

January 10, 2023

MEETING NOTICE

SANTA CLARA VALLEY WATER DISTRICT ENVIRONMENTAL CREEK CLEANUP COMMITTEE (Formerly Homeless Encampment Committee)

Members of the Environmental Creek Cleanup Committee:

District 3 Director Richard Santos, Committee Chair
District 1 Director John Varela, Committee Vice Chair
District 2 Director Barbara Keegan

Staff Support of the Environmental Creek Cleanup Committee:

Rick Callender, Esq., Chief Executive Officer
Juan Carlos Orellana, District Counsel
Michele King, Clerk of the Board
Melanie Richardson, Assistant Chief Executive Officer
Rechelle Blank, Chief Operating Officer - Watersheds
Aaron Baker, Chief Operating Officer – Water Utility
Rachael Gibson, Chief of External Affairs
Anthony Fulcher, Sr. Assistant District Counsel
Andrew Gschwind, Assistant District Counsel
Audrey Beaman, Assistant District Counsel
Brian Hopper, Assistant District Counsel
Kirsten Struve, Assistant Officer
Marta Lugo, Assistant Officer
Lisa Bankosh, Assistant Officer
Jennifer Codianne, Deputy Operating Officer
Donald Rocha, Deputy Administrative Officer
Vincent Gin, Deputy Operating Officer
Jay Lee, Watersheds Field Operations Unit Manager
Kathy Bradley, Real Estate Services Manager
John Chapman, Integrated Vegetation Manager
Sherilyn Tran, Civic Engagement Manager
Meenakshi Ganjoo, Supervising Program Administrator
Raymond Fields, Project Manager
Mark Bilski, Senior Management Analyst

A Santa Clara Valley Water District Regular Environmental Creek Cleanup Meeting has been scheduled to occur at 2:00 p.m. on Tuesday, January 17, 2023 in the Headquarters Building Boardroom located at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose.

Members of the public may join the meeting via Zoom Teleconference at:
<https://valleywater.zoom.us/j/88314500886>.

The meeting agenda and corresponding materials are located on our website:
<https://www.valleywater.org/how-we-operate/committees/board-committees>.

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Santa Clara Valley Water District Environmental Creek Cleanup Committee Meeting

Join Zoom Meeting
<https://valleywater.zoom.us/j/88314500886>

Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, CA 95118

REGULAR MEETING AGENDA

**Tuesday, January 17, 2023
2:00 PM**

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

BOARD COMMITTEE MEMBERS:

Committee Chair:
Director Richard P. Santos, District 3

Committee Vice Chair:
Director John Varela, District 1

Director Barbara Keegan, District 2

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 LIAISON:
Jennifer Codianne

COMMITTEE CLERK:
Eva Marie Sans
Assistant Deputy Clerk II
408-265-2306
esans@valleywater.org
www.valleywater.org

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
Environmental Creek Cleanup Committee
REGULAR MEETING
AGENDA**

Tuesday, January 17, 2023

2:00 PM

Join Zoom Meeting
<https://valleywater.zoom.us/j/88314500886>

Headquarters Building Boardroom
5700 Almaden Expressway, San Jose, CA 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 at a video conferenced meeting, during public comment or on any item listed on the agenda, should use the “Raise Hand” tool located in the Zoom meeting link listed on the agenda, at the time the item is called. Speakers will be acknowledged by the Board 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>

Valley Water, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Board of Directors/Board Committee meetings to please contact the Clerk of the Board’s office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

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

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 not been prepared with a view to informing an investment decision in any of Valley Water's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <http://emmas.msrb.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

Join Zoom Meeting:

<https://valleywater.zoom.us/j/88314500886>

Meeting ID: 88314500886

Join by Phone:

1 (669) 900-9128, 88314500886#

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 Committee on any item not listed on the agenda should access the "Raise Hand" tool located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in order requests are received and granted speaking access to address the Committee. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If 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 Committee may take action on any item of business appearing on the posted agenda.

3. ELECTION OF OFFICERS:

- 3.1. Elect 2023 Environmental Creek Cleanup Committee Officers. [23-0040](#)

Recommendation: Nominate and elect the 2023 Environmental Creek Cleanup Committee Chairperson and Vice Chairperson.

Manager: Candice Kwok-Smith, 408-630-3193

Est. Staff Time: 5 Minutes

4. APPROVAL OF MINUTES:

- 4.1. Approval of the October 18, 2022 Environmental Creek Cleanup Committee Meeting Minutes. [22-1301](#)

Recommendation: Approve the minutes.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: 101822 ECCC Minutes](#)

Est. Staff Time: 5 Minutes

5. ACTION ITEMS:

- 5.1. Update on Valley Water's Encampment Cleanup Operations. [22-1299](#)

Recommendation: Receive updates and provide feedback on the following topics:

- A. Encampment cleanup schedule.
- B. Encampment cleanup costs and funding.
- C. Creek Safety Issues Report.
- D. Recent encampment cleanups.
- E. Fence repairs update.
- F. Creekside property owner outreach.
- G. Heavily Encamped Creek Reaches.
- H. Outreach Services MOA with Santa Clara County.

Manager: Jennifer Codianne, 408-630-3876

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 15 Minutes

- 5.2. Receive Information on the Proposed Valley Water Clean Camps, Clean Creeks Program and Provide Recommendations to Staff. [22-1449](#)

Recommendation: Receive information on the proposed Valley Water Clean Camps, Clean Creeks Program and provide recommendations to staff.

Manager: Jennifer Codianne, 408-630-3876

Est. Staff Time: 10 Minutes

- 5.3. Receive Environmental Creek Cleanup Committee 2022 Accomplishments Report. [22-1297](#)

Recommendation: Receive and accept the Environmental Creek Cleanup Committee 2022 Accomplishments Report.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: ECCC 2022 Accomplishment Report](#)

Est. Staff Time: 5 Minutes

- 5.4. Review 2023 Environmental Creek Cleanup Committee Work Plan. [22-1298](#)

Recommendation: A. Review the 2023 Environmental Creek Cleanup Committee Work Plan, and make adjustments as necessary; and
B. Confirm date and time of next Environmental Creek Cleanup Committee meeting.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: ECCC 2023 Work Plan](#)

Est. Staff Time: 5 Minutes

6. 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.

7. ADJOURN:

- 7.1. Adjourn to Regular Meeting at 2:00 p.m. on April 18, 2023.

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Santa Clara Valley Water District

File No.: 23-0040

Agenda Date: 1/17/2023

Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM Environmental Creek Cleanup Committee

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

SUBJECT:

Elect 2023 Environmental Creek Cleanup Committee Officers.

RECOMMENDATION:

Nominate and elect the 2023 Environmental Creek Cleanup Committee Chairperson and Vice Chairperson.

SUMMARY:

The Environmental Creek Cleanup Committee was established to discuss homelessness and encampment issues, and bring discussion and recommendations back to the Board.

The Committee is comprised of the Committee 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.

The following is a summary of the Homeless Encampment Committee officer terms since the Committee's 2017 enactment by the Board of Directors.

