of conversion of upstream parks to detention basins Committee recommends Board adopt resolution setting time and place of a SCW public hearing to change control process; Hold public hearing/consider modifying Coyote Creek Flood Protection Project to extend boundary to include Rock Springs and propose KPIs to align with project revisions; and authorize Chair Hsueh and M. Richardson to provide oral report to Board.
	Capital Project Consultant Agreements **Assigned at 2/28 Board meeting*	K. Oven, A. Comelo	Identify Board issues regarding Capital Project Consultant Agreements.	Continued to 6/12/17 and staff requested to come back with information that clarifies organization decision making regarding consultants; explains development of scope of work and agreement negotiation; and explains ongoing management and administration of consultant agreements.
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	Added discussion on Owner Controlled Insurance Programs to 5/8/17 meeting.
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	5/8/17 start time changed to 9:30 a.m.

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Santa Clara Valley Water District

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
05/08/17 9:30 a.m.	Approval of Minutes, 04/10/17	M. Meredith	Approve minutes.	Approved
	Watershed Capital Projects Funding (Flood & Stewardship) **Continued from 2/27/17*	N. Nguyen	Analyze funding requirements for Capital Projects funded by stream Stewardship Fund (12) and SCW/CSC Fund (26) Identify funding issues Formulate recommendation to the Board	Committee requests: include in future Draft CIP presentations, more detailed information on how subvention funding is being allocated. Continued to 06/12 with information on: 1) Coyote, Stevens Creek, Guad River, and others to consider identifying projects for FAHCE funding; 2) $62 million unencumbered SCW funds and funding recommendations; 3) list of Watershed Capital Projects not funded through construction; 4) list of unfunded Watershed Capital Projects where commitments for completion have been made.
	Owner Controlled Insurance Programs (OCIP)	D. Cahen	Show cost reduction	Committee requested staff continue to identify/analyze pros & cons of OCIPs and bring discussion back when opportunities arise to consider recommendations on alternatives for specific projects.
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	Revised 06/12/17 meeting to include continued discussion of Watershed Capital Projects Funding; and revise Capital Project Consultant Agreements discussion to include a list of foreseeable amendments to existing Capital Project consultant agreements, including two amendments in progress for the Anderson and Calero Dams Seismic Retrofit Projects and a copy of the Consultant Contract Management Process Audit prepared for the District by Navigant, on March 10, 2015.
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	06/12/17 10:00 a.m.

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Santa Clara Valley Water District

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
06/12/17 10:00 AM	Approval of Minutes, 05/08/17	M. Meredith	Approve minutes.	Approved as revised.
	Watershed Capital Projects Funding (Flood & Stewardship) **Continued from 5/8/17*	N. Nguyen	Provide Information on: • Coyote, Stevens Creek, Guad River, and other projects to consider identifying and making recommendations to the Board on projects for FAHCE funding; • The $62 million unencumbered SCW funds and funding recommendations; • Watershed Capital Projects not funded through construction; and • Unfunded Watershed Capital Projects where commitments for completion have been made.	The Committee identified priorities; suggested Redevelopment Agency, FAHCE; Open Space Credit reduction, and SCW D4, D6, or D7 as alternate funding sources; and requested: Additionally, the Committee made the following requests of staff: 1) approach County re: estimated future RDA Successor funding; 2) come back with number of parcels to be protected by the Lower & Upper Berryessa Projects; 3) come back with proposals to reduce Open Space Credit; 4) come back with impacts of not undertaking East Little Lagas Project; 5) come back with info on activities included and schedule for $140M estimated for FAHCE implementation; 6) investigate opportunities to complete Attachment 2, Lines 15,16 as part of Upper Penitencia Coyote to Dorel; and 7) investigate possibility of FAHCE funding for Attachment 2 Line 7. Continued to 7/10/17 meeting.
	Capital Project Consultant Agreements **Continued from 4/10/17,*	K. Oven, A. Comelo	Analyze and discuss identified issues; Receive information requested during 4/10/17 and 5/8/17 meetings: • Clarify organization decision making regarding consultants • Explain development of scope of work and agreement negotiation • Explain ongoing management and administration of consultant agreements; • Provide list of foreseeable amendments to existing Capital Project consultant agreements, including Anderson and Calero Dam Seismic Retrofit Projects; and • Provide a copy of Consultant Contract Management Process Audit prepared by Navigant March 10, 2015. Formulate recommendation to the Board	Received briefing on amendments planned for 07/11/17 Board mtg, re: Anderson and Calero Dam Seismic Retrofit Projects; requested that staff include in future Consultant Amendment Board items confirmation the amendment does not include work already scoped in original agreement, detail on why amendment is necessary, info on whether consultant or contractors carry responsibility for amendment need, and info on portions of the project scope or funding not completed in original agreement and rolled into amendment; refer the Navigant Consultant Contract Management Process Audit to the Board Audit Committee; and advise the Board of the Committee's referral of the audit.
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	No action.
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	July 10, 2017

