

July 17, 2020

To: Honorable Chair Hsueh and Members of the SCVWD Board
From: Meg Giberson, on behalf of Leagues of Women Voters of Santa Clara County
RE: **Safe, Clean Water, Proposed Parcel Tax—July 21 SCVWD hearing**

Because the SCVWD (Valley Water) proposed its Safe, Clean Water parcel tax for the 2020 November ballot less than a month ago—the proposal appeared for the first time on the June 23, 2020 Valley Water Board agenda—and gathering consensus from groups affected by the current pandemic required extra time, a written comment from the Leagues of Women Voters of Santa Clara County was not available for the July 14 meeting.

Therefore, on behalf of the five Leagues of Women Voters of Santa Clara County, I submit these remarks (made orally at that July 14 Valley Water meeting) for delivery to the Valley Water Board for the July 21, 2020 Safe, Clean Water hearing, and for the written record. A copy of the five Leagues' statement on League letterhead follows.

After identifying myself as working with the League of Women Voters, and clarifying that the League is

“an organization fully committed to diversity, equity, and inclusion in principle and in practice. Diversity, equity, and inclusion are central to the organization's current and future success in engaging all individuals, households, communities, and policy makers in creating a more perfect democracy”,

I delivered the following message:

On behalf of the five Leagues of Santa Clara County, which include Cupertino, Los Altos/Mountain View, Palo Alto, San Jose/Santa Clara, and Southwest Santa Clara Valley, I have been authorized to deliver the following statement on Item 2.7, Safe Clean Water:

The Leagues of Women Voters of Santa Clara County express their concern regarding the Resolution language that authorizes the tax to continue "until ended by voters" ("Resolved, Fourth, H"). A sunset clause, such as the 15-year term specified in previous SCVWD parcel taxes, ensures that the District returns to the voters for renewal or revision.

Also, the fourth-highest-scoring priority in the most current SCVWD/FM3 community input survey results ("building sustainable, locally controlled water supply projects that are drought resilient", which had an overall score of 91%) was not included in the selected six priorities covered in the parcel tax Resolution. By most definitions, this means the important categories of recycled water, stormwater reuse, greywater programs, recycled wastewater are not priorities for these funds. Yet, these categories

were also high scorers in both this most recent survey and the SCVWD/EMC voter survey conducted in 2017.

We request that you include this area in the priorities covered by the parcel tax Resolution.

Thank you for the opportunity to speak

Respectfully,

Meg Giberson

Statement released by the Leagues of Women Voters of Santa Clara County:



Leagues of Women Voters of Santa Clara County
3921 E Bayshore Road, Suite 209
Palo Alto, CA 94303

July 14, 2020

Statement given by Meg Giberson for the LWV CC to the Santa Clara Valley Water District at their Board meeting.

LWV CC Statement:

The Leagues of Women Voters of Santa Clara County express their concern regarding the Resolution language that authorizes the tax to continue "until ended by voters" ("Resolved, Fourth, H"). A sunset clause, such as the 15-year term specified in previous SCVWD parcel taxes, ensures that the District returns to the voters for renewal or revision.

Also, the fourth-highest-scoring priority in the most current SCVWD/FM3 community input survey results ("building sustainable, locally controlled water supply projects that are drought resilient", which had an overall score of 91%) was not included in the selected six priorities covered in the parcel tax Resolution. By most definitions, this means the important categories of recycled water, stormwater reuse, greywater programs, recycled wastewater are not priorities for these funds. Yet, these categories were also high scorers in both this most recent survey and the SCVWD/EMC voter survey conducted in 2017. We request that you include this area in the priorities covered by the parcel tax Resolution.

Michele King

Subject: FW: My comments for tomorrow's board meeting
Attachments: SCW Stewardship calculations ballot measure.pdf

From: Kit Gordon <kitgordona@gmail.com>

Date: July 20, 2020 at 10:14:39 AM PDT

To: Nai Hsueh <nHsueh@sbcglobal.net>

Subject: My comments for tomorrow's board meeting

Hi Nai,

I hope you are well. I appreciate your leadership on the board.

