



Santa Clara Valley Water District Board Policy and Planning Committee Meeting

Headquarter Boardroom
5700 Almaden Expressway

SPECIAL MEETING AGENDA

**Tuesday, January 2, 2024
2:00 PM**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

BOARD POLICY AND PLANNING COMMITTEE

Nai Hsueh - Director District 5
Tony Estremera, Director District 6
Rebecca Eisenberg, Director District
7

During the COVID-19 restrictions, 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 to the public through the legislative body agenda web page at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

COMMITTEE CLERK

Michele L. King, CMC
Clerk, Board of Directors

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

Santa Clara Valley Water District
Board Policy and Planning Committee
SPECIAL MEETING
AGENDA

Tuesday, January 2, 2024

2:00 PM

Headquarter Boardroom
5700 Almaden Expressway
San Jose, 95118

IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a “hybrid” meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to comply with Ordinance 22-03 - AN ORDINANCE OF THE SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM FOR PARTICIPATION IN BOARD AND COMMITTEE MEETINGS located at <https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/s3fs-public/Ord.pdf>

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee during public comment or on any item listed on the agenda, may do so by filling out a Speaker Card and submitting it to the Clerk or using the “Raise Hand” tool located in the Zoom meeting application to identify yourself in order to speak, at the time the item is called. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board.

- Members of the Public may test their connection to Zoom Meetings at: <https://zoom.us/test>
- Members of the Public are encouraged to review our overview on joining Valley Water Board Meetings at: <https://www.youtube.com/watch?v=TojJpYCxXm0>

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This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has

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Join Zoom Meeting:

<https://valleywater.zoom.us/j/81170871803>

Meeting ID: 811 7087 1803

Join by Phone:

1 (669) 900-9128, 81170871803#

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA.

Notice to the public: Members of the public who wish to address the Board/Committee on any item not listed on the agenda may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify yourself to speak. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board/Committee. Speakers' comments should be limited to three minutes or as set by the Chair. The law does not permit Board/Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board/Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board/Committee may take action on any item of business appearing on the posted agenda.

3. APPROVAL OF MINUTES:

- 3.1. Approval of Minutes. [23-1279](#)

Recommendation: Approve the November 6, 2023, Minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: November 6, 2023 Minutes](#)

4. REGULAR AGENDA:

- 4.1. Election of 2024 Board Policy and Planning Committee Officers. [23-1282](#)

Recommendation: Nominate and elect the 2024 Board Policy and Planning Committee Chairperson and Vice Chairperson.

Manager: Michele King, 408-630-2711

- 4.2. Upper Pajaro Watershed Plan Priority Actions. [23-1284](#)

Recommendation: A. Review and provide input on One Water Upper Pajaro Watershed Plan Priority Actions; and
B. Recommend staff present the One Water Upper Pajaro Watershed Plan to the Board of Directors for consideration.

Manager: Lisa Bankosh, 408-630-2618

Attachments: [Attachment 1: Upper Pajaro Watershed Plan Priority Actions](#)
[Attachment 2: PowerPoint](#)

- 4.3. Review Proposed Changes to Board Governance Policies-Executive Limitations (EL) 3- Human Resources. [23-1300](#)

Recommendation: A. Review and provide input on the proposed changes to Board Governance Policies, Executive Limitations (EL) 3 -Human Resources; and
B. Consider elimination of BAO Interpretations for (EL) 3; and
C. Recommend that the revisions be presented to the full Board for approval.

Manager: Patrice McElroy, 408-630-3159

Attachments: [Attachment 1: EL-3 Redline](#)
[Attachment 2: BAO Interpretations - EL-3 Redline](#)

- 4.4. Review proposed Changes to Board Governance Policies-Executive Limitations (EL) 8-Inclusion, Equal Employment Opportunity, Discrimination/Harassment Prevention, and Diversity. [23-1301](#)

Recommendation: A. Review and provide input on the proposed changes to Board Governance Policies, Executive Limitations (EL) 8 - Inclusion, Equal Employment Opportunity, Discrimination/Harassment Prevention, and Diversity; and

B. Recommend that the revisions be presented to the full Board for approval.

Manager: Patrice McElroy, 408-630-3159

Attachments: [Attachment 1: Revised Board Governance Policy Executice Limite](#)

- 4.5. Review Board-Approved Committee Purpose and Draft 2024 Work Plan and Meeting Schedule. [23-1281](#)

Recommendation: A. Review the Board Policy and Planning Committee's Board-assigned Purpose;

B. Review the draft 2024 Board Policy and Planning Committee's Work Plan and incorporate any new tasks; and

C. Schedule Committee meetings as appropriate.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 2024 BPPC Work Plan](#)

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

6. ADJOURN:

- 6.1. Adjourn to Regular Meeting at 2 p.m., on February 5, 2024.



Santa Clara Valley Water District

File No.: 23-1279

Agenda Date: 1/2/2024
Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Approval of Minutes.

RECOMMENDATION:

Approve the November 6, 2023, Minutes.

SUMMARY:

A summary of Committee discussions, and details of all actions taken by the Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the district's historical records archives and serve as historical records of the Committee's meetings.

ENVIRONMENTAL JUSTICE IMPACT:

There are no Environmental Justice impacts associated with this item.

ATTACHMENTS:

Attachment 1: November 6, 2023, Minutes

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711



BOARD POLICY AND PLANNING COMMITTEE MEETING

DRAFT MINUTES

**Monday, November 6, 2023
2:00 PM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

1.1 ROLL CALL

A regular meeting of the Santa Clara Valley Water District (Valley Water) Board Policy and Planning Committee (Committee) was called to order at 2:00 p.m. on November 6, 2023.

Board Members in attendance: Director Nai Hsueh – District 5; Director Tony Estremera – District 6, constituting a quorum of the Committee. Director Rebecca Eisenberg – District 7, arrived as noted below.

Staff members in attendance: Aaron Baker, Lisa Bankosh, Mark Bilski, John Bourgeois, Rick Callender, Theresa Chinte, Jennifer Codianne, Rachael Gibson, Chris Hakes, Brian Hopper, Bassam Kassab, Michele King, Marta Lugo, Patrice McElroy, Brian Mendenhall, Katie Muller, Tony Ndah, Carlos Orellana, Leslie Orta, Melanie Richardson, Greg Williams, Liang Xu and Tina Yoke.

2. Time Open for Public Comment on Any Item Not on Agenda

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

3. 3.1 Approval of Minutes.

The Committee considered the September 7, 2023, meeting minutes.

It was moved by Director Estremera, seconded by Director Hsueh, and unanimously carried, to approve the September 7, 2023, Minutes as presented, with Director Eisenberg absent.

4. Information and Action Items

4.1 Discuss Board Meeting Rules and Procedures

Director Eisenberg arrived during presentation of this item.

Carlos Orellana, District Counsel, provided background on and review of the Board's current parliamentary procedures (GP-12), and gave a brief description of Robert's Rules of Order and Rosenberg's Rules of Orders.

The following input/questions were noted from the Committee:

There needs to be better enforcement of the Board meeting rules and procedures currently documented within GP-12.

The policies in GP-12 are adequate; however, the board should refamiliarize themselves with the language.

Does the language in Robert's Rules of Order allow the Board more efficiently/effectively address the issues raised about the role of the chair running the meeting, time limit for director discussion, and germaneness?

Carlos Orellana stated that in Valley Water's rules (GP-12) and Rosenberger's rules there is no difference for time limits for debate. Rosenberg's has a detailed explanation how a motion to limit debate might work. Robert's Rules require a 2/3 vote for limiting debate.

There were no changes identified for GP-5 – Chairperson's Role.

It was Committee consensus to send the Board Meeting Rules and Procedures back to the Board with the comparison information that was included in the Committee memo, along with the Committee comments and questions and staff's answers, for the Board to discuss and consider if the current language in GP-12 and GP-5 should be modified.

4.2 Review Proposed Changes to Board Governance Policies – Executive Limitations (EL) 5 – Procurement.

Chair Hsueh and Tony Ndah, Deputy Administrative Officer, reviewed the information as contained in the memorandum, and the committee engaged in discussion.

It was moved by Director Hsueh, seconded by Director Estremera, and approved, with Director Eisenberg voting No, to recommend for Board consideration staff's proposed revisions to EL-5, increasing the threshold for Competitive Procurements on Consultant Contracts from \$225,000 to \$500,000; increasing the threshold for Non-Competitive Procurements on Consultant Contracts from \$225,000 to \$500,000; increasing the exemption time period from 1 month to 3 months for solicitations that do not receive responses; increasing the exemption limit on sponsorships from \$5,000 to \$10,000; include the research and comparisons for threshold increase for Competitive and Non-Competitive Procurements on Consultant Services Contracts for Board information; and authorized the Chair Hsueh to work with staff to review and propose wording modifications so the public can better follow and understand the policy.

4.3 One Water Guadalupe Watershed Plan Priority Actions.

Lisa Bankhosh, Assistant Officer, reviewed the information on this item as contained in the memorandum, and Katie Muller, reviewed the information in the PowerPoint Presentation.

Director Hsueh requested that staff include flood areas that individual directors are concerned about and how they connect to the One Water plan.

Katja Irvin, San Jose resident, asked for and received clarification on how the data was collected for the area income for the disadvantage communities.

It was moved by Director Eisenberg, seconded by Director Estremera, and unanimously approved to request that staff present the One Water Guadalupe Watershed Plan to the full Board for consideration.

4.4 Sea Level Rise Design Criteria.

Emily Zedler, Senior Engineer, reviewed the information on this item as contained in the memorandum and the PowerPoint presentation.

Eileen McLaughlin, Citizens Committee to Complete the Refuge, expressed concern for the inclusion of sea level rise data in District policies, as well as design and planning processes.

Arthur Keller asked for and received clarification on sea level rise inclusion in groundwater level rise behind levies.

Katja Irvin, expressed concern for design criteria for projects currently being planned, listed emission scenarios, impacts on advanced water treatment plants, and project life span information.

4.5 Review Committee 2023 Work Plan and Meeting Schedule.

Chair Hsueh reviewed the work plan and meeting schedule and noted that there were no items scheduled for the December meeting so it will be cancelled.

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

No Report.

6. ADJOURNMENT

Chair Director Hsueh adjourned the meeting at approximately 4:20 p.m.

Michele L. King
Clerk of the Board

Approved:



Santa Clara Valley Water District

File No.: 23-1282

Agenda Date: 1/2/2024
Item No.: 4.1.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Election of 2024 Board Policy and Planning Committee Officers.

RECOMMENDATION:

Nominate and elect the 2024 Board Policy and Planning Committee Chairperson and Vice Chairperson.

SUMMARY:

The Board Policy and Planning Committee (BPPC) was established support to the Board in areas of:

1. Board planning process;
2. Board Committees' principles and structures;
3. Board and organization performance monitoring; and
4. Other tasks as assigned by the Board.

The Committee is comprised of three Board members, and has a Chairperson and Vice Chairperson, who serve as the Committee's primary and secondary facilitators, and Committee representatives. The Committee Chairperson and Vice Chairperson are elected by the Committee annually.

ENVIRONMENTAL JUSTICE IMPACT:

There are no Environmental Justice impacts associated with this item.

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711



Santa Clara Valley Water District

File No.: 23-1284

Agenda Date: 1/2/2024

Item No.: 4.2.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Upper Pajaro Watershed Plan Priority Actions.

RECOMMENDATION:

- A. Review and provide input on One Water Upper Pajaro Watershed Plan Priority Actions;
and
- B. Recommend staff present the One Water Upper Pajaro Watershed Plan to the Board of Directors for consideration.

SUMMARY:

At their November 6, 2023 meeting, the Board Policy and Planning Committee received information on the status of the One Water long range-planning program, including the flood vulnerability analysis process, and reviewed and provided input on the Guadalupe Watershed Plan Priority Actions. The purpose of this item is to solicit review and input on the Upper Pajaro Watershed Plan Priority Actions. Staff will incorporate this feedback and, if directed by the Committee, will present the Upper Pajaro Watershed Plan to the full Board of Directors for consideration.

The Upper Pajaro Watershed Draft Priority Actions (Attachment 1) were identified through metric data analysis, expert and stakeholder input, and the flood vulnerability assessment.

Flood Risk Reduction Priority Actions

Results of the flood vulnerability assessment identified the following areas in the Upper Pajaro Watershed as vulnerable to a 25-year flood event: portions of urban areas in Morgan Hill and San Martin, agricultural areas east of Gilroy and Highway 101, Highway 101 north of the State Route 25 interchange, and portions of southern Gilroy and the Uvas Creek-Pajaro River confluence. These flood vulnerabilities will be addressed by future flood protection projects and planning studies included in the Priority Actions. The Upper Llagas Creek Flood Protection Project, which is currently under construction, will provide 100-year flood protection within downtown Morgan Hill, protecting approximately 1,100 homes and 500 businesses, and 10-year flood protection for approximately 1,300 agricultural acres in Morgan Hill, Gilroy, and San Martin. Santa Clara Valley Water District

(Valley Water) is supporting the implementation of the Highway 101/State Route 25 Interchange Project, led by Valley Transportation Authority (VTA) and Caltrans, which includes construction of culverts and detention basins to alleviate recurrent flooding of Highway 101 in the vicinity. Finally, a future planning study included in the Priority Actions will assess flooding from Uvas Creek downstream of Santa Teresa Boulevard in Gilroy and propose flood risk reduction measures to alleviate flooding of urbanized areas and the portion of Highway 101 adjacent to Uvas Creek. There are approximately 400 acres and 5,466 parcels adjacent to Uvas Creek at risk of flooding from a 25-year flood event. Additional Priority Actions were identified to maintain flood protection assets and restore capacity to existing creek channels.

The total order of magnitude cost of short-term (0-10 year start time) flood protection actions within the Upper Pajaro Watershed is projected to be between \$10.5 million and \$102.3 million. These order of magnitude estimates are based on comparable recent projects and do not reflect a defined level of service, which is determined during the project definition and planning study phase. Staff are developing a countywide flood protection master plan project, anticipated to begin in FY27 (following completion of One Water plans for all watersheds), to create an implementation plan for all One Water flood risk reduction actions.

Ecological Resources and Water Quality Priority Actions

Ecological Resources and Water Quality Priority Actions reflect an intensive stakeholder engagement process involving staff and participation from numerous external agencies, organizations, partners, and community groups. Ecological Resource actions reflect the Upper Pajaro Watershed's diverse natural resources and seek to conserve sensitive natural communities, improve habitat connectivity, expand riparian corridors, enhance fish passage, and work with partners to enhance ecological assets such as San Felipe Lake. Water quality actions recognize the importance of expanding data collection efforts to improve understanding of existing conditions, reducing the impact of agriculture on water quality, and partnering with cities to address urban runoff issues. To guide and track implementation of ecological resources and water quality Priority Actions, staff will develop the Upper Pajaro Native Ecosystem Enhancement Tool. Mirroring a similar resource created for a portion of the Coyote Watershed, the tool will provide specific guidance on where different ecological enhancement actions are most physically and ecologically appropriate. The GIS-based tool will assess land ownership and land use, reflect the value of agricultural land uses in the watershed, and show the distribution of sensitive natural resources, along with numerous other factors, to prioritize, coordinate, plan, and support implementation of many projects called for in the ecological resources and water quality Priority Actions.

The total order of magnitude cost of short-term water quality and ecological resource actions within the Upper Pajaro Watershed is projected to be between \$14.1 million and \$133.8 million. The range of costs includes partnerships; however, Valley Water's role and cost contributions are yet to be determined with specificity (e.g., technical expertise or cost sharing).

ENVIRONMENTAL JUSTICE IMPACT:

There are no environmental justice impacts associated with this item.