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MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
07/10/17 10:00 AM	Approval of Minutes, 06/12/17	M. Meredith	Approve minutes.	Approved with amendment.
	Watershed Capital Projects Funding (Flood & Stewardship) **Continued from 6/12/17*	N. Nguyen	Provide Information on: • Information on Redevelopment Agency, Open Space Credit Reduction, and SCW D4, D6, and D7 funding opportunities; • Implications associated with not completing the East Little Llagas Project; • Information on FAHCE funding Opportunities for the Almaden Lake Separation Project; and • Information on FAHCE funding, geomorphic bank stability, and conservation of habitat land opportunities associated with the Upper Penitencia Creek (Coyote Confluence to Dorel Dr.) Project.	1. Received info on RDA, OSC & FAHCE funding; 2. Confirmed Coyote Creek (Montague to Tully), Almaden Lake, Ogier Pond, Metcalf Pond, and Stevens Creek Fish Barrier Improvements as priority unfunded projects for staff to seek funding alternatives for; 3. Expressed support for tiered OSC reductions and requested staff come back with info on whether OSC reductions could fund projects; 4. Requested staff investigate project components qualifying for FAHCE and seek FAHCE partner concurrence; and 5. Continued to 9/11/17 meeting. Staff also confirmed investigating whether SCW could fund projects w/mercury issues.
	Peoplesoft Upgrade Assessment Study: Findings and Recommendations	A. Tikekar	• Receive & discuss info on Consultant recommendation to go out to bid for a new ERP solution; and • Formulate recommendation re PeopleSoft Upgrade Assessment Study.	Approved recommending that the Board support consultant recommendations to go out to bid for a new ERP solution.
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	Removed Item 6, Coyote Creek (discussed 4/10/17) from the 8/14/17 meeting date and directed staff to: • Provide update on Items 7 & 8 for current FY & include info requested by Dir. LeZotte during 6/12/17 mtg (Mins Pg 3); • Present Item 9 first (Monitoring of Maint of CIP Project Mitigation Commitments); • Add presentation on RWTP Residuals Mgmt Project; and • Add presentation on HQ Op (Maint) Bldg.
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	Authorized staff to reschedule 9/11/17 meeting to 9/18 or 9/25/17, if addl time was needed to complete analysis on Watersheds Projects Funding.