Here are the main points I will make at tomorrow's board meeting regarding the parcel tax measure.

1. In the IMC's Year 6 annual report earlier this year, the IMC requested, and the request was approved, for the IMC to provide input for this ballot proposal. I don't know why a meeting was not scheduled. After reading the June 23 ballot language and realizing that no IMC meeting had been scheduled, I requested a meeting but was told there would be a minimum 4-week lead time, pushing the meeting date the board's decision date. There are many issues in the proposal that I think need to be discussed. I am continuing to work with staff to improve the language but the entire IMC would have had greater input.

2. Another item in the IMC's Year 6 report is the lack of progress on Priority D as compared to other projects. The new ballot measure reduces funding even more - it is even less than the remaining budget of the 2012 SCW. I want to be assured that commitments from 2012 SCW are being met. See table below. Priority D is especially vulnerable because, unlike other programs, Priority D is almost completed funded by SCW.

3. A third item in the IMC's annual report is a concern about grant efficiency. The new ballot measure has significantly fewer grant cycles which will help reduce grant administration's work load, but expanding grants to individuals could be a large burden on grant administration. There could be thousands of applications. I recommend a slow start to this new, broad F9 grant program and roll out grants to individuals after Year 5. The new F9 grant program is very broad and I think we need some time to work out administration of these diverse categories with agencies, muni's and NGOs first.

4. I think there are a few "fatal flaws" to this proposal and I fear it will not pass, especially this coronavirus-stressed November. The lack of sunset date is such an easy target for anti-tax advocates. The large debt carried over to years 16-30 makes the 15-year check-in with IMC and voters not a real gate because the program will be carrying significant debt.

Please let me know if you have questions or if there is anything I can do to help.

Take care,

Kit

650-787-9580

Stewardship Projects

Comparison of budgets of 2012 Safe Clean Water and 2020 ballot proposal

Program	Percent funded by SCW	2012 SCW Spent up to Year 6	2012 SCW Remaining by FY2028	2012 SCW TOTAL	2020 proposal SCW TOTAL
Riparian, upland, wetland habitat	100%	\$ 3.3M	\$ 14.9M	\$ 18.2M	\$ 8.1M
Wildlife Habitat Grants Pollution Prevent Grants Creek Clean-up Grants	100%	\$ 11.7M	\$ 22.4M	\$ 34.1M	\$ 17.6M
Fish habitat and passage	87%	\$ 8.7M	\$ 36.9M	\$ 45.6M	\$ 43.6M
Ecological data collection & analysis	68%	\$ 2.3M	\$ 6.7M	\$ 9M	\$ 7.5M
Creek channel function	74%	\$ 1.3M	\$ 17.2M	\$ 18.5M	\$ 14.5M
Sediment for Salt Ponds	100%	\$ 0.3M	\$ 4.2M	\$ 4.5M	\$ 4.1M
Total		\$ 27.6M	\$ 102.3M	\$ 129.9 M	\$ 94.5 M

Sources: Year 6 Safe Clean Water (SCW) Annual Report; July 21, 2020, Board Meeting Packet

Note: Mitigation programs D1 Revegetation Management and D7 Conservation Land Acquisition are not included as stewardship. Mitigation is for negative impacts to ecosystems and therefore is not to be considered a stewardship gain.

The 2020 proposal includes only \$94.5M for stewardship projects. This is \$35.4M less than the 2012 Safe Clean Water. It is even less than the remaining budget for 2012 Safe Clean Water for years FY21-28. All of the 2020 proposed budget for stewardship projects would need to be spent by 2028 in order to fulfill 2012 Safe Clean Water promise to voters. This means there would be no money for stewardship in years FY29-FY38 of the ballot measure.

Why does this matter?