ATTACHMENTS:

Attachment 1: Upper Pajaro Watershed Plan Priority Actions
Attachment 2: PowerPoint

UNCLASSIFIED MANAGER:

Lisa Bankosh, 408-630-2618

ATTACHMENT 1: UPPER PAJARO WATERSHED PRIORITY ACTION LIST

Action Number	Priority Action	Description	Activity Type	Partner Agencies	Involved Valley Water Department	Implementation Timeframe (Years)	Valley Water Cost Estimate*
Flood Risk Reduction (FRR) - Short Term Actions							
FRR-01	Identify and assess open space areas adjacent to creeks compatible with flood detention and environmental protection for incorporation into future flood protection projects.	<p>The Pajaro watershed has a lot of open land and there is potential for flood detention, environmental restoration/enhancement, and FloodMAR: Flood-Managed Aquifer Recharge. This involves using open space to collect and detain flood waters and allowing it to recharge the groundwater aquifers while also reducing flood risk.</p> <p>The Pajaro Watershed does not drain into the S.F Bay as the other main watersheds in Santa Clara County, but instead drains southwest to Santa Cruz and Watsonville where Pajaro River ultimately enters the Pacific Ocean. There is concern for potential induced flooding in those downstream areas with any flood protection measures in the Pajaro Watershed that increase the flows downstream. Flood detention measures reduce flows downstream and could provide flood risk reduction benefits for not only Santa Clara County but San Benito and Santa Cruz counties as well.</p> <p>Instead of raising floodwalls and/or levees, identifying and utilizing recreational areas for potential flood risk reduction projects (i.e. McKelvey Park Baseball field & detention basin), will resolve various issues such as higher construction and o&m costs and reducing significant environmental impacts and mitigation costs. Feasibility and planning studies will need to be developed as well as coordinating support from city/county entities that may share right-of-way/land rights to determine appropriate maintenance operations post design and construction.</p> <p>Valley Water has begun coordinating with the Santa Clara Valley Open Space Authority to pursue this concept at the Pajaro River Agricultural Preserve (see ECO-1).</p>	Assessment/Study	Santa Clara County Parks and Recreation Department, City of Morgan Hill, City of Gilroy, OSA, PRWFPA	Watersheds Stewardship and Planning Division, Hydrology, Hydraulics, and Geomorphology Unit	0-10	\$\$
FRR-02	Complete planning and design and implement Lower Llagas Creek Capacity Restoration Project	<p>This project plans, designs, and constructs improvements on 7.15 miles of Lower Llagas Creek, from Buena Vista Avenue to Pajaro River, to accomplish the following objectives:</p> <ol style="list-style-type: none">1. Evaluate the current flood risk in the area surrounding the project versus the design level flood risk2. Develop options to provide flood protection for Lower Llagas Creek Reaches 2 and 3 in accordance with Federal Emergency Management Agency criteria where applicable3. Identify feasible opportunities for environmental restoration and corridor preservation4. Coordinate planning, design, and construction efforts with the South County Regional Wastewater Authority	Project	City of Gilroy	Business Planning and Analysis, Watersheds Design and Construction, Unit 6	0-10	\$\$\$\$

FRR-03	Support Valley Transportation Authority's implementation of US 101/SR 25 Interchange Project - Phase 1	Valley Transportation Authority and Caltrans are working to resolve the traffic congestion issues at the intersection of Highway 101 and State Route 25. Phase 1 of the project will reconstruct the US 101/SR 25 interchange slightly north of the current interchange. Construction of culverts and detention basins are included in the project, which would alleviate recurrent flooding of Highway 101 in the vicinity. There is risk of flooding in this area from Gavilan Creek which crosses under Highway 101 near the intersection as well as from Uvas Creek further north. This project would reduce the flood risk coming from Gavilan Creek. Valley Water coordinated with Valley Transportation Authority during project planning and design. Project also includes wildlife passage improvements including fencing, jump-outs, median retrofits, and a new undercrossing to reduce roadkill. Construction is expected to begin in 2024 and finish in 2027.	Project; Partnership	VTA, CalTrans	Community Projects Review Unit	0-10	\$
FRR-04	Analyze flood risk by completing hydraulic modeling for the Upper Pajaro Watershed.	<p>The Pajaro watershed is the most outdated of the major watersheds when it comes to hydraulic modeling and determining the existing flood risk. There are many channels that have not been modeled and others with outdated flood risk data. Although much of the watershed is rural and agricultural, it is still necessary to have an understanding of the true flood risk. As well as structures, it is vital to protect our roadways (Highway 101 has flooding issues), critical facilities (there is a wastewater treatment plant within the Uvas Creek floodplain), and farmland from flood waters.</p> <p>Channels with outdated, minimal or no flood risk analysis include: the Soap Lake region with Pajaro River, Miller’s Canal, some agricultural canals, and portions of Uvas Creek, Pacheco Creek, Tesquisquita Slough, and Ortega Creek; Pacheco Creek; Tesquisquita Slough; Jones Creek and its tributaries; Uvas Creek upstream of Santa Teresa Blvd.; Lower Miller Slough; Princevalle drain; and several Upper Llagas Creek tributaries in the eastern portion of the watershed.</p> <p>Once the flood risk has been analyzed and updated, the next step can be to remap the FEMA flood maps and update the flood zone designations where necessary. This work can be done by Valley Water under Safe, Clean Water Program Priority F3 and submitted to FEMA for potential updates to their flood mapping and Flood Insurance Studies (FIS).</p>	Assessment/Study	San Benito County, Pajaro River Watershed Flood Prevention Authority	Watersheds Stewardship and Planning Division, Hydrology, Hydraulics, and Geomorphology Unit	0-10	\$\$
FRR-05	Request updates to FEMA flood maps and flood zone designations upon completion of hydraulic modeling.	Once the flood risk has been analyzed and updated, the next step is to partner with cities and FEMA to update the flood zone designations as appropriate. Any official updates to the flood mapping and flood zone designations will be done by FEMA and can affect the flood insurance paid by the property owners. Much of the watershed is designated as Zone D in the FEMA flood maps, which is used to designate areas with possible but undetermined flood hazards. By updating the hydraulic analysis in the watershed, Valley Water can provide a more accurate picture of what the existing flood risk is in the watershed, better prepare and inform the public of this flood risk and update the FEMA Flood zones so that the flood insurance property owners are paying correctly aligns with the flood risk. This action can occur as progress is made on flood modeling called for in FRR-4.	Partnership	FEMA, Cities of Morgan Hill and Gilroy	Watersheds Stewardship and Planning Division, Hydrology, Hydraulics, and Geomorphology Unit	0-10	\$

FRR-06	Complete Upper Llagas Creek Flood Protection Project	<p>In April 2022, Valley Water completed Phase 1 construction. Construction, which began in September 2019 (FY20), was completed ahead of schedule. It included channel excavation, construction of the on-site compensatory mitigation, Lake Silveira wetlands, Masten Avenue Bridge concrete underpinning, Monterey Road Bridge concrete lining, installation of rock slope protection, storm drain outfall modifications, removal of concrete rubble, debris and legacy trash, and destruction of monitoring wells. It also included the installation of bat boxes, as well as removal of 12.5 acres of invasive blackberry at Lake Silveira and excavation to restore 2,000 linear feet of Llagas Creek from Lake Silveira towards Monterey Highway. Completion of flood protection improvements was followed by a three-year native plant establishment and maintenance period that began in March 2022. Therefore, the Phase 1 completion date for the three-year native plant establishment and maintenance period is anticipated to be completed in April 2025 (FY25).</p> <p>Phase 2A construction began in June 2021 within a portion of Reach 8 in downtown City of Morgan Hill. Phase 2A includes approximately 2,300 linear feet of a horseshoe-shaped underground tunnel 14-ft x 12 ft and approximately 1,600 linear feet of 10 ft x 9 ft twin Reinforced Concrete Box Culverts (RCBs) upstream and downstream of the proposed tunnel to carry high water flows. Low flows will remain within the existing creek that winds through downtown Morgan Hill within Reach 8. Construction is expected to be completed in FY24.</p> <p>Phase 2B construction consists of approximately 1,900 linear feet of twin reinforced concrete box culverts (10 ft x 9 ft), creek modifications and excavation by widening and deepening, installation of culverts at various street crossings, construction of an inlet basin weir split-flow structure and bridge underpinning work. It also includes installation of instream complexities, removal of plantings and non-native plantings, habitat enhancements, revegetation, utility relocations and coordination, outfall modifications, aggregate base</p>	Project	USACE, City of Morgan Hill	Business Planning and Analysis, Watersheds Design and Construction Unit 3	0-10	\$\$\$\$\$
FRR-10	Improve coordination for intercounty flood protection and by maintaining communication and information sharing with partner agencies.	<p>The Pajaro Watershed is managed for many purposes at many scales by numerous agencies. Additional assessment of flood vulnerabilities and dynamics are required to comprehensively understand flood risks throughout the Pajaro Watershed and the downstream impacts of upstream actions. In addition to Valley Water, San Benito, Monterey and Santa Cruz counties are considering flood control actions along the Pajaro River and Pacheco Creek. Valley Water can improve coordination and ensure its projects are compatible by sharing information about its flood vulnerability analyses, communicating about its management of flood risk, and participating in Pajaro River Watershed Flood Prevention Authority meetings.</p>	Partnership	Pajaro River Watershed Flood Prevention Authority, San Benito County, Santa Cruz County, Monterey County, Central Coast Regional Water Quality Control Board, Pajaro River Watershed Flood Prevention Authority	Watersheds Stewardship and Planning Division, Hydrology, Hydraulics, and Geomorphology Unit	0-10	\$

FRR-11	Complete Planning Study for Uvas-Carnadero Creek Flood Protection Project	<p>This planning study would assess opportunities to construct flood risk reduction measures along approximately 4.5 miles of Uvas Creek from SR 25 up to Luchessa Ave. Portions of this reach has less than 10-year capacity and have frequently flooded Highway 101 just north of where Uvas Creek crosses under the highway. Highway 101 is the major throughway in this area and it flooding is a major concern. There is approximately 400 acres and 5,466 parcels at risk of flooding from a 25-year flood event.</p> <p>The creek upstream of this reach has 100-year protection with levees up to Santa Teresa Blvd. The creek downstream of this reach floods but is actually a part of the Soap Lake flooding issues and should be considered as part of the Soap Lake action item. The cost estimate provided includes the entirety of the project through construction.</p>	Project	USACE	Hydrology, Hydraulics, and Geomorphology Unit; Design and Construction, Unit 6	0-10	\$\$\$\$
Ecological Resource Actions (ECO) - Short Term							
ECO-01	Partner with Santa Clara Valley Open Space Authority and other organizations to expand and enhance floodplain at Pajaro River Agricultural Preserve.	The VHA and OSA are planning ecosystem enhancements in collaboration with The Nature Conservancy at OSA’s Pajaro River Agricultural Preserve that could increase jurisdictional water acres and contribute to multiple One Water metrics. Part of the planning area is on and adjacent to Valley Water property. Valley Water's Carnadero Preserve and Pajaro Freshwater Wetland are award-winning examples of habitat creation, enhancement, and farmland conservation that could serve to inform efforts on the Pajaro River Agricultural Preserve. This action is to support the planning, design, and implementation of this project through technical assistance and streamlined encroachment permitting for access to Valley Water property.	Project; Partnership	Pajaro River Watershed Flood Prevention Authority, VHA, OSA, RCDs, non-profit organizations, native tribes, San Benito County	Environmental Mitigation and Monitoring Unit, Community Project Review Unit	0-10	\$\$
ECO-02	Partner with organizations in San Benito County to conserve and enhance San Felipe Lake.	San Felipe Lake is a critical wetland, rare plant, and wildlife resource that needs additional conservation and enhancement. Although it is in San Benito County, it receives water from and discharges into Santa Clara County via Pacheco Creek and Pajaro River, respectively. There is significant potential to allow to channels meander more, while restoring ecological function and increasing their capacity to slow, spread, and sink. Only parts of the lake are under conservation easement, and this easement may be restricted to an agricultural easement, but a land management conservation easement is important for maximizing habitat for rare species. The current management of natural areas surrounding San Felipe Lake is geared towards ranching and agriculture, and unnaturally-timed summer water releases, along with disking (for agriculture) and cattle trampling and compaction, negatively impact the fragile wetlands and adjacent alkaline grassland that fringe San Felipe Lake and its flood plain. This action includes planning, design and implementation.	Assessment/Study; Project; Partnership	San Benito County, RCDs, native tribes, land trusts, other non-profit organizations	Environmental Mitigation and Monitoring Unit	0-10	\$\$\$
ECO-03	Develop a program and best management practices to incorporate tribal involvement, traditional ecological knowledge, and cultural resource protection into watershed actions.	Open space preservation and ecological enhancement actions provide opportunities to preserve and enhance tribal cultural resources. These opportunities can be most fully realized when tribes are engaged members of planning, implementing, and using such actions. Tribes can benefit from the reconnection with their ancestral homeland, and the land can benefit from their traditional management practices. This action includes planning and program development, led by Valley Water's Office of Racial Equity, Diversity, and Inclusion.	Partnership; Policy	Native tribes (Amah Mutsan, Tamien Nation)	Office of Racial Equity, Diversity, and Inclusion	0-10	\$

ECO-04	Expand and enhance riparian and wetland habitat at the Carnadero Preserve	Valley Water's 170-acre Carnadero Preserve is for habitat enhancement and compatible farming. Some riparian and wetland habitats have been successfully restored and created at the Preserve already. Farming is a desired land use for the Preserve, but there are approximately 60 acres of farmland that do not have a water supply or that frequently flood for prolonged periods in the winter. These areas are suitable for the creation and expansion of riparian and perennial and seasonal wetland habitat that can contribute to wildlife habitat and connectivity, help store high flows and reduce downstream flow magnitude, and buffer creeks from runoff and associated water quality impairment.	Project	VHA, Regional Board, USFWS, CDFW, native tribes	Environmental Mitigation and Monitoring Unit	0-10	\$
ECO-05	Continue and expand the temperature monitoring program on Llagas, Uvas, and Pacheco Creeks and use results to inform future habitat enhancement actions.	Temperature monitoring is critical to understanding the steelhead life history stage(s) that creeks can support and making informed aquatic habitat enhancement decisions. Monitoring by Valley Water is ongoing along these creeks but will need to be continued, expanded, and analyzed to select appropriate enhancement actions and areas. Partners could play an important role in expanding the monitoring program, and applying the results to aquatic habitat enhancement plans. This action is a study and program.	Program; Partnership	NMFS, CDFW, non-profit organizations	Environmental Mitigation and Monitoring Unit, Environmental Planning Unit	0-10	\$
ECO-06	Assess modified channels to identify strategies and priorities to enhance ecological conditions.	Straightened, trapezoidal channels, many of which are owned and/or maintained by Valley Water, reduce the ecological condition of riverine habitat in the watershed. The form and function of modified channels and other low scoring riverine/riparian reaches (based on CRAM scores) can be improved by expanding floodplains, adding aquatic habitat complexity, allowing for or planting more native vegetation, reducing the amount of invasive plants, and expanding and improving buffers around creeks. Valley Water can prioritize this work where it would also provide community benefits, such as trails, shade, and views of nature, and/or where channels or adjacent access roads are failing or at risk of doing so. This action includes planning and design.	Assessment	USACE, non-profit organizations, municipalities, native tribes	Environmental Mitigation and Monitoring Unit, Watershed Field Operations Unit	0-10	\$
ECO-07	Identify locations and strategies to remove non-native vegetation that has encroached upon and is stabilizing gravel bars.	Gravel bars are important features of suitable habitat for steelhead, but must be able to mobilize periodically to be usable and beneficial. Drought and other environmental conditions can contribute to the expansion of non-native riparian vegetation and the armoring of historically mobile stream features. Removal of such vegetation is a relatively low-effort way of enhancing aquatic habitat, and should be prioritized on gravel bars that are in accessible reaches and otherwise highly suitable habitat for various salmonid life-stages and where the encroaching vegetation is a non-native invasive species. This action is a study to identify these locations and plan for doing the work.	Assessment; Partnership	CDFW, NMFS, non-profit organizations	Environmental Mitigation and Monitoring Unit	0-10	\$\$
ECO-08	Protect and Restore natural hydrologic and ecological processes for the recruitment, establishment, and management of Sycamore Alluvial Woodland on Pacheco Creek.	Pacheco Creek has one of the largest remaining and highest quality stands of SAW in California, which depend on periodic and episodic high pulse flow events (estimated to be a 10 to 20 year flood event at 9,000-12,000 cfs) to maximize sediment redistribution and scour, form coarse sediment bars and braided and cobbled-bedded channels, and to remove other woody vegetation that competes with sycamores. These conditions, coupled with natural summer dry backs, are necessary to create the substrate conditions and water availability for sycamore recruitment and establishment. Providing a natural hydroperiod for sycamore recruitment and maintenance of existing SAW stands, and the infrastructure necessary to manage both pulse flows and dry backs at the appropriate times, should be a critical part of Pacheco Creek flow management decisions, given the statewide importance of this occurrence. While other stands of SAW occur in Santa Clara County, the Pacheco Creek SAW occurrence is by far the most critical for conservation.	Assessment/Study, Project, Program, Partnership	Santa Clara Valley Habitat Agency, The Nature Conservancy	Environmental Mitigation and Monitoring Unit, Watershed Field Operations Unit	0-10	\$\$\$\$

ECO-09	Participate in development of the Pacheco Pass Wildlife Overpass Planning Project by providing technical support to Santa Clara Valley Habitat Agency and other project partners.	The Santa Clara Valley Habitat Agency and partners including Valley Water are working to install a wildlife overpass of Hwy 152 at Pacheco Pass. This project will use past and future scientific studies, including roadkill monitoring and tracking of collared mountain lion and tule elk, to identify suitable locations for a wildlife overpass. Valley Water can support this effort through information sharing and technical support. VW staff are participating in the Pacheco Pass working group.	Partnership; Project	VHA, Caltrans, Valley Transportation Authority, CDFW, USFWS	Environmental Mitigation and Monitoring Unit	0-10	\$\$\$\$
ECO-10	Assess fish passage barriers and impediments throughout watershed and prioritize their remediation.	Physical fish passage barriers have been inventoried and should be removed or remediated, generally from downstream to upstream. Passage impediments from water extraction should also be addressed, potentially through landowner education and technical support. Llagas Creek subwatershed has the most passage impediments; Uvas Creek subwatershed has the most valuable habitat for steelhead. Prioritization depends on landowner permission and funding availability. Valley Water should remediate those that they own and in partnership with public landowners, but should also support the efforts of partners to remediate those on private property. This action includes improvements to existing wet crossings on Uvas-Carnadero Creek, some of which Trout Unlimited has already developed plans for. Wet crossing improvements also have the potential to address sediment and water quality issues.	Assessment	NMFS, CDFW, VHA, County Parks, RCDs, native tribes, Trout Unlimited	Environmental Mitigation and Monitoring Unit	0-10	\$\$
ECO-11	Assess and prioritize opportunities to expand and connect riparian corridors around channels, particularly where they are missing or only very narrow.	Vegetated buffers around channels, typically referred to as riparian corridors, provide myriad ecosystem services, but have been removed or are only very narrow along many miles of channel. Forest, shrubland, grassland, and wetland communities can all be appropriate to establish, depending upon physical, groundwater, and land use conditions, and could be incorporated into multiple-benefit efforts for wildlife connectivity, groundwater recharge, and/or flood risk reduction. Such efforts would need to be balanced with agricultural land uses and landowner needs, and farmland that floods frequently could be used to focus landowner outreach efforts. Valley Water should implement this action on its land and in association with other projects, but can also support the efforts of partners to implement this action on private property. This action includes planning, design, and implementation.	Assessment	VHA, OSA, RCDs, native tribes, POST, Point Blue, non-profit organizations	Environmental Mitigation and Monitoring Unit	0-10	\$\$
ECO-13	Partner to protect and conserve sensitive natural communities	The Upper Pajaro River Watershed still supports relics of once expansive alkali meadows, seasonal wetlands, alkaline wetlands, SAW and other sensitive natural communities. They provide critical habitat for a variety of protected plant and animal species, wildlife connectivity, and other ecosystem services. These areas should be priorities for preservation, as well as protective buffers around them. Currently very few to none of these sensitive communities are protected and many are threatened by altered hydrology, ranching and farming. By identifying conservation partners and providing funding for conservation easements, land acquisition, or other measures, Valley Water can maintain and restore these fragile areas and their ecological relationships. Examples of conservation strategies include maintaining the natural hydrology and not diverting water for agricultural or other land use in the vicinity of fragile alkaline wetlands; timing of cattle grazing/ranching activities to avoid compaction, trampling or overgrazing of wetland and adjacent upland areas; and avoiding alkali meadows during agriculture and discing activities.	Partnership	VHA, County Parks, OSA, San Benito County, land trusts, native tribes, non-profit organizations	Environmental Mitigation and Monitoring Unit	0-10	\$\$\$