Year	Chairperson	Vice Chairperson
2017	Director Richard Santos	Director Tony Estremera
2018	Director Richard Santos	Director Tony Estremera
2019	Director Richard Santos	Director Tony Estremera
2020	Director Richard Santos	Director Tony Estremera
2021	Director Richard Santos	Director John Varela
2022	Director Richard Santos	Director John Varela

File No.: 23-0040

Agenda Date: 1/17/2023
Item No.: 3.1.

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193



Santa Clara Valley Water District

File No.: 22-1301

Agenda Date: 1/17/2023

Item No.: 4.1.

COMMITTEE AGENDA MEMORANDUM Environmental Creek Cleanup Committee

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

SUBJECT:

Approval of the October 18, 2022 Environmental Creek Cleanup Committee Meeting Minutes.

RECOMMENDATION:

Approve the 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.

ATTACHMENTS:

Attachment 1: 101822 ECCC Meeting Minutes

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

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ENVIRONMENTAL CREEK CLEANUP COMMITTEE
(formerly Homeless Encampment Committee)

MINUTES

TUESDAY, OCTOBER 18, 2022
2:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER.

A regular meeting of the Santa Clara Valley Water District (Valley Water) Environmental Creek Cleanup Committee (Committee) was held on October 18, 2022, in the Headquarters Building Boardroom at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California and by Zoom teleconference.

1.1 Roll Call.

Committee members in attendance were District 1 Director John L. Varela, District 2 Director Barbara F. Keegan, and District 3 Director Richard P. Santos, Chairperson presiding, constituting a quorum of the Committee.

Staff members in attendance were G. Adriano, A. Beaman, R. Bhudsabourgh, M. Bilski, R. Blank, K. Bradley, T. Chinte, J. Codianne, J. Downing, R. Gibson, A. Gschwind, B. Hopper, N. Ingram, M. King, E. Llamas, J. Lee, S. Medina, C. Orellana, M. Richardson, J. Randol, D. Rocha, R. Snyder, and E. Wilkinson.

Guests in attendance were: the Honorable Senator Jim Beall; John Davis, a San Jose resident; Susan AC, Ryan Castillo, Jeffrey Hare, Jamie Marcil, Don Smith of undisclosed affiliation; and Olympia Williams from City of San Jose.

Brian Hopper, Senior Assistant District Counsel, introduced Audrey Beaman, Assistant District Counsel, who will be assigned to this Committee starting at the next meeting of this Committee.

Chairperson Santos shared two commentaries related to the unsheltered: August 24, 2022 edition of the Mercury News (Doyle, Nancy. "*We Must Find a Better Way to Shelter Unhoused.*" Letters to the Editor, August 24, 2022, Page 111 A6); and November 26, 2022 edition of the New York Times (Thompson, Matthew. "*The Homelessness Emergency.*" Out From the Underpass, June 26, 2022, Page 2). Chairperson Santos mentioned that solutions mentioned in the articles would not appear to be easy had the needed funding and partnerships been considered.

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

Chairperson Santos declared time open for public comment on any item not on the agenda.

Don Smith and John Davis, Cities of Saratoga and San Jose residents, respectively, expressed frustration over the influx of camp sites closed to their properties that has affected their sense of security and safety and downgraded estate values, and suggested the creation of buffer zones, enhanced fencing, more cleanup frequencies, and more participation from the city.

3. APPROVAL OF MINUTES:

3.1. Approval of July 19, 2022 Environmental Creek Cleanup Committee Meeting Minutes.

Recommendation: Approve the minutes.

The Committee considered the attached minutes of the July 19, 2022 Environmental Creek Cleanup Committee meeting. It was moved by Director Varela, seconded by Director Keegan, and approved as presented.

4. ACTION ITEMS:

4.1. Updates on Valley Water's Encampment Cleanup Operations.

Recommendation: Receive updates and provide feedback on the following topics:

- A. Encampment cleanup schedule.
- B. Encampment cleanup costs and funding.
- C. Creek Safety Issues Report.
- D. Recent encampment cleanups.
- E. Fence repairs update.
- F. Creekside property owner outreach.

Jennifer Codianne, Deputy Operating Officer, reviewed the information on this item, per the attached Committee agenda memo, and per the information contained in Attachment 1.

The Committee noted the following without taking formal action:

- An informational letter was being considered for review by this Committee and would be brought to the full Board on the 600-plus miles creek cleanup responsibility among cities and private owners. Factsheets outlining responsibilities of each owner and regulatory agencies involved in permitting would be included with the letter.
- City of San Jose and Valley Water are collaborating on the homeless issue cleanup and are looking at a cost-sharing agreement on the Coyote Creek Flood Protection Project.

The Committee requested the following without taking formal action:

- Staff to consider outreach to the real estate industry to create awareness among buyers about required regulatory agencies' creek maintenance before purchasing properties.
- Staff to share data to the public on locations of fences that were being cast, locations of cleanups, as well as quantity of encampment trash removed, on a future Web map being developed with GIS staff.

Susan AC, Creekside Station at Berryessa Owners Association Boardmember, expressed frustration over the increased encampments in their area and complaints from homeowners, and asked the Committee's advice what more could homeowners do to ensure their safety and for Penitencia Creek to get the attention it deserves from all the involved agencies. Staff stated that they participated at a few HOA meetings and are aware of their concerns; that a weed abatement around the individual encampments had been performed; that San Jose Police Department (SJPd) have been patrolling the area regularly under the Stream Stewardship Law Enforcement (SSLE) and Coyote Creek Trail Patrol programs; and that the county might set up regular meetings among the HOA, the city, county, Valley Water, and SJPd.

4.2. Update on Current Encampment Abatement Protocols in Consideration of COVID-19 Guidance from the Centers for Disease Control and Prevention (CDC).

Recommendation: Receive an update on Valley Water's encampment abatement protocols in consideration of CDC COVID-19 guidance and current caselaw.

Jennifer Codianne reviewed the information on this item, per the attached Committee agenda memo, and added that the current CDC guidance to refrain from clearing encampments unless there were housing options available had remained in effect since the onset of COVID.

The Committee noted the following without taking formal action:

- Abatements will continue to be done only on certain conditions such as on the Coyote Creek Flood Protection Project; to clear right-of-way obstructions and ensure maintenance access during construction; to give public access to roadways or sidewalks; or when public safety is at risk following city recommendations for preventive actions.
- Instead of abatement, staff have been performing encampment management strategies such as daily cleanups of debris and hazardous pollutants guided by 12x12 footprint good neighbor policy, weed abatements to reduce fuel loading risk as was done with the Creekside Station at Berryessa Owners Association, and providing funds to the City of San Jose's Cash for Trash program.
- US Army Corps of Engineers had reached out to staff about actions a federal agency could take about the issues that affect our flood protection projects and levees. In Los Angeles, they have hired a "Homeless Liaison," and in northern California, a summit is planned that would include water districts experiencing similar issues on encampments.

Olympia Williams, City of San Jose Community Services Supervisor, informed the Committee that she would attend in-person at the next Committee meeting; and that she was taking meeting notes which would be shared across multiple departments in the city.

