

## Safe, Clean Water and Natural Flood Protection Program **Independent Monitoring Committee**

Tess Byler, Committee Chair  
Hon. Joe Head, Committee Vice-Chair

Farkhondeh "Susan" Kazemi  
Rosalinda Zepeda  
Rolane Santos  
Huy Tran

Hon. Jason Baker  
Bill Hoefl  
George Fohner  
Hon. Patrick S. Kwok

Hon. Dan McCorquodale  
Hon. Stephen Jordan  
Hon. Bob Nunez

February 9, 2022

To: Santa Clara Valley Water District Board of Directors  
Subject: IMC Final Report of Safe, Clean Water FY21 Annual Report

### **SUMMARY**

The Independent Monitoring Committee (IMC) presents this final review of the 2012 Safe, Clean Water and Natural Flood Protection Program (SCW) for the Fiscal Year 2020-2021 (FY21) to the Santa Clara Valley Water District (Valley Water) Board of Directors (Board). The IMC finds that funds from the 2012 Measure B are being spent in accordance with the voter-approved priorities and that Valley Water is acting responsibly to ensure projects move forward in a timely manner. In 2020, voters passed Measure S, replacing Measure B. This report to the Board closes out Measure B and a new IMC on Measure S will conduct annual reviews starting with FY22.

### **PROCESS**

On December 8, 2021, the IMC met to begin its eighth and final annual SCW review process and elected a Chair and Vice-Chair. Subcommittees were formed to review the seven sections of the SCW report: Priorities A, B, C, D, E, Other Projects remaining from Clean, Safe Creeks and Natural Flood Protection Plan (CSC) as well as the Program-level financial information summary section. To review the document, the IMC combined Priorities A and C, and E and Other Projects to form a total of five subcommittees.

The five subcommittees met with Valley Water staff in early January 2022 and presented their findings to the full IMC on January 26, 2022. Each subcommittee elected a Chair. IMC members agreed that subcommittee chairs, led by the IMC Chair, would draft the IMC review to the Board.

The draft review was presented to the IMC on February 9, 2022, for final edits and approval. The IMC provided three levels of input: overview recommendations about SCW included in this letter, specific

IMC Letter to the Board

Page 2 of 2

February 9, 2022

project recommendations for Board review (Attachment 1) and notes for staff for future SCW reports (Attachment 2).

**GENERAL RECOMMENDATION:**

The IMC for the renewed Safe, Clean Water Program should consider reviewing and refining, as needed, the project status rating, namely "On Target," "Adjusted," "Not on Target," "Modified," and "Completed." The IMC's charge is to measure the implementation of the intended results of the program.

We further recommend that the new IMC conduct an early review of the goals and key performance indicators (KPIs) to ensure complete consistency with the ballot measure and to assure that the IMC is comfortable that their application remains transparent to the public.

As we conclude our work as IMC members, we want to let the new IMC for the renewed measure know that we are available to attend, if requested, the first meeting in December 2022 to help with the transition.

**GRANTS:**

The IMC supports the consolidation of grants programs under a single Priority F. We recommend through the renewed Safe, Clean Water IMC that Valley Water make additional efforts to better reach disadvantaged communities, especially Native American communities. We recommend that other forms of non-traditional and non-restrictive outreach are implemented when reaching out to these communities.

We thank the staff for their time to write the SCW report and to answer IMC questions during the many hours of meetings. We thank the Board for their support for our past recommendations.

Sincerely,



Tess Byler, Chair  
Independent Monitoring Committee



Hon. Joe Head, Vice-Chair  
Independent Monitoring Committee

Attachments:

1. IMC Fiscal Year 2020-2021 Annual Report
2. Notes for Future SCW Annual Reports

cc: Independent Monitoring Committee Members



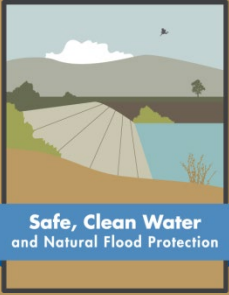
**Independent Monitoring Committee Report  
 Fiscal Year 2020-2021  
 Project Recommendations  
 Priority A - Ensure a Safe, Reliable Water Supply**

Project:		Status:	Comment:
A1	Main Avenue and Madrone Pipelines Restoration	Completed	IMC agrees with the project status. No recommendations.
A2	Safe, Clean Water Partnerships and Grants	On Target	IMC agrees with the project status. No recommendations.
A3	Pipeline Reliability Project	Adjusted	IMC agrees with the project status. No recommendations.