1. Unlike other programs in Safe Clean Water, stewardship projects are funded completely or nearly completely by SCW.
2. Unlike other programs in Safe Clean Water, stewardship project funding and progress has lagged considerably. After Year 6, or 40% of the years, only ~20% of the funding has been spent.
3. The voters in 2012 expected their Safe Clean Water parcel tax investment in stewardship to be accomplished by year FY28.

Michele King

Subject: FW: Water and Flood Protection Program

From: Tom Battle <tmbattle@gmail.com>

Sent: Monday, July 20, 2020 2:15 PM

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

Subject: Water and Flood Protection Program

July 20, 2020

Honorable Chair Nai Hsueh and Board Members
Valley Water
5750 Almaden Expressway
San Jose, CA 95118

Dear Chair Hsueh and Board Members:

It is imperative, in my mind, that the parcel tax **not** be used to fund water supply projects!

California's critical waterways are in much worse environmental shape today than they were at the time of the first Earth Day in 1970. Policies of past years have enormously increased pressure on these resources, which are important contributors to the health of our planet and the livelihoods of future generations. Without informed, proper action species will go extinct due to unsustainable water management. Stronger protections for the Delta are needed to protect thousands of jobs and health of the environment.

Toward that end, expansion of the Pacheco Reservoir should be funded by the ratepayers who will benefit from the water supply. When water is subsidized, people use it less efficiently. Conversely, when the full cost of developing and delivering water is incorporated into its price structure, a signal is sent to consumers to conserve water and use it more efficiently.

Demographic projections for Santa Clara County are changing, and the COVID-19 pandemic is rapidly exacerbating them. The County is likely to see less growth than previously forecast, and less demand per capita. Therefore, Valley Water should be cautious about moving forward with expensive water supply and storage projects that might prove unnecessary.

Please take steps to accomplish the following:

- a) Remove the water supply projects from the parcel tax. Instead target flood protection, water quality and environmental stewardship projects.
- b) Revise water supply planning for the post-pandemic era, based upon enlightened demand projections. Conservation and water reuse should be prioritized by Valley Water.
- c) Utilize water utility revenues, not parcel tax funds, to pay for any required water supply mitigation.

Thank you for your consideration of these points.

Best Regards,

Thomas M. Battle

Los Altos Hills, CA
650-242-2681

Michele King

Subject: FW: Parcel Tax comment

-----Original Message-----

From: Deborah Levoy <deblevoy@gmail.com>
Sent: Monday, July 20, 2020 2:04 PM
To: Board of Directors <board@valleywater.org>
Subject: Parcel Tax comment

Dear Board Members,

I live in San Jose, CA and I am requesting that you revise the language to protect funds earmarked for the environment and to include a 15-year sunset date, just like the current parcel tax. Your mandate is protect our environment.

Thank you,
Deborah

Michele King

Subject: FW: Add Protection for the Environment in new parcel tax measure

-----Original Message-----

From: Sybil J. Cramer <sybilcramer@mac.com>

Sent: Monday, July 20, 2020 1:21 PM

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

Subject: Add Protection for the Environment in new parcel tax measure

Dear Members of the Board,

I urge you to look over the current language for the new parcel tax proposal — and specifically add passages that will keep funding for environmental initiatives!

It is unacceptable in this current moment in seeing the consequences of extreme climate change, that you would reduce funding dedicated to protect the environment.

I would like to hear back from you or your staff that the wording has been changed to include environmental protections and initiatives — and the parcel tax have a limit of time it will be in effect. That is, could there be a 10 or 15 year sunset date?

Thank you,

Sybil Cramer
Parent Liaison
Los Altos High School
Green Team
PTSA Founding Chair
LAHS Sustainability Committee

Michele King

Subject: FW: Fish Report: Freshwater Biodiversity in Freefall: An Emergency Recovery Plan to Slow the Decline

Should we assign?

