



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

January 19, 2024

Board Policy EL-7 Communication and Support to the Board
The BAOs shall inform and support the Board in its work.

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		<u>INCOMING BOARD CORRESPONDENCE</u>
12		Board Correspondence Weekly Report: 01/19/24
18		Email from Roger Castillo to Director Beall, dated 01/11/24, providing investigation report "12-19-23 101 Bayshore Chinook killed." C-24-0007
33		Email from Wendy Li to Director Keegan, dated 01/09/24, regarding unhoused issues in her neighborhood. C-24-0008
36		Email from Jim Kuhl to the board, dated 01/15/24, providing clarification to his comments made at the 01/09/24 board meeting on the planned development of the Water Supply Master Plan 2050. C-24-0009
39		Email from Kathleen Cannuli to the board, dated 01/15/24, regarding PR piece attached to the 2024 calendar. C-24-0010
40		Email from Tiffany Howard to the board, dated 01/13/24, regarding unhoused issues in her neighborhood along the Guadalupe River in District 4. C-24-0011
46		Email from Helen Boettner to the board, dated 01/16/24, regarding unhoused encampments in the Erikson neighborhood. C-24-0012
		<u>OUTGOING BOARD CORRESPONDENCE</u>
48		Email from Director Santos to Mike Kraus, dated 01/17/24, regarding observation of growing encampment activity in the area west of Capitol Avenue near the McKee VTA stop.

CEO BULLETIN

CEO BULLETIN



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

Week of January 5 – January 18, 2024

Board Executive Limitation Policy EL-7:

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

Item	IN THIS ISSUE
<u>1</u>	Planned Two-Week Silicon Valley Advance Water Purification Center Shutdown from February 1 to February 15, 2024
<u>2</u>	Safe, Clean Water Grant Closeout: Grassroots Ecology's Adobe Creek Corridor Extension Project
<u>3</u>	Safe, Clean Water Grant Closeout: Grassroots Ecology's Re-Oaking Silicon Valley Project
<u>4</u>	Safe, Clean Water Grant Closeout: South County Compassion Center's South County Streets Team Project

1. Planned Two-Week Silicon Valley Advance Water Purification Center Shutdown from February 1 to February 15, 2024

Beginning February 1, 2024, the Silicon Valley Advanced Water Purification Center (SVAWPC) will be shut down for two (2) weeks to facilitate biennial electrical testing and annual maintenance activities. During this shutdown, Valley Water will perform major preventive maintenance and inspections of the SVAWPC's critical systems. Performing periodic preventive maintenance is essential to ensure that the Purification Center's critical systems are safe, reliable and remain in good working order.

Annual maintenance activities that require plant shutdowns are coordinated with the San Jose/Santa Clara Regional Wastewater Facility which provides the secondary treated wastewater influent to SVAWPC. Shutdowns are planned to occur when recycled water demand is low.

During the shutdown, South Bay Water Recycling customers might notice a slight change in the water characteristics due to lack of purified water for blending from the SVAWPC. The SVAWPC is scheduled to return to service by the end of day on February 15, 2024.

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

2. Safe, Clean Water Grant Closeout: Grassroots Ecology's Adobe Creek Corridor Extension Project

In Fiscal Year 2019, Valley Water awarded Grassroots Ecology a \$150,753.00 Safe, Clean Water Program D3 Grant for their Adobe Creek Corridor Extension Project. Grassroots Ecology completed the Project on June 30, 2023 and submitted the final invoice items on July 31, 2023, allowing for grant closeout.

Grassroots Ecology is a 501(c)(3) nonprofit organization dedicated to environmental stewardship through civic engagement and education. Grant funds were used to enhance habitat connectivity and improve watershed health along a public trail at Adobe Creek in Los Altos. Grassroots Ecology partnered with the City of Los Altos to restore native vegetation, remove invasive plant species, perform plant maintenance, implement 16 photo monitoring surveys, and coordinate community engagement and education. The grant allowed Grassroots Ecology to extend their habitat restoration efforts along the same creek situated within the Redwood Grove Nature Preserve where they have been working with the City of Los Altos to improve the riparian habitat in the area since 2009.

Key Outcomes:

- Removed 20,500 square feet of invasive plants, which resulted in an 85% reduction of invasive species in the area.
- Installed a total of 1,500 native plants from over 35 species, which resulted in a 176% increase of native species in the area.
- Engaged a total of 729 community members through 73 volunteer events.

For further information, please contact Donald Rocha at (408) 630-2338.

3. Safe, Clean Water Grant Closeout: Grassroots Ecology's Re-Oaking Silicon Valley Project

In Fiscal Year 2020, Valley Water awarded Grassroots Ecology a \$103,735 Safe, Clean Water Program D3 Standard Grant for their Re-Oaking Silicon Valley Project. Grassroots Ecology completed the Project on June 30, 2023, and submitted the final invoice items on October 3, 2023, allowing for grant closeout.

Grassroots Ecology is a 501(c)(3) nonprofit organization dedicated to environmental stewardship through civic engagement and education. The grant funds allowed Grassroots Ecology to leverage their existing partnerships with cities and government agencies to grow, plant and establish oaks and other native trees throughout the northern part of Santa Clara County. The Project included re-oaking open space lands with community volunteers and urban re-oaking workshops. In accordance with the San Francisco Estuary Institute's Re-Oaking Silicon Valley Report, Grassroots Ecology oversaw the installation and ongoing maintenance of hundreds of oaks, willows, buckeyes and other native trees across public open spaces and parks in Palo Alto, Los Altos Hills and Cupertino. Grassroots Ecology also engaged community volunteers through volunteer workdays and propagating native trees at the Grassroots Ecology native plant nursery.

Key Outcomes:

- Engaged 511 community members who contributed to planting and caring for the native trees installed as part of this Project.
- Hosted 60 volunteer workdays at Foothills Nature Preserve, Arastradero Preserve, Byrne Preserve, and McClellan Ranch Preserve.

- Propagated 317 trees at the Grassroots Ecology native plant nursery.
- Planted and installed over 1,229 plant and tree basins including willow stakes, California buckeye, oak and acorn.
- Monitored 533 trees for survivability and maintenance needs.

For further information, please contact Donald Rocha at (408) 630-2338.

4. Safe, Clean Water Grant Closeout: South County Compassion Center's South County Streets Team Project

In Fiscal Year 2019, Valley Water awarded Gilroy Compassion Center, now called South County Compassion Center (SCCC), a \$30,000 Safe, Clean Water Program B7 Grant for their South County Creeks Team Project. South County Compassion Center completed the Project on March 31, 2023 and submitted the final invoice items on June 9, 2023 allowing for grant closeout.

The South County Compassion Center is a non-profit 501(c)(3) organization committed to providing resources to meet the needs of the unhoused community in Gilroy. The Project included weekly outreach efforts at designated sites in the Gilroy area where there were environmental hazards to the Santa Clara County waterways and groundwater. As a result, SCCC staff visited these spots and provided unhoused individuals with resources and supplies aimed at keeping waterways clean. In addition, these individuals were educated on the damaging effects of trash, human waste, and other refuse from encampments. To encourage trash clean-ups around creeks and waterways, SCCC provided outreach materials, supplies, and incentives for unhoused individuals who volunteered with the cleanups.

Key Outcomes:

- Removed approximately 249 cubic yards of garbage weighing 37.43 tons
- Engaged 25-50 unhoused individuals to gather and bag garbage each week; engagement consisted of distributing supplies, encouraging clean ups, offering gift card incentives, and verifying collections
- Developed outreach materials that were communicated by bilingual staff for trash maintenance and resource materials for the unhoused
- Collected volunteer testimonials

For further information, please contact Donald Rocha at (408) 630-2338.

BOARD MEMBER REQUESTS and Informational Items

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-23-0033	12/21/23	Beall	Yoke	Mcelroy	Provide Director Beall with a copy of Valley Water's reasonable accommodation policy.	01/10/24		
R-24-0001	01/09/24	Keegan	Richardson	Penilla	Provide information on what the plan is for projecting long-term maintenance costs of future watershed assets.	01/30/24		
R-24-0002	01/09/24	Eisenberg	Callender	Taylor	Provide breakdown on how water recycling costs are calculated, including comparing with Orange County and Los Angeles.	01/30/24		
R-24-0003	01/09/24	Beall	Baker	Gin	What can Valley Water do about nanoplastics/microplastics in greywater being used in yards and gardens?	01/30/24		
R-24-0004	01/09/24	Keegan	Hakes	Bourgeois	Do wild pigs pose any difficulties or challenges to Valley Water watersheds?	01/30/24		



MEMORANDUM

FC 14 (08-21-19)

TO: Rick L. Callender, Esq.

FROM: Bhavani Yerrapotu

SUBJECT: Report of Properties Acquired Under
Executive Limitation 6.7.1

DATE: January 2, 2024

BACKGROUND:


Executive Limitation (EL) 6.7 and 6.7.1 allows the CEO to acquire, encumber or dispose real property interest, only when authorized by the Board, or is part of a Board approved project and does not exceed \$500,000. EL 6.7.1.3 requires that the CEO provide a written report to the Board of anticipated properties to be acquired under EL 6.7.1. Additionally, EL 6.7.1.4 requires that the CEO provide a quarterly summary report of the properties acquired under EL 6.7.1, including the respective statutory offer of just compensation and final negotiated values.

PURPOSE:

This memo complies with the provisions of EL 6.7.1.3 and 6.7.1.4 by providing the following:

1. A report of the properties which may be acquired under EL 6.7.1 in the upcoming quarter, October 1, 2023, through December 31, 2023. (Attachment 1)
2. A report of the properties that have been acquired under EL 6.7.1 in the last quarter, July 1, 2023, through September 30, 2023. (Attachment 2)

If you have questions or need additional information, please contact Carlo Achdjian at (408) 630-4352.

DocuSigned by:

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Bhavani Yerrapotu, P.E.
Deputy Operating Officer
Watersheds Design and Construction Division

Attachment 1 (Properties which may be acquired)

Attachment 2 (Properties acquired)

cc: C. Hakes, M. Richardson, K. Anderssohn, C. Herrera

ATTACHMENT 1

**REPORT OF PROPERTIES WHICH MAY BE ACQUIRED UNDER E.L. 6.7.1 IN THE UPCOMING QUARTER
OCTOBER 1, 2023 - DECEMBER 31, 2023**

DISTRICT FILE	PROJECT NAME	AGENT	GRANTOR	ASSESSOR'S PARCEL NUMBER (APN)	INTEREST
4021-417	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	City of San Jose	472-21-094	Fee
4021-320	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	Dour	472-31-041	Easement
4021-406	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	Dour	472-31-041	Temporary Construction Easement
4021-319	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	Wiehe/Brenner	472-31-040	Easement
4021-405	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	Wiehe/Brenner	472-31-040	Temporary Construction Easement

ATTACHMENT 2

**REPORT OF PROPERTIES ACQUIRED UNDER EL 6.7.1
JULY 1, 2023 - SEPTEMBER 30, 2023**

DISTRICT FILE	PROJECT NAME	AGENT	GRANTOR	INTEREST	REC DATE	DOC#	INITIAL OFFER	FINAL SETTLEMENT	explanation
4021-292	Coyote Creek Flood Management Measures Project (CCFMMP)	Magleby	PENN PUON	Easement	7/31/2023	25507438	\$2,000,000	\$164,000	Also see 4021-395; offers for full take was denied by owner; only agreed to sell VW easements.
4021-293	Coyote Creek Flood Management Measures Project (CCFMMP)	Magleby	SOUZA ROBERT JR AND RENEE	Easement	8/14/2023	25517975	\$181,700	\$181,700	
4021-298	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	SAN JOSE CITY OF	Easement	7/27/2023	25506523	\$1,300	\$7,783	The City has received recent appraisals that have valued lands within the riparian corridor at approximately \$1.68 per square foot. Given
4021-311	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	LAM, ANDREW & TRAN, NGUYEN-DAI-YU	Easement	8/8/2023	25515767	\$46,900	\$46,900	
4021-395	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	PENN PUON	TCE	7/31/2023	25507439	\$2,000,000	\$164,000	See 4021-292; offers for full take was denied by owner; only agreed to sell VW easements.
4021-396	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	LAM, ANDREW & TRAN, NGUYEN-DAI-YU	TCE	8/8/2023	25515768	\$46,900	\$46,900	See 4021-311; offer letter is for both 4021-311 & 4021-396
4021-397	Coyote Creek Flood Management Measures Project (CCFMMP)	Carrasco	SOUZA ROBERT JR AND RENEE	TCE	8/14/2023	25517976	\$181,700	\$181,700	

INCOMING BOARD CORRESPONDENCE

Board Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-24-0012	01/16/24	01/17/24	All	HELEN BOETTNER	Email from Helen Boettner to the board, dated 01/16/24, regarding unhoused encampment in the Erickson Neighborhood.	Refer to Staff	Hakes	Codianne	01/25/24	-	n/a	01/31/24
C-24-0011	01/13/24	01/16/24	All	TIFFANY HOWARD	Email from Tiffany Howard to the board, dated 01/13/04, regarding the unhouse in the creek behind her home.	Refer to Staff	Hakes	Codianne	01/24/24	-	n/a	01/30/24
C-24-0008	01/09/24	01/12/24	All	WENDY LI	Email from Wendy Li to Director Keegan, dated 01/09/24, regarding unhoused emcampment issues in her neighborhood.	Noted and Filed	-	-	01/20/24	-	n/a	01/26/24
C-24-0007	01/11/24	01/11/24	Beall	ROGER CASTILLO	Email from Roger Castillo to Director Beall, dated	Refer to Staff	Hakes	Codianne	01/19/24	01/16/24	n/a	01/25/24

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					1/12/23, conveying a copy of the "12-29-23 101 Bayshore Chinook killed" document.							
C-24-0006	01/09/24	01/10/24	Beall	BRIGITTE RINCE	Email from Mark Bolger and Brigitte Rince, to Director Beall, requesting a letter for real estate agent to provide to potential buyers that explains the plans for removing and the City of San Jose plan to executing the homeless and creating a EIH enclosure between Branham Lane and Blossom Hill Road.	Refer to Staff	Hakes	Codianne	01/18/24	01/16/24	n/a	01/24/24
C-24-0005	01/09/24	01/10/24	Estremera	SHANNON MCCARTHY ROBERT STEUER	Letter from Shannon McCarthy and Robert Steuer to Director	Refer to Staff	Baker	Struve Gin	01/18/24	-	n/a	01/24/24

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					Estremera, dated 01/06/24, regarding high San Jose Water Bill and request to advocate for them.							
C-23-0293	12/04/23	12/07/23	Beall	AFSHIN ROUHANI	Email from Afshin Rouhani to Director Beall, dated 12/04/23, regarding Anderson Dam options.	Refer to Staff	Richardson	Mccarter	12/15/23	12/18/23	n/a	12/21/23
C-23-0287	11/29/23	11/29/23	Hsueh	DWIGHT NICKERSON	Email from Dwight Nickerson to Director Hsueh, dated 11/29/23, regarding damaged retaining wall on Saratoga Creek.	Refer to Staff	Hakes	Codianne	12/07/23	12/05/23	n/a	12/13/23
C-23-0267	11/03/23	11/03/23	Varela	ROCHELLE BEERLI	Email from Rochelle Beerli to Chair Varela, dated 11/03/23, conveying questions about Pacheco Dam.	Refer to Staff	Richardson	Mccarter	11/11/23	11/16/23	n/a	11/17/23
C-23-0266	10/31/23	10/31/23	All	JOHN GUISLIN	Email from John Guislin	Refer to Staff	Hakes	Yerrapotu	11/08/23	11/06/23	n/a	11/14/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					to the board, dated 10/31/23, expressing concern for Creek Flooding mitigation along San Francisquito Creek.							
C-23-0239	09/24/23	09/25/23	Beall	KATHLEEN O'CONNELL	Emal from Kathleen O'Connell to the Director Beall, dated 9/24/23, regarding Water Resource Protection Zone at the upcoming Cherry Avenue EIH project.	Refer to Staff	Hakes	Codianne	10/03/23	09/27/23	n/a	10/09/23
C-23-0235	09/21/23	09/22/23	All	JESSICA CALDERON	Email from Jessica Calderon to the Board, dated 9/21/22 regarding the unhousd at Church st./Howson Creek Monterey Road/Howson Creek, Gilroy.	Refer to Staff	Hakes	Codianne	09/30/23	09/25/23	n/a	10/06/23
C-23-0212	08/24/23	08/24/23	Santos	ERIC HA	Email from Eric Ha to Director	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					Santos, dated 8/24/23, regarding unhoused individual setting fire behind property.							
C-23-0211	08/24/23	08/24/23	Varela	LUIS RAMIREZ	Email from Luis Ramirez to Chair Varela, dated 8/24/23, regarding homeless in Gilroy on Valley Water property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0101	05/12/23	05/12/23	All	STEVE KELLY	Email from Steve Kelly, to the Board, dated 5/12/23, regarding concern for unhoused that may cause threats to residents living near the creeks in Santa Clara.	Refer to Staff	Blank Yerrapotu	Codianne	05/20/23	05/22/23	n/a	05/26/23
C-23-0076	03/31/23	04/03/23	All	H.K. WILLARD	Email from H.K. Willard to the Board dated 3/31/23 regarding misleading information in March Water News.	Refer to Staff	Gibson	Rocha	04/11/23	04/07/23	n/a	04/17/23
C-23-0045	02/23/23	02/24/23	All	MELISSA	EEmail from	Refer to Staff	Blank	Codianne	03/04/23	03/03/23	n/a	03/10/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
				MALLORY	Melissa Mallory regarding unhouse along Los Gatos Creek Trail.			Yerrapotu				

Michele King

From: Roger Castillo <[REDACTED]>
Sent: Thursday, January 11, 2024 11:03 AM
To: Jae Abel; Jim Beall
Subject: Re: (SSRG) Recent Investigation and report "12-29-23 101 Bayshore Chinook killed .pdf"
Attachments: 12-29-23 101 Bayshore Chinook killed .pdf

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Hello Jae and Jim,

Here's the next investigation report Doc. Please forward this doc to your staff and directors over seeing these and other areas. Regions on Los Gatos Creek down of Bascom Ave. thru Leigh Ave. Auzerias ave thru San Carlos St, Park Ave, San Fernando St, Santa Clara St, St. Valley Water & City of San Jose allowing stream and bank alterations. To construct major housing complex, such as leveling entire bank pouring cement, tunneling with tools creating constructing bridge structures or crossing without permits. Bringing in and transporting industrial waste to creeks or river. Entire household furniture, and bedroom sets, Chop-Shop dismantling stolen bicycles, scotters, cars, motors and bodies, tires, electrical stolen conduit and incinerating plastic and precious metals along or in scootercreek systems to recycle electrical appliances having precious metals.

Guadalupe River St John St, Julians, Coleman Ave, Taylor thru Heading St. Guadalupe River at Alamitos Fish Ladder to down of Blossom Hill thru Branham Ave.

Coyote Creek down stream from Yerba Buena juggles , Singleton Bridge trail crossing, Capital Expressway, Tully Road underground criminal bunker re-established

To construct major housing complex, such as leveling intire bank pouring cement, tunneling with tools creating constructing bridge structers or crossing without permits. Bringing in and traporting industrial waste to creeks or river. Entire household furniture, and bedroom sets, Chop-Shop dismantling stolen bicycles, scotter, cars motors, tires, electrical stolen conduit and incinerating precious metals alalong or on creek systems to recycle electrical appliances having precious metals.

Doc "12-29-23 101 Bayshore Chinook killed .pdf" . About Valley Water District Silver Creek Flood Control Project causing the direct take down stream of 101 Bayshore to down stream 101 bayshore. Other docs along with filmed investiagtion on some of things this doc lightly covers. Valley Water District and City of San Jose allowing criminal activity to flourish while providing sevice. Criminal activty to flourish on Valley Water District and City of San Jose manage properties in numderouse locations. Will be covered on Coyote Creek and Guadalupe River systems docs and filmed ivestigations with (CDFW) agant called to investigate. Regarding Valley Water receiving permts to reduce flow or turn off water flows during one wettest years on record in the year of 2023 to cause additional take on Chinook Salmon and Steelhead Rainbow Trout, and failing to take appropriate measures while having biologist working in these areas.

Thank You

Roger Castillo

Salmon and Steelhead Restoration Group

Watch dog Group

<https://protect-us.mimecast.com/s/uOiLCERmMwSljNr0INS501?domain=silchip.org>

Chairman Roger Castillo

Citizen-scientist-naturalist urban wildlife behavior and photography.

[REDACTED]

San Jose CA 95121

Home office (408) 238-2040

Cell ([REDACTED])

SALMON AND STEELHEAD RESTORATION GROUP (SSRG)



Draft update 12-21-23

By Roger Castillo

Citizen-Scientist- Specialist Short-River Chinook Salmon behavior.
Junior Hydrologist and videographer.

Information gathered by Roger Castillo to explain the causes from stranding and killing Chinook salmon under the 101 Bayshore going over Lower Silver Creek. Other information regarding flows, temperature and Chinook behavior on fall run Chinook Salmon and causes from standing Chinook Salmon. Information on Chinook salmon carcass counts that identify that 23 Chinook were prematurely killed during Nov 16, 2023. through Dec 1, 2023. A cluster of seven chinook found further down stream were cut open that determines that they did not spawn yet and were swept down stream about 25 yards. The November 19 thru 20 rain storm push Chinook bodies further downstream from under the 101 Bayshore going over Lower Silver Creek.

The 16 Chinook salmon found on Dec 1, 2023 were the most recent casualties along with a live female Chinook rescued before assembly all carcasses on Dec, 3, 2023 along the northern bank so they could be counted and opened up to determine that 90% had not spawn yet.

Listed Chinook body counts Dec 3, 2023.

- 1 Male Chinook 32" not spawned no adipose
- 1 Male Chinook 33" not spawned no adipose
- 1 Male Chinook 31" not spawned no adipose
- 1 Male Chinook 26" not spawned no adipose
- 1 Male Chinook 24" not spawned no adipose
- 1 Female Chinook 30" not spawned with eggs adipose
- 1 Female Chinook 32" not spawned with eggs adipose
- 1 Female Chinook 32" not spawned with eggs adipose
- 1 Male Chinook 32" not spawned no adipose
- 1 Male Chinook 32" not spawned no adipose
- 1 Male Chinook 32" not spawned no adipose
- 1 Male Chinook 32" not spawned no adipose
- 1 Female Chinook 32" not spawned with eggs adipose
- 1 Female Chinook 27" not spawned with eggs adipose
- 1 Female Chinook 30" not spawned with eggs adipose
- 1 Male Chinook 31" not spawned no adipose
- 1 Male Chinook 26" not spawned no adipose
- 1 Male Chinook 27" not spawned no adipose
- 1 Female Chinook 28" spawned no eggs adipose
- 1 Female Chinook 32" spawned no eggs adipose



Above photo is first site visit to 101 Bayshore on Lower Silver Creek at 2:49pm on Dec 1, 2023. After receiving reports that Chinook Salmon were spawning under 101 Bayshore going over Coyote Creek along flood wall construction on Coyote Creek. After documenting that at least 10 Chinook were indeed spawning at that location. Leaving that location to rescue the first of many Chinook Salmon and measure stranded dead or live Chinook salmon on Lower Silver Creek. A large 30 inch female chinook with adipose fin, full of eggs was pushed back in to pool after recording all the dead ones under 101 Bayshore.



Above photo is site visit at 1:29 pm Dec 6, 2023 to rescue and measure stranded dead or live Chinook salmon. A large 30 inch female chinook with adipose fin, full of eggs Lower Silver Creek. Chinook salmon was alive stranded under 101 Bayshore 3 box culvert. After being measured fish was pushing back in lower pool.

Valley Water District personnel or employees observing criminal activity on the manage properties are being directed by management to not report criminal activity main gate areas of entry of stream gauges.

Main gated area to gauging station 5053 Lower Silver Creek at San Antonio Rd at corner of King Road Station located near the intersection of North King Rd. and Schulte Dr. in San Jose. Photo from station placement

Valley Water District having place pollution capture floating bowie devices in place and allowing direct dumping of heavy pollution industrial waste and allowing heavy criminal activity at gate entry and so on in entire area to upper area to Walgreens complex at corner of Mckee Rd and Story Rd.



A look at pallet bridge crossing trapping Chinook Salmon on Dec 1, 2023 at 2:37pm before find stranded dead Chinook under 101 Bayshore.



Dec 8 Valley Water District housing homeless on manage property under the control allowing the take threaten Chinook Salmon and endangered Steelhead Rainbow Trout.





Above are three snap shots from video on Dec 7, 2023 at 7:42am thru 7:50am Roger Castillo is herd say thank god no more dead salmon today. When all of a sudden this Chinook Salmon suddenly jump up on concrete top out of control crashes into northern wall bank, bouncing off wall moves to the center floundering flopping around over 8 grueling minutes. Please refer to unlisted Youtube link



These three clips show on Dec 8, 2023 at 2:51pm find a dead 32 inch male Chinook. Opening fish belly to identifying this fish had not spawned yet and was prematurely killed because 101 Bayshore has no low flow migration channel that prevents stranding and killing Chinook Salmon. Please refer gage spike on Dec 7th thru Dec 8





Site visit at 12:41 pm on Dec-09-2023 checking to see how many dead or live Chinook. Please refer to gage spike on Dec 7th thru Dec 8

A 32 inch female Chinook found dead under 101 Bayshore. Opening belly to Identify



premature killing and how many eggs she was holding at least 3,000 eggs. A total of 6 female Chinook holding eggs. Observing Chinook salmon having large gashes some having deep cut to the bone because all the pollution and industrial metals, cars, electrical appliances. Criminal chop-shop location on creek taken apart scooters, bicycles, and cars and part littering entire water bodies to along 101 Bayshore from the abandon Pacific Rail road to Lower Silver Creek. Homeless and the public bring in wood waste to constructed entire home dwelling with entire house hold items constructing large bridge river crossing blocking migration. The City of San Jose and Valley Water District allowing the public the removal of native introduce trees and plants habitats. Both parties allowing incinerating of hazardous material and all woody debris along banks or in restored areas. Wild fires are being set to incinerate electrical appliances for the metals to be recycled. While many other are burning hazardous trash and plastic at an

alarming rate. Allowing cooking and campfire at camps site . Allowing the public to transport directly to creeks and rivers so they can be processed or incinerated while providing services like trash pickup and toilet services. Will be cover in other documents.

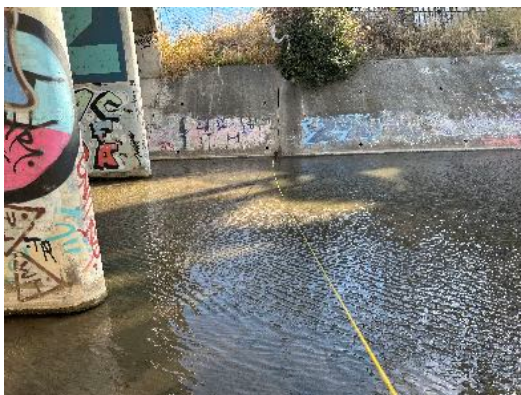
Valley Water District has permits for booms trash capture devices over water in two different location on Lower Silver Creek and is in violation for allowing direct delivery of hazardous materials or waste to these and other locations. Upstream from 101 Bayshore fish killing location at Valley Water District gauging station 5053 Lower Silver Creek at San Antonio Rd and water boom trash collection. The other location about 3 mile away Tully Road and Quimby Road. Will be cover on other docs.



A look under i280 Freeway a 5 box culvert with a low flow channel in center or third box culvert. This has problems as well on top end 1/2 inch depth ratios for 25 yards. But lots of room below the i280 habitat down stream of this bridge.



Looking upstream to the three box culvert bridge on Lower Silver Creek on Dec 3, 2023 Showing a numerous problems. Homeless and near by residence are placing pallet and stones to stand over water to retrieve Chinook Salmon also riding bicycle in 1 inch shallow to pickup Chinook Salmon

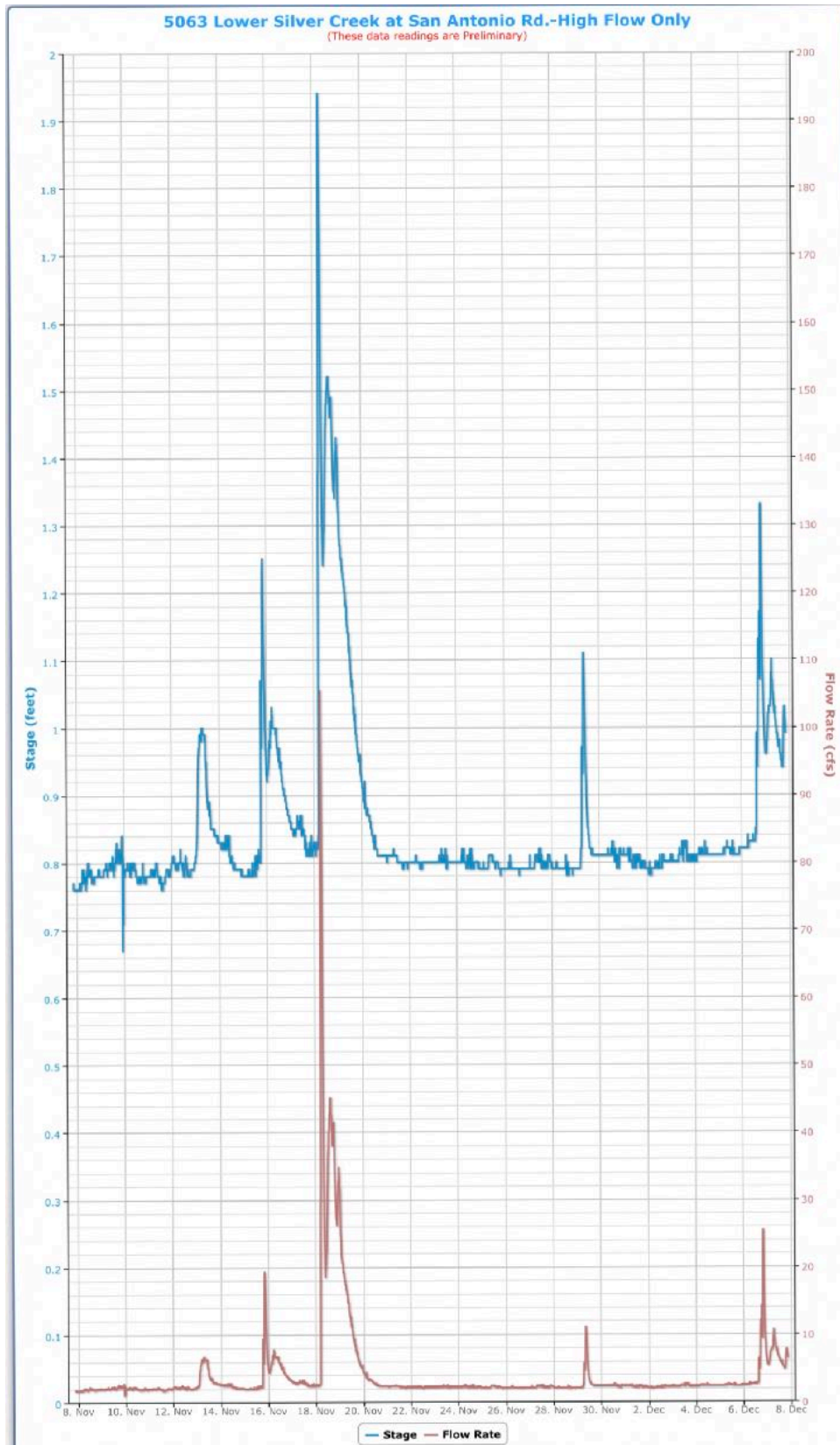


Taking a partial cross section of the channel bank to bank measure 41 feet and 6 inches across average depth 2" 1/2 to 3 inches flow rate around 8 cfs to 10 cfs and finding good indicators for good water quality.



While taking measurements on Dec 8, 2023 good water quality indicators finding several live fresh water mussels measure little over 1/2 inch trapped in the seam of the concrete under 101 Bayshore on Lower Silver Creek.





A snap shot Valley Water District gauge info on flows and spikes from 5053 Lower Silver

Creek at San Antonio Rd This gage is about 450 to 500 yards up stream shows that small rain storm on Nov 19, thru 20th 2023. Rain event and temperatures dropped to low 50°F during Nov 18th brought in the first early Chinook Salmon to Lower Silver Creek. As flows came up then went down other Chinook got caught holding below the 101 Bayshore most certainly ended up stranded under the bridge. A cluster of seven or more found 30 yards down stream. While others that survive didn't getting caught under the 101 bridge. We found other Chinook survivor that spawn out and others in spawn under Wooster Ave through and up to concrete holding area. The ones that die under the 101 bridge got washed down stream during Nov 20, 2023. But because gage 5053 Lower Silver Creek at San Antonio Rd is not reading right. It is off by 8 cfs to 10 cfs for least 8 years. So water really reach closer to 25 cfs that drew Chinook up on Nov 30, thru Dec 1, 2023. A total of 16 Chinook die with a day or so. And one 30 inch female was saved while documenting. The 2 photos below show much older dead Chinook with eggs in them were carried 25 to 30 yard down stream during Nov 20 rain storm.

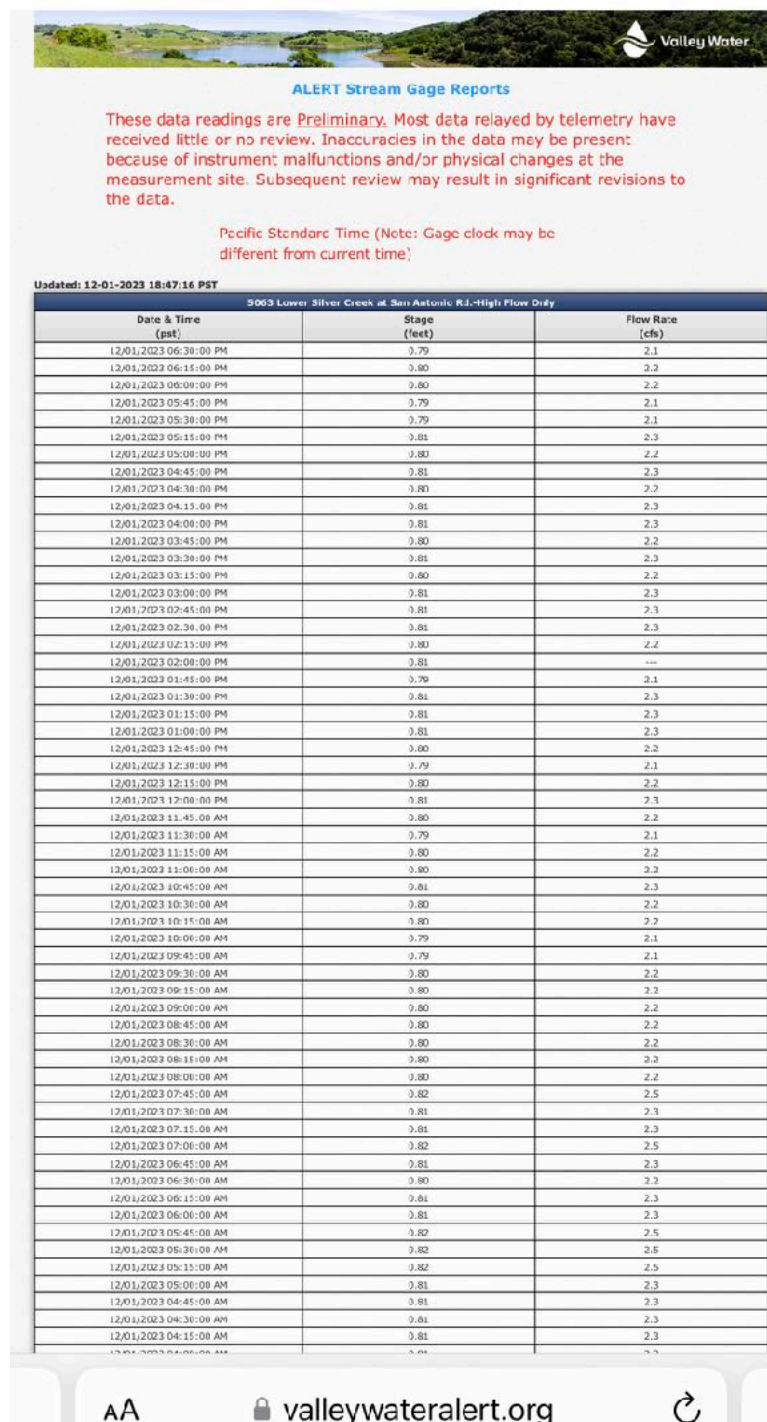




On Dec 3, 2023 Chinook found 25 to 30 yard down stream cutting open the belly all female holding eggs.

A snap shot Valley Water District gauge 5053 Lower Silver Creek info on average flows 2.1cfs during Dec 1, 2023 which are way off about 10cfs. This gage has being off line for more than 8 to 10 years.

This gage is one of the most important gage because it show the free water that sustains both Steelhead Rainbow Trout and Chinook Salmon population growth. Free Water supply that is up-welling from earth quake faults Silver Creek and Hayward faults



A look on Dec 8, 2023 4:03pm Valley Water District gauging station 5053 Lower Silver Creek just 120 yards down stream from floating trash collection boom.

Valley Water keeping gage off-line by allowing a stream alteration bridge crossing dam by homeless. Measuring 37 inches in height and 25ft in length. Valley Water District inducing the illegal take on Chinook Salmon. A major trapping poaching region from this reach to upper and lower of this location. But it much worse lower reaches on Coyote Creek all the way down steam on Coyote Creek. Brokaw Rd thru Charcot Ave. Which will be covered on other documents "Coyote Creek Beaver dam and Homeless poaching Chinook Salmon, Steelhead Rainbow Trout and criminal compounds transporting industrial waste pollution 2023".



Michele King

Subject: FW: Encampment issues

From: Barbara Keegan <BKeegan@valleywater.org>
Sent: Friday, January 12, 2024 9:33 AM
To: Wendy Li <[REDACTED]>
Cc: Board Correspondence <boardcorrespondence@valleywater.org>
Subject: Fwd: Encampment issues

Hello Ms. Li,

I am very sorry to hear about your experience and it certainly sounds extremely traumatic.

I am out of the office this week and have asked staff to respond to your questions.

Did you have a chance to contact the School District representative, Michael Snyder, to relay your concerns about the impacts of the encampments on Blackford Elementary? I plan to contact him next week and I will let you know what response I get.



Michael L. Snyder
campbellusd.org

Sent from my iPad

Begin forwarded message:

From: Barbara Keegan <BKeegan@valleywater.org>
Date: January 11, 2024 at 7:57:01 PM PST
To: Candice Kwok-Smith <ckwok-smith@valleywater.org>
Subject: Fwd: Encampment issues

Could you please have staff respond to her. Thanks.

Sent from my iPad

Begin forwarded message:

From: Wendy <[REDACTED]>
Date: January 9, 2024 at 1:03:59 PM PST
To: Barbara Keegan <BKeegan@valleywater.org>
Subject: Re: Encampment issues

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Hi Ms.Keegan,

Now that January has come and Valley Water has opened up more funding towards addressing the homeless situation along the creeks, is there any way to work with Valley Water to prioritize relocation in this area with the planned camp site in south san jose that you mentioned during your last visit?

Last week, a homeless woman knocked on all of my neighbors' and my door, approached me as I was getting out of my car and asked me to call her an ambulance because she was going to kill herself and if I didn't she would kill someone else. My neighbor and I called the police on her as a result.

I've never had something like this happen before and it was pretty upsetting.

Best,
Wendy

On Wed, Dec 13, 2023 at 10:36 AM Barbara Keegan <BKeegan@valleywater.org> wrote:

Hello Wendy,

It was a pleasure meeting you on the trail last week. I do have some more information for you since we met.

Your representative on the Campbell Unified School District is Michael Snyder and here is his contact information <https://www.campbellusd.org/staffprofile?emp=msnyder> Getting him engaged with the school and pedestrian trail set back issue would be very helpful for influencing the City of San Jose.

Your City Council member is Dev Davis. Here is the contact information for her office <https://www.sjd6.org/contact> I have talked with Council Member Davis regarding your concerns and she hears similar things from other residents. I would suggest that you let her office know if you contact Beautify SJ and they are not responsive. Her staff is very good about following up on constituent concerns.

From what I can tell, the staffing level at Beautify SJ is a constraint on abatements. Staff would need to be increased to extend the current buffers around schools. As part of

the City of San Jose budget process there will be opportunities for the community to weigh in on funding for programs that are important to them. The City adopts their annual budget in June of next year so there is time to influence them regarding abatements.

Thanks again for contacting me and please let me know if you have additional questions or concerns.

Best regards,
Barbara Keegan

Sent from my iPad

--

Wendy Li



Michele King

From: jim.kuh [REDACTED]
Sent: Monday, January 15, 2024 11:13 AM
To: Clerk of the Board; Board of Directors; John Varela; Tony Estremera; Barbara Keegan; Richard Santos; 'Jim Beall'; 'Nai Hsueh'; Rebecca Eisenberg
Cc: Joe Simitian; Matt Savage; Arjun Batra; 'Pam Foley'
Subject: Clarification of Jim Kuhl's 'Comment' in Tuesday's, 1/9/24 meeting on the planned development of Valley Water's "Water Supply Master Plan 2050"

Follow Up Flag: Follow up
Flag Status: Flagged

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

To: Valley Water Board Directors

Date: Monday, 1/15/24

From: Jim Kuhl, at large

Prior Board Member of District 10 Leadership Coalition & Almaden Valley Community Association; and member Almaden Senior Association

Subject: Clarification of my (Jim Kuhl's) 'Comment' in Tuesday's, 1/9/24 meeting on the planned development of Valley Water's Water Supply Master Plan 2050

Introduction

On Tuesday, 1/9/24 for Board Meeting agenda item 3.8, Kirsten Struve made a presentation on the planned development of Valley Water's Water Supply Master Plan 2050. Valley Water's Board provided direction feedback to Ms. Struve on the planned development. At very end of meeting agenda item 3.8, public comments were entertained. When I made my comment, the Board Chair incorrectly called me Jim Colt. In addition, the allowed 'Comment' time was very restrictive. As a consequence, I decided to submit a formal written comment to eliminate the meeting's identity confusion plus expand my input for better understanding.

Jim Kuhl's full 'Comment' on the planned development of Valley Water's Water Supply Master Plan 2050

Water costs have been and continue to significantly grow with no end in sight. The need to amortize the expense of Valley Water's planned \$2.5B Pacheco Reservoir expansion infrastructure will be a key driver on retail water companies, such as San Jose Water Company, need to pass on their projected increases in wholesale water cost to maintain

their profitability goals. As a result, a minimum doubling of cost of water is projected in 8 years for Santa Clara County consumers served by San Jose Water Company, excluding inflation.

In the proposed 'Supply Plan', Valley Water's single largest investment is the \$2.5B Pacheco Reservoir expansion. A lower cost option exists which is Vaqueros Reservoir expansion in cooperation with another water district partner. However, either reservoir expansion continues the dependency on importing the county's water needs from the Delta ($\approx 45\%$) and Hetch Hetchy ($\approx 16\%$). **Delta sourced water is highly susceptible to droughts; thus, very unreliable.** The Pacheco investment is expected to grow once excavation begins and more geologic problems surface.

Worse droughts have occurred and are expected than the 1987–92 period employed by Valley Water for modeling. As an example, the 1928–34 drought was much worse. Global warming continues to change weather patterns in an unpredictable manner – deeper and longer droughts are expected. Valley Water's philosophy should be: "Plan for the worst and hope for the best." Judgmental decisions are being made by Valley Water that are highly arguable regarding what water reserves are sufficient to guarantee the water supply. Options exist to surface reservoir expansion that can significantly reduce water supply risk. A mistake can't be made by Valley Water because the major selected corrective infrastructure projects have 20 to 30 year development cycles.

For the same investment in Pacheco's expansion, with little investment uncertainty, Valley Water could expand waste water recovery beyond the planned (12%) to 85%, like Orange County has and implement desalinization, like San Diego's Carlsbad desalinization plant (water output 122,000 AF/yr.), employing osmosis processes. Together these two osmosis based projects, appropriately scaled, but less than \$2.5B, could statistically guarantee water supply reliability for the most demanding drought scenarios. California regulators recently approved using recycled water for drinking water, eliminating this prior barrier.

For the alternative proposed set of projects, the objective would be to reduce required Delta imported water from a dependency of $\approx 45\%$ to $\approx 20\%$; thereby, achieve a reliable future water supply. Delta water imports by Valley Water would be continued at approximately 20% but now sustainable irrespective of droughts. Waste water recovery and desalinization reverse osmosis infrastructure projects have shorter (e.g., 10–15 year) development timelines with minimal investment uncertainty risk compared to Pacheco's expansion. The two osmosis processes based projects have higher ongoing operating (i.e., electrical energy) expenses than maintenance of a reservoir but, again, their water supply is reliable.

In reviewing the information available to the public, such as the 2040 Water Supply Master Plan, the recommended alternative project set evaluation comparison has not been done by Valley Water. Clearly, Pacheco Reservoir expansion versus the proposed alternative project set needs to be rigorously compared as there are pros/cons between

each. More demanding, drought scenarios, than the 1982-92 period must be employed. Because the assessment will remain judgmental, an accepted ‘expert’ analytical methodology (e.g., ‘expert’ elicitation Classical Model) will be required. The goal is for the desired comparison be conducted early (i.e., 2024-25 period) as part of Valley Water’s 2050 Water Supply Master Plan development process to enable plan redirection with minimal impact if project selection change justification is identified. The ‘expert’ analytical assessment needs to be separately published as soon as it is completed for public review/critique.

The public needs clear understandable analytical justification why Pacheco Reservoir Expansion is the ‘best’ choice versus the alternative set described to ensure our water supply during future drought periods.

Best regards,

Jim

Jim Kuhl



Michele King

From: Kathleen Cannuli [REDACTED] >
Sent: Monday, January 15, 2024 9:12 AM
To: Board of Directors
Subject: 2024 PR calendar

Follow Up Flag: Follow up
Flag Status: Flagged

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

We received the 2024 PR piece with the calendar attached. The PR piece cannot be separated from the calendar, BTW.

The main point on this is what an incredible waste of money this is. The stock is very good and expensive, printing is wonderful and mailing must not have been cheap either.

I have no confidence that the Board of Valley Water cares about consumer costs, especially when this wasteful calendar was mailed to all customers. WHY? Whomever in your PR department decided this was a good idea should be fired. IT IS A TERRIBLE IDEA.

Please think about expenditures like this before executing them.

Kathleen Cannuli
[REDACTED]
San Jose, CA 95128

Michele King

From: Tiffany Howard <[REDACTED]>
Sent: Saturday, January 13, 2024 11:35 PM
To: Board of Directors; jonathan.engleman@sanjoseca.gov; district9@sanjoseca.gov; Jim Beall; mayor@sanjoseca.gov
Subject: A Beatiful old friend died at the hands of the homeless along with our peac of mind last night
Attachments: image0 (1).jpeg; image1.jpeg; image0 (2).jpeg; image2.jpeg; image0 (4).jpeg

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Hello,

I am a resident of the neighborhood that backs up to the beginning of the Guadalupe River and ever since the City allowed the monstrosity of Almaden Ranch to be built behind our house we have had to endure constant unwanted neighbors behind our home, chipping away at our quality of life and peace of mind that as tax-paying, law-abiding citizens we should have. Instead, this is what we get, constantly. Trash, fighting, profanity, and best of all fires. The constant fires. None of us get really good sleep because we have to listen to them screaming at each other at night, and their dogs barking constantly, My children live under the stress of having to look at this out their windows. We have had rocks thrown at our windows by these people and had to replace two windows. They have shot arrows at our house, they throw rocks in our pool. The list goes on. You have the power to do something about this, DO IT! Get them off this land. Restore our peace of mind and our respect for those in government held positions of leadership in this city. I know you have heard from many of our neighbors and I have been in contact with Valley Water in the past but tonight was the last straw. There are a few beautiful historic trees that were the only thing that made me NOT hate my home from having to look out the window and see the hideous fish on the Bass Pro Building. Tonight there was another fire and as I have been telling people at Valley Water, it is only a matter of time before the homeless destroyed these historic trees. Well, they finally succeded. It is also only a matter of time before one of our properties is impacted. In 2021 one of their fires came right up to our fence line and you still did nothing about this. Does someone from our neighborhood have to die before you are going to do anything about this? Even that probably would not matter. These people wander our neighborhood, steal things from our garages, and packages off our porches and yards and you do nothing. I am sure if this was your neighborhood, something would change.

I am sending you photos so you can see what we live with. I am sure it won't make a difference because you have continued to allow this to happen. It is so infuriating that our quality of life, property values, and peace of mind mean nothing to those we entrust to lead our city.

I am attaching pictures taken from my daughter's window so you can see what we have to look at and the scene of the fire last night that destroyed these beautiful trees.

Disgusted, dismayed and disappointed,

Tiffany Howard











Michele King

From: Helen Boettner [REDACTED] >
Sent: Tuesday, January 16, 2024 2:58 PM
To: Board of Directors
Subject: Homeless encampment in Erikson neighborhood

Follow Up Flag: Follow up
Flag Status: Flagged

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Hello!

I'm a resident of the Erikson neighborhood. I've lived here for 10 years. My house is roughly 3 blocks from the trail. I understand that Valley Water is in a tough position with the ever growing encampment on Valley Water property.

Yesterday evening, it smelled like tires are being burned on Valley Water property. The smell remained quite strong this morning. According to the information posted in the neighborhood Facebook group, SJFD was notified and didn't respond. While I understand you can't force them to relocate, allowing them to burn tires is unreasonable. This ruins the air quality for the entire neighborhood. As a person with asthma, these fumes significantly limit my ability to be outside. I imagine it's also causing a great deal of damage to the property, creek, and any wildlife in the area. If this was occurring on my property, I would have an obligation to ensure it ceased.

Please provide security to stop activity like this.

Regards,
Helen Boettner

OUTGOING BOARD CORRESPONDENCE

Michele King

Subject: FW: Homeless encampment west of McKee VTA stop along Capitol Ave
Attachments: Stream Maintenance and Property Management Fact Sheet.pdf

From: Candice Kwok-Smith On Behalf Of Board of Directors
Sent: Wednesday, January 17, 2024 8:31 AM
To: mkraus [REDACTED]
Cc: district5@sanjoseca.gov; District4@sanjoseca.gov; anurag.pal@asm.ca.gov; eric.stroker@bos.sccgov.org; stephen.ngo@sanjoseca.gov; Rheya.Pawar@sanjoseca.gov; penitencia@googlegroups.com
Subject: RE: Homeless encampment west of McKee VTA stop along Capitol Ave

Sent on Behalf of Vice Chair Santos:

Dear Mike Kraus,

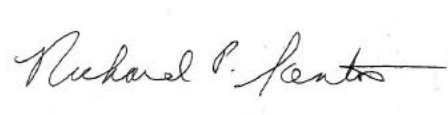
Thank you for reaching out to Valley Water regarding your observation of growing encampment activity in the area west of Capitol Avenue near the McKee VTA stop, as depicted on your map. Valley Water does hold easement rights at this location due to the presence of Miguelita Creek running through an underground pipe here, but Valley Water does not own or manage this land. It is the responsibility of individual landowners to maintain the property they own—please work with the City of San José to determine the landowner who is responsible for maintaining this property.

There is not a singular entity in charge of the creeks and property owners whose land extends into the creek have a primary role. Valley Water owns or has access to maintain approximately 294 miles of the 800 miles of the creeks and rivers in Santa Clara County. The remaining stretches of creeks are owned by Santa Clara County, private entities, cities in which the creeks are located, and other public agencies. Valley Water maintains property where it has built flood protection projects and possesses land rights. Creek ownership is a mosaic of ownership by Cities, County, private parties, and Valley Water.

I have attached a fact sheet that identifies Valley Water's role in stream maintenance, and you may review Valley Water ownership on our website by using the following link: <https://gis.valleywater.org/FeeEasement/>. The green areas show lands owned in fee title the yellow areas show land held in easement. Activities in the creek regardless of ownership are further regulated by state and federal regulatory agencies.

We appreciate your comments. If you need to report other concerns to Valley Water, you may use our online system at <https://access.valleywater.org/s/>. You may also contact Assistant Operating Officer Mark Bilski at mbilski@valleywater.org for additional information regarding encampments of unsheltered people on Valley Water property.

Sincerely,



Richard Santos
Vice Chair, District 3

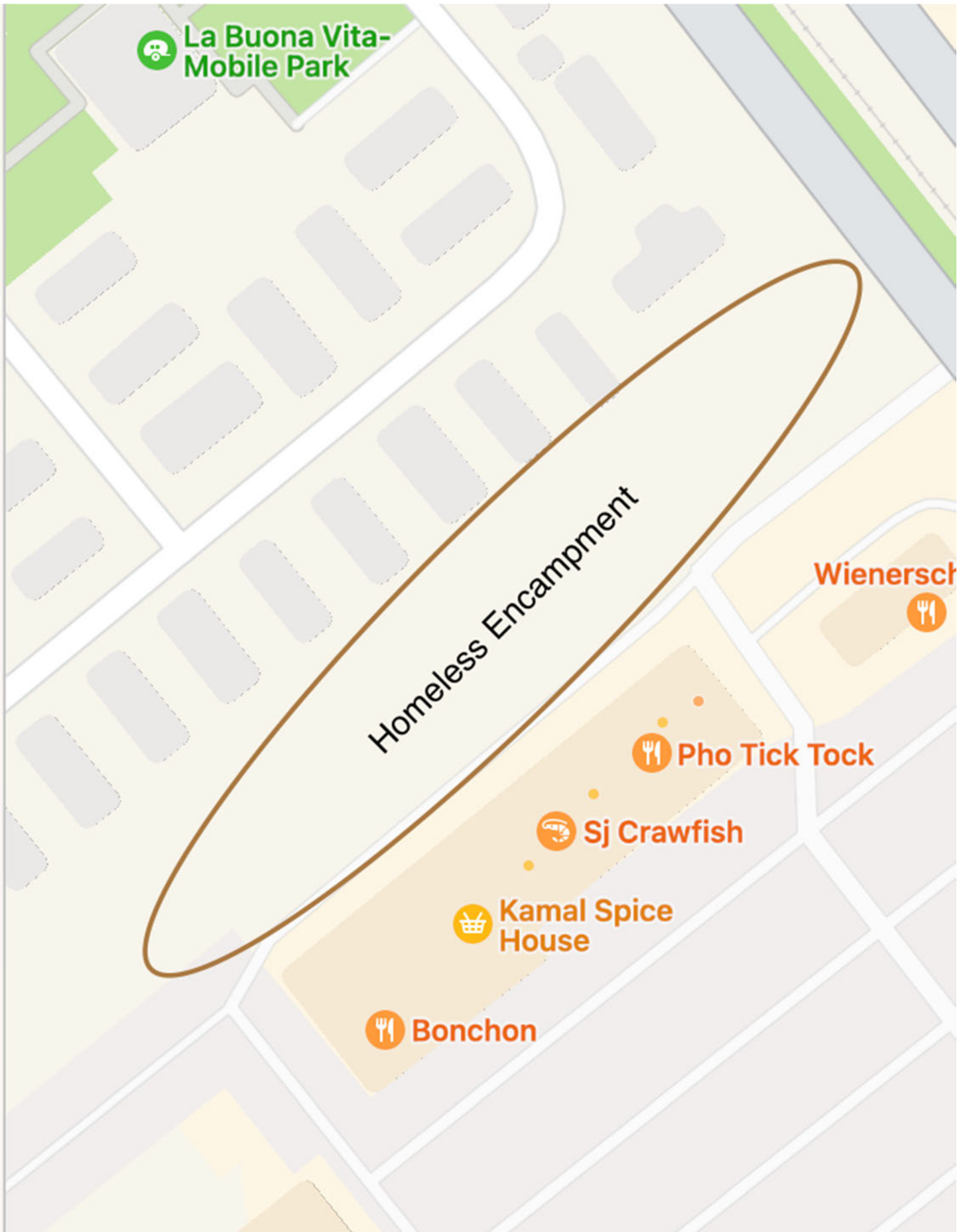
C-24-0003

From: Mike Kraus <mkraus@sanjoseca.gov>
Sent: Monday, January 8, 2024 3:34 PM
To: district5@sanjoseca.gov; District4@sanjoseca.gov; Richard Santos <rsantos@valleywater.org>; Anurag Pal <anurag.pal@asm.ca.gov>; Eric Stroker <eric.stroker@bos.sccgov.org>; Stephen Ngo <stephen.ngo@