

# CEO BULLETIN



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

## **Weeks of May 20 – June 9, 2022**

**Board Executive Limitation Policy EL-7:**

*The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.*

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### **1. Delta Conveyance Projects Updates**

New informational materials on the Delta Conveyance Project (DCP) are now available.

**Story Map:** The Department of Water Resources (DWR) has published an online tool that lays out key aspects of the DCP in a visual manner. Users of the story map can take a tour of the State Water Project (SWP), learn why the SWP needs to be protected, and explore how DCP operations would aid in this need.

**Climate Video:** DWR has published a new video titled Meeting California's New Climate Realities with the Delta Conveyance Project. The video provides an explanation of the DCP's climate resilience in just over one minute.

News Interview: The Delta Conveyance Office Executive Director, Tony Meyers, was recently interviewed alongside other Delta experts in a KCRA 3 segment about the impact of sea level rise on California. The segment features how the DCP could help mitigate impacts.

Community Benefits Program Framework: A draft Community Benefits Program Framework is now available. It provides information on the steps DWR will take to plan and implement a Community Benefits Program separate from, and in addition to, the mitigation required under environmental regulation. This document will also be an appendix to the upcoming Public Draft Environmental Impact Report.

The above materials may be found at these sites:

- Story Map: <https://storymaps.arcgis.com/stories/52dc0a1a3ded44c9b6d33a804fdd260f>
- Climate Video: <https://www.youtube.com/watch?v=vgC2FQyLCcY>
- News Interview: <https://www.kcra.com/article/sea-level-rise-threat-all-californians-whether-they-live-near-coast-not/39799526>
- Community Benefits Program Framework: [https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Public-Information/DCP\\_Draft\\_Community\\_Benefits\\_Program\\_Framework\\_May-2022.pdf](https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Delta-Conveyance/Public-Information/DCP_Draft_Community_Benefits_Program_Framework_May-2022.pdf)

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

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## **2. Municipal Regional Permit for Stormwater Adopted May 11th.**

On May 11, 2022, the San Francisco Bay Regional Water Quality Control Board (Water Board) adopted the third iteration of the Municipal Regional NPDES Permit for Stormwater (MRP 3). Valley Water participated in the development of MRP 3 through multiple meetings with the Water Board, submitted written comments on the draft and revised order, collaborated on a coalition letter with flood protection agencies across the state, and presented verbal testimony at the public hearing on the permit. MRP 3 takes effect July 1, 2022 and is effective for 5 years.

MRP 3 includes several new and amended provisions that may present challenges for Valley Water. These include increased requirements for stormwater treatment; requirements regarding unsheltered homeless populations; cost and asset management reporting; and abandonment of creek status monitoring in favor of trash and stormwater treatment monitoring. New green infrastructure provisions may be the most challenging, potentially adding significant costs to flood protection projects that create or replace impervious surface, including unpaved maintenance roads. The permit also defines levee roads and other unpaved maintenance roads as surfaces requiring stormwater treatment, whereas they were not explicitly regulated previously. Valley Water will need to design projects to avoid runoff, minimize impervious surface, and employ construction standards to infiltrate water wherever possible.

As an MRP co-permittee and chair of the Santa Clara Valley Urban Runoff Pollution Prevention Program, Valley Water is working with Santa Clara County and other municipal partners to find the best ways to achieve effective and cost-efficient compliance.

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

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### **3. Safe, Clean Water Mini-Grant Closeout: Living Classroom's Castlemont School Native Habitat Garden**

In Fiscal Year 2018, Valley Water awarded Living Classroom a \$5,000 Safe, Clean Water Program D3 Mini-Grant for their Castlemont School Native Habitat Garden (Project). Living Classroom completed the Project in June 2021 and submitted the final invoice items on March 30, 2022, allowing for grant closeout.