Arnold AOL.com, of undisclosed residency, appreciated learning in this meeting about the complex situation of Valley Water with responsibilities on encampments and without resources and power to enforce cleanup or police authorities.

The Committee requested staff to come back with a draft letter for recommendation to the full Board on cooperation and collaboration with cities and county on land use and police authorities on encampment cleanups and for the cities and county to have vested interests in trying to solve the problem. The letter would be signed by either Chairperson Santos or Chair Pro Tem Varela and addressed to all mayors and electeds that have creeks in their locations.

4.3. Solutions-Based Proposals for Addressing Waterways Challenges Posed by Unhoused Encampments.

Recommendation: Receive staff proposals for addressing environmental challenges posed by unhoused encampments and make recommendations for implementation or further consideration by the Board of Directors, as necessary.

Jennifer Codianne reviewed the information on this item, per the attached Committee agenda memo.

The Committee brought up the issue of communication protocol during disaster from the 2017 event and reminded staff that when and how disaster notifications are sent should be from experts who are in the business of water. Jennifer Codianne stated that after the 2017 event, an inter-agency report was developed, *Joint Emergency Action Plan for Severe Storm and Flood Response in City of San Jose*, which documented responsibilities before and during a flood situation.

The Committee noted the following without taking formal action:

- In regard to a camping ban, Melanie Richardson, Assistant Chief Executive Officer, mentioned that a camping ban in Coyote Creek is being discussed with the city due to concerns of water releases increasing rapidly during and after construction;
- In regard to the suggestion of a Joint Powers Authority, it could still be considered with funding from agencies that would participate, and with a governing board with project decisions subject to votes from members.
- In regard to staffing solutions, Valley Water funds grants to groups that cleanup creek channels and pick up encampment trash while Valley Water crews pick up the larger trash. The Committee suggested the possibility of using volunteer non-profit groups, the current pool of 45 college/high school interns, or service groups such as Kiwanis, Rotary, or Lions.

The Committee made the following requests:

- Staff to come back with information about hiring one full time staff to oversee a program similar to City of San Jose's Cash for Trash program.
- Staff would report back at the next meeting in terms of status or next steps on the Memorandum of Agreement (MOA) on outreach with the County of Santa Clara. Staff added that MOA are specific to areas outside of the City of San Jose which are not as heavily encamped as areas within San Jose. Outreach services would be part of a

Coyote Creek MOA for construction and post-construction flood measures and with a five-year management period.

4.4. Review 2022 and 2023 Environmental Creek Cleanup Committee Work Plan and 2023 Meeting Schedule.

- Recommendation:
- A. Review the 2022 and 2023 Environmental Creek Cleanup Committee Work Plans and make adjustments as necessary; and
 - B. Review and confirm the 2023 Environmental Creek Cleanup Committee meeting schedule.

Chairperson Santos confirmed the next meeting on January 17, 2023 and that staff would go to the Board on two issues and to the Committee for input on a new position related to the Cash for Trash program.

5. ADJOURN.

Chairperson Santos adjourned the meeting at 3:50 p.m., to the next meeting on January 17, 2023.

Eva M. Sans
Assistant Deputy Clerk

Approved:

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Santa Clara Valley Water District

File No.: 22-1299

Agenda Date: 1/17/2023

Item No.: 5.1.

COMMITTEE AGENDA MEMORANDUM Environmental Creek Cleanup Committee

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

SUBJECT:

Update on Valley Water's Encampment Cleanup Operations.

RECOMMENDATION:

Receive updates and provide feedback on the following topics:

- A. Encampment cleanup schedule.
- B. Encampment cleanup costs and funding.
- C. Creek Safety Issues Report.
- D. Recent encampment cleanups.
- E. Fence repairs update.
- F. Creekside property owner outreach.
- G. Heavily Encamped Creek Reaches.
- H. Outreach Services MOA with Santa Clara County.

SUMMARY:

Staff will brief the Committee and provide up-to-date information on issues related to encampment cleanups:

- A. Encampment Cleanup Schedule: Discussion of currently scheduled encampment cleanups.
- B. Encampment Cleanup Costs & Funding: Update on Fiscal Year 2023 cleanup expenditures and a prior-year comparison.
- C. Creek Safety Issues Report: Regular report on creek safety issues, including recent statistics from the San José Police Department's Stream Stewardship Law Enforcement program and Coyote Creek Trail Patrol.
- D. Recent Encampment Cleanups: Discussion of recent cleanups along West Branch Llagas Creek from Monterey Road to Highway 152, along Los Gatos Creek from Bascom Avenue to Leigh Avenue, and along Coyote Creek from downstream of Berryessa Avenue to Granite

Rock.

- E. Fence Repairs Update: Regular update on Valley Water's fencing repairs contract and recent repair work.
- F. Creekside Property Owner Outreach: Discussion of Valley Water's continuing efforts to inform property owners of their creek maintenance responsibilities.
- G. Heavily Encamped Creek Reaches: GIS map showing footprint of heavily encamped reaches of creek countywide.
- H. Outreach Services MOA with Santa Clara County: Recommendation to not proceed with MOA due to limited encampments outside of the City of San Jose and unreasonable indemnification provision.

ATTACHMENTS:

Attachment 1: PowerPoint

UNCLASSIFIED MANAGER:

Jennifer Codianne, 408-630-3876



Encampment Cleanup Update

171.93 Tons Removed September 13 – December 16

Environmental Creek Cleanup Committee

January 17, 2023

Encampment Cleanup Schedule

September	October	November	December
9/15 – Enhanced Cleanup: <ul style="list-style-type: none"> Lower Silver Creek – Mervyns way, Story Rd to Capital Ave 	10/3 – Enhanced Cleanup: <ul style="list-style-type: none"> Canoas Creek – D/S Blossom Hill Rd, Los Gatos Creek – D/S Meridian Ave 	11/2 – Enhanced Cleanup: <ul style="list-style-type: none"> Sunnyvale East – D/S Wolfe Rd Calabazas Creek – Mission Blvd to Tasman Dr. 	12/1 – Enhanced Cleanup: <ul style="list-style-type: none"> Guadalupe River – Branham Rd to Blossom Hill Rd
9/19,20 – Enhanced Cleanup: <ul style="list-style-type: none"> HWY 87 to railroad tracks 	10/4 – Enhanced Cleanup: <ul style="list-style-type: none"> Thompson Creek – Yerba Buena Ave 	11/3 – Enhanced Cleanup: <ul style="list-style-type: none"> Saratoga Creek – English Dr. to Bollinger Rd 	12/2 – Trash Hot Spots: <ul style="list-style-type: none"> Guadalupe River, Golf Creek, Canoas Creek, Guadalupe Creek
9/21,22: <ul style="list-style-type: none"> Thompson Creek – Tully Rd to Pettigrew Dr. 	10/5 – Enhanced Cleanup: <ul style="list-style-type: none"> Guadalupe River – Ross Creek Confluence, Guadalupe River – Branham Ave to Blossom Hill Rd 	11/7-11/10 – Enhanced Cleanup: <ul style="list-style-type: none"> Los Gatos Creek – Bascom Ave to Meridian Ave Guadalupe Creek – Almaden Expwy to Camden Ave 	12/5,6 – Enhanced Cleanup: <ul style="list-style-type: none"> Guadalupe River – U/S Alma Ave to Virginia St
9/26: <ul style="list-style-type: none"> Guadalupe River – E/B & W/B Woz Way and Bypass Tunnel 	10/6 – Enhanced Cleanup: <ul style="list-style-type: none"> Guadalupe River – Branham Ave to Blossom Hill 	11/14,15 – Enhanced Cleanup: <ul style="list-style-type: none"> Lower Silver Creek – Hwy 680 to Sunset Ave 	12/7,8 – Enhanced Cleanup: <ul style="list-style-type: none"> Guadalupe River – D/S Virginia St
9/27 – Enhanced Cleanup: <ul style="list-style-type: none"> Sunnyvale East – D/S Wolfe Rd Calabazas Creek – D/S El Camino Real 	10/11-10/13 – Enhanced Cleanup: <ul style="list-style-type: none"> Coyote Creek – Corie Court 	11/17 – Enhanced Cleanup: <ul style="list-style-type: none"> Los Gatos Creek – D/S San Carlos St 	12/12-12/14 – Enhanced Cleanup: <ul style="list-style-type: none"> West Branch Llagas – Monterey Rd. to Hwy 152
9/27 – Enhanced Cleanup: <ul style="list-style-type: none"> Coyote Creek – D/s Mabury Rd, Ridder Park Dr, U/S & D/S Brokaw Rd, D/S O’Toole Ave. 	10/17-10/19 – Enhanced Cleanup: <ul style="list-style-type: none"> West Branch Llagas Creek – Monterey Rd. to Llagas Creek Confluence 	11/22,23 – Enhanced Cleanup: <ul style="list-style-type: none"> Saratoga Creek – Forbes Court to Kiely Blvd 	12/16 – Trash Hotspots: <ul style="list-style-type: none"> Llagas Watershed: Llagas Rd, Main Ave, 2nd St, Edes St, Edmunson Ave, La Cross Dr

Encampment Cleanup Costs & Funding

	FY19	FY20	FY21	FY22	FY23
Encampment Cleanup Budget	\$927,131	\$1,515,073	\$922,107	\$1,923,736	\$2,406,885
Encampment Cleanup Expenditures	\$968,819	\$845,455	\$364,895	\$2,218,126	\$1,039,063 (As of 12/16/22)
Encampment Cleanup Budget Remaining	(\$41,688)	\$669,618	\$557,212	(\$294,390)	\$1,367,822 (As of 12/16/22)
Encampment Cleanup Budget Expended	104%	56%	40%	115%	43%

Stream Stewardship Law Enforcement: (SSLE)

- **September 30 Statistics:** 6 arrests; 7 citations; 18 warrants associated to the individuals arrested/cited; 1 arrest & 1 citation were for violations of disposal of trash within 150' of a waterway.
- **October 21 Statistics:** 4 arrests; 12 citations; 10 warrants associated to the individuals arrested/cited.
- **November Statistics:** No SSLE patrol due to SJPD staffing/scheduling issues.

Safety Issues: Coyote Creek Trail Patrol



- **September Statistics:** 5 arrests made, 11 warrant arrests , 15 criminal citations, 0 traffic citations, 3 parking citations, 23 impounds, 66 unhoused assistance contacts & 171 citizen contacts
- **October Statistics:** 0 arrests, 12 warrant arrests, 19 criminal citations, 1 traffic citations, 5 parking citations, 29 Impounds 76 unhoused assistance contacts & 229 citizen contacts
- **November:** 2 arrests, 8 warrant arrests, 24 criminal citations, 0 traffic citations, 0 parking citations, 18 Impounds, 72 unhoused assistance contacts & 163 citizen contacts

Coyote Creek – Julian Street to Lower Silver Creek Confluence



Before



After

- Accomplishment:
- 96 CY
 - 13.25 Tons Removed
 - 20.23 Acres

Guadalupe River – Branham Lane to Blossom Hill Road



Before



After

Accomplishment:

- 204 CY
- 26 Tons Removed
- 70.60 Acres

Coyote Creek – U/S Oakland Road



Before



After

Accomplishment:

- 128 CY
- 18.39 Tons Removed
- 6.81 Acres

Los Gatos Creek – Bascom Avenue to Meridian Avenue



Before



After

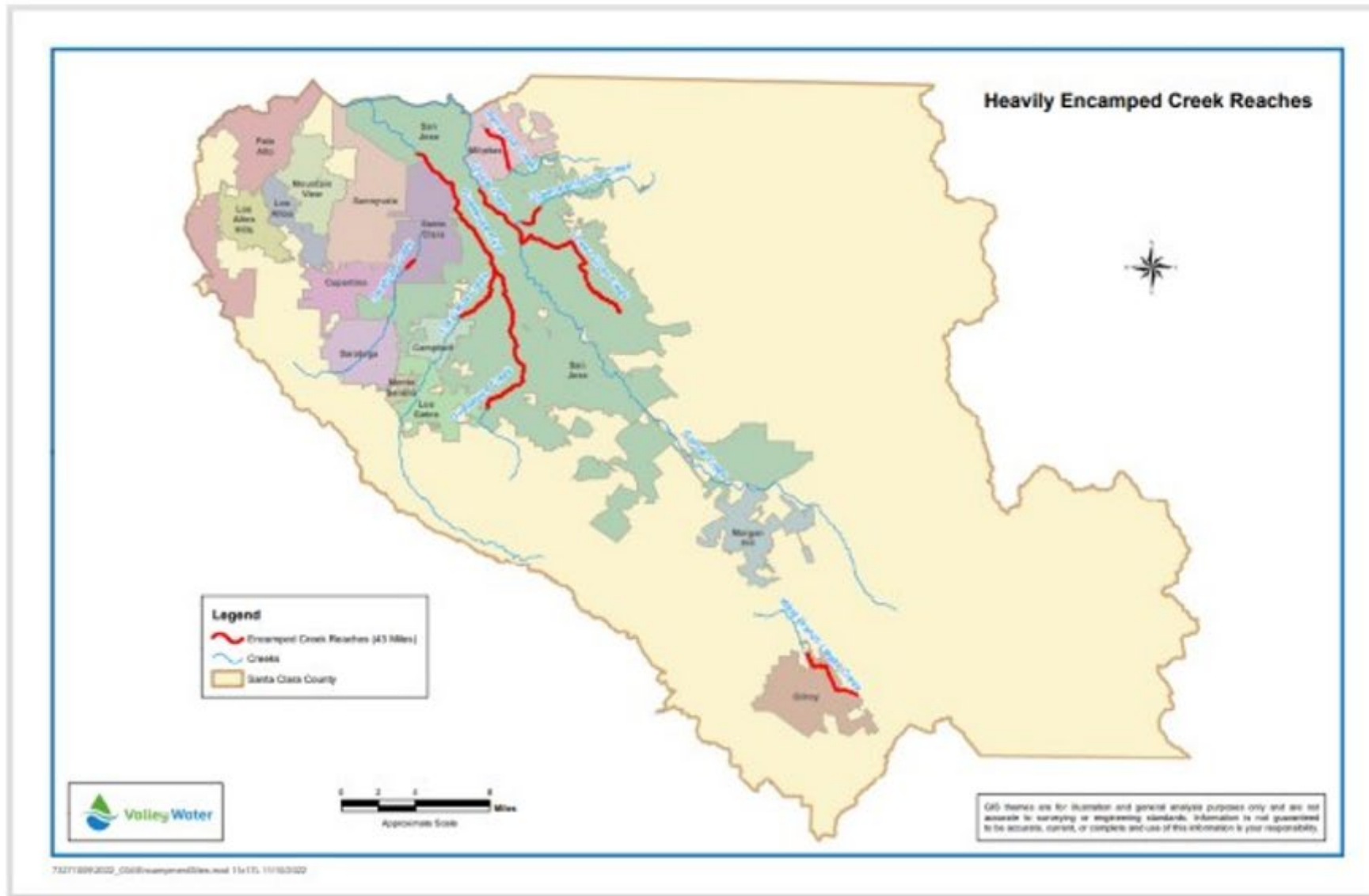
Accomplishment:

- 91 CY
- 10.72 Tons Removed
- 13.50 Acres

Fence Repairs

- Fence repairs completed by Watersheds Operations and Maintenance staff.
- Fence Repair AVW requests responded to within 24 hours, work completed on average of 5 business days.
- 876 LF installed.





Heavily Encamped Creek Reaches

Outreach Services MOA with SCC

- Staff do not recommend moving forward with the MOA:
 - Limited number of encampment footprints outside the jurisdiction of the City of San Jose
 - Indemnification provision sought by County is unreasonable
- Staff recommends consideration of JPA which is best led by agency with regional authority, housing and outreach services.

Creekside Property Owner Outreach

- Valley Water mailed an outreach letter and fact sheets to more than 4,700 creekside property owners in June 2022 to:
 - Remind owners of creek responsibilities
 - Educate owners on obtaining maintenance permits
- Staff is working with District Counsel's Office to consider language for a further round of outreach
- The proposed outreach letter for 2023 will be brought to the full Board this spring for consideration.

QUESTIONS



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Valley Water

Clean Water • Healthy Environment • Flood Protection

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Santa Clara Valley Water District

File No.: 22-1449

Agenda Date: 1/17/2023

Item No.: 5.2.

COMMITTEE AGENDA MEMORANDUM Environmental Creek Cleanup Committee

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

SUBJECT:

Receive Information on the Proposed Valley Water Clean Camps, Clean Creeks Program and Provide Recommendations to Staff.

RECOMMENDATION:

Receive information on the proposed Valley Water Clean Camps, Clean Creeks Program and provide recommendations to staff.

SUMMARY:

At the October 18, 2022 Environmental Creek Cleanup Committee (Committee) meeting, the Committee was informed about staff's proposed implementation of a Valley Water program similar to the City of San José's successful Cash-for-Trash program, whereby unhoused individuals can earn money by collecting and bagging trash near their camps. Through implementation of Valley Water's own program, known as the *Clean Camps, Clean Creeks Program*, Valley Water could specifically target trash on its own property and ensure more targeted creekside environmental benefits, with full oversight and control of the program.

Survey of Potential Program Models

1. Currently, Valley Water provides funding to support City of San José's Cash-for-Trash program in the amount of \$80,000 per year. At designated locations program crews distribute specially marked Cash-for-Trash bags, which unhoused residents can fill with trash and redeem at a rate of \$4 per bag. Participants may turn in up to five bags at a time for a total of \$20 (capped at \$40 per week) that is delivered via programmable and reloadable cards from Mastercard. These debit cards are program-specific cards that Mastercard offers free of maintenance charges, as part of this partnership. Funds can be used to pay for essential items with prohibitions on items like alcohol and tobacco.
2. In San Diego, a homelessness-focused nonprofit foundation privately funded \$20,000 for a four-month period and managed a similar trash cleanup pilot program called the Triangle

Project. This program is substantially similar to City of San José's program, but only pays \$2 per bag of trash cleaned up from encampments with a cap of three bags per day with pickups twice a week. While the program's pay rate might seem low, participating unhoused residents have reported that such an amount can go a long way in their situation. In the program's first three days, 2.5 tons of trash were picked up.

3. The City of Elk Grove provides unhoused residents \$20 gift cards for maintaining "tidy" camps every two weeks. Tidiness is defined as camps that have gathered waste and bagged it for pickup. Elk Grove's program is funded by the federal CARES Act and the U.S. Department of Housing and Urban Development and the cost of running this program for over a year has been under \$10,000-an amount that would have covered only a single month of regular city crew cleanups. The city also claims that this incentive program has helped city staff to build stronger relationships with the unhoused community.

Potential Benefits of a Valley Water Clean Camps, Clean Creeks Program

Staff has identified the following potential benefits to Valley Water of instituting a Clean Camps, Clean Creeks Program:

- (a) An expected reduction in camp-generated debris that ends up polluting waterways;
- (b) an expected reduction in environmental degradation in encamped areas;
- (c) a potential reduction in sprawling encampments whose large footprints disproportionately contribute to trash and debris pollution;
- (d) an opportunity for Valley Water staff to build and bolster relationships with unhoused individuals residing on Valley Water property.
- (e) a potential reduction in cleanup costs.

Consideration of Program Costs

Staff estimate that to implement and run the Clean Camps, Clean Creeks Program would require funding to hire one additional fulltime staff member. Additionally, staff will consider Committee recommendations as it determines appropriate reward compensation amounts and frequency of eligible payments. These cost factors will substantially drive program funding needs. Based on City of San Jose's and San Diego's models, it is expected that annual funding expenses may range from \$60,000 to \$80,000.

Program Options for Committee Consideration

Based on evaluation of existing program models, staff presents the Committee with the following broad program options for consideration, with staff's recommendation as #3:

1. Similar to the Cash-for-Trash program or the Triangle Project, Valley Water could provide a monetary reward (via debit card) to unhoused residents who collect and bag trash that has

accumulated where Valley Water holds land rights.

2. Similar to Elk Grove's program, Valley Water could provide a reward to incentivize unhoused residents to maintain tidy camps. For instance, Valley Water could hand out trash bags at the same time that a reach of creek is posted for cleanup, and then 3 days later while the planned cleanup is happening any residents whose camps meet pre-determined tidiness criteria would receive a reward. Tidiness criteria would include whether a camp has gathered waste and bagged it for pickup.
3. Valley Water staff recommend providing a debit card to unhoused residents whose camps abide by a small single 12'x12' footprint clear of trash and debris or with gathered waster bagged for pickup. This footprint size and lack of trash and debris could be considered a characteristic of "tidiness" as above, or it could be a separate category that Valley Water seeks to incentivize on its own.
4. The Committee could recommend not pursuing establishment of a Valley Water-run program at this time.