2017 ACCOMPLISHMENTS – CAPITAL IMPROVEMENT PLAN COMMITTEE

Santa Clara Valley Water District

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
08/14/17 10:00 AM	Approval of Minutes, 07/10/17	M. Meredith	Approve minutes.	Minutes approved as presented
	Monitor Implementation of 2018-22 CIP **Expanded Committee Purpose 2/27, ~~to be~~ approved by the Board*	B. Redmond	Receive information on: 1. Monitoring of maintenance of CIP project mitigation commitments 2. *Winfield Warehouse project 3. HQ Operations (Maintenance) Bldg; 4. RWTP Residuals Mgmt Project; 5. *Watershed-wide regulatory planning and permitting 6. *Anderson, Almaden, Chesbro, and Guadalupe Dam Seismic retrofit projects 7. Fishery barrier removal projects 8. FY17-18 new consultant contracts & Planned amendments to existing consultant contracts, including info requested by Dir. LeZotte 6/12/17: a) Confirm amendment does not include work already included in original scope; b) Detail on why amendment is necessary; and c) Info on any portion of project scope or funding not completed in original agreement and now included in amendment at hand. **From Board Budget Message and Strategic Directions*	In regards to Item 4.1, Recommendation B, the Committee made the following requests of staff: • Follow up on recent Board direction to prepare a letter from Board Chairperson Varela to Santa Clara County Board of Supervisors President Cortese regarding the status of watershed-wide regulatory planning and permitting; and • When appropriate, consider facilitating discussion between Board Chairperson Varela and Santa Clara County District 1 Supervisor Wassermann regarding Upper Llagas Creek. In regards to Item 4.1, Recommendation C, as well as in regards to the CDM Smith and HDR Inc. agreements presented in Item 4.2, the Committee requested that staff be diligent in evaluating issues associated with responsibility, accountability, performance, and costs associated with construction delays.
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	The Committee added the following items to the work plan for the next meeting: • A report on alternative funding sources for District projects; and • Discussion on alternative features for the Board Room Audio Visual Project.
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	September 18, 2017

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09/18/17 12:30 PM	Approval of Minutes, 08/14/17	M. Meredith	Approve minutes.	Approval of minutes continued to 10/18/17.
	Scenarios for funding priority projects (Coyote Creek- Montague to Tully, Almaden Lake Improvements, Ogier and Metcalf Ponds/Creek Separation, Stevens Creek Fish Passage Barrier Improvements) **Continued from 01/30/17 and 7/10/17*	N. Nguyen /C. Hakes	Information on the options for using existing revenue to fund priority projects that are currently partially funded.	• Staff to prepare a clarifying statement that Water Utility Funds can be used for environmental projects where a nexus to water rights or water supply issues exist.; • Staff to prepare an analysis that includes high, low and mid-range Open Space Credit scenarios; • Staff to revise Attachment 2 to include additional clarifying details about all available funding and the results achieved by each scenario. • Provide information on the expectation of receiving subventions and grants.
	Report on Alternative Funding Sources for District Projects. Revenue Options Assessment	D. Taylor	Information on feasible alternate funding sources for District projects other than existing tax revenue and water charges.	• Staff to take Mr. Statler's presentation to the Water Retailers Committee and receive feedback; and • Staff to explore Developer Impact Fees further, consult with District Counsel, and place the item in the Committee Work Plan parking lot to bring a recommendation back to the Committee at a future meeting.
	Report of Bids Received for the Board Room AV Project and discussion of alternative features.	S. Tikekar	Advice to staff on how to present the Board room AV project alternatives to the full Board.	
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	Refered the item regarding improvements to the District website for ease of public accessibility to and comprehension of flood information, including real-time data during storm events, to the Coyote Creek Flood Risk Reduction Ad Hoc Committee.
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	Authorized staff to reschedule meeting of 10/09/17 to 10/18/17.

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Santa Clara Valley Water District

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
10/18/17 2:00 PM	Approval of Minutes 8/14/17 and 09/11/17	N. Dominguez	Approve minutes.	Approved
	Scenarios for funding priority projects (Coyote Creek- Montague to Tully, Almaden Lake Improvements, Ogier and Metcalf Ponds/Creek Separation, Stevens Creek Fish Passage Barrier Improvements) **Continued from 01/30/17 and 7/10/17 and 9/18/17*	N. Nguyen /C. Hakes	Information on the options for using existing revenue to fund priority projects that are currently partially funded.	• Stop all activities related to Upper Penitencia; • Use $8 million from Fund 12 to fund unfunded CIPs instead of funding land preservation under Safe Clean Water Project D7 Partnership; • Assume Fiscal Year 2021 Water Utility Enterprise Fund for FAHCE funding will be available; • Lower Berryessa, Phase 3: Push design and planning phases out further to show a continuous schedule; • Grants: Staff to continue to pursue grant funding; and • Include alternative Open Space Credit analysis and funding alternatives. • Refered comments of Ms Moreno and Mr. McMurtry to the FAHCE Committee.
	~~Improvements to District Website, Improving Ease of Public Accessibility to, and Comprehension of, Flood Information, including Real-Time Data During Storm Events (Responding to Committee Request of 04/10/17)~~	~~M. Grimes~~	~~Receive information on to District Website, Improving Ease of Public Accessibility to, and Comprehension of, Flood Information, including Real-Time Data During Storm Events (Responding to Committee Request of 04/10/17)~~	9/18/17 – Improvements to District Website, Improving Ease of Public Accessibility to, and Comprehension of, Flood Information, including Real-Time Data During Storm Events (Responding to Committee Request of 04/10/17) referred to the Coyote Creek Flood Risk Reduction Ad Hoc Committee.
	FY 2017-18 Consultant Agreements and Amendments to Existing Consultant Agreements.	C. Hakes		
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	The Committee reviewed it's Board Strategic Challenges and Board Priorities report and approved for presentation to Board, and rescheduled 11/13/17 meeting to 11/27/17 12:00 p.m. and added to agenda: • Open Space Credit Analysis. (D. Taylor) • Update on Rinconada Water Treatment Plant Reliability Improvement Project and Residuals Management Project.
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	November 27, 2017