From: mark rockwell <mrockwell1945@gmail.com>

Sent: Monday, July 20, 2020 9:41 AM

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

Subject: Fwd: Fish Report: Freshwater Biodiversity in Freefall: An Emergency Recovery Plan to Slow the Decline

All: I am sending this report on the significant decline in freshwater biodiversity so you can read about how important the FAHCE effort is to both your community and your region. Please note that the request I have made in my email and letter (sent yesterday) - "act immediately to increase water flows and reduce temperatures called for in the agreement" is the #1 Priority of Freshwater Scientists around the world. Relative to the flows in the streams in the FAHCE agreement, this is not something that requires State Water Board approval, and would be the best action you can take now to stabilize the watersheds of Coyote Creek, Stevens Creek & Guadalupe River. In reality, I believe your customers and residents would love to hear that Valley Water is taking action to help reduce the declines in freshwater ecosystems in your region, and this action gives you leverage asking for support for the coming parcel tax, which provides funding for multiple projects by Valley Water, including the FAHCE agreement. Thanks for reading about why improved flows transcend just your local region, and helps you in the eyes of your voters.

Dr. Rockwell

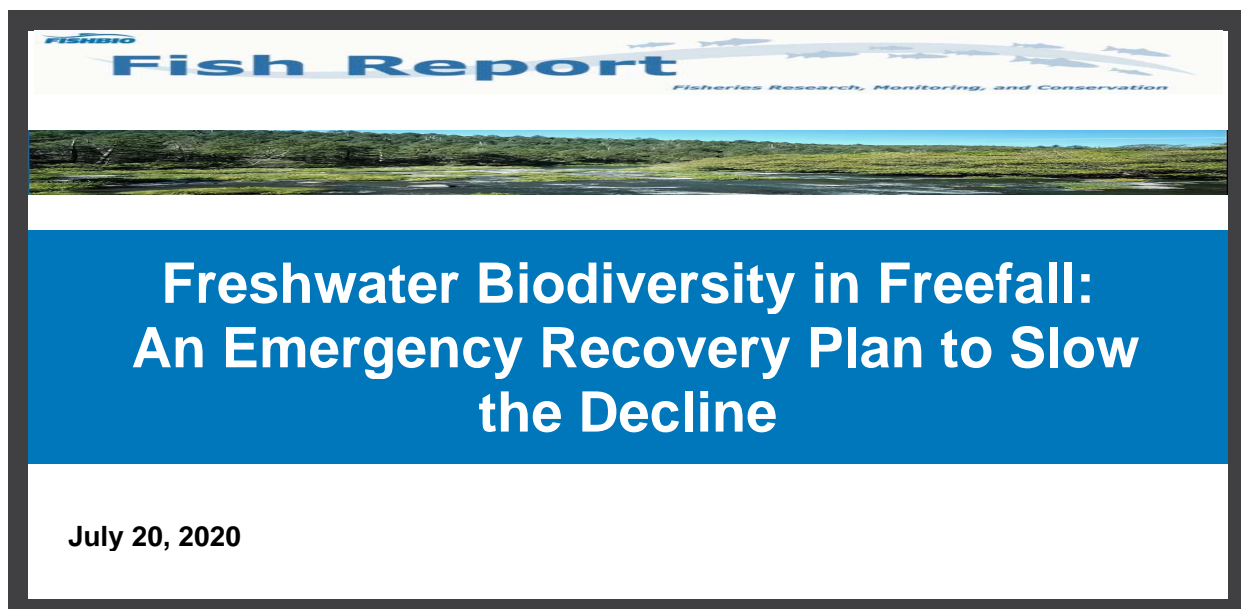
-----Original Message-----

From: FISHBIO <fishreport@fishbio.com>

To: chamerstad@aol.com

Sent: Mon, Jul 20, 2020 7:30 am

Subject: Fish Report: Freshwater Biodiversity in Freefall: An Emergency Recovery Plan to Slow the Decline