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

Jennifer Codianne, 408-630-3876

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Santa Clara Valley Water District

File No.: 22-1297

Agenda Date: 1/17/2023

Item No.: 5.3.

COMMITTEE AGENDA MEMORANDUM Environmental Creek Cleanup Committee

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

SUBJECT:

Receive Environmental Creek Cleanup Committee 2022 Accomplishments Report.

RECOMMENDATION:

Receive and accept the Environmental Creek Cleanup Committee 2022 Accomplishments Report.

SUMMARY:

Under direction of the Clerk, Work Plans are used by Board Committees to increase Committee efficiency, provide advanced public notice of intended Committee discussions, and enable staff to follow up on Committee direction, requests and recommendations. Work Plans are dynamic documents managed by the Committee Chairs annually and are subject to change as needed throughout the year.

As Committee work is completed, the Accomplishments Report captures outcomes and results achieved, and provides a report of the Committee's accomplishments upon completion of the calendar year. The Environmental Creek Cleanup Committee (ECCC) 2022 Accomplishment Report (Attachment 1), is presented for the Committee's review and acceptance.

ATTACHMENTS:

Attachment 1: ECCC 2022 Accomplishments Report

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

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Environmental Creek Cleanup Committee 2022 Accomplishments Report

Committee Work Plans establish a framework for Committee discussion and action during the calendar year. The Committee's work plan is a dynamic document and subject to change as external and internal issues impacting Valley Water occur and are recommended for Committee discussion. Subsequently, an Annual Committee Accomplishments report is developed based on the Work Plan and Committee discussions, and presented to Valley Water's Board of Directors.

WORK PLAN ITEM & INTENDED OUTCOME	ACCOMPLISHMENT DATE AND OUTCOME
<p>Update on Valley Water's Encampment Cleanup Operations.</p> <p>Intended Outcome: 1/18/22: Receive updates on issues and current challenges related to Valley Water encampment cleanups.</p> <p>1/18/22: Receive Update on Discussions with the County of Santa Clara Related to the Creation of a Memorandum of Understanding to Coordinate Responses to County Waterways Challenges.</p> <p>4/18/22: Receive update on Valley Water's Encampment Cleanup Operations.</p> <p>7/19/22: Receive updates and provide feedback on encampment cleanup schedule, cleanup costs and funding, creek safety issues, and recent encampment cleanups,</p>	<p>1/18/22: The Committee received an update on encampment cleanup activities, which included the removal of 90.75 tons of trash in December, a proposed Environmental Cleanup Service Day scheduled for May 2022, winter weather hazards outreach protocol, scheduled creek cleanups, permit application assistance for private landowners for routine stream maintenance activities on creeks within their property boundaries, encampment cleanups and water quality issues.</p> <p>The Committee requested that staff come back with a report of illegal trash dumps along the creeks that have been reported to the City of San Jose.</p> <p>1/18/22: The Committee received an update on discussions with the County, which included possible roles, responsibilities, costs, and desired outcomes of the proposed Memorandum of Understanding. Staff will continue to provide the Committee with updates regarding any relevant developments and details as are appropriate to disclose from ongoing negotiations.</p> <p>4/18/22: The Committee received information on the latest cleanup schedule, a May 2022 Cleanup Event, cleanup funding and costs, status of MOA negotiations with City of San Jose, fencing issues, latest creek safety issues report, potential grant funding, and development of a Watershed Encampment Risk Assessment form.</p> <p>7/19/22: The Committee noted the following information without taking formal action:</p> <ul style="list-style-type: none"> • That four full time staff and seven to ten contracted staff compose a crew that are on the creeks all throughout the county;

Environmental Creek Cleanup Committee 2022 Accomplishments Report

WORK PLAN ITEM & INTENDED OUTCOME	ACCOMPLISHMENT DATE AND OUTCOME
<p>10/18/22: Receive updates and provide feedback to staff on encampment cleanup schedule, cleanup costs and funding, creek safety issues, recent encampment cleanups, fence repairs update, and creekside property owner outreach.</p>	<ul style="list-style-type: none"> • That Valley Water engineers, botanists, or environmental planners could be accompanied by field crews, on a buddy system, or provided secondary employment arranged by VW's Security Office for protection while in the field; • That collected trash on encampments all go the Newby Island Landfill as disposal area, and that personal properties are left in the camp, and in case of a full abatement event, are collected, stored at an offsite location, and allow ninety days for owners to claim. <p>The Committee advised that staff have a plan, including a budget, necessary to adapt to changing Center for Disease Control (CDC) guidelines on abatement procedures, and requested that staff agendaize at the next meeting the topic, <i>Abatement Activities Post-COVID Restrictions</i>.</p> <p>10/18/22: The Committee noted the following without taking formal action:</p> <ul style="list-style-type: none"> • An informational letter was being considered for review by this Committee and would be brought to the full Board on the 600-plus miles creek cleanup responsibility among cities and private owners. Factsheets outlining responsibilities of each owner and regulatory agencies involved in permitting would be included with the letter. • City of San Jose and Valley Water are collaborating on the homeless issue cleanup and are looking at a cost-sharing agreement on the Coyote Creek Flood Protection Project. <p>The Committee requested the following without taking formal action:</p> <ul style="list-style-type: none"> • Staff to consider outreach to the real estate industry to create awareness among buyers about required regulatory agencies' creek maintenance before purchasing properties. • Staff to share data to the public on locations of fences that were being cast, locations of cleanups, as well as quantity of encampment trash removed, on a future Web map being developed with GIS staff.

Environmental Creek Cleanup Committee 2022 Accomplishments Report

WORK PLAN ITEM & INTENDED OUTCOME	ACCOMPLISHMENT DATE AND OUTCOME
<p>Update on HEC Name and Purpose.</p> <p>Intended Outcome: This work plan item was last agendaized as Item 4.1 at the October 19, 2021, meeting when a motion was made to change this Committee's name and purpose.</p>	
<p>Update on Fencing Issues and Repairs.</p> <p>Intended Outcome: Please refer to item on "Update on Valley Water's Encampment Cleanup Operations."</p>	
<p>Partnership Opportunities with Service Clubs, Safety & Security During Cleanup Events, Volunteer Recruitment/Appreciation Meal, and Waste Reduction Management.</p> <p>Intended Outcome: Please refer to item on "Update on Valley Water's Encampment Cleanup Operations."</p>	
<p>Grant Funding Possibilities – New Infrastructure Bill.</p> <p>Intended Outcome: Please refer to item on "Update on Valley Water's Encampment Cleanup Operations."</p>	
<p>Water Quality Monitoring – pre/post Cleanup.</p> <p>Intended Outcome: Please refer to item on "Update on Valley Water's Encampment Cleanup Operations."</p>	
<p>Permit Application Assistance for Private Landowners.</p> <p>Intended Outcome:</p>	