ECO-14	Improve suitable spawning and rearing habitat for steelhead trout and salmon by adding coarse sediment and large wood to creeks where physically appropriate and most ecologically valuable in the Uvas Creek sub-watershed.	The addition of gravel, other coarse sediment, large wood, pools >1.5 ft deep, and restoration of pool-riffle morphology would improve habitat conditions in this very important salmonid sub-watershed and mitigate the effects of Uvas Dam on sediment supply. The Study of Santa Clara County Steelhead Streams to Identify Priority Locations for Gravel Augmentation and Large Woody Debris Placement Santa Clara County, California (Balance Hydrologics, 2018) projects #UC1-1, UC4-3, and UC4-5 have already been identified as feasible and appropriate, but still require design and construction. Additional locations (such as UC4-1) will require planning, design, and construction.	Assessment/Study; Partnership	NMFS, CDFW, Water Board, RCDs, native tribes, non-profit organizations	Environmental Mitigation and Monitoring Unit	0-10	\$\$
ECO-14.1	Design and construct Uvas Creek project UC1-1 from the Study of Santa Clara County Steelhead Streams to Identify Priority Locations for Gravel Augmentation and Large Woody Debris Placement	The Study of Santa Clara County Steelhead Streams to Identify Locations for Gravel Augmentation and Large Woody Debris Placement (Balance Hydrologics, 2018) identified Uvas Creek project UC1-1 as feasible and appropriate to add both gravel and large woody debris to increase spawning habitat, sediment mobility, and channel complexity. A gravel injection project at this location still requires design and construction.	Project	NMFS, CDFW, Water Board, RCDs, native tribes, non-profit organizations	Environmental Mitigation and Monitoring Unit	0-10	\$\$
ECO-14.2	Design and construct Uvas Creek project UC4-3 from the Study of Santa Clara County Steelhead Streams to Identify Priority Locations for Gravel Augmentation and Large Woody Debris Placement	The Study of Santa Clara County Steelhead Streams to Identify Locations for Gravel Augmentation and Large Woody Debris Placement (Balance Hydrologics, 2018) identified Uvas Creek project UC4-3 as a feasible and appropriate location to add both gravel and large woody debris to increase spawning habitat, sediment mobility, and channel complexity. Valley Water's Stream Maintenance Program completed Project #2 at UC4-3 (installation of large woody debris) in 2021 to increase channel cover and complexity. Downstream reaches may also benefit from gravel placement as gravel is transported. A gravel injection project at this location still requires design and construction.	Project	NMFS, CDFW, Water Board, RCDs, native tribes, non-profit organizations	Environmental Mitigation and Monitoring Unit	0-10	\$\$
ECO-14.3	Design and construct Uvas Creek project UC4-5 from the Study of Santa Clara County Steelhead Streams to Identify Priority Locations for Gravel Augmentation and Large Woody Debris Placement	The Study of Santa Clara County Steelhead Streams to Identify Locations for Gravel Augmentation and Large Woody Debris Placement (Balance Hydrologics, 2018) identified Uvas Creek project UC4-5 as a feasible and appropriate location to add gravel and large woody debris to increase spawning habitat, sediment mobility, and channel complexity. Valley Water's Stream Maintenance Program completed Project #2 and Project #3 at UC4-5 (installation of large woody debris) in 2021 to increase channel cover and complexity. A gravel injection and/or gravel bar construction project at this location still requires design and construction.	Project	NMFS, CDFW, Water Board, RCDs, native tribes, non-profit organizations	Environmental Mitigation and Monitoring Unit	0-10	\$\$
ECO-15	Develop Upper Pajaro Native Ecosystem Enhancement Tool to coordinate and inform long term habitat conservation planning.	There are many opportunities for conservation and ecological enhancement that can safeguard against incompatible development, reduce flood risk, improve water quality and wildlife connectivity, among other benefits and that could be undertaken by a variety of organizations. A watershed-scale tool that provides more specific guidance on where different enhancement actions should be physically and ecologically appropriate, given land ownership and the value of agricultural land uses in the watershed, will be instrumental to coordinating, prioritizing, planning, and eventually implementing such actions. The Pajaro Compass is an important step in this direction, and the Coyote Creek Native Ecosystem Enhancement Tool is an example of such a resource that is publicly available, updated, and maintained. This action includes study and planning.	Assessment/Study; Partnership	VHA, RCDs, CDFW, Water Board, NMFS, USFWS, non-profit organizations, County Parks, OSA, land trusts, native tribes	Environmental Mitigation and Monitoring Unit, Stream Maintenance Program	0-10	\$\$
ECO-16	Incorporate restoration of areas impacted by unhoused encampments into Stream Maintenance Program.	Existing creekside encampment locations are tracked and mapped by Valley Water staff. After working with partners to reduce the prevalence of encampments within waterways and provide new housing for unhoused individuals, impacted areas must be remediated and restored by removing trash and pollutants and replanting disturbed vegetation. A program to restore impacted areas can be integrated into the Stream Maintenance Program. Restoration of areas impacted by encampments can be utilized as mitigation credit for other Valley Water activities.	Program	VW, municipalities, Santa Clara County, non-profit organizations	Unhoused Task Force	0-10	\$

ECO-17	Develop and incorporate vegetation cover guidelines for use when developing project mitigation to decrease wildfire risk to native habitats.	Complying with permit requirements for vegetation cover can result in plant and canopy densities that exacerbate the risk and severity of wildlife in riparian habitats, which are typically more resistant to wildfire, and nearby residential and commercial areas. Technical information should be evaluated to identify vegetation cover goals that result in environmental benefits without significantly increasing wildfire risks. Permitting agencies should be involved in this evaluation so that there is trust when the guidance is used in mitigation and revegetation plans. This action is a study and plan/program.	Policy	N/A	Environmental Mitigation and Monitoring Unit, Vegetation Field Operations Unit	0-10	\$
Water Quality Actions (WQ) - Short Term							
WQ-01	Support efforts led by Resource Conservation Districts, Natural Resource Conservation Service, and Santa Clara County Division of Agriculture to educate and assist farmers and landowners in implementing land management practices to improve water quality and enhance natural resources.	Outreach and incentive programs (funding and technical assistance) can help private landowners and farmers manage their lands and incorporate practices that can benefit them and the environment. The focus of such efforts should include pesticide and nutrient management and mitigation; agricultural runoff and fine sediment control, such as furrow alignment and vegetated buffers; water conservation; vegetation management for habitat and wildlife movement; and rodenticide reduction. Valley Water can explore ways in which it can provide funding and technical assistance in partnership with RCDs, NRCS and the Santa Clara County Division of Agriculture to promote the adoption of practices such as those listed above.	Partnership	RCDs, NRCS, Farm Bureaus, Water Board, non-profit organizations, municipalities	Environmental Planning Unit	0-10	\$
WQ-02	Partner with Santa Clara County, cities, and other organizations to reach a functional zero number of unsheltered people residing on Valley Water lands along waterways.	Encampments within and adjacent to waterways and Valley Water facilities pose numerous human health, safety, operational, and environmental challenges. Valley Water can play an important role in assisting unsheltered individuals residing on its land and addressing the associated impacts to water quality, ecological resources, recreational facilities, and others. Staff are developing a framework to address these challenges, which may include enhancing services to remove trash and pollutants generated by encampments, participation in countywide collaboration to address the lack of housing and creekside encampments, utilizing Valley Water-owned property for housing development, and other efforts. This action will be implemented in a manner consistent with Board Ends Policy E-6 once it is approved.	Partnership	RCDs, Farm Bureaus, Water Board, non-profit organizations, municipalities	Watersheds Operations and Maintenance Unit	0-10	\$\$
WQ-03	Expand water quality monitoring program to close critical data gaps.	Valley Water, the Santa Clara Valley Urban Runoff Pollution Prevention Program, and other partners conduct regular monitoring of water quality throughout the County. This action seeks to address existing gaps in water quality data identified by staff. In the Upper Pajaro River Watershed, including Chesbro and Uvas Reservoirs. Monitoring activities may include quarterly surface and depth profiles for general water quality, seasonal sampling for algal toxins, and annual or every other year fish monitoring for mercury and other contaminants.	Program	N/A	Environmental Mitigation and Monitoring Unit, Environmental Planning Unit	0-10	\$\$
WQ-04	Continue to partner with the Cities of Gilroy and Morgan Hill and Santa Clara County to identify opportunities and actions to reduce bacteria and sediment loads within the Llagas and Uvas Creeks.	Partner with Cities of Gilroy and Morgan Hill and Santa Clara County (South County) on special studies, structural, and non-structural actions to improve water quality in Llagas and Uvas Creeks. Building off past sampling events, a special study was recently completed at 15 sites to understand/find the source of bacteria. This was sponsored by the South County agencies. The municipalities need additional resources to continue with future studies to help determine best solutions for bacteria and sediment in the Upper Pajaro River watershed.	Partnership	City of Morgan Hill, Santa Clara County	Environmental Planning Unit	0-10	\$

WQ-05	Partner with cities to reduce and prevent specific trash dumping areas.	Valley Water has recorded areas along Llagas Creek, Uvas-Carnadero Creek, West Branch Llagas Creek, and Jones Creek in the Pajaro Watershed that experience recurring trash dumping. Partner with cities to identify dumping areas (unrelated to encampments) and track hotspots to prevent dumping and contamination.	Partnership	Cities	Watershed Field Operations Unit	0-10	\$
WQ-06	Partner to construct free span crossings at Carnadero Preserve to enhance water quality and fish passage conditions in Uvas-Carnadero Creek.	There are two wet ford crossings—one across Uvas-Carnadero Creek and another across Gavilan Ditch that drains to the creek—that connect farmland in and around Valley Water’s Carnadero Preserve. At high flows and for much of the winter and spring, these crossings are unpassable, seasonally restricting farmers’ access to certain portions of land. When they are passable, the crossings degrade water quality due to the release of fine sediment as farm equipment passes through the creek. In addition, the Uvas-Carnadero Creek crossing may impede fish passage. This action would construct free span crossings over Uvas-Carnadero Creek and Gavilan Ditch to allow year-round access to farmland and enhance aquatic habitat by improving water quality and remedying a fish passage impediment. Trout Unlimited, in cooperation with Valley Water and other affected landowners, prepared a design for a free span crossing of Uvas-Carnadero Creek, but the effort still requires permitting, coordination with multiple landowners, and construction funding.	Project	Trout Unlimited, CDFW, National Marine Fisheries Service, CHEER, Willoughby Farms, Dorado Leasing LLC	Environmental Mitigation and Monitoring Unit, Environmental Planning Unit	0-10	\$\$
Water Supply (WS) - Short Term Actions							
WS-01	Implement recommendations from pre-feasibility study on Flood Managed Aquifer Recharge (FloodMAR).	Flood-MAR feasibility is being analyzed within the Santa Clara County context. Given the rural nature of the Upper Pajaro River Watershed, the majority of potential Flood-MAR sites are expected to be in this watershed in areas that overlie the Llagas Subbasin. A Pre-feasibility report is complete.	Assessment/Study	Santa Clara County, California Department of Water Resources	Water Supply Planning and Conservation Unit, Groundwater Management Unit	0-10	\$
WS-04	Assess areas within Llagas subbasin suitable for additional groundwater recharge projects.	Llagas Subbasin has a large potential for additional groundwater recharge. This action identifies additional locations for managed recharge ponds or in-stream facilities with collaboration from Water Supply and Raw Water Operations teams. Identification includes assessment of existing facilities, groundwater data, and a feasibility studies. The San Pedro Ponds, an existing recharge facility in the Llagas Subbasin, were found to have potential for enhancement of recharge capacity in a feasibility study. Improvements may be implemented as part of a future capital improvement project.	Assessment/Study	N/A	Raw Water Field Operations & Pipeline Maintenance Units, Groundwater Mangement Unit, Water Supply Planning and Conservation Unit	0-10	\$\$\$\$
WS-05	Implement Pacheco Reservoir Expansion Project.	The Pacheco Reservoir Expansion Project expands the storage capacity of the existing Pacheco Reservoir to 140,000 acre-feet through construction and operation of a new dam, conveyance facilities, and related appurtenant structures. Benefits of this project include a more reliable water source, decreased reliance on groundwater, improving fish habitat, and reducing flood risk along Pacheco Creek and downstream Pajaro River. Action includes planning, design, and construction.	Project	Pacheco Pass Water District	Business Planning and Analysis Unit, Pacheco Project Delivery Unit	0-10	\$\$\$\$\$
Climate Change (CC) - Short Term Actions							

CC-01	Complete Reservoir Greenhouse Emission Study and evaluate results.	Valley Water is conducting a collaborative project with the University of California, Davis, to study greenhouse gas emissions from the surfaces of Almaden, Chesbro, Stevens Creek, and Uvas reservoirs. The primary goal of the study is to better estimate greenhouse gas emissions from all Valley Water reservoirs. Since January 2021, researchers have completed quarterly sampling to measure gas storage in reservoir sediments and greenhouse gas fluxes from reservoir surfaces in conjunction with monthly measurements of atmospheric and water quality data. Data collection will continue through 2023, and results will be synthesized in a final report. Valley Water will evaluate the inclusion of reservoir-related emissions into its agencywide greenhouse gas inventory and other potential next steps after the completion of this study.	Assessment/Study; Partnership	UC Davis	Unit 248	0-10	\$\$
Medium Term Actions							
FRR-07	Prepare Asset Management Plan for Uvas Creek	Currently, Uvas Creek possesses creek assets in the moderate risk zone and should be monitored over time. The creek reaches between Highway 25 to Union Pacific Railroad, Babbs Canyon Creek Confluence to Miller Ave, Miller Ave to Santa Teresa Blvd, and Highway 25 to Bloomfield have the most inspection data and moderate risk assets. Fine sediment, erosion, and vegetation in and around the creek pose issues to creek capacity and flood control. Valley Water will create an asset management plan to provide a more proactive approach to managing infrastructure and projects.	Project	N/A	Business Support and Asset Management Unit	10-20	\$\$
FRR-08	Prepare Asset Management Plan for Lower Llagas Creek	Lower Llagas Creek from Pajaro River to Buena Vista Ave has large quantities of in stream vegetation larger than Valley Water's Stream Maintenance Program can remove. This vegetation is contributing towards flood risk and the disappearance of access roads. Previous inspections of the creek have also found erosion due to rodent damage. Valley Water will create an asset management plan to provide a more proactive approach to managing infrastructure and projects.	Project	N/A	Business Support and Asset Management Unit	10-20	\$\$
FRR-09	Prepare Asset Management Plan for Upper Llagas Creek	Upper Llagas Creek from Rucker Avenue to Monterey Road has conditions that lower creek capacity and should be monitored over time. Opportunities for improvements include bank stabilization, vegetation control, and sediment reduction to reduce flood risk. Valley Water will create an asset management plan to provide a more proactive approach to managing infrastructure and projects.	Project	N/A	Business Support and Asset Management Unit	10-20	\$\$
ECO-12	Partner to support efforts to assess, enhance, and manage livestock ponds for habitat benefit.	Stock ponds are important not only for livestock but also can provide critical habitat for native wildlife that have come to depend on these reliable sources of water and wetland habitat. They help maintain biodiversity and can provide for important habitat areas if designed and managed for native species correctly. Valley Water does not own stock ponds, but can support this effort through information and cost sharing and technical support. Management techniques that can promote their use by special-status species may include periodic dredging of sediment filled ponds to increase their hydroperiods (i.e., how long they hold water), eradication of fish originally stocked by ranchers, control of nonnative American bullfrog, installation of basking structures, and fencing of the pond or a portion of the pond (depends on grazing pressures and which special-status species is being managed for).	Partnership	VHA, County Parks, State Parks, USFWS, CDFW, RCDs, native tribes	Environmental Mitigation and Monitoring Unit	11-20	\$
WS-03	Expand the production and use of recycled water in the South County watershed by studying projects identified in the 2021 Countywide Water Reuse Master Plan and the 2015 South County Recycled Water Master Plan Update.	South County is over 90% reliant on groundwater and there is a need to diversify the water supply portfolio of this area. The 2021 Countywide Water Reuse Master Plan and the 2015 South County Recycled Water Master Plan update provide potential projects to increase the use of recycled and purified water, such as a raw water augmentation projects in Morgan Hill and expanding the South County Recycled Water system.	Project	City of Gilroy, Santa Clara County	Recycled Water Unit	11-20	\$\$\$

Long Term Actions							
WS-02	Complete Uvas-Llagas Transfer Pipeline condition assessment and implement recommendations	The Uvas-Llagas Transfer Pipeline was installed in 1957. The corrugated metal pipe consists of a 39-inch diameter, 14,850-foot-long reach and a 27-inch diameter, 2,375-foot-long reach. It was last inspected in 2022, where 85% of the pipeline was inspected and found to be in good condition. It is recommended to install an additional 1-2 maintenance holes in the pipeline as the current distance between access points is too far. The pipeline is a critical facility that increases redundancy in the system and provides flexibility with regards to water supply sources.	Assessment/Study; Project	N/A	Raw Water Operations Unit	21-50	\$\$\$\$
WS-06	Evaluate needed improvements to San Felipe Division Infrastructure and consider replacement projects for parts of the system.	This project implements a systematic approach to the renewal and replacement of infrastructure within the San Felipe Division, by designing and constructing improvements identified through Valley Water's 10-year Asset Management Program. Infrastructure within this project includes tunnels, large diameter pipelines, pumps, valves and other appurtenances, vaults, and associated support equipment. Reach 1 renewal and replacement activities are conducted in coordination and cooperation with San Felipe Division Reach 1 contractors and other agencies. Reaches 2 and 3 renewal and replacement are the sole responsibility of Valley Water, in coordination with USBR (as the owner of the facilities) and regulatory agencies.	Assessment/Study; Project	San Benito County Water District, United States Bureau of Recclmation	Business Planning and Analysis Unit, Raw Water Operations Unit	21-50	\$\$\$\$\$
WS-07	Implement the Pacheco/Santa Clara Conduit Right of Way Acquisition	Pacheco and Santa Clara Conduits provide raw water supply to Valley Water and San Benito County Water District. Regular access to pipeline vaults is needed by Valley Water for maintenance which requires crews and vehicles to go through private land. While verbal agreements have been established with local landowners, no formal easements are in place. This project plans, designs, and constructs improvements related to the acquisition of right-of-way along the South County pipelines to provide unlimited access to Valley Water-owned pipelines and reduce conflicts with local land owners to improve response time for emergency repairs or operations.	Partnership	San Benito County Water District	Business Planning and Analysis Unit, Pipelines Project Delivery Unit	21-50	\$\$\$

*Cost estimates corresponds to the following maximum dollar values: \$ = \$100 thousand, \$\$ = 1 million, \$\$\$ = 10 million, \$\$\$\$ = 100 million, \$\$\$\$\$ = 100+ million



Valley Water

Clean Water • Healthy Environment • Flood Protection



One Water: Upper Pajaro Watershed Plan

Board Policy and Planning Committee Meeting

January 2, 2024

Presentation Outline

- Review One Water planning process
- Provide an overview of Flood Vulnerability Assessment Results
- Share Upper Pajaro Watershed Plan Priority Actions

WHAT IS ONE WATER?