The crisis of freshwater biodiversity loss warrants an emergency intervention. Virtually all ecosystems are experiencing declines in biodiversity due to human activities and climate change, but none have been hit as hard as freshwater habitats. While freshwater systems harbor a trove of diversity, including [one-third of all known vertebrate](#) species, freshwater losses have received little notice, despite the fact that an estimated [30% of natural freshwater ecosystems](#) have disappeared since 1970. The impending review and update of several important international agreements on conservation – including the United Nations' [Convention on Biological Diversity](#) (CBD) and [Sustainable Development Goals](#) (SDGs) – has prompted freshwater scientists from around the world to propose a series of actions to address threats to freshwater ecosystems. Their recent publication in the journal *BioScience* provides an Emergency Recovery Plan to “bend the curve” of steep freshwater biodiversity loss by suggesting ways to incorporate freshwater-specific conservation objectives into these existing frameworks ([Tickner et al. 2020](#)). The plan consists of six Priority Actions that target [drivers of global freshwater biodiversity decline](#), including flow alteration, pollution, habitat degradation and loss, overexploitation of species, invasive nonnative species, and loss of connectivity. Each action is tailored to one driver, but the authors emphasize that problems in freshwater systems are often synergistic, and addressing any one issue will likely provide benefits towards addressing others.

Priority Action 1 is to implement environmental flows to address the changes in volume, timing, and variability of river flows that have been caused by human water management and [exacerbated by climate change](#). While methodologies for developing environmental flow strategies have been [successfully implemented](#), these approaches need to be expanded. Priority Action 2 is to improve water quality for the benefit of aquatic life. This will require a variety of approaches to address the numerous origins of pollution, including wastewater, industrial, and agricultural sources. In addition to government regulation and economic tools, [nature-based solutions](#) such as wetland restoration may provide a cost-effective approach to reducing the impact of pollution.

Priority Action 3 addresses the need for protection and restoration of critical freshwater habitats. The [numerous causes](#) of freshwater habitat loss include conversion of land for agriculture and reductions in connectivity due to dams and levees. Importantly, addressing this issue requires [stakeholder engagement and spatial assessments](#) to most efficiently and effectively protect habitat. Priority Action 4 is to manage the exploitation of freshwater organisms and riverine sand and gravel. [Existing policies](#) to regulate harvest practices are generally insufficient, as are regulations related to the [expanding extraction](#) of river substrates for building materials. Recent frameworks have laid out steps to achieve sustainability of [freshwater fisheries](#), and suggestions have also been made for reducing sand and gravel extraction. However, a lack of data remains a major impediment.

Priority Action 5 deals with the prevention and control of invasive species. Freshwater habitats are [exceptionally susceptible](#) to invasions, which often have major [ecological](#) and [economic](#) consequences. The best approach is to prevent invasion before it begins, as control or eradication is expensive and difficult. A [few programs](#) that prioritize actions to address invasive species may serve as examples for similar initiatives elsewhere. Finally, Priority Action 6 tackles the need to restore and protect connectivity among freshwater habitats. [Strategic, basin-scale planning](#) can balance the need for water storage and hydropower with maintaining connectivity. Further, the removal of obsolete dams can help to restore and reconnect degraded ecosystems.

The Emergency Recovery Plan explains how each of these actions could be incorporated into existing international agreements. In some cases, there is already alignment between existing targets and Priority Actions – such as [CBD Aichi Target 9](#) and Priority Action 5.

Where gaps exist, the plan provides suggestions for modification of existing targets or development of new ones. The review of international agreements provides a unique opportunity to slow the precipitous decline of biodiversity in freshwater ecosystems, but will require a wide diversity of individuals, organizations, and governments to take charge at both national and local levels. Researchers also have a key role to play in developing better freshwater biodiversity indicators and collecting higher-resolution data. While every action suggested in this plan has been accomplished somewhere in the world, the real challenge will be to scale up these successes to create a global, strategic approach.