Living Classroom provides garden-based educational programs through a native ecology curriculum for classrooms. The Project allowed the installation of a 1,446 square foot native garden at Castlemont Elementary School in Campbell. As the largest garden space for the Campbell Union School District, the Project creates a unique space dedicated to bringing ecological awareness to kindergarten to third grade students. The preparation work on the native garden began in 2019-2020. But in March 2020, the project was delayed due to the COVID-19 pandemic and shelter-in-place orders from Santa Clara County. Once in-person classes resumed, Living Classroom continued its lessons, encouraging students to interact with nature and learn more about native plants and wildlife. Living Classroom plans to host several lessons for Castlemont Elementary teachers in the 2022-2023 academic year.

#### **Key Outcomes:**

- Created 1,446 square foot native garden at Castlemont Elementary School.
- Planted over 60 California native plants.
- Provided eight ecology-focused lessons that incorporated native plant species, wildlife habitats, and garden exploration. The lessons allowed students to learn about the positive impact of planting native plant species on local wildlife, habitat creation and watershed stewardship.

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

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### **4. SVAWPC Laboratory designated as a Satellite Lab**

The Silicon Valley Advanced Water Purification Center's (SVAWPC) small water quality laboratory, which is accredited with the California Environmental Laboratory Accreditation Program (ELAP) to perform critical daily bacteriological monitoring, has now received a satellite lab designation. This satellite lab designation, which was approved by ELAP in May 2022, will allow both the Water Quality Lab and the SVAWPC Satellite Lab to perform testing and quality assurance activities under the same quality management system.

In 2021, ELAP adopted National Environmental Laboratory Accreditation Conference's (NELAC) rigorous quality management system, The NELAC Institute (TNI) Standard, that will go into effect in 2024. This new regulation has more rigorous record keeping, auditing, and training requirements. In performing a thorough review of the changes, staff identified an opportunity that would allow both the Water Quality Lab and the SVAWPC Lab to perform testing and quality assurance activities under the same quality management system. Staff applied application in October 2021 for ELAP to consider changing SVAWPC Lab's designation from independent to a satellite lab and the request was approved in May 2022.

This change is expected to eliminate redundancies and streamline lab operations in three major areas: accreditation renewal application process, external audits coordination, and quality system documentation. Under ELAP's 2021 regulations change, the SVAWPC lab is held to the same rigorous quality management system requirements as the Water Quality Lab. The satellite lab designation allows both laboratories to operate under one system with the same procedures, eliminating the need for duplicate documentation and processes, all of which require significant control and maintenance. Accreditation for both labs can now be handled with the same application which is expected to bring cost savings in fees and staff time. A combined bi-annual on-site assessment also brings potential cost savings in reduced assessor fees, coordination time, scheduling, and staff time.

Valley Water has been closely following the new regulations and regularly performs gap analysis and internal audits to identify areas that need to be updated by 2024 to maintain our accreditations in good standing and provide uninterrupted service to all Valley Water projects.

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

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## **5. Third Quarter Fiscal Year 2021-22 Financial Status Update**

Valley Water's third quarter Fiscal Year 2021-22 closed on March 31, 2022. The third quarter financial status update presentation summarizes cash and investment balances, the debt portfolio and includes a detailed comparison, and analysis, of the budget to actual status of revenues and expenditures for all funds as of March 31, 2022.

The presentation was provided to the Board Audit Committee on May 23, 2022 and has been submitted separately to the Clerk of the Board as a Non-Agenda item for your reference.

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

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## **6. Valley Water Highlights Shoreline Construction Progress for U.S. Rep. Ro Khanna**

On May 31, 2022, Valley Water hosted U.S. Representative Ro Khanna (CA-17) at Alviso Marina County Park to show him the construction progress for the South San Francisco Bay Shoreline Phase I Project (Phase I Project). He was joined by his district office staff, as well as the Chief of Staff to San Jose Councilmember David Cohen. Valley Water provided a brief project overview and explained the current funding challenges, as the Phase I Project still has a federal funding shortfall of at least \$100 million. Valley Water has been vigorously advocating with the Biden Administration, Congress, and the U.S. Army Corps of Engineers (USACE) that the federal government must live up to its original commitment to fund much of this critical flood protection and environmental justice project, or else it risks being delayed for many years. Rep. Khanna has been very engaged in helping to move the project forward, including pressuring USACE to fulfill its funding commitment and keep the project on schedule. Rep. Khanna continues to offer his assistance every step of the way, and Valley Water is working with his staff on several follow-up action items.

