

CEO BULLETIN



To: Board of Directors
From: Norma J. Camacho, CEO

Weeks of June 19 – July 2, 2020

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. Coyote Creek Flood Protection Project Virtual Public Meetings Update

On June 17, 2020, Valley Water held the last of three virtual public meetings on the Coyote Creek Flood Protection Project. The Zoom event focused on project details relevant to communities in District 2, represented by Valley Water Director Barbara Keegan, who provided opening and closing remarks. Valley Water Vice-Chair Tony Estremera and Director Linda LeZotte also joined as attendees.

There were approximately 76 community members participating in the live event that highlighted recommended Coyote Creek Flood Protection Project alternatives, along with other project details including information on Valley Water's proposed Federal Energy Regulatory Commission (FERC) Order Compliance Project (FOCP) for the Anderson Dam Seismic Retrofit Project. Some elements of the Coyote Creek Flood Protection project are part of the FOCP—namely measures needed to

protect properties against the larger flows that will be released from the dam's new outlet tunnel. Participants were also informed of the presentation on the Engineer's Report for the Anderson Dam FOCF that was provided during the Valley Water Board of Directors Meeting on June 23, 2020.

Like the previous two virtual public meetings held on June 10 and 11, 2020, Spanish and Vietnamese interpreters were available during the Zoom event, which was livestreamed via Facebook and included various Valley Water staff who answered questions on multiple topics ranging from creek maintenance to the drawdown of Anderson Reservoir.

All three public meeting recordings are now available on Valley Water's YouTube channel and Facebook. So far, the June 17, 2020 meeting has garnered 700 views while all the meeting views to date total approximately 7,000 views. The video links along with meeting materials are available on the project webpage. Valley Water will also be updating the frequently asked questions document with responses to all the questions posed during each of the three Zoom events.

Valley Water is planning another public meeting series later this year to update the community and gather their input on the design of the Coyote Creek Flood Protection Project.

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

2. Delta Conveyance Project Updates

All of the following updates relate to the proposed Delta Conveyance Project:

California Environmental Quality Act (CEQA)

The California Department of Water Resources (DWR) is reviewing more than 800 comments received during the public scoping period that concluded in April 2020 and is preparing a scoping report and Draft Environmental Impact Report (EIR). DWR expects to release the Draft EIR in 2021 and project alternatives sometime prior for public review and comment.

National Environmental Policy Act (NEPA)

On June 18, 2020, the California Department of Water Resources (DWR) submitted a permit application to the U.S. Army Corps of Engineers (USACE) pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act for the proposed Delta Conveyance Project. A Section 404 permit is required prior to construction in navigable water/waters of the U.S.. DWR submitted the application now in order to engage USACE in environmental review under NEPA in coordination with DWR's preparation of an EIR under CEQA. USACE is now expected to issue a Notice of Intent to initiate preparation of an Environmental Impact Statement, providing another opportunity for public input into scoping of the project.

On May 22, 2020, DWR received a "Statement of No Objection" letter from the Central Valley Flood Protection Board enabling DWR to engage in early consultation with USACE and the Central Valley Flood Protection Board during development of the environmental documents.

AB52 Tribal Consultation

DWR sent project notification letters to 121 Tribes. To date, 12 have requested consultation.

Environmental Justice and Disadvantaged Communities

DWR will conduct surveys, interviews and small group briefings in the coming months to gather input on the usage and value of environmental resources in the Delta by disadvantaged communities. This information will be used to outline a draft scope of DWR's environmental justice objectives that will be available for public comment as an appendix to the Draft EIR.

Design and Engineering

The Delta Conveyance Design and Construction Authority (DCA) is continuing to develop engineering and design information to help inform the environmental review process. This information is being presented to the Stakeholder Engagement Committee (SEC) to generate input and ideas that help avoid or minimize potential local effects of the project. The DCA is also reaching out to other members of the Delta community and county health and safety service providers.

More information can be found at the following website: <https://water.ca.gov/deltaconveyance>.

For further information, please contact Jerry De La Piedra at (408) 630-2257.

3. Extending Memorandum of Understanding for the Recycled Refinery Water Exchange Project

Valley Water entered into a Memorandum of Understanding (MOU) with Central Contra Costa Sanitary District (Central San) and Contra Costa Water District (CCWD) in April 2018 to explore the possibility of the Refinery Recycled Water Exchange Project (RRWE). The RRWE is a regional potable reuse project that involves Central San providing recycled water to CCWD customers and then CCWD providing Valley Water the Central Valley Project (CVP) contract supply that would have gone to those CCWD customers.

The main tasks of the MOU are to estimate the potential yield and associated costs of the RRWE. The preliminary analysis indicates that the RRWE may provide Valley Water up to 11,000 acre-feet (AF) of water per year, on average. This additional supply could help Valley Water meet its level of service goals, especially during dry years. However, regulatory and operational uncertainties could impact the reliability of Valley Water receiving the project water.