**Independent Monitoring Committee Report  
Fiscal Year 2020-2021  
Project Recommendations  
Priority B - Reduce Toxins, Hazards and Contaminants  
in our Waterways**

Project:		Status:	Comment:
B1	Impaired Water Bodies Improvement	On Target	IMC agrees with the project status. No recommendations.
B2	Interagency Urban Runoff Program	On Target	IMC agrees with the project status. No recommendations.
B3	Pollution Prevention Partnerships and Grants	On Target	IMC agrees with the project status. No recommendations.
B4	Good Neighbor Program: Encampment Cleanup	Not on Target	IMC agrees with the project status. No recommendations.
B5	Hazardous Materials Management and Response	On Target	IMC agrees with the project status. No recommendations.
B6	Good Neighbor Program: Remove Graffiti and Litter	On Target	IMC agrees with the project status. No recommendations.
B7	Support Volunteer Cleanup Efforts and Education	On Target	IMC agrees with the project status. No recommendations.



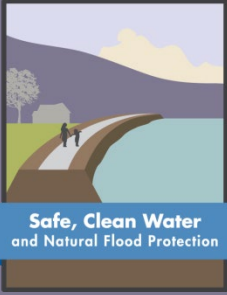
**Independent Monitoring Committee Report  
 Fiscal Year 2020-2021  
 Project Recommendations  
 Priority C - Protect our Water Supply from Earthquakes  
 and Natural Disasters**

Project:		Status:	Comment:
C1	Anderson Dam Seismic Retrofit	On Target	IMC agrees with the project status. No recommendations.
C2	Emergency Response Upgrades	On Target	IMC agrees with the project status. No recommendations.



**Independent Monitoring Committee Report  
Fiscal Year 2020-2021  
Project Recommendations  
Priority D - Restore Wildlife Habitat and Provide  
Open Space**

Project:		Status:	Comment:
D1	Management of Revegetation Projects	On Target	IMC agrees with the project status. No recommendations.
D2	Revitalize Stream, Upland and Wetland Habitat	Completed	IMC agrees with the project status. No recommendations.
D3	Grants and Partnerships to Restore Wildlife Habitat and Provide Access to Trails	On Target	IMC agrees with the project status. No recommendations.
D4	Fish Habitat and Passage Improvement	Adjusted	IMC agrees with the project status. No recommendations.
D5	Ecological Data Collection and Analysis	On Target	IMC agrees with the project status. No recommendations.
D6	Creek Restoration and Stabilization	Adjusted	IMC agrees with the project status. No recommendations.
D7	Partnerships for the Conservation of Habitat Lands	Completed	IMC agrees with the project status. No recommendations.
D8	South Bay Salt Ponds Restoration Partnership	On Target	IMC agrees with the project status. No recommendations.



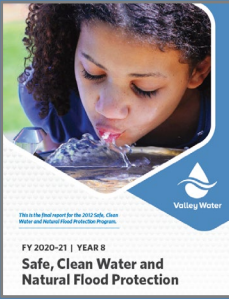
**Independent Monitoring Committee Report  
Fiscal Year 2020-2021  
Project Recommendations  
Priority E - Provide Flood Protection to Homes, Businesses,  
Schools and Highways**