2017 ACCOMPLISHMENTS – CAPITAL IMPROVEMENT PLAN COMMITTEE

Santa Clara Valley Water District

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
11/27/17 12:00 PM	Approval of Minutes: 10/18/17	N. Dominguez	Approve minutes.	Approved as amended.
	Water Utility Capital Project Funding (Alternate funding mechanisms) **Continued from 10/09/17*	N. Nguyen C. Hakes D. Taylor	Study feasible alternate funding sources other than water charges Formulate recommendation to the Board	Committee requests: • Take discussion on Development Impact Fees to the City Managers' Association, followed by the Santa Clara Valley Water Commission; • Revise Scenario 8, as contained on Attachment 2, Page 8, to suspend the planning phase of the Upper Penitencia Creek Project, Coyote Creek to Dorel Drive, until Fiscal Year 2019, and provide $2 million to fully fund planning in the Fiscal Year 2019 – 2023 Five Year CIP; • Come back during the Committee's review of the Fiscal Year 2019 – 2023 Five Year CIP, with grant and Open Space Credit funding opportunities for the Project Design and Permit Phases of the Upper Penitencia Creek Project, Coyote Creek to Dorel Drive; • Take discussion on suspension of the Planning Phase of the Upper Penitencia Creek Project, Coyote Creek to Dorel Drive, to the Independent Monitoring Committee for information and feedback; • Begin scheduling the public meetings and hearings necessary, per Safe, Clean Water and Natural Flood Protection Program requirements, to suspend the Upper Penitencia Creek Project, Coyote Creek to Dorel Drive, until the Fiscal Year 2019-2023 Five Year CIP; and • Prepare Scenario 8, as revised, for presentation to the full Board of Directors in January 2018, and include in that presentation an overview of all the alternative funding sources considered by the Committee.
	Update on Rinconada Water Treatment Plant Reliability Improvement Project – Residuals	C. Hakes	Receive information and provide feedback on next steps.	The Committee requested that staff come back during the December 11, 2017 meeting with an update on both projects, information on the Dispute Resolution Board decision on the RWTP Reliability Improvement Project and alternatives for accelerating it, and review and discuss the supplemental items and bid

2017 ACCOMPLISHMENTS – CAPITAL IMPROVEMENT PLAN COMMITTEE

				package relative to implications in terms of Request for Proposals and other ways to motivate the contractor to move forward.
	Report of Bids Received for the Board Room AV Project and Discussion of Alternative Project Features.	S. Tikekar	Receive information and provide direction on alternatives that staff will be recommending for Board approval.	The Committee expressed preference for Option No. 4, as contained on Page 1 of the Committee Agenda memo.
	2017-18 Consultant Agreements and Amendments to Existing Consultant Agreements.	K. Oven		The Committee continued Item 4.4 to the December 11, 2017, meeting.