The preliminary life-cycle costs for the exchange project are estimated to be \$2,300/AF to \$2,800/AF per year. Project costs would primarily be allocated among Central San and Valley Water. The allocation approach still needs to be negotiated under the guidance of Valley Water's Board of Directors. Since the MOU was set to expire on June 30, 2020, an amendment to the MOU was fully executed by Valley Water's CEO on June 22, 2020, to extend the MOU for one year. This extension allows the partners to complete the remaining tasks of negotiating the cost allocation and finishing the preliminary feasibility report.

For further information, please contact Jerry De La Piedra at (408) 630-2257.

4. Homeless Encampment Abatements

The Center for Disease Control issued guidance during the COVID-19 pandemic that homeless encampment abatements be paused, unless housing solutions are available, in an effort to reduce the spread of the virus. Valley Water conducts encampment abatements in partnership with local municipalities and largely with the City of San Jose (CSJ). The municipality is responsible for posting the sites for cleanup and for providing police and outreach services.

The City of San Jose has informed Valley Water that the CSJ Emergency Operations Center policy to suspend abatements remains in effect and is in alignment with public health guidance. Valley Homeless Healthcare and Public Health has begun COVID-19 testing at encampments of ten or more. Allowing people to remain in place is critical to contact tracing.

To address safety during the summer Stream Maintenance Program work season, Valley Water has asked for CSJ's assistance while working in areas occupied by homeless encampments. Areas of concern include Guadalupe River and Coyote Creek where popular locations are occupied by between 5-50 visible dwellings. CSJ's Housing Dept has agreed to send street outreach teams to work sites to notify people that work crews will be operating in the area and ask that they move. San Jose Police has agreed to assist with prework assessments as are Valley Water security and contract services. In the event a work area is deemed unsafe, the work activity will be postponed.

For further information, please contact Sue Tippetts at (408) 630-2253

5. Pacheco Reservoir Expansion Alternative of the San Luis Low Point Improvement Projects recommended to receive \$1.7 million for continued studies in FY 21 under the WIIN Act.

Valley Water has been working with the Bureau of Reclamation (Reclamation) since 2018 on the San Luis Low Point Improvement Project (SLLPIP) Federal Feasibility Report which identified the Pacheco Reservoir Expansion Alternative (Pacheco) as the preferred alternative. During the past two years, both Reclamation and Valley Water have been working hard to transition the SLLPIP from CalFed Bay-Delta Authorization Act, which has been the funding mechanism from the beginning of the Project, to Water Infrastructure Improvements for the Nation (WIIN) Act of 2016, as CalFed was expiring.

On June 22, 2020, Interior Assistant Secretary for Water and Science, Timothy Perry, sent a letter to the Congressional Subcommittee on Energy and Water Development requesting \$108.7 million in funding for surface water storage projects in California, Washington, and Idaho under the WIIN Act. Included in these ten projects is the SLLPIP, which was recommended to receive \$1.7 million for continued studies in FY21 for Pacheco.

This first step in funding keeps Reclamation engaged in the Pacheco Reservoir Expansion Alternative and places the Project in line for construction funds from WIIN, its extension, or replacement programs. The Project is now eligible to receive annual funds for continued studies related to design and permitting. Reclamation will proceed with expenditure of construction funding once the Project is found to be feasible, which Valley Water and Reclamation are hoping will happen at the end of 2020. SLLPIP is eligible to receive funding for up to 25 percent of its construction costs. Congress must include SLLPIP in the annual Energy and Water Development Appropriations Act to continue to fund the projects.

For further information, please contact Christopher Hakes at (408) 630-3796.

6. Palo Alto Flood Basin Tide Gate Structure Replacement Project - Virtual Public Meeting Update

On June 24, 2020, Valley Water hosted a virtual public meeting on the Palo Alto Flood Basin Tide Gate Structure Replacement Project with approximately 48 community members as part of the live audience. The event was emceed by Melanie Richardson, Valley Water Chief Operating Officer of Watersheds, and featured opening remarks by Valley Water Director Gary Kremen. Palo Alto Councilmember Alison Cormack was also present for the meeting.

Streaming via Zoom and Facebook Live, Valley Water provided background on the structure's history and previous attempts to repair and address the tide gate structure's aging condition. Valley Water presented on the urgency behind the project's construction, recommended project

alternatives and how various environmental and trail impacts will be addressed as part of the project's planning and construction. Valley Water also fielded questions from community members and will be producing a frequently asked questions document that will include responses to many of the questions posed during the meeting.