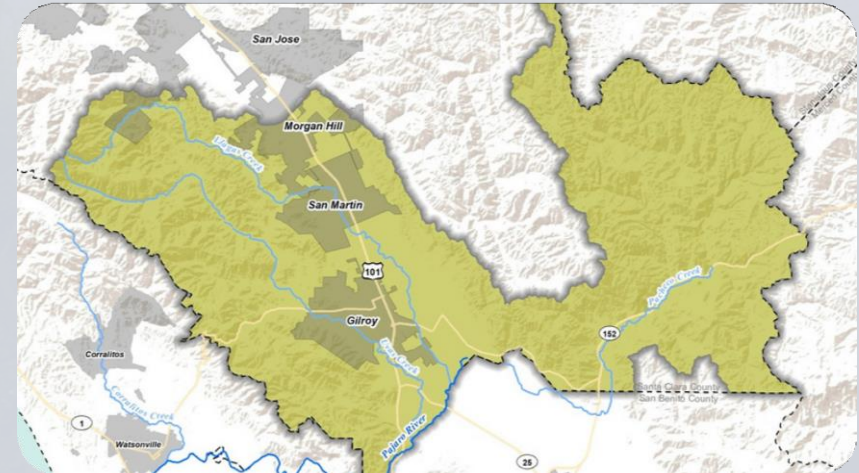
Valley Water's integrated master planning process for identifying priority actions and directing Valley Water's resources using measurable metrics and targets

One Water Plans



COUNTYWIDE FRAMEWORK

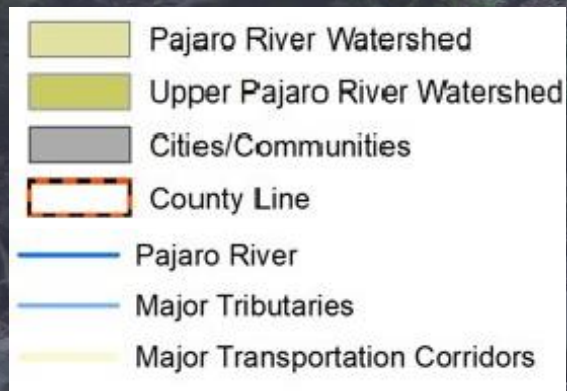
Provides overall vision, goals and objectives as guidance for all plans



WATERSHED LEVEL PLANS




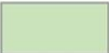
Specific Plans for each of the five watersheds comprising Valley Water's service area

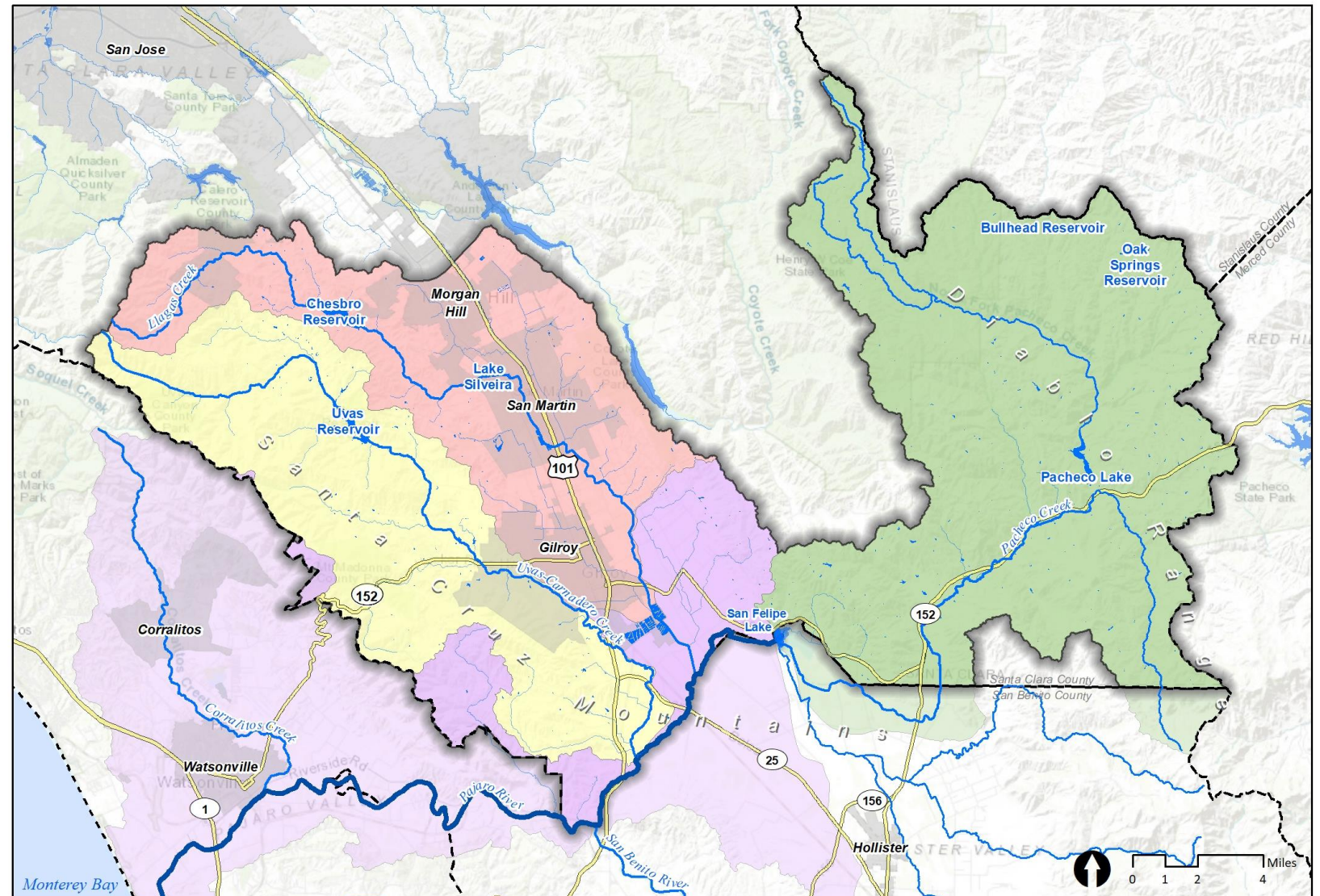
Pajaro River Watershed






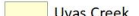







Upper Pajaro River River Subwatersheds

Subwatersheds

-  Pajaro River
-  Uvas Creek
-  Llagas Creek
-  Pacheco Creek



- | | | |
|---|--|---|
| Subwatersheds |  Major Tributaries |  Water Bodies |
|  Pajaro River |  Creek Route |  Cities/Communities |
|  Uvas Creek |  Major Roads |  Upper Pajaro River Watershed (Plan Scope) |
|  Llagas Creek | |  County Line |
|  Pacheco Creek | | |

Upper Pajaro River Watershed

Subwatersheds

Map: Valley Water, June 2023
Data Sources: ESRI, NLCD, NOAA, USFWS, SCC and VW.

One Water Objectives

Water Supply



Flood Risk
Reduction



Climate Change



Water Quality



Natural Ecosystem



One Water Metrics

Water Supply



- Reservoir capacity
- Recycled water production
- Managed recharge capacity
- Annual water conservation

Water Quality



- Chemical integrity (e.g., pH, dissolved oxygen (DO), nutrients, pesticides, regulated contaminants)
- Biological integrity (e.g., bacteria, harmful algal blooms, invasive species, toxicity, fish tissue, mercury)
- Physical integrity (e.g., temperature, turbidity, trash)

Flood Risk Reduction



- Asset management
- Emergency action plans
- Flood forecasts
- Parcels subject to frequent flooding
- Flood risk in disadvantaged communities

Natural Ecosystems



- California Rapid Assessment Method (CRAM) scores
- Protected stream buffers
- Wildlife corridor enhancements
- Natural habitat area
- Invasive plant coverage
- Fish passage barriers
- Riparian corridor connectivity

Climate Change

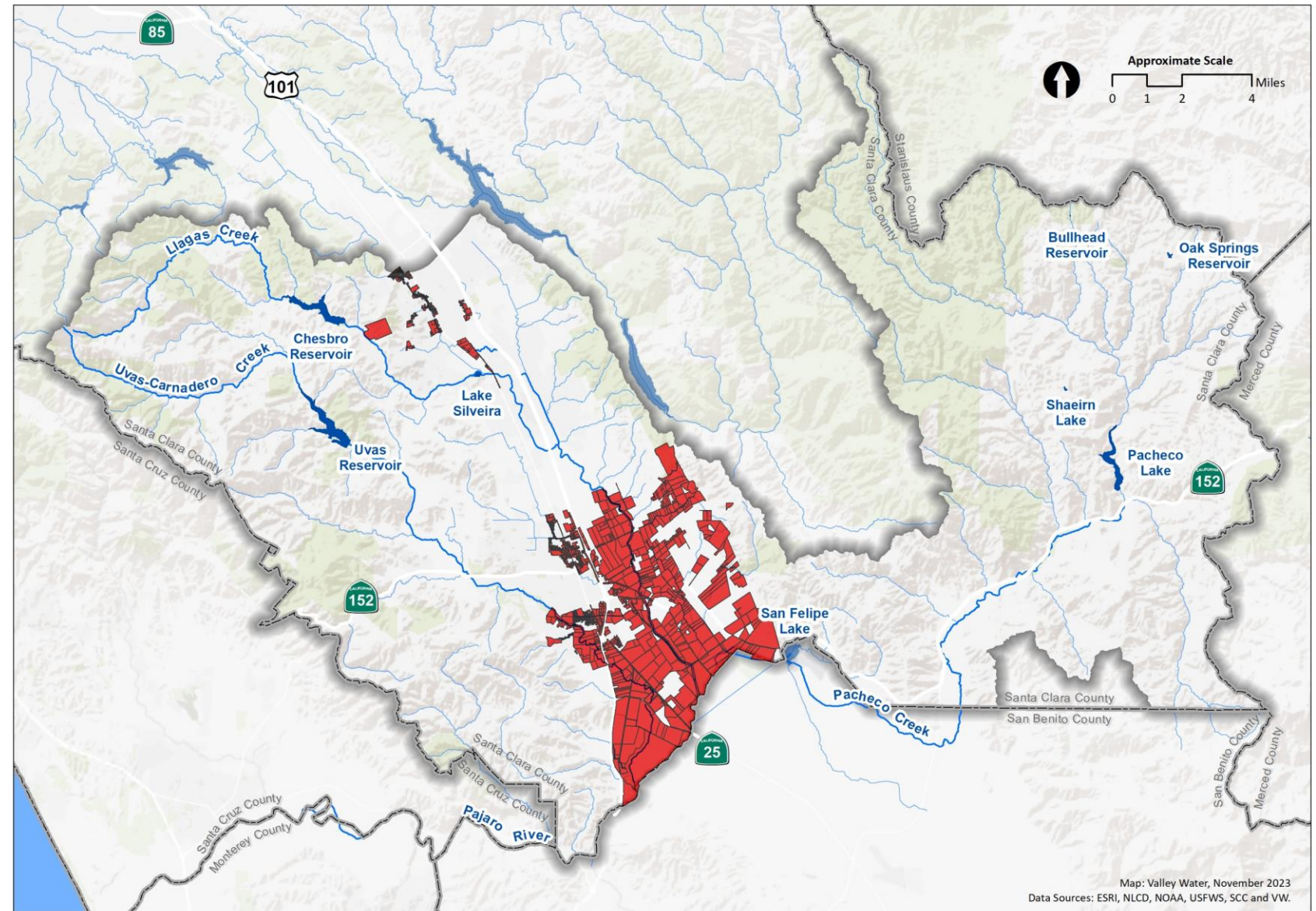


- Net GHG emissions
- Green stormwater infrastructure
- Annual water conservation
- Critical facilities subject to severe floods
- Stream channel length and connectivity

Flood Risk Reduction Metric C.3.2

Target: Zero parcels in disadvantaged communities located within the 25-year floodplain

- 24% Complete

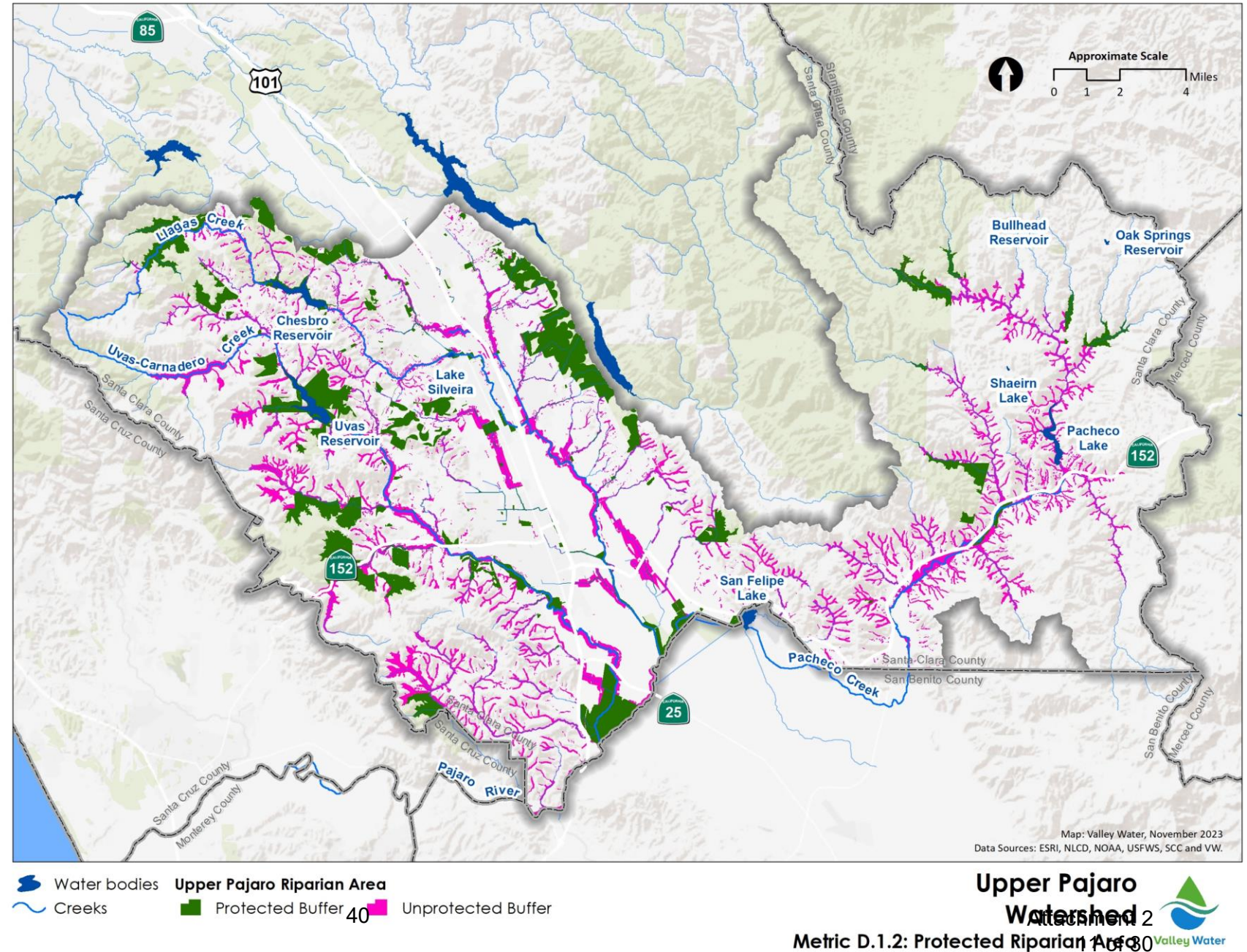


Natural Ecosystems

Metric D.1.2

Target: Achieve 50,000 acres of protected land for the mainstem and tributary channels