2017 ACCOMPLISHMENTS – CAPITAL IMPROVEMENT PLAN COMMITTEE

	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	• Include an update on Rinconada Water Treatment Plant Reliability Improvement Project including Dispute Resolution Board Decision, alternatives for accelerating project, and review and discuss the supplemental items and bid package relative to implications in terms of Request for Proposals and other ways to motivate the contractor to move forward. • Include an update on 2017-18 Consultant Agreements and Amendments to Existing Consultant Agreements (Continued from November 27, 2017).
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	The Committee confirmed next meeting would be held December 11, 2017.

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Santa Clara Valley Water District

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
12/11/17 10:00 AM	Approval of Minutes, 11/13/17	M. Meredith	Approve minutes.	Approved with amendments
	2019-23 Preliminary CIP	C. Hakes	Review staff proposed preliminary project lists.	Recommend preliminary CIP be presented to Board at 1/9/18 meeting, and request: • Info on renegotiation of 2004 Cost Share Agmt w/City of Gilroy for So. County Recycled Water Expansion Project; • Clear definition on 1/9/18 of what portions of SCADA project are funded; • Information on 1/9/18 on: FAHCE Stevens Ck Fish Passage Enhancement Project; Stevens Ck Fish Barrier Removal Project; and Multi-Port Project, to demonstrate no double-funding has occurred and assure priority work is funded; • Examine So. Bay Salt Pond Restoration Project and So. Bay Salt Ponds Infrastructure Improvement Project, evaluate what work is being performed in each project and whether the work should be funded as a capital or operations project; • Review/revise manner unfunded projects are presented to clarify which will be funded/transferred to Preliminary CIP list, which are unfunded, and give urgency/priority of unfunded projects.
	Review and Discuss CIP Priority Ranking Criteria and Related Prioritization Outcomes.	C. Hakes	Review Staff proposed priority criteria and projects.	Approved for presentation to Board.
	Update on Rinconada Water Treatment Plant Reliability Improvement Project *Continued from 11/27/17*	C. Hakes	Receive information and provide feedback on next steps.	Received information.
	FY 2017-18 Consultant Agreements and Amendments to Existing Consultant Agreements. *Continued from 11/27/17*	K. Oven	Receive information and provide feedback on next steps.	Suggested staff consider using multiple-project RFP for 3rd Party Construction QA/QC, and expressed support for incorporating limited construction mgmt services to Black and Veatch for Anderson, Calero, Guadalupe, and Almaden Dam Seismic Projects.
	Review Committee Work Plan	Committee	Confirm Agenda Topics for Next Meeting(s)	Rescheduled next meeting to 1/18/18, 11:00 a.m.
	Next Meeting Date	Committee	Confirm/Adjust Next Meeting Date(s)	January 18, 2018

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2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

Santa Clara Valley Water District

Item 7

The CIP Committee was enacted by the Board on January 24, 2012. It purpose was initially defined by the Committee on April 17, 2012 and revised on March 10, 2017. On March 28, 2017 the Board of Directors approved the Committee's revised purpose as follows: *The CIP Committee is established to provide a venue for more detailed discussions regarding capital project validation, including recommendations on prioritizing, deleting, and/or adding projects to the CIP, as well as monitoring implementation progress of key projects in the CIP.*

The CIP Ad Hoc Committee defined its priorities in fulfilling its purpose during its March 11, 2016 meeting, as follows:

Priority	Subject	Details	Desired Outcome
1	Prioritization	• Priority criteria process • Representation of under-represented areas	Hold a daytime, single-focus, Board work study session on CIP prioritization and funding combined.
2	Funding	• Funding unfunded, high priority projects • Holding encumbered, approved project funds in reserves and how this is communicated to the Board and public	
3	Permitting	• Changing the strategy for managing permitting issues • Changing the "Kill the Goose" regulatory agency strategy • Informing the public of regulatory impacts on ability to perform projects	Hold permitting strategy discussion with the Board, including engagement of Board members in regulatory issues.
4	Resources	• Analysis of staff vs. consultant work • Identifying where in the staffing plan it becomes more efficient to hire and develop employees vs. executing contracts with external consultants	Conduct staff vs. consultant resource cost and benefit analysis reviews with the CIP Ad Hoc Committee, prior to recommending the Board approve large dollar value consultant agreements to the Board.