Project:		Status:	Comment:
E1	Vegetation Control and Sediment Removal for Flood Protection	On Target	IMC agrees with the project status. No recommendations.
E2	Emergency Response Planning	On Target	IMC agrees with the project status. No recommendations.
E3	Flood Risk Reduction Studies	On Target	IMC agrees with the project status. No recommendations.
E4	Upper Penitencia Creek Flood Protection - Coyote Creek to Dorel Drive – San José	On Target	IMC agrees with the project status. No recommendations.
E5	San Francisquito Creek Flood Protection - San Francisco Bay to Middlefield Road – Palo Alto	On Target	IMC agrees with the project status. No recommendations.
E6	Upper Llagas Creek Flood Protection- Buena Vista Avenue to Wright Avenue – Morgan Hill, San Martin, Gilroy	On Target	IMC agrees with the project status. No recommendations.
E7	San Francisco Bay Shoreline Protection- Milpitas, Mountain View, Palo Alto, San José, Santa Clara and Sunnyvale	On Target	IMC agrees with the project status. No recommendations.
E8	Upper Guadalupe River Flood Protection- Highway 280 to Blossom Hill Road – San José	Adjusted	IMC agrees with the project status. No recommendations.



**Independent Monitoring Committee Report  
Fiscal Year 2020-2021  
Project Recommendations  
Other Capital Flood Protection Projects and  
Clean, Safe Creeks Grants Projects**

Project:	Status:	Comment:
Permanente Creek Flood Protection San Francisco Bay to Foothill Expressway – Mountain View	Completed	IMC agrees with the project status. No recommendations.
Sunnyvale East and Sunnyvale West Channel Flood Protection San Francisco Bay to Inverness Way and Almanor Avenue – Sunnyvale	Adjusted	IMC agrees with the project status. No recommendations.
Berryessa Creek Flood Protection Calaveras Boulevard to Interstate 680 – Milpitas and San José	Completed	IMC agrees with the project status. No recommendations.
Coyote Creek Flood Protection Montague Expressway to Tully Road – San José	On Target	IMC agrees with the project status. No recommendations.
Calabazas Creek Flood Protection Miller Avenue to Wardell Road	Completed	IMC agrees with the project status. No recommendations.
Clean, Safe Creeks Grants Projects	Completed	IMC agrees with the project status. No recommendations.



# Independent Monitoring Committee Notes Fiscal Year 2020-2021 Notes for future Annual Reports Safe, Clean Water and Natural Flood Protection Program

Subject:	Note:
Financial Appendices	<ul style="list-style-type: none"> <li>• Define refunding in the glossary or add a footnote.</li> <li>• Include information about the different types of reserves, how it is different from contingencies, what is minimum reserve and what does negative reserve mean.</li> <li>• Include in the financial section footnote or text pointing the readers to project updates sections for details on individual projects, including KPIs and project expenditures, etc.</li> <li>• For future annual reports, include in Appendix A-1.2 Cumulative Financial Summary, include the columns showing the "15-year Staff Forecast" and the "15-year Staff Forecast above (below) Adjusted 15-year Plan."</li> <li>• Consider additional graphical representation of the table to enable readers to easily grasp the data contained in the tables. For example, bar graphs on expenditures by priority.</li> <li>• Add a note to the table that these estimates are based on best available data at the time of developing this report and may change in the future due to external factors.</li> </ul>
<b>B5:</b> Hazardous Materials Management and Response	<ul style="list-style-type: none"> <li>• On page 47, correct the pie slice in figure B5.1.</li> </ul>
<b>B7:</b> Support Volunteer Cleanup Efforts and Education	<ul style="list-style-type: none"> <li>• On page 55, correct the pie slice in figure B7.2.</li> </ul>

<p><b>D1:</b> Management of Revegetation Projects</p>	<ul style="list-style-type: none"> <li>• Include text to clarify how Valley Water will employ a more sustainable practice of staff functioning as leads to oversee contract crews.</li> <li>• On page 78, fix the title of Graph D1.2 to “Projected new acreage.”</li> <li>• Clarify that the total projected acres of revegetation to be maintained in future years is higher than the projected new acreage.</li> </ul>
<p><b>E4:</b> Upper Penitencia Creek Flood Protection - Coyote Creek to Dorel Drive – San José</p>	<ul style="list-style-type: none"> <li>• On page 134, under Confidence Levels for Schedule, correct the text to clarify that the Final Planning study was not yet completed as is reflected on page 133.</li> </ul>