- 32% Complete



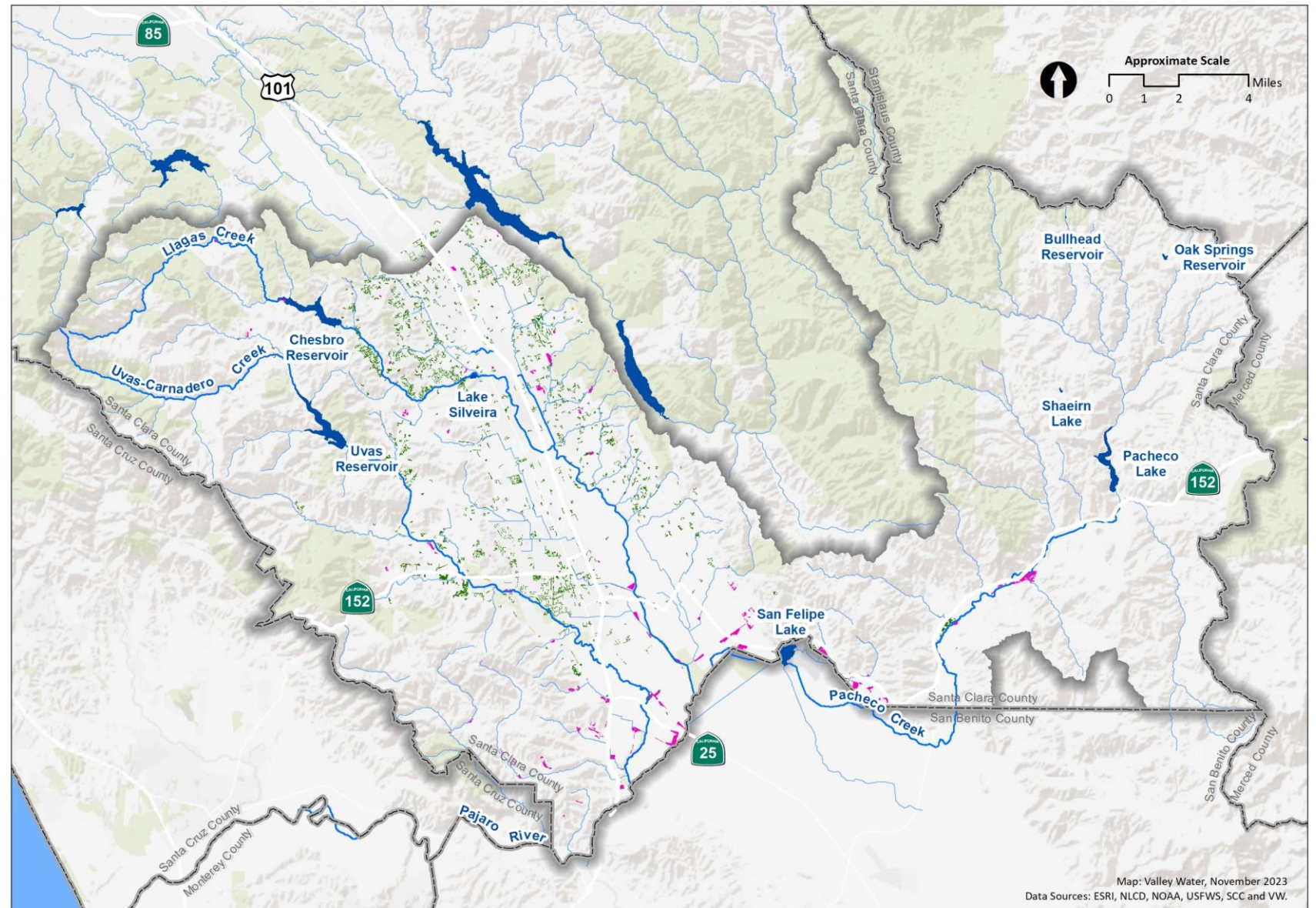
Natural Ecosystems Metric D.2.3


Target: Non-native forest remains at 730 acres or 3% of total riparian area

- 100% Complete

Non-native shrub and non-native herbaceous remain at less than 1% of total riparian area

- 100% Complete





FLOOD VULNERABILITY ASSESSMENT

Flood Vulnerability Assessment

Physical Hazard

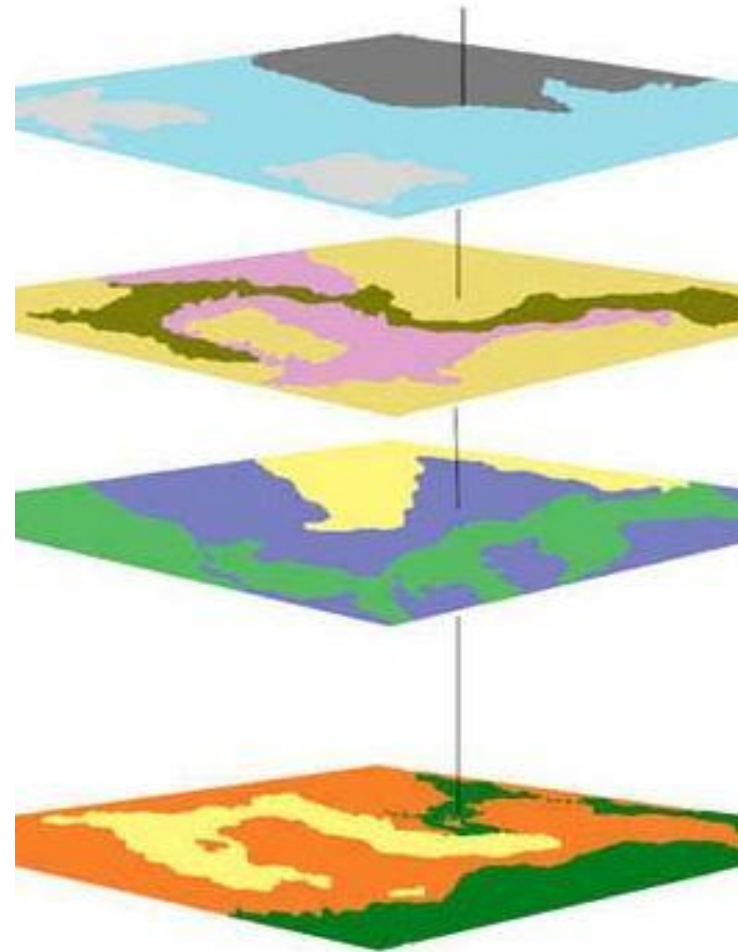
- Flood Depths
- Flood Velocities

Statistical Hazard

- FIT Hot Spots
- Historical Flooding

Social Vulnerability

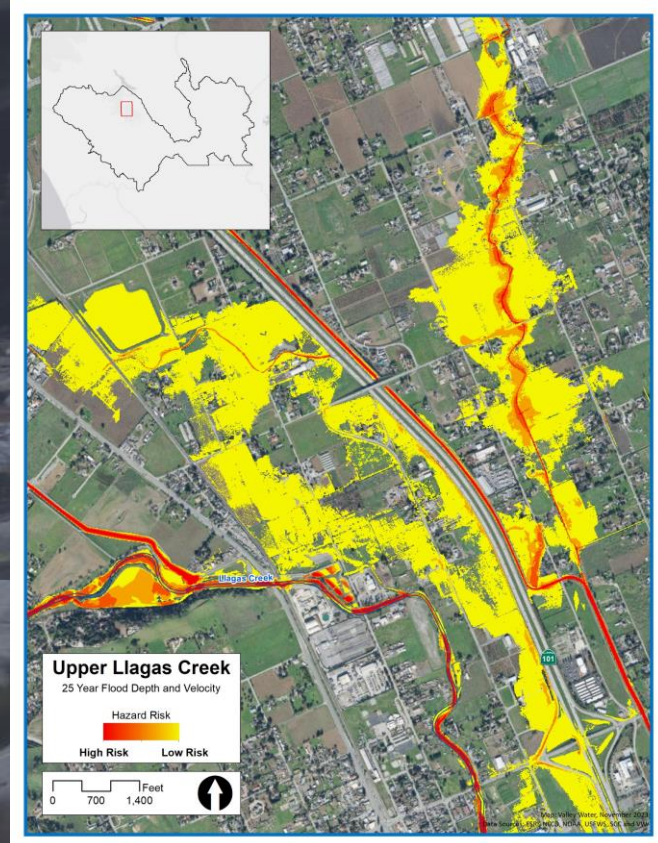
- Critical Facilities
- CalEnviroScreen 4.0
- Area Median Income



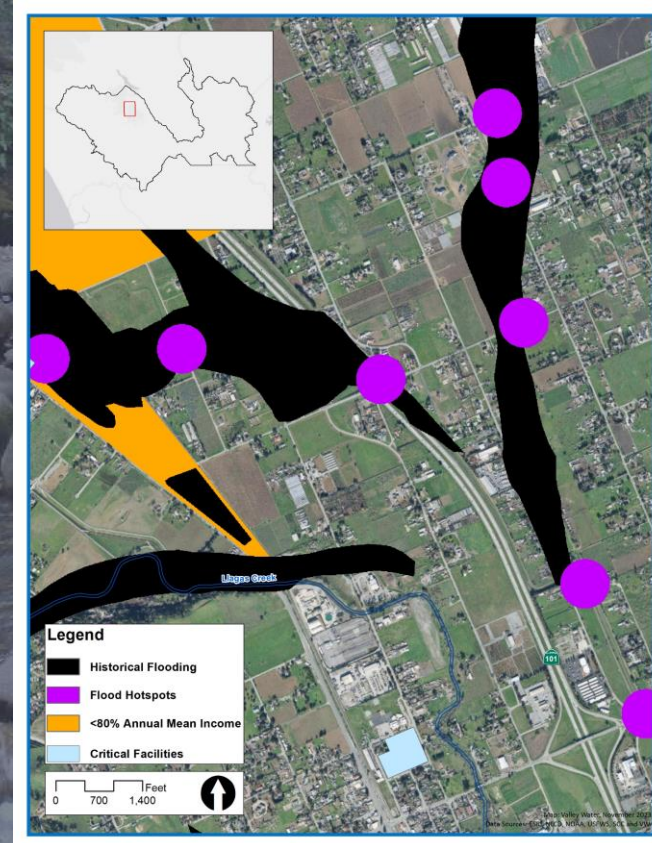
Physical

Statistical and Social

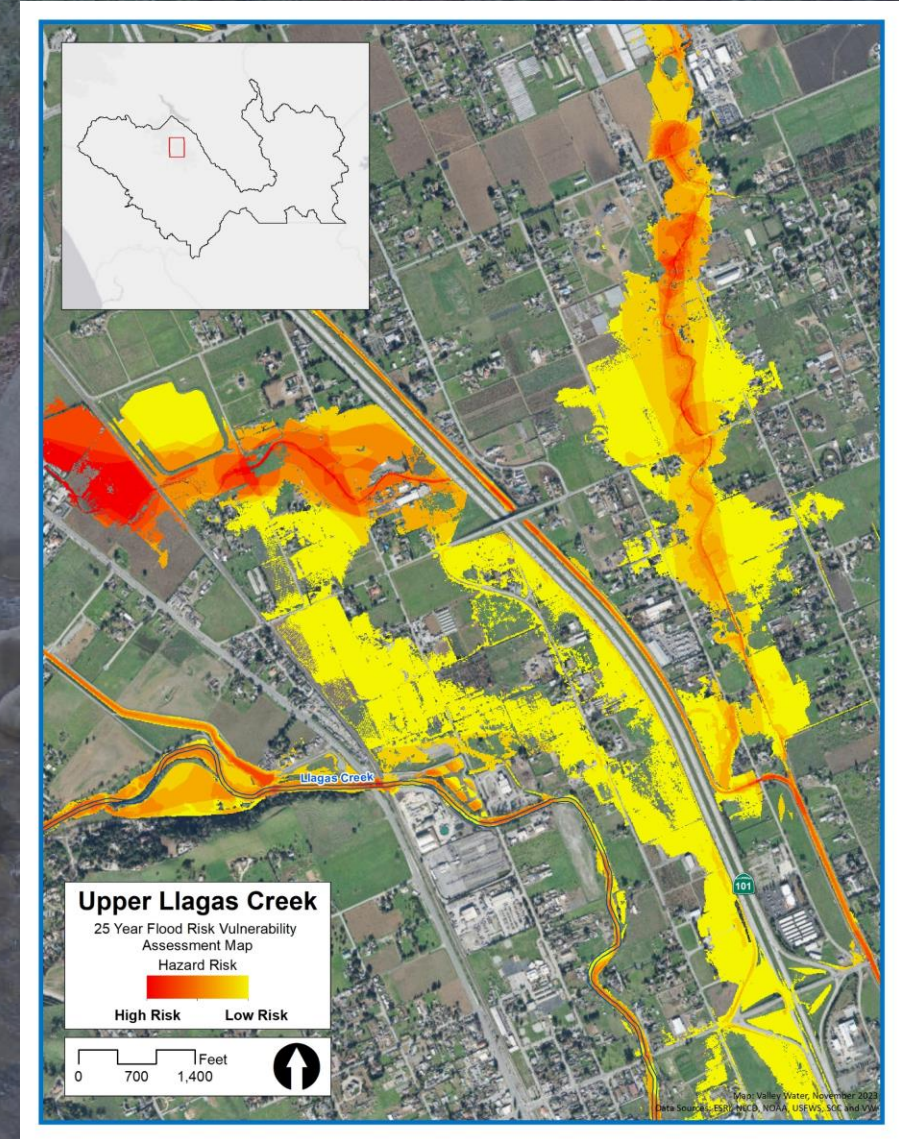
Combined Vulnerability Map



+

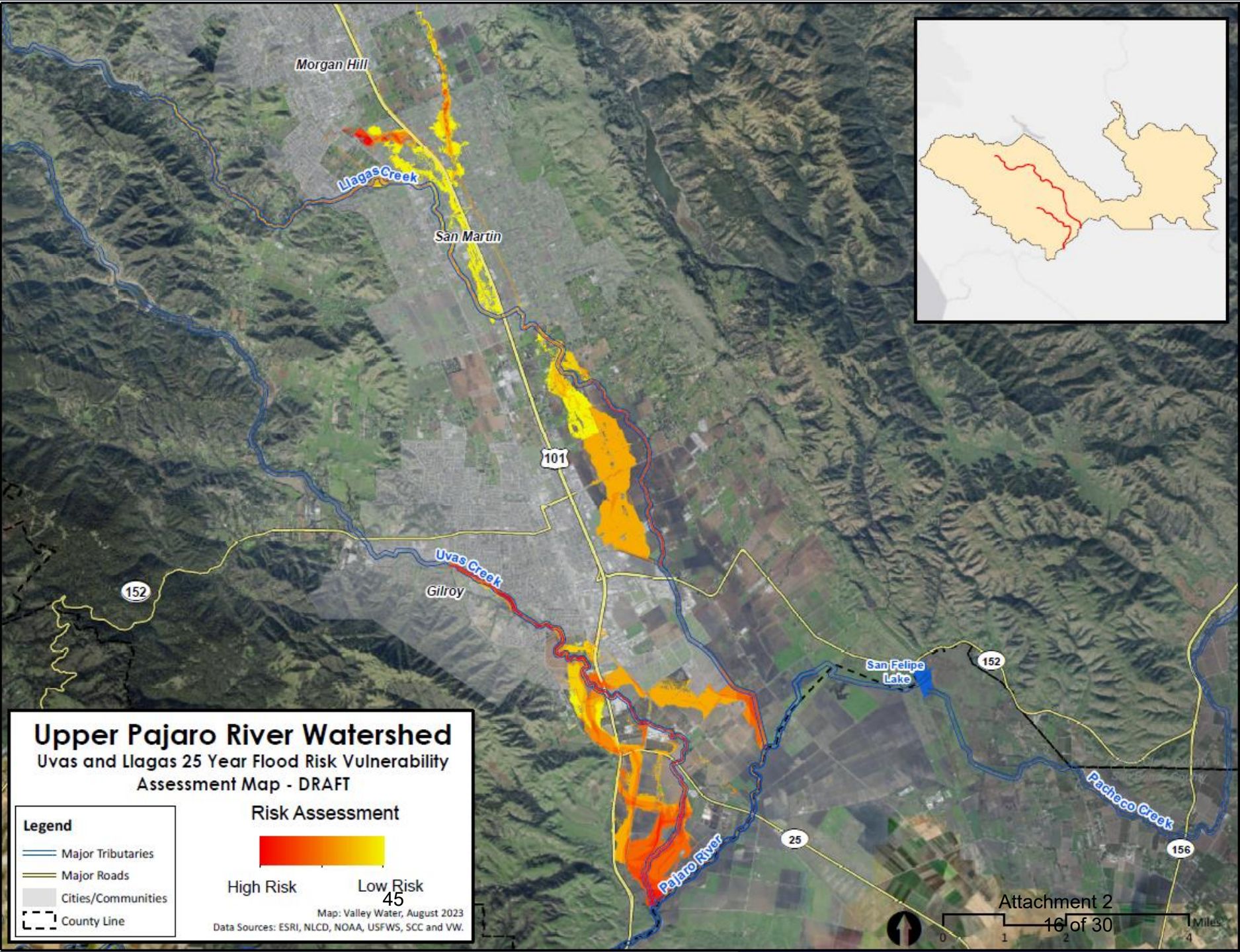


=



Draft Results:
25-Year (4%)
Flood

Uvas and Llagas Creeks





UPPER PAJARO WATERSHED PRIORITY ACTIONS

Developing and Refining Watershed Priority Actions

Collaborative process

- One Water Team
- Valley Water Subject Matter Experts
- Valley Water Steering Committee
- External Stakeholders

Feedback collected through

- Online surveys
- Virtual meetings
- In-person workshops



External Stakeholders

11

COHORTS

104

ORGANIZATIONS/AGENCIES/BUSINESSES

~200

INDIVIDUAL CONTACTS

- Subject Matter Experts
- Local & County Governments
- Community Based Organizations
- Special Districts
- Regulatory Agencies
- Residents/Municipal Organizations
- Businesses
- Environmental Groups
- Farmers/Ranchers