The Board of Directors further identified the following Issues/Challenges, and desired Board Discussion Outcomes, during their October 4, 2016 Priorities and Strategic Directions Work/Study Session, and referred to the CIP Ad Hoc Committee to develop Strategies/Opportunities for the following:

Issue/Challenge	Board Discussion Outcomes
Regulatory Permits and individual agencies exceeding statutory authority limits.	Use Board members' political connection w/communities they represent and local/state/federal elected officials to resolve project issues, such as permits/funding. Leverage Board connections and leave the politics to the Board. Specific suggestions are: • Communication of staff (including legal) to Board on status of permits, federal funding, etc.; • Communication with stakeholders for their support of regulatory permits/issues; • Encourage staff to have dialogue with Board members during the planning of public meetings so all interested groups can benotified; • Continue to meet with local/federal delegation; and • Continue to have ceremonies for completed projects (elected officials).
Projects do not have consistent criterion of sensitive design that has art form and function.	Committee should evaluate ways of addressing environmental justice and sensitive design and bring back to the Board for discussion.
Slow/No progress on fish barrier removal projects. Environmental Stewardship is a "step child," should be equal. Funding competition for Stream Stewardship funds.	Committee to discuss issue/challenge and provide recommendations to the Board.

Additionally, during the March 28, 2017 meeting, the Board requested the Committee identify and bring back information on projects they see as being potentially at-risk, or as having the potential for problems that the Board should be aware of.

The annual work plan establishes a framework for committee discussion and action during the annual meeting schedule. The committee work plan is a dynamic document, subject to change as external and internal issues impacting the District occur and are recommended for committee discussion. Subsequently, an annual committee accomplishments report is developed based on the work plan and presented to the District Board of Directors.

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

PARKING LOT ITEMS:

DATE LISTED	TOPIC (WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY)	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
9/18/17	Explore Developer Impact Fees			

COMMITTEE WORKPLAN:

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
01/08/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	FY 2017-18 Consultant Agreements and Amendments to Existing Consultant Agreements.	N. Nguyen	Receive information and provide feedback on next steps.	
	~~Update on the renegotiation of the 2004 Cost Share Agreement between the District and the City of Gilroy for the South County Recycled Water Expansion Project. (12/11/17)~~	~~Staff~~	~~Receive information and provide feedback on next steps.~~	
	Update on the South Bay Salt Pond Restoration Project and the South Bay Salt Ponds Infrastructure Improvement Project (12/11/17)	Staff	Receive information and provide feedback on next steps.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
02/12/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Update on the renegotiation of the 2004 Cost Share Agreement between the District and the City of Gilroy for the South County Recycled Water Expansion Project. (12/11/17)	H. Ashktorab	Receive information and provide feedback on next steps.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
03/12/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
04/09/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
05/14/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
06/11/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
07/09/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
08/13/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
09/10/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
10/08/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
11/12/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

2018 WORK PLAN – CAPITAL IMPROVEMENT PLAN COMMITTEE

Updated: 12/18/17

MEETING DATE	WORK PLAN ITEM, BOARD POLICY, & POLICY CATEGORY	ASSIGNED STAFF	INTENDED OUTCOME(S)	ACCOMPLISHMENT DATE AND OUTCOME
12/10/18 10:00 a.m.	Approval of Minutes:	N. Dominguez	Approve minutes of previous meeting.	
	Review Committee Work Plan and Meeting Schedule	Committee	• Confirm Agenda Topics for Next Meeting(s) • Confirm/Adjust Next Meeting Date(s)	

Santa Clara Valley Water District

COMMITTEE ACCOMPLISHMENTS

17 January 2018

The Honorable Linda Lezotte
Santa Clara Valley Water District
Vice Chair, FAHCE AdHoc Committee
By email

Re: Questions Concerning Your Letter of December 13, 2017 re: my letter of Oct 17

Dear Ms.Lezotte,

Thank you for your letter of December 13, 2017 and your sensitivity to the plight of my fellow Sonomans. The ordeal of these fires was felt by everyone – including those who were spared the ravages of those 30 mile an hour flames. In the supermarkets, one would see people with ashen faces saying to the person behind them in the checkout line, "We lost everything – everything." And "We got out with 5 minutes to spare before the flames consumed our house." Yet there were also the people working full time who would come to the evacuation centers at night to help out in any way they could the folks stranded in those places. Another example of the human capacity to come together in times of crisis.