Environmental Creek Cleanup Committee 2022 Accomplishments Report

WORK PLAN ITEM & INTENDED OUTCOME	ACCOMPLISHMENT DATE AND OUTCOME
Please refer to item on "Update on Valley Water's Encampment Cleanup Operations."	
Valley Water Policies/Permitting Regarding Providing Meals on Valley Water Property. Intended Outcome: Please refer to item on "Update on Valley Water's Encampment Cleanup Operations."	
Update on Keep Coyote Creek Beautiful Mini-grant with Grantee Presentation. Intended Outcomes: 1/18/22: Receive Update on Safe, Clean Water Mini-Grant Project: Keep Coyote Creek Beautiful's FY 2021 D3 Empire Gardens Elementary School Mural Project (Agreement No. A4517R). 4/18/22: Standing Item on Beautification Project in South County.	<p>1/18/22: The Committee received information on the completion of Keep Coyote Creek Beautiful's mini grant project for Empire Gardens Elementary school. The project featured a mural by Paul J. Gonzales depicting the Coyote Creek watershed ecosystem and serves to educate students and the public. The project also included a nature walk and cleanup event at Watson Park, San Jose, in September 2021.</p> <p>Director John Varela requested that staff research opportunities to coordinate a conversation to initiate similar beautification and cleanup programs in South County.</p> <p>Ms. Carole Foster, Associate Water Resources Specialist, requested the Committee to consider including a standing item on the agenda to report on creek safety issues.</p> <p>4/18/22: Ms. Kristen Yasukawa, Program Administrator, informed the Committee that the Office of Civic Engagement would soon secure a consultant that would help put together a strategic plan for public art and would include South County within the next two years. Since the 4/18/22 meeting, Valley Water entered into a contract with The Cultural Planning Group to develop a 15-year Public Art Strategic Plan to beautify Valley Water infrastructure and property throughout Santa Clara County. The Plan will be developed using industry research and community input and would assess and identify Valley Water's potential public art opportunities, including temporary, permanent, interactive, and other ideas. The Plan is expected to be completed in FY23-24.</p>
Water Resources Encampment Risk Assessment.	

Environmental Creek Cleanup Committee 2022 Accomplishments Report

WORK PLAN ITEM & INTENDED OUTCOME	ACCOMPLISHMENT DATE AND OUTCOME
<p>Intended Outcome: 5/16/22: Receive information on the proposed Water Resources Encampment Risk Assessment.</p>	<p>5/16/22: The Committee was informed that the encampment cleanup program would continue to be managed daily to reduce debris and pollutants that go into our waterways, and that the draft assessment form presented to the Committee would be a transparent ways to assess risks and conduct on abatement.</p> <p>During the presentation, the Committee noted the following without taking formal action:</p> <ul style="list-style-type: none"> • Staff to increase assessment score for line items on Weaponry Visible and Aggressive Behavior under the Safety Issues section of the assessment form; • Staff to agendaize at the next meeting the Valley Water (VW) agreement with the Street Crimes Unit of the San Jose Police Department; and • Staff to come back with an implementation plan and recommendation on the assessment form.
<p>Outreach to School Districts and Private Owners.</p> <p>Intended Outcome: 4/18/22: Review 2022 Environmental Creek Cleanup Committee work plan.</p>	<p>4/18/22: The Committee requested consideration of a potential Special Meeting with school board members in a future meeting of this Committee. Private owners could also be invited, to begin discussion on how we could help each other on encampment issues. Chairperson Santos would discuss with Mr. Rick Callender, Chief Executive Officer, on the best approach to the planned reach out.</p>
<p>Update on State and Federal Funding Opportunities for Unhoused People.</p> <p>Intended Outcome: 1/18/22: Receive updates on issues and current challenges related to Valley Water encampment cleanups.</p> <p>5/16/22: Receive information on the proposed Water Resources</p>	<p>1/18/22: During the staff presentation, the Committee requested staff to research opportunities for grant funding to support water quality monitoring relative to encamped areas.</p>

Environmental Creek Cleanup Committee 2022 Accomplishments Report

WORK PLAN ITEM & INTENDED OUTCOME	ACCOMPLISHMENT DATE AND OUTCOME
<p>Encampment Risk Assessment.</p> <p>7/19/22: Receive information regarding state and federal funding for programs to address homelessness with a focus on the Fiscal Year 2022-2023 State Budget.</p>	<p>5/16/22: The Committee was informed that the May revision to the Governor's Budget was released last week, and staff would do a report out on funding set aside for the unhoused;</p> <p>7/19/22: The Committee received information that on the federal side, the Office of Government Relations is pursuing grants with the Environmental Protection Agency for water quality improvement in the Bay Area.</p>
<p>San Jose Police Department Update on Safety, Criminal Activity and Use of VW Funding.</p> <p>Intended Outcome:</p> <p>5/16/22: Receive information on the proposed Water Resources Encampment Risk Assessment.</p> <p>7/19/22: Receive an update from San José Police Department (SJPD) staff regarding issues related to creek safety and criminal activity along local waterways, as well as the SJPD's use of funding provided by Valley Water.</p>	<p>5/16/22: Staff to invite SJPD to speak on collaborations, and eventually with elected officials, on public safety, and understanding of roles and responsibilities, and the use of VW funding related to the unhoused given the hundred miles of creeks, and the upcoming peak in summer activities.</p> <p>7/19/22: Assistant Chief Paul Joseph, San Jose Police Department Assistant Chief of Police, provided information on update on the police response to criminal activity and other issues related to the unhoused population living along creeks in San José.</p> <p>The Committee noted the following without taking formal action:</p> <ul style="list-style-type: none"> • That SJPD could better impact the homelessness issue if current drug laws were stricter and treatment enforcement would have a lower threshold; • That due to staffing shortages, the City of San Jose would not be able to include code enforcement in responding to encampments issues; and ▪ That on a regular day, there are two officers on bike patrols with each scheduled to work 8 hours a day.
<p>City of San Jose Department of Housing Authority Presentation on Housing and Shelter Plans.</p> <p>Intended Outcome:</p> <p>5/16/22: Receive information on the proposed Water Resources Encampment Risk Assessment.</p>	<p>5/16/22: Ms. Olympia Williams, Beautify San Jose Program Division Manager, made a suggestion to this Committee to invite the Housing Authority to make a presentation at a future meeting of this Committee.</p>

Environmental Creek Cleanup Committee 2022 Accomplishments Report

WORK PLAN ITEM & INTENDED OUTCOME	ACCOMPLISHMENT DATE AND OUTCOME
<p>7/19/22: Receive a presentation from City of San José Department of Housing staff regarding current plans to provide housing and shelter for unhoused residents.</p>	<p>7/19/22: Vanessa Beretta, City of San Jose's Senior Development Officer, with the city's Homelessness Response Team gave a presentation to the committee on the 2022 Homeless Census and current Homelessness Response priorities, including the COVID-19 pandemic response, housing-based solutions, and crisis response interventions.</p> <p>The Committee noted the following without taking any formal action: that the results of the latest homelessness survey by the city and the County of Santa Clara showed an 11% increase in the city and 3% increase in the entire county; that there are various programs under the Housing-based solutions section of the Homelessness Response Team; that the city has a five-year plan with other county departments outlined on the 2020-2025 Community Plan; and that implementation had been carried out with identified strategies.</p> <p>The Committee requested that staff research and return with information on a potential countywide unhoused committee or a Joint Powers Authority, that would give each agency a voice.</p>
<p>Abatement Activities Post-COVID Restrictions.</p> <p>Intended Outcome: 10/18/22: Update on Current Encampment Abatement Protocols in Consideration of COVID-19 Guidance from the Centers for Disease Control (CDC) and Prevention.</p>	<p>10/18/22: The Committee was informed that the current CDC guidance has had remained in effect since the onset of COVID was to refrain from clearing encampments unless there were housing options available.</p> <p>The Committee noted the following without taking formal action:</p> <ul style="list-style-type: none"> • Abatements will continue to be done only on certain conditions such as on the Coyote Creek Flood Protection Project; to clear right-of-way obstructions and ensure maintenance access during construction; to give public access to roadways or sidewalks; or when public safety is at risk following city recommendations for preventive actions.