Priority Action Overview

46 actions across 5 One Water objectives

1 Climate Change

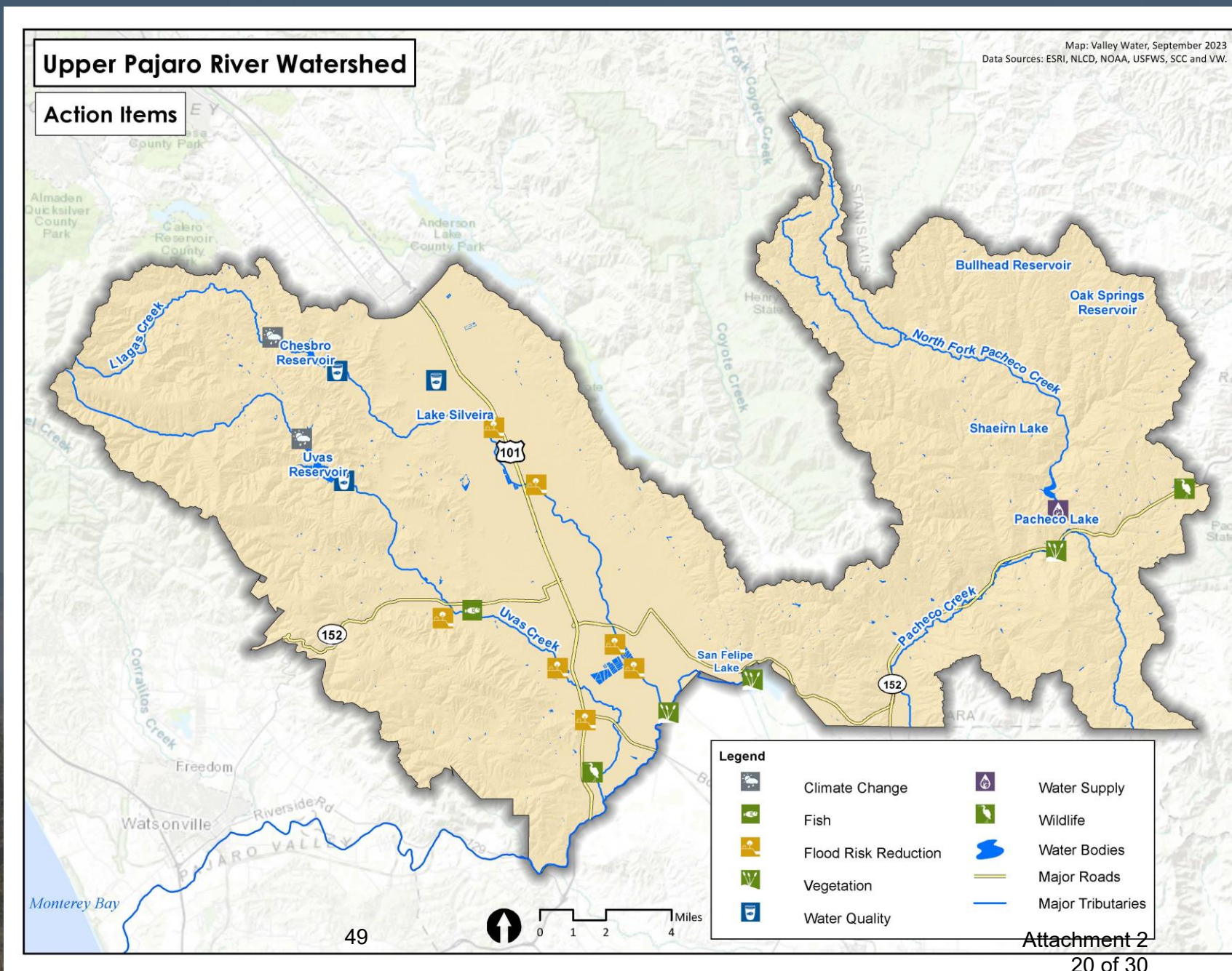
22 Ecological Resources

11 Flood Risk Reduction

7 Water Supply








5 Water Quality

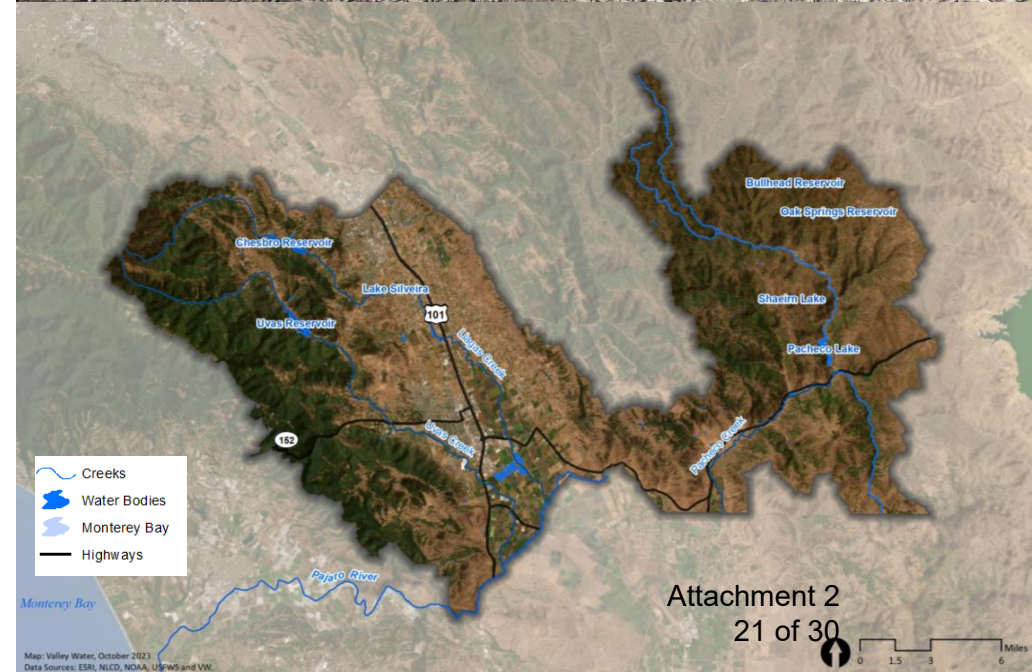
3. Priority Actions



Watershed Scale Priority Actions









Short-Term

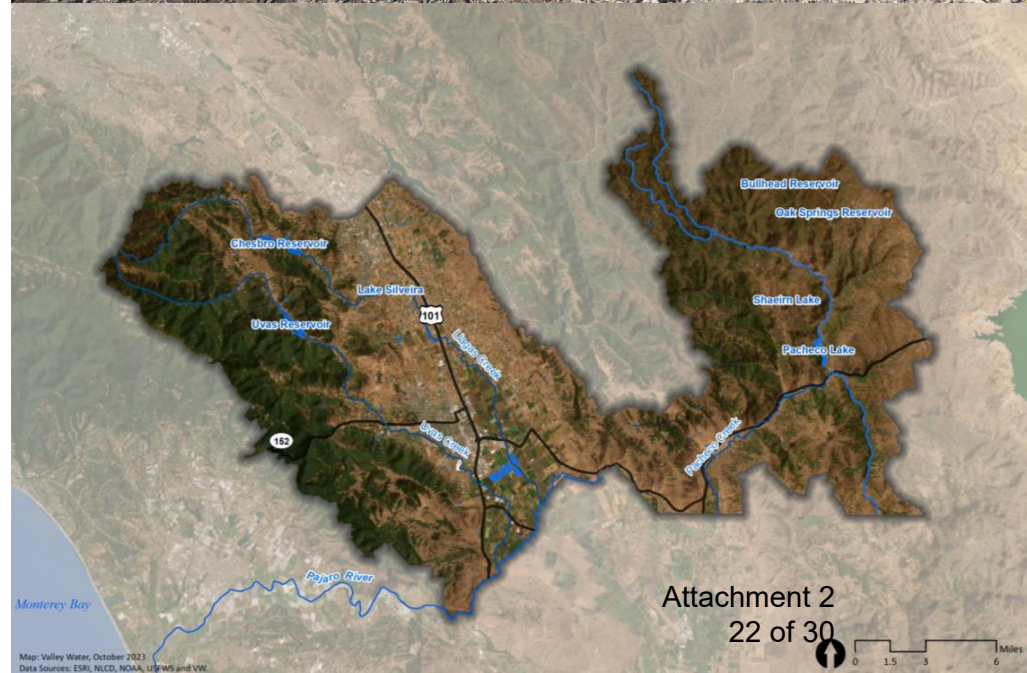
-  Develop a program and best management practices to incorporate tribal involvement, traditional ecological knowledge, and cultural resource protection into watershed actions (ECO-03)
-  Continue and expand the temperature monitoring program on Llagas, Uvas, and Pacheco Creeks and use results to inform future habitat enhancement actions (ECO-05)
-  Assess modified channels to identify strategies and priorities to enhance ecological conditions (ECO-06)
-  Identify locations and strategies to remove non-native vegetation that has encroached upon and is stabilizing gravel bars (ECO-07)
-  Develop Upper Pajaro Native Ecosystem Enhancement Tool to coordinate and inform long term habitat conservation planning (ECO-15)
-  Incorporate restoration of areas impacted by unhoused encampments into Stream Maintenance Program (ECO-16)
-  Develop and incorporate vegetation cover guidelines for use when developing project mitigation to decrease wildfire risk to native habitats (ECO-17)



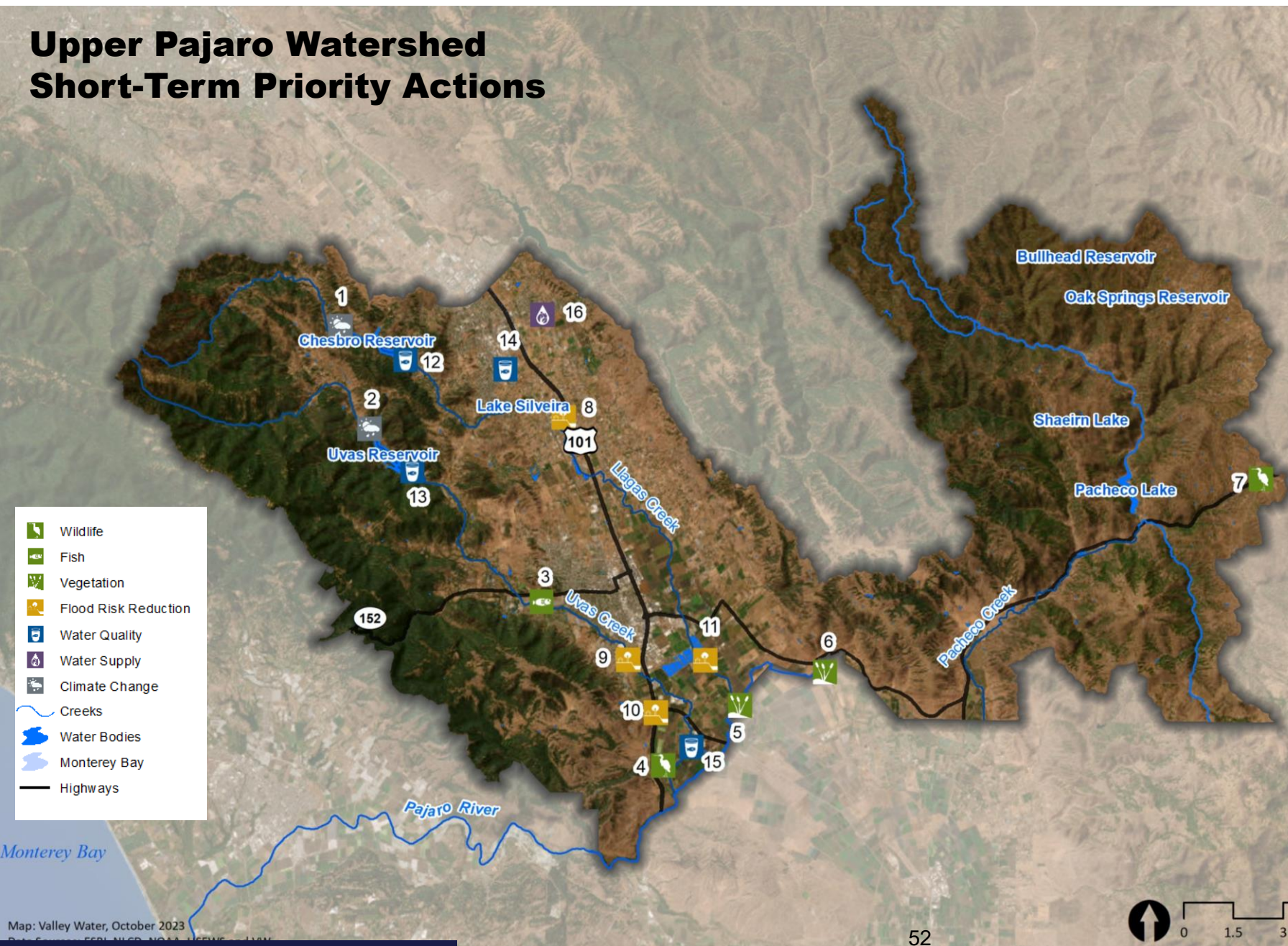
Watershed Scale Priority Actions

Short-Term

-  Identify and assess open space areas adjacent to creeks compatible with flood detention and environmental protection for incorporation into future flood protection projects (FRR-01)
-  Analyze flood risk by completing hydraulic modeling for the Upper Pajaro Watershed (FRR-04)
-  Request updates to FEMA floodmaps and flood zone designations upon completion of hydraulic modeling (FRR-05)
-  Improve coordination for intercounty flood protection and by maintaining communication and information sharing with partner agencies (FRR-10)
-  Support efforts led by Resource Conservation Districts, Natural Resource Conservation Service, and Santa Clara County Division of Agriculture to educate and assist farmers and landowners in implementing land management practices to improve water quality and enhance natural resources (WQ-01)
-  Partner with Santa Clara County, cities, and other organizations to reach a functional zero number of unsheltered people residing on Valley Water lands along waterways (WQ-02)
-  Partner with cities to reduce and prevent specific trash dumping areas (WQ-05)
-  Implement recommendations from pre-feasibility study on Flood Managed Aquifer Recharge (FloodMAR) (WS-01)



Upper Pajaro Watershed Short-Term Priority Actions







Priority Actions





- 1: Complete Chesbro Reservoir Greenhouse Emission Study And Evaluate Results (CC-01)
- 2: Complete Uvas Reservoir Greenhouse Emission Study And Evaluate Results (CC-01)
- 3: Improve Suitable Spawning And Rearing Habitat For Steelhead Trout And Salmon By Adding Coarse Sediment And Large Wood To Creeks (ECO-14)
- 4: Expand And Enhance Riparian And Wetland Habitat At The Carnadero Preserve (ECO-04)
- 5: Expand And Enhance Floodplain At Pajaro River Agricultural Preserve (ECO-01)
- 6: Partner With Organizations In San Benito County To Conserve And Enhance San Felipe Lake (ECO-02)
- 7: Participate In Development Of The Pacheco Pass Wildlife Overpass Planning Project (ECO-09)
- 8: Complete Upper Llagas Creek Flood Protection Project (FRR-06)
- 9: Complete Uvas-Carnadero Flood Protection Project (FRR-11)
- 10: Implement US 101/SR 25 Interchange Project - Phase I (FRR-03)
- 11: Complete Planning And Design For Lower Llagas Creek Capacity Restoration Project (FRR-02)
- 12: Implement Regular Quarterly Monitoring At Chesbro Reservoir (WQ-03)
- 13: Implement Regular Quarterly Monitoring At Uvas Reservoir (WQ-03)
- 14: Identify Opportunities And Actions To Reduce Bacteria And Sediment Loads Within The Llagas And Uvas Creeks (WQ-04)
- 15: Partner To Construct Free Span Crossings At Carnadero Preserve To Enhance Water Quality And Fish Passage Conditions In Uvas-Carnadero Creek (WQ-06)
- 16: Assess Areas Within Llagas Subbasin Suitable For Additional Groundwater Recharge Projects (WS-04)