On the FISHBIO Blog



Touring Korea's Fish Markets

After spending a week in talks and symposia at the recent World Fisheries Congress in Busan, South Korea, FISHBIO staff were keen to set eyes on some actual fish. During the Congress, Busan's mayor Suh Byung-soo credited deep-sea fisheries with helping to revive the country's economy after the Korean War. Korea is home to a large ocean fishery for a country of its size, and we came to appreciate the importance of seafood once we witnessed its variety firsthand. We poked around two large fish markets: the... [Read more >](#)

FISHBIO Service Spotlight



Honolulu Bar Restoration and Floodplain Enhancement

California's lower Stanislaus River is crucial habitat for steelhead trout and fall-run Chinook salmon, but it lacks large stretches of silt-free gravel that the fishes need to spawn and their eggs need to develop. During the Gold Rush, dredges deposited vast quantities of gravel into large piles, forming in-stream islands like the Stanislaus River's Honolulu Bar. To address this issue, FISHBIO worked with the Oakdale Irrigation District, the U.S. Fish and Wildlife Service, CBEC, and River... [Read more >](#)

Fisheries News: Stories you might have missed

Blasting begins on Middle Fork Nooksack dam to restore salmon habitat



KING 5 – Monday marked a major milestone in the dam removal project on the Middle Fork Nooksack River. Blasting began to remove the first major section of the structure. Work has been underway at the site since the start of the year. The project will eventually restore 16 miles of fish habitat... [Read more >](#)

Garamendi secures wins for Delta and Central Valley in Water Resources Development Act



Patch – Today, Congressman John Garamendi (D-CA), a senior member of the House Committee on Transportation and Infrastructure, whose district includes 200 miles of the Sacramento River and is adjacent to several major ports, secured key provisions in the “Water Resources... [Read more >](#)

Predation by Caspian terns on young steelhead means fewer return as adults



EurekAlert! – Caspian terns feeding on young fish have a significant impact on runs of steelhead in the Columbia River, research by Oregon State University suggests. Through detailed analysis of steelhead survival and Caspian tern predation rates, the researchers found that the birds are... [Read more >](#)

New study questions how brown trout can live in highly toxic metal-polluted environments



MENAFN – The question of how brown trout (*Salmon trutta*) can live in waterways polluted by toxic metals is being tackled by PhD student Daniel Osmond in a new collaboration between the Game & Wildlife Conservation Trust Wales and Exeter and Cardiff Universities. Daniel... [Read more >](#)

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Sent by fishreport@fishbio.com

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Dr. Mark Rockwell, D.C.
President & VP Conservation,
Northern Calif. Council,
Fly Fishers International
5033 Yapple Ave.
Santa Barbara, CA 93111
mrockwell1945@gmail.com
530 559-5759 (cell)

Michele King

Subject: FW: Parcel Tax ballot measure in November

From: Melissa Hippard <mhippard@gmail.com>

Sent: Monday, July 20, 2020 2:48 PM

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

Subject: Parcel Tax ballot measure in November

Greetings Members of the Board,
I am a resident of San Jose and appreciate the important role
Valley Water plays in our community.

I also am very concerned about the lack of a sunset date for the
proposed new funding measure. It is absolutely imperative that a
sunset date be part of the ballot measure. I support a 15 year
sunset date.

I am also concerned about the historic lack of investment in natural
resources as ecosystem services. Valley Water needs to lead on
how to work with nature to provide services - less dams and
concrete, more natural flow and interagency partnerships (County,
Resource Conservation Districts, OSA). Funds to invest in this
strategy are critical for staffed projects as well as partnerships with
community organizations. Please increase funds directed at natural
resource management and protection.

Thank you.
Melissa Hippard
San Jose, CA

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Stay safe, be well. Practice good hygiene. Enjoy a slower pace. See you on the other side of the
crisis.

~Melissa