The virtual public meeting recording is now available on Valley Water's YouTube channel and Facebook. As of June 26, 2020, the meeting has received 293 views. The video links along with meeting materials are available on the project web page. Valley Water is currently working on the Draft California Environmental Quality Act (CEQA) Mitigated Negative Declaration document and plan to post for public comment in Summer 2020.

For further information, please contact Marta Lugo at (408) 646-7441.

7. Pilot A2 Water Conservation Mini-Grant Program Launches on June 29, 2020

On June 29, 2020, Valley Water will launch its Water Conservation Mini-Grant program and begin accepting online applications for mini-grant funding of up to \$5,000 for start-up projects that help save water. The program has a total of \$100,000 in water conservation mini-grant funding available on a rolling basis through December 31, 2020 or until all available funding is awarded.

The Valley Water Board of Directors approved this pilot A2 Water Conservation mini-grant program on February 11, 2020. This grant funding is part of the Safe, Clean Water and Natural Flood Protection Program, which was approved by voters in 2012, that allows Valley Water to reinvest into the community for meaningful projects.

Projects must meet one or more criteria of helping identify potential water reduction technologies and methods; researching new and innovative technologies; and/or conducting educational or outreach opportunities related to water conservation. Projects must demonstrate matching funds of at least 25% of the total project cost (monetary or in-kind) to be eligible and may be authorized for full or partial requested funding. Projects must be completed within two years.

Valley Water is conducting outreach for this grant opportunity, including hosting virtual information sessions on July 15, 2020 and July 28, 2020; e-blasts to stakeholder lists; social media posts; and countywide NextDoor posts. More information about the grant award process, eligibility criteria, minimum qualifications and how to apply can be found at valleywater.org/grants.

Valley Water will return to its Board at the end of the pilot with an evaluation regarding the effectiveness of the program and a recommendation on whether to continue the A2 mini-grant program in future years.

For further information, please contact Marta Lugo at (408) 646-7441.

8. Safe, Clean Water Grant Closeout: Bay Area Older Adults' FY19 D3 Watershed Appreciation Program

The Bay Area Older Adults (Grantee) Watershed Appreciation Program (Agreement No. A4260R) has been completed and closed out.

The Bay Area Older Adults received a \$5,000 Safe, Clean Water D3 Mini Grant for the Watershed Appreciation Program. The program agreement was executed on May 31, 2019 and was completed on November 14, 2019. Bay Area Older Adults provided outdoor educational programs for visually

impaired older adults to experience Santa Clara Valley Water District (Valley Water) watersheds firsthand. All four programs within the Watershed Education Project were completed with a total participation of 44 visually impaired older adults.

Key Outcomes

1. Program participants increased their knowledge of the four watersheds located at the following locations: Los Alamitos Creek, Guadalupe Slough, Stevens Creek and Penitencia Creek. Pre- and post-walk surveys indicated an increase in participant knowledge of the creeks from an average of 0-22% to 78-100%, respectively.
2. Educational materials, such as plans and guides, were created that incorporated the senses of touch, smell, hearing and taste.

For further information, please contact Rick Callender at (408) 630-2017.

9. Safe, Clean Water Grant Closeout: West Valley-Mission Community College District's FY16 D3 Wildcat Creek Native Vegetation Enhancement Program

As of June 30, 2019, the West Valley College Wildcat Creek Native Vegetation Enhancement Program grant has been closed out.

The West Valley-Mission Community College District received a \$165,000 Safe, Clean Water Program D3 grant for the West Valley College Wildcat Creek Native Vegetation Enhancement Program. The agreement was executed on June 17, 2016 and the project was completed on June 30, 2019. This project was located on the West Valley College campus in Saratoga, CA.

The project removed approximately two acres of invasive, non-native vegetation, within the West Valley College campus and revegetated the area with native species propagated from a collection of native vegetation planted on campus during past native re-vegetation efforts on campus.

Key Outcomes

1. 500 riparian plantings were installed in Fall 2017 and received supplemental irrigation, weeding, maintenance and monitoring through 2018. This included training personnel to perform invasive and native plant management and fieldwork in riparian woodland habitat.
2. Areas of 2017 invasive plant species removal were re-checked and re-treated as needed.
3. Created a "Stream Team" task force consisting of West Valley College administration and faculty to engage and integrate this project into their curriculum.
4. 72 polygon areas of invasive plants (approximately four acres) were checked in the Spring and Fall of 2018 for newly emerging/re-sprouting invasive plants.
5. Created a natural outdoor "classroom" and living laboratory in newly restored creek corridor that raises student and public awareness of environmental issues and restoration.
6. In the Spring of 2019, a walkthrough of the creek corridor was conducted to locate and map occurrences of invasive species to assist in future maintenance and monitoring.
7. Facilitated collaboration and received overwhelming support from City of Saratoga, neighborhood groups, local community group volunteers and West Valley College students.

For further information, please contact Marta Lugo at (408) 646-7441.