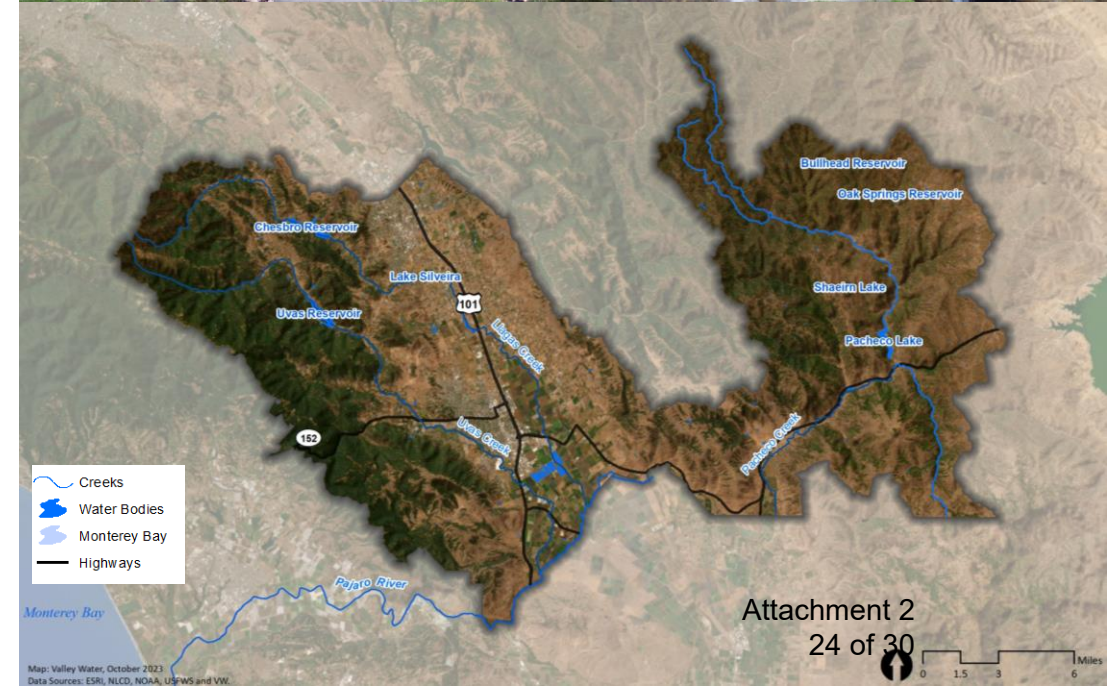
Watershed Scale Priority Actions

Medium-Term

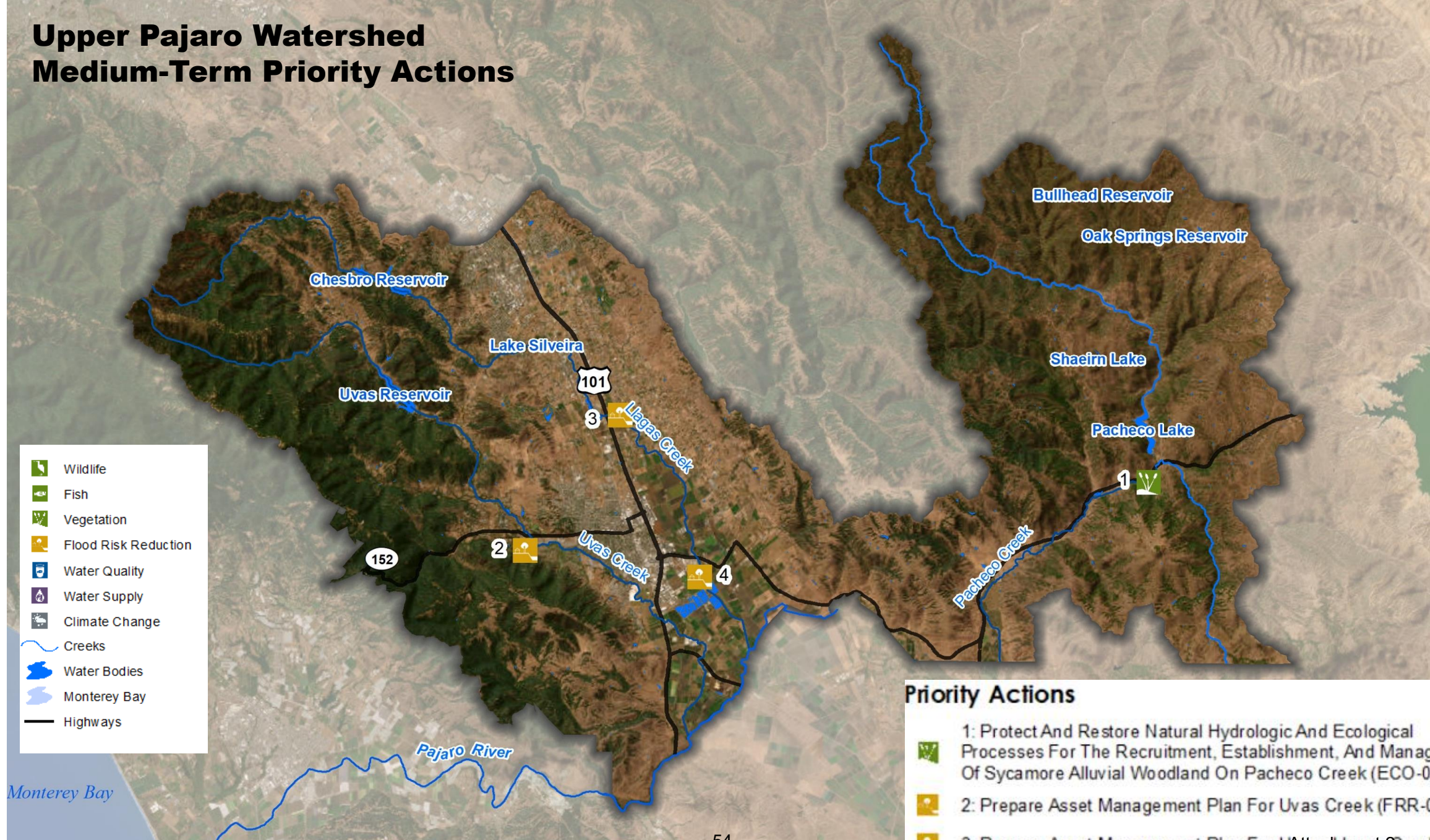
-  Assess fish passage barriers and impediments throughout watershed and prioritize their remediation (ECO-10)
-  Assess and prioritize opportunities to expand and connect riparian corridors around channels, particularly where they are missing or only very narrow (ECO-11)
-  Partner to protect and conserve sensitive natural communities (ECO-13)
-  Expand the production and use of recycled water in the South County watershed by studying projects identified in the 2021 Countywide Water Reuse Master Plan and the 2015 South County Recycled Water Master Plan Update (WS-03)

Long-Term

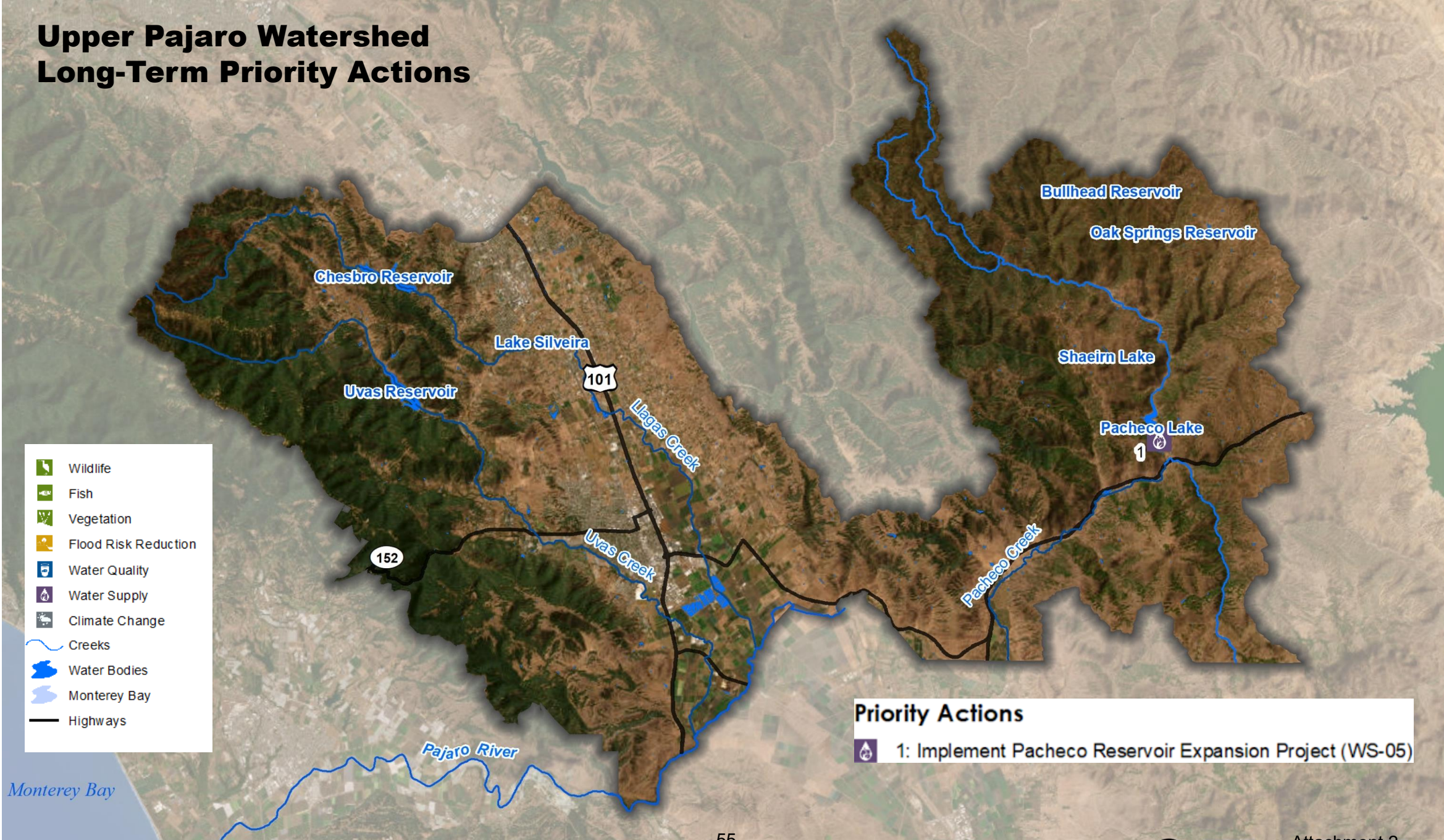
-  Partner to support efforts to assess, enhance, and manage livestock ponds for habitat benefit (ECO-12)
-  Complete Uvas-Llagas Transfer Pipeline condition assessment and implement recommendations (WS-02)
-  Evaluate needed improvements to San Felipe Division Infrastructure and consider replacement projects for parts of the system (WS-06)
-  Implement the Pacheco-Santa Clara Conduit Right of Way Acquisition (WS-07)



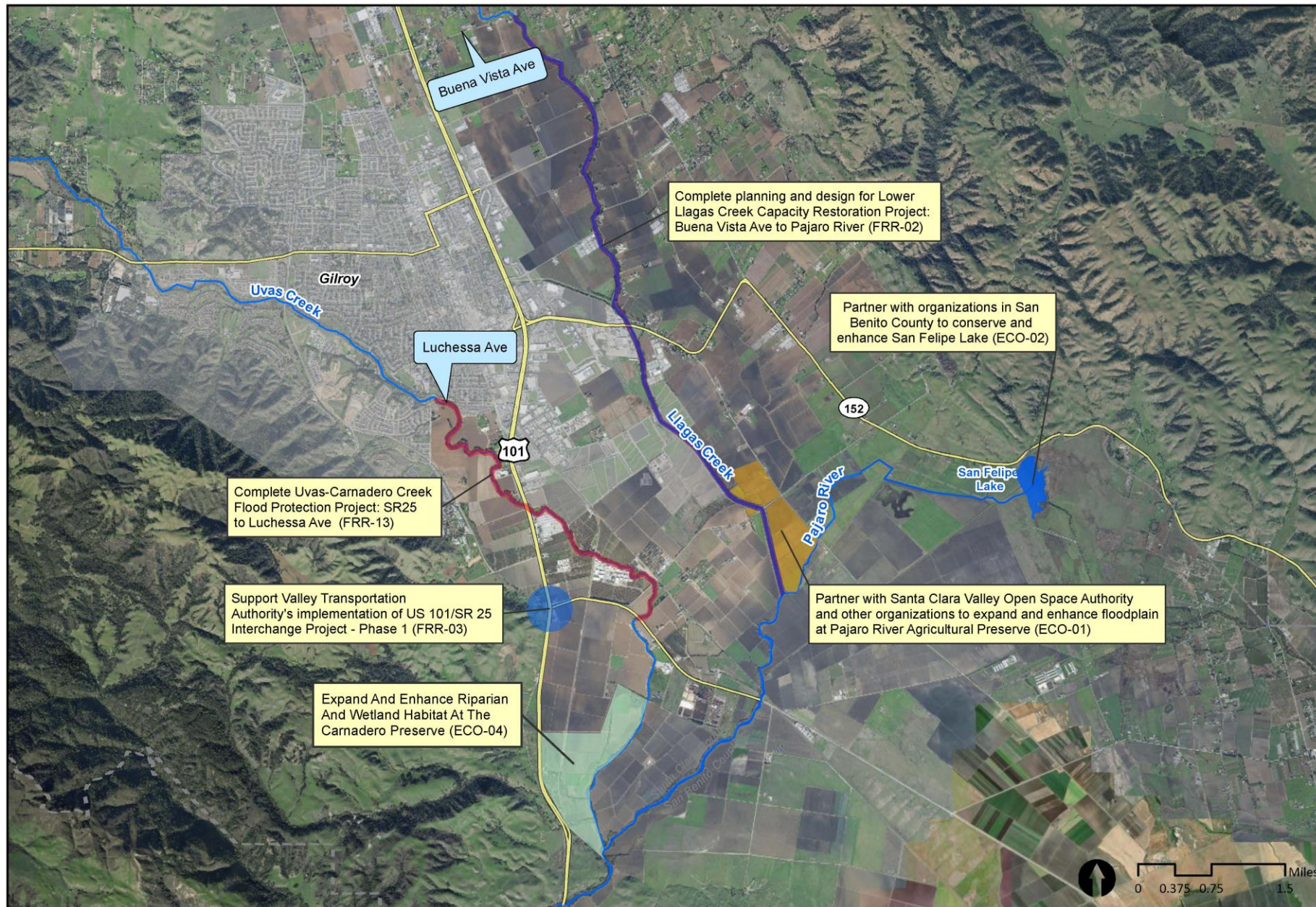
Upper Pajaro Watershed Medium-Term Priority Actions



Upper Pajaro Watershed Long-Term Priority Actions



Lower Watershed Focus Area



- Major Tributaries
- Water Bodies
- Major Roads
- Cities/Communities
- County Line

Upper Pajaro River Watershed

Lower Watershed Actions

56

Map: Valley Water, September 2023
Data Sources: ESRI, NLCD, NOAA, USFWS, SCC and VW.

Attachment 2
3. Priority Actions
27 of 30

Next Steps

- Incorporate feedback from Committee
- Present Priority Actions to appropriate Board Advisory Committees
- Finalize Watershed Plan
- Seek adoption of Plan by Board of Directors

QUESTIONS





Valley Water

Clean Water • Healthy Environment • Flood Protection



Santa Clara Valley Water District

File No.: 23-1300

Agenda Date: 1/2/2024

Item No.: 4.3.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Review Proposed Changes to Board Governance Policies-Executive Limitations (EL) 3- Human Resources.

RECOMMENDATION:

- A. Review and provide input on the proposed changes to Board Governance Policies, Executive Limitations (EL) 3-Human Resources; and
- B. Consider elimination of BAO Interpretations for (EL) 3; and
- C. Recommend that the revisions be presented to the full Board for approval.

SUMMARY:

Executive Limitation 3 (EL-3), initially adopted in June 1999, serves as a governance policy of the Board providing clear directives with the respect to compensation and benefits, employment, and the treatment of employees and persons doing work for or on behalf of Valley Water. The policy was updated in December 2019.

In 2014 the Board approved the additional of Board Appointed Officer (BAO) Interpretations to some governance policies. The current version of EL-3 aim to keep governance as a Board directive that communicates the expectations of the Board but does not prescribe how the expectations will be achieved through BAO interpretations.

The proposed revisions include the following:

- 1. For Executive Limitations 3 (EL-3) change any reference to "District" to "Valley Water" to align with our organizations branding policy and strike-out of reference to BAO interpretations.
- 2. Revises 3.7 and 3.17
- 3. For the BAO Interpretations for EL-3, staff is recommending eliminated this BAO Interpretation as many of the bullets are redundant, describe operations Valley Water, and some of the information has changed or is no longer applicable.

Staff asks that the Committee review the proposed redlined revisions and provide input as necessary

to EL-3 (Attachment 1) and BAO Interpretations for EL-3 (Attachment 2).

ENVIRONMENTAL JUSTICE IMPACT:

This item is not subject to environmental justice. However, the Executive Limitations policy, EL-3, Human Resources, ensures that Human Resources and Labor Relations policies and practices follow best management practices and are legally complaint and supports Valley Water's efforts to ensure equitable, just access and outcomes for prospective and current workforce.

ATTACHMENTS:

Attachment 1: EL-3 Redline

Attachment 2: BAO Interpretations-EL-3 Redline

UNCLASSIFIED MANAGER:

Patrice McElroy, 408-630-3159

IV. Executive Limitations

Governance Policies of the Board

Title: Human Resources Category: Executive Limitations		
Policy No. EL-3	Adopted: June 15, 1999 Chair: Larry Wilson	Latest Revision: August 22, 2023 Chair: John L. Varela
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

With respect to compensation and benefits, employment, and the treatment of employees and persons doing work for or on behalf of the ~~District~~, a BAO shall:

Valley Water

Employee Relations

- 3.1. Operate with written personnel rules which: (a) clarify rules for employees, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions, such as preferential treatment for personal reasons. ~~See BAO Interpretation~~
- 3.2. Not retaliate against any employee.
- 3.3. Inform employees of their protections under this policy. ~~See BAO Interpretation~~
- 3.4. Integrate, and operate within, written ethics policies and behavioral expectations that embody fairness, dignity and respect. ~~See BAO Interpretation~~
- 3.5. Operate with written employee health and safety policies which (a) ensure that standards, programs, and procedures meet or exceed acceptable industry standards as written in state and federal regulations, and (b) ensure a healthful and safe work environment for all ~~District~~ employees. ~~See BAO Interpretation~~
Valley Water's
- ~~3.6.~~ Subject to the ~~District's~~ Living Wage Policy, provide persons doing work for or on behalf of Valley Water at least a living wage and reasonable time off. ~~See BAO Interpretation~~

Recruitment and Employment

- 3.7. Retain no more than ~~thirty-six (36)~~ ^{the number of} unclassified positions ^{approved by the} without Board approval. ^{in the budget.} ~~See BAO Interpretation~~
- 3.7.1. Not hire or promote unclassified employees without going through a competitive process.
- 3.8. Present an appointment of a Chief-level employee to the Board for confirmation.

Governance Policies of the Board

- 3.9. Not allow compensated employment by Valley Water for any serving member of the Board of Directors and for one year following the end of the Board member's term of office.
- 3.10. Require pre-employment alcohol/drug testing only where mandated by State or Federal laws.
- 3.11. Not change his or her own compensation and benefits. ~~See BAO Interpretation~~
- 3.12. Not promise or imply permanent or guaranteed employment. ~~See BAO Interpretation~~
- 3.13. Consider attrition, pending retirement, employee retraining, and reduction in temporary or contract staff, prior to employee layoffs.
- 3.14. Solicit Board input on changes to recruitment and hiring policies.

Succession Planning

- 3.15. Assure there are capable employees with knowledge and expertise in subject matter integral to the future of water resource management in Santa Clara County. ~~See BAO Interpretation~~
- 3.16. Have no fewer than two other unclassified employees familiar with Board and BAO issues and processes in order to protect the Board from sudden loss of BAO services. ~~See BAO Interpretation~~

Labor-Management Relations

- 3.17. Operate in an environment where there are good labor relations. ~~See BAO Interpretation~~ with the workforce and bargaining units.
- 3.18. Only negotiate terms for bargaining unit agreements within parameters set by the Board.

V. BAO Interpretations

Proposing to Eliminate

BAO Interpretations

of the Board's Governance Policies

Title: Human Resources
Category: BAO Interpretations

**Interpretation of
Policy No. EL-3**

CEO Approval: March 1, 2007

Latest Revision: October 01, 2014

With respect to compensation and benefits, employment, and the treatment of employees and persons doing work for or on behalf of the District, a BAO shall:

3.1. Operate with written personnel rules which: (a) clarify rules for employees, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions, such as preferential treatment for personal reasons.

~~I-EL-3.1.a. The salary levels for the unclassified employee classifications will be periodically evaluated and the CEO will periodically benchmark them with comparator agencies according to the process set forth in Chapter 7 of the "At Will Policy for Employees in the Unclassified Service at the Santa Clara Valley Water District."~~

~~I-EL-3.1.b. Written work instructions that clarify rules for employees, provide for effective handling of grievances, and protect against wrongful conditions will be developed and periodically reviewed.~~

3.3. Inform employees with their protections under this policy.

~~I-EL-3.3.a. CEO will have work instructions related to this policy that will be posted on-line.~~

~~I-EL-3.3.b. CEO will provide awareness training to ensure employees are informed of their protections.~~

3.4. Integrate, and operate within, written ethics policies and behavioral expectations that embody fairness, dignity and respect.

~~I-EL-3.4.a. Maintain written ethics policies and procedures.~~

~~I-EL-3.4.b. Maintain written behavioral expectations of all district employees.~~

~~I-EL-3.4.c. Implement process(es) that promote awareness of ethics policies and expectations.~~

~~I-EL-3.4.d. Implement process(es) to report, investigate, and correct behavior.~~

3.5. Operate without written employee health and safety policies which (a) ensure that standards, programs, and procedures meet or exceed acceptable industry standards as written in state and federal regulations, and (b) ensure a healthful and safe work environment for all District employees.

~~I-EL-3.5.a. Every employee will be held accountable for effectively implementing this CEO Interpretation as well as safety program improvements within their area(s) of responsibility. To that end, the CEO Interpretation of this policy includes the following expectations:~~

BAO Interpretations

of the Board's Governance Policies

- ~~I-EL-3.5.a.i. Maintain an effective written management system for Health and Safety (H&S) that meets the Cal-OSHA Injury and Illness Prevention Program requirements of California Code of Regulations Title 8 §3203.~~
- ~~I-EL-3.5.a.ii. Every employee's Work Plan must incorporate health and safety goals and targeted outcomes.~~
- ~~I-EL-3.5.a.iii. All employees must comply with established workplace safety rules, practices and procedures. Violations are subject to disciplinary action.~~
- ~~I-EL-3.5.a.iv. Managers and supervisors must immediately eliminate or effectively control known hazards that expose employees to serious injury. Hazards, other than serious, identified through observations, employee reports, inspections, audits, or risk assessments should be eliminated or effectively controlled as soon as possible but no later than 30 days from notification of the hazard. If 30 days is not sufficient time to adequately address the hazard, a written control and mitigation plan must be developed within 30 days of recognition of the hazard and agreed upon by District Health and Safety personnel.~~
- ~~I-EL-3.5.a.v. Employees must attend mandatory safety training when identified and scheduled.~~
- ~~I-EL-3.5.a.vi. All employees are expected to participate in maintaining job related District health and safety program elements as defined by District Policies and Procedures.~~

3.6. Subject to the District's Living Wage Policy, provide persons doing work for or on behalf of the District at least a living wage, and reasonable time off.

- ~~I-EL-3.6.a. This policy will be implemented pursuant to the District's Living Wage Policy, which is maintained by the CEO's procurement designee.~~

3.7. Retain no more than thirty-two (32) unclassified positions without Board approval.

- ~~I-EL-3.7.a. The BAOs retain the following number of unclassified positions (including BAO positions); CEO, 24; District Counsel, 7; and Clerk of the Board, 1. In the event of a critical business need, the BAOs may submit a request to the Board to fill an additional unclassified position.~~
- ~~I-EL-3.7.b. The BAOs have the flexibility to assign existing unclassified employees to duties that best meet the interests of the District to carry out the District's mission. The CEO will inform the Board of organizational changes that involve movement at the Deputy level and above or changes to the unclassified reporting structure at the Chief level.~~

3.11. Not change his or her own compensation and benefits.

- ~~I-EL-3.11.a. The Chief Administrative Officer and/or Chief Financial Officer will report directly to Board any requests or directed requests to change BAO compensation or benefits.~~

BAO Interpretations

of the Board's Governance Policies

3.12. Not promise or imply permanent or guaranteed employment.

~~I-EL-3.12.a. Employment offer letters are clearly written and Memorandums of Understanding with employees do not promise or imply permanent or guaranteed employment.~~

3.15. Assure there are capable employees with knowledge and expertise in subject matter integral to the future of water resource management in Santa Clara County.

~~I-EL-3.15.a. Hire competent and qualified professional employees.~~

~~I-EL-3.15.b. Provide opportunities for professional development.~~

~~I-EL-3.15.c. Ensure required training is available to employees (e.g. technical training, health and safety training, other mandatory training).~~

~~I-EL-3.15.d. Ensure that there is a succession plan.~~

~~I-EL-3.15.e. Provide a rotation program for employees.~~

3.16. Have no fewer than two other unclassified employees familiar with Board and BAO issues and processes in order to protect the Board from sudden loss of BAO services.

~~I-EL-3.16.a. The BAOs will confirm annually that there are at least two other unclassified employees familiar with Board and BAO issues and processes.~~

3.17. Operate in an environment where there are good labor relations.

~~I-EL-3.17.a. Establish a mutual expectations agreement between management and the bargaining units.~~

~~I-EL-3.17.b. Establish a process to address actions inconsistent with the mutual expectations agreement.~~

~~I-EL-3.17.c. Labor contract (i.e. labor Memorandum of Understanding) negotiations are completed within established ground rules.~~



Santa Clara Valley Water District

File No.: 23-1301

Agenda Date: 1/2/2024

Item No.: 4.4.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Review proposed Changes to Board Governance Policies-Executive Limitations (EL) 8-Inclusion, Equal Employment Opportunity, Discrimination/Harassment Prevention, and Diversity.

RECOMMENDATION:

- A. Review and provide input on the proposed changes to Board Governance Policies, Executive Limitations (EL) 8- Inclusion, Equal Employment Opportunity, Discrimination/Harassment Prevention, and Diversity; and
- B. Recommend that the revisions be presented to the full Board for approval.

SUMMARY:

Executive Limitation 8 (EL-8), initially adopted in June 1999, serves as a governance policy of the Board providing clear expectations that promote conditions to ensure a work environment that is diverse and inclusive, free of discrimination and harassment, and that provides equal opportunity employment. The policy was last updated in July 2014.

The proposed revisions include the following:

- 1. Added the equal opportunity employment policy language to describe in detail what protections are covered.
- 2. Changed reference from "District" to "Valley Water".
- 3. Added Fellows and Apprenticeships to 8.2 for clarification.

Staff asks that the Committee review the proposed redlined revisions and provide input as necessary EL-8 (Attachment 1).

ENVIRONMENTAL JUSTICE IMPACT:

There are no Environmental Justice Impacts associated with this item. EL-8 Inclusion, Equal Employment Opportunity, Discrimination/Harassment Prevention, and Diversity Communications the Board's expectation that Valley Water will be an employer of choice functioning with policies and programs that ensure an excellent work environment and is legally complaint.

ATTACHMENTS:

Attachment 1: Revise Board Governance Policy Executive Limitations (EL)8- Inclusion, Equal Employment Opportunity, Discrimination/Harassment Prevention, and Diversity

UNCLASSIFIED MANAGER:

Patrice McElroy, 408-630-3159

IV. Executive Limitations

Governance Policies of the Board

Title: Inclusion, Equal Employment Opportunity, Discrimination/Harassment Prevention and Diversity		
Category: Executive Limitations		
Policy No. EL-8	Adopted: August 3, 1999 Chair: Larry Wilson	Latest Revision: July 28, 2014 Chair: Tony Estremera
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

The BAOs shall promote conditions that ensure a work environment that is diverse and inclusive, free of discrimination and harassment, and that provides equal opportunity employment: ~~without regard to any characteristic protected in accordance with state or federal law.~~

Further, a BAO shall:

8.1 Provide leadership in diversity and inclusion that is open, honest, and fair. Management and employees will demonstrate the highest standards of personal integrity, honesty, and conduct to inspire trust and foster collaboration with each other, customers, and the community.

8.2 ~~District's~~ ^{Valley Water} Not allow ~~District's~~ employees, agents, or contractors to discriminate, harass, or allow harassment against any applicant, employee, customer, or other person on the basis of sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), race, religion, color, national origin (including language use restrictions), ancestry, religious creed (including religious dress and grooming practices, political affiliation, disability (mental and physical, including HIV or AIDS), medical condition (cancer and genetic characteristics), genetic information, marital status, parental status, gender, age (40 and over), pregnancy, military and veteran status, sexual orientation, gender identity and gender expression, the exercise of family and medical care leave, the exercise of pregnancy disability leave, or the request, exercise, or need for reasonable accommodation.

With respect to employees, these requirements apply to employment actions which include, but are not limited to, the following: recruitment, hiring, employment, utilization, promotion, classification or reclassification, transfer, recruitment, recruitment advertising, evaluation, treatment, demotion, layoff, termination, rates of pay or other forms of compensation, and selection for professional development training (including ~~apprenticeship~~). ~~fellows and apprenticeship~~

8.3 ^{Valley Water} Require employees at all levels of ~~District~~ employment be aware that they share in the responsibility to ensure a work environment free of discrimination and harassment prohibited by this policy.

8.4 Refer to Human Resources for discipline any manager or supervisor who is aware of unlawful harassment or discrimination by his or her employees, but fails to take appropriate action.

Governance Policies of the Board

- 8.5. Take positive and innovative action to provide equal opportunity.
- 8.5.1 Assure that persons from all segments of our community are given a fair and equal opportunity to qualify for employment and advancement within the ~~District's~~ work force.
Valley Water's
- 8.6. Not allow potential barriers to employment of members of protected groups to exist within an individual BAO's authority.
Valley Water
- 8.7. Consistent with legal requirements, assure that the ~~District's~~ work force fairly represents the composition of individuals in the available labor market who possess the requisite job skills.
- 8.8. Operate in a manner that ensures that employees at all levels of ~~District~~ employment use sound personnel practices that apply equally to all.
Valley Water
- 8.9. Ensure that all people are welcomed and included, and everyone is treated with fairness, dignity, and respect.



Santa Clara Valley Water District

File No.: 23-1281

Agenda Date: 1/2/2024

Item No.: 4.5.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Review Board-Approved Committee Purpose and Draft 2024 Work Plan and Meeting Schedule.

RECOMMENDATION:

- A. Review the Board Policy and Planning Committee's Board-assigned Purpose;
- B. Review the draft 2024 Board Policy and Planning Committee's Work Plan and incorporate any new tasks; and
- C. Schedule Committee meetings as appropriate.

SUMMARY:

Board Policy and Planning Committee (BPPC) Purpose

The Board Policy and Planning Committee's Board-assigned purpose is to support to the Board in areas of:

- 1. Board planning process;
- 2. Board Committees' principles and structures;
- 3. Board and organization performance monitoring &
- 4. Other tasks as assigned by the Board.

2024 BPPC's Work Plan and Meeting Schedule

This allows the Committee to review its 2024 Work Plan and meeting schedule (Attachment 1) and identify additional tasks and schedule meetings as appropriate.

ENVIRONMENTAL JUSTICE IMPACT:

There are no Environmental Justice impacts associated with this item.

ATTACHMENTS:

File No.: 23-1281

Agenda Date: 1/2/2024
Item No.: 4.5.

Attachment 1: 2024 BPPC Work Plan

UNCLASSIFIED MANAGER:
Michele King, 408-630-2711

DRAFT 2024 Board Policy and Planning Committee Work Plan and Schedule

Subject	Task	1/2/24	2/5/24	3/4/24	4/1/24	5/6/24	6/3/24	7/1/24	8/5/24	9/2/24	10/7/24	11/4/24	12/2/2024
Board Planning Process	A. Provide Support for Board Planning Activities												
	1. Discuss FY24-25 Board Budget Message & Board Work Plan												
	2. Planning for Board's FY23-24 Strategic Planning Workshop												
	B. Provide Support for Board Policy Review												
	1. Update on Expansion of the Water Resources Protection Manual												
	2. Fuel Management Policy and Wildfire Resilience Plan												
	3. One Water Watershed Plans	X											
	4. Update on Climate Change Action Plan Implementation												
	5. Develop a Board Ethics and Code of Conduct Policy for Board Approval												
	6. Review Board Governance Policies related to the Election of the Board Chairperson/Vice Chairperson and the Chairperson's role												
	7. Unhoused Ends Policy												
	8. Review Governance Policies of the Board: Executive Limitations	X											
	9. Discuss Board Meeting Rules and Procedures												
Board Committees Principles and Structures	C. Align Board Committees' Work Plans with Board Planning Calendar												
	1. Review Effectiveness of Board Advisory Committees (External)												
Other Assignments Requested by Board	D. Other Assignments as Requested by the Board												
	1. Analyze Santa Clara County Civil Grand Jury Final Report: If You Only Read the Ballot, You're Being Duped, October 7, 2022, and Provide Recommendations to Full Board by March 31, 2023.												
	2. Review Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat												

2023 Board Policy and Planning Committee Accomplishments Report

Subject	Task	Action Taken
Board Planning	A. Provide ongoing support for Board Planning Activities	
	1. Discuss FY23-24 Board Budget Message & Board Work Plan	6/5/23 - Committee reviewed draft plan, provided input and recommended approval to the Board.
	2. Planning for Board's FY23-24 Strategic Planning Workshop	
	B. Provide Support for Board Policy Review	
	1. Expansion of the Water Resources Protection Manual	1/11/23 - Received an update and provided input on the WRPM and outreach efforts related to the guidelines and standards for land use near streams.
	2. Fuel Management Policy and Wildfire Resilience Plan	
	3. One Water Watershed Plans	11/6/23 - One Water Guadalupe Watershed Plan Priority Actions - BPPC requested that staff include flood areas that individual directors are concerned about and how they connect to the One Water plan and approved presenting the One Water Guadalupe Watershed Plan to the full Board for consideration.
	4. Climate Change Action Plan Implementation Update.	1/11/23 - Received an update and provided input on high-priority climate change mitigation and adaption actions. 8/8/23 – This item was continued to the September Committee meeting. 09/07/23 – Received an update on implementation of Climate Change Adaptation actions. 11/6/23 - Sea Level Rise Design Criteria. - Received information and engaged in discussion on the Sea Level Rise Design Criteria.
	5. Develop a Board Ethics and Code of Conduct Policy for Board Approval.	3/6/23 - Committee requested the Chair work with staff to create a draft policy framework for review and input. 6/30/23 – Committee reviewed draft policy, provided input, made revisions and will recommend that the Board approve. 8/8/23 – Committee reviewed the updated draft policy, provided additional input and approved presenting to the full board for review and approval.

Process	6.	Review Board Governance Policies related to the Election of the Board Chairperson/Vice Chairperson and the Chairperson's role.	3/6/23 - Committee requested that staff return to the Board to clarify this assignment and probably outcome. 6/5/23 – Committee reviewed policy and recommended to the Board that it be revised to allow the Board Chairperson/Vice Chairperson be elected by a simple majority; and requested more direction on the policy related to the role of the Chairperson.
	7.	Unhoused Ends Policy	6/5/23 - Committee reviewed draft policy, provided input and requested that staff return in August with new draft. 8/8/23 – Committee requested that staff work with Chair Hsueh on the draft policy and schedule on future committee agenda. 9/7/23 – Committee recommend staff presenting the E-6 policy to full board for adoption consideration.
	8.	Review Governance Policies of the Board: Executive Limitations	11/6/23 - EL-5 - Recommended for Board consideration staff's proposed revisions to EL-5, increasing the threshold for Competitive Procurements on Consultant Contracts from \$225,000 to \$500,000; increasing the threshold for Non-Competitive Procurements on Consultant Contracts from \$225,000 to \$500,000; increasing the exemption time period from 1 month to 3 months for solicitations that do not receive responses; increasing the exemption limit on sponsorships from \$5,000 to \$10,000; include the research and comparisons for threshold increase for Competitive and Non-Competitive Procurements on Consultant Services Contracts for Board information; and authorized the Chair Hsueh to work with staff to review and propose wording modifications so the public can better follow and understand the policy
	9.	Discuss Board Meeting Rules and Procedures.	11/6/23 - The BPPC agreed to send the Board Meeting Rules and Procedures back to the Board with the comparison information that was included in the Committee memo, along with the Committee comments and questions and staff's answers, for the Board to discuss and consider if the current language in GP-12 and GP-5 should be modified.
Board Committees Principles and Structures	C.	Align Board Committees' Work Plans with Board Planning Calendar	
	1.	Review Effectiveness of Board Advisory Committees (External) - Meet with BPPC prior to presenting Accomplishment Reports to Board.	2/6/23 - Board Advisory Committee Chairs/Vice Chairs attended meeting and provided feedback. Information collected will be shared with the Committees and will return to the BPPC for possible recommendations to the Board. 9/7/23 – Committee approved recommending applying current EWRC staff support process to the Water Commission and Ag Water Committee to full board for consideration.
Other Assignments Requested by Board	D.	Assignments as Requested by the Board	
	1.	Analyze Santa Clara County Civil Grand Jury Final Report: If You Only Read the Ballot, You're Being Duped, October 7, 2022, and Provide Recommendations to Full Board by March 31, 2023.	2/5/23 - BPPC reviewed the report and made recommendations to the full board.
	2.	Review Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat	8/20/23 - Committee recommended to the Board to consider supporting each candidate with their statements fees by providing financial reimbursement of 50% or more, as the Board may determine.