Which seques into another crisis. This one in Santa Clara County. I draw your attention to the report by Dr. Jerry Smith in which he shows that the monitoring sites he has been visiting for years that have always had steelhead now have no steelhead. He interprets these results as meaning that the steelhead have been "potentially" extirpated – made locally extinct. His report shows the nexus between water supply operations and the decimation of the fishery and the role that delays in addressing fish migration barriers and reoperation of the reservoir releases has contributed to this sad state of affairs.

Which seques into the statement you made in your letter: "While there is not clearly established nexus for benefits to support the use of water utility funds until the water rights are resolved,…".

I was wondering if you could share with me the logic train by which you conclude that there is not currently a nexus between district water operations and adverse impacts on public trust resources, especially steelhead trout and, conversely, that there is not currently a nexus between proposed changes to district water operations and positive benefits to those same public trust resources.

After your years on the Board, and your receiving pages and pages of testimony, and letters from regulatory agencies and advocacy groups, I am puzzled about the logic you used to conclude that all that information can be dismissed as insufficient to make the case about nexus.

For many of us who have reviewed the data on Santa Clara County streams, there is an overwhelming case for nexus between water supply operations and adverse impacts on public trust resources and similarly overwhelming case for a nexus between proposed changes to water supply operations and benefits to public trust resources. However, you obviously disagree – presumably for good cause. And I would ask you to share your perception of the logic that leads you to believe there is currently no nexus between public trust resources benefits and proposed modified operation of your water supply facilities.

On the other hand, you do raise a valid point, namely, that you can not use water utility funds to pay for public trust resource protections unless it is required by your Water Rights License. I think

that is only true to the extent that having these requirements for protection of public trust resources in your Water Rights Licenses enables you to have an easier legal defense if challenged.

This leaves you with two ways to accomplish this:

1. Delay implementation of the FAHCE Water Rights Settlement until you have gone to the State Water Board and spent another year or so trying to settle the Water Rights Complaint on your terms despite having so many loose ends yet to be resolved.
2. End the delays by petitioning the State Board acknowledging public trust resource impacts of your facilities and proposing an interim set of Phase I projects to be included as requirements/conditions of your water rights licenses, pending resolution of the Water Rights Complaint at an indeterminate date in the future.

As an environmental leader, you should be advocating for option2. But you are not. And presumably for good cause. But what is that cause?

Could you tell me what about option 2 is it that you personally are opposed to?

What is it that you are assuming that the Water District will gain by option 1?

What is it that you are assuming that the Water District will lose by option 2?

I suppose that a well intentioned approve the pieces of the FAHCE agreement that limit the District's liability, that this will be advantageous to the District. Advantageous to the District in the sense of limiting costs and enabling the District to stretch out expenditures over a longer period and enable new issues that arise to be considered outside the scope of the settlement, thereby avoiding battles with the rate payers.

So if that's what you're trying to accomplish, e..g limit the District's liability so you don't have to actually achieve the restoration of a healthy trout population in a timely manner then that makes sense. However, it is a disaster for the trout and the salmon and for this quality of life for this community. And it is environmentally irresponsible. And you should be opposed to such an approach.

Which brings us back to the original question. Why are you not supporting Option 2?

I sincerely believe that you believe you are doing the right thing for the District and for the community. However, I don't understand why you think that. I would appreciate some insight into your thought process.

I write this letter without any aspiration to influencing your thinking in this matter. I just want to understand you. I want to understand, when faced with clear policy choices reflected in the questions above, how do you, as well-intentioned elected official, wrap your mind around these choices to reach a decision.

Sincerely

Richard McMurtry

Richard McMurtry
PO Box 751344, Petaluma, CA 94957
Docent Trainee, Laguna de Santa Rosa Wetlands Preserve