Environmental Creek Cleanup Committee 2022 Accomplishments Report

WORK PLAN ITEM & INTENDED OUTCOME	ACCOMPLISHMENT DATE AND OUTCOME
	<ul style="list-style-type: none"> • Instead of abatement, staff have been performing encampment management strategies such as daily cleanups of debris and hazardous pollutants guided by 12x12 footprint good neighbor policy, weed abatements to reduce fuel loading risk as was done with the Creekside Station at Berryessa Owners Association, and providing funds to the City of San Jose's Cash for Trash program. <p>US Army Corps of Engineers had reached out to staff about actions a federal agency could take about the issues that affect our flood protection projects and levees. In Los Angeles, they have hired a "Homeless Liaison," and in northern California, a summit is planned that would include water districts experiencing similar issues on encampments.</p> <p>The Committee requested staff to come back with a draft letter for recommendation to the full Board on cooperation and collaboration with cities and county on land use and police authorities on encampment cleanups and for the cities and county to have vested interests in trying to solve the problem. The letter would be signed by either Chairperson Santos or Chair Pro Tem Varela and addressed to all mayors and electeds that have creeks in their locations.</p>
<p>Outreach to Creek Property Owners.</p> <p>Intended Outcome: 7/19/22: Receive an update on Valley Water's existing and planned outreach to creekside property owners, including school districts and private owners.</p>	<p>7/19/22: The Committee received information that maintenance by private landowners may also require permits from local municipalities, Department of Fish and Wildlife, US Army Corps of Engineers, Regional Water Quality Control Board, or San Francisco Bay Conservation and Development.</p> <p>During the presentation, the Committee made the following requests of staff:</p> <ul style="list-style-type: none"> • That future communications similar to the June 28, 2022, letter sent to Creekside Property Owners should be reviewed and must include input by the Committee; and • That District Counsel's Office would draft a letter, with legal language and using the same attachments as Attachment 2 of Item 4.2 of the 7/19/22 ECCC agenda, that would be more educational and provide understanding what really is the responsibility and accountability on creek maintenance.

Environmental Creek Cleanup Committee 2022 Accomplishments Report

WORK PLAN ITEM & INTENDED OUTCOME	ACCOMPLISHMENT DATE AND OUTCOME
<p>Solutions-based Proposals for Addressing Waterways Challenges Posed by Unhoused Encampments.</p> <p>Intended Outcome: 10/18/22: Receive staff proposals for addressing environmental challenges posed by unhoused encampments and make recommendations for implementation or further consideration by the Board of Directors, as necessary.</p>	<p>10/18/22: The Committee noted the following without taking formal action:</p> <ul style="list-style-type: none"> • In regard to a camping ban, Melanie Richardson, Assistant Chief Executive Officer, mentioned that a camping ban in Coyote Creek is being discussed with the city due to concerns of water releases increasing rapidly during and after construction; • In regard to the suggestion of a Joint Powers Authority, it could still be considered with funding from agencies that would participate, and with a governing board with project decisions subject to votes from members. • In regard to staffing solutions, Valley Water funds grants to groups that cleanup creek channels and pick up encampment trash while Valley Water crews pick up the larger trash. The Committee suggested the possibility of using volunteer non-profit groups, the current pool of 45 college/high school interns, or service groups such as Kiwanis, Rotary, or Lions. <p>The Committee made the following requests:</p> <ul style="list-style-type: none"> • Staff would report back information on hiring one full time staff to oversee a program similar to City of San Jose's Cash for Trash program. • Staff would report back on the status or next steps on the Memorandum of Agreement (MOA) on outreach with the County of Santa Clara. Staff added that MOA are specific to areas outside of the City of San Jose which are not as heavily encamped as areas within San Jose. Outreach services would be part of a Coyote Creek MOA for construction and post-construction flood measures and with a five-year management period.

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Santa Clara Valley Water District

File No.: 22-1298

Agenda Date: 1/17/2023

Item No.: 5.4.

COMMITTEE AGENDA MEMORANDUM Environmental Creek Cleanup Committee

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

SUBJECT:

Review 2023 Environmental Creek Cleanup Committee Work Plan.

RECOMMENDATION:

- A. Review the 2023 Environmental Creek Cleanup Committee Work Plan, and make adjustments as necessary; and
- B. Confirm date and time of next Environmental Creek Cleanup Committee meeting.

SUMMARY:

Work Plans are created and implemented by all Board Committees to increase Committee efficiency, provide advanced public notice of intended Committee discussions, and enable staff to prepare for meetings and respond to Committee direction. Work Plans are dynamic documents managed by Committee Chairs and are subject to change. Committee Work Plans also serve to assist in the preparation of Annual Committee Accomplishments Reports.

The 2023 Environmental Creek Cleanup Committee (ECCC) Work Plan contains topics for discussion based on information from the following sources:

- Items referred to the Committee by the Board;
- Items requested by the Committee to be brought back by staff;
- Items scheduled for presentation to the full Board of Directors; and
- Items identified by staff.

The 2023 ECCC Work Plan contained in Attachment 1 is presented for the Committee's review and to discuss and determine additional topics for discussion in 2022.

The next meeting of the ECCC is scheduled to occur on Tuesday, April 18, 2023 at 2:00 p.m., or at the call of the Committee Chair. Confirming the meeting schedule or any change to the meeting schedule is necessary to provide staff a basis for meeting planning, coordination of logistics and preparation of agenda items.

ATTACHMENTS:

Attachment 1: 2023 ECCC Work Plan

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

2023 ENVIRONMENTAL CREEK CLEANUP COMMITTEE WORKPLAN												
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
<i>Category</i>												
Updates on Valley Water's Encampment Cleanup Operations	X			X			X			X		
Creek Safety Issues Report	X			X			X			X		
Update on Fencing Issues and Repairs				X						X		
Proposed Clean Camps, Clean Creeks Program	X											
<i>Standing Items:</i>												
Election of Officers	X			X								
Approval of Minutes	X			X			X			X		
Review of Committee Work Plan	X			X			X			X		

LEGEND: Blue strikes (*new items*); Red strikes (*deleted text*)

Attachment 1
Page 1 of 1

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