Rep. Khanna was in Alviso to visit two projects for which he submitted Community Project Funding requests (known as earmarks in past years) for Fiscal Year 2023 (FY23), and the Phase I Project is one of those projects. Rep. Khanna submitted Valley Water's request for \$10 million for the Reaches 4-5 levee as part of the FY23 appropriations process. The request will now be considered by the full House Appropriations Committee.

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

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## **7. Valley Water Hosts Two Coyote Creek Flood Management Measures Open House Events**

On May 25 and 26, 2022, Valley Water hosted two in-person open house events to update neighbors on the Coyote Creek Flood Management Measures Project (CCFMMP). Director Santos provided opening remarks at the May 25 open house held at the Golden Wheel Mobile Home Park. This community meeting was also live streamed on Facebook Live. Director Keegan gave opening remarks at the May 26 open house held at Selma Olinder Park. The reaches that are part of the CCFMMP are in both directors' districts.

Thirty-five neighbors attended both in-person events, and ten participated via Facebook Live. Information on the project's design details was shared via informational posterboards, with staff available to answer questions in one-on-one conversations. Staff from the City of San Jose's Parks, Recreation, and Neighborhood Services also attended.

The next project update will be scheduled before the start of construction, anticipated in Fall 2022, and public meetings on the Coyote Creek Flood Protection Project will occur in 2023. A recording of the public meeting is available on the project's webpage: [www.valleywater.org/coyote-creek](http://www.valleywater.org/coyote-creek).

For further information, please contact Rachael Gibson at (408) 781-4739.

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## **8. Valley Water Presents at Cal Water Efficiency Partnership (WEP) Peer to Peer Conference**

Valley Water conservation staff are presenting at the California Water Efficiency Partnership 2022 Peer to Peer conference in Sacramento on June 2 and 3, 2022. Peer to Peer is an annual event to bring water conservation professionals across Northern California to collaborate and share ideas.

Senior Water Conservation Specialist Justin Burks will participate on a panel focusing on Valley Water's partnership with the Bay Area Water Supply Conservation Association and the California Water Efficiency Partnership to develop a leak detection and repair training certification for irrigation and plumbing professionals, ultimately generating a regional referral list for customers. The panel session titled, "So Your Customer Has a Leak . . . Now What?" will cover the insights obtained from focus groups with plumbers and irrigations professionals to better understand motivations and barriers to mitigating residential leaks; suggested frameworks for indoor and outdoor training programs; as well as agency efforts targeting customer-side leaks. Justin will be supported by Water Conservation Specialist Mary Samar for this session.

Water Conservation Specialist Nick Simard will be presenting on a panel focusing on Valley Water's Landscape Rebate Program and specifically the lawn removal aspect of the program. The panel session is titled "Lawn Replacement Programs: Three Agency Case Studies" and will cover the challenges these programs were presented with as the drought has escalated and how public enthusiasm for participating in these programs has surged. Nick will be supported by Senior Water Conservation Specialist Ashley Shannon for this session.

The conservation staff is eager to attend this event and present Valley Water's successful efforts in these programs along with gaining knowledge on other agencies' water conservation tools and programs. The team hopes by sharing their experiences that they may be able to assist other agencies and organizations in reaching their water conservation goals.

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

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**9. Water Management Agreements Executed in May 2022**

Pursuant to EL-5.1.6 and EL-5.3.3, the CEO is required to inform the Board on a timely basis when imported water management agreements are executed. The imported water management agreement executed in May 2022 is listed below:

- May 6, 2022 - Purchase Agreement (#A4631W) for 2022 water transfer between Butte Water District and Valley Water: Provides for the transfer of up to 5,500 acre-feet of water from Butte to Valley Water in 2022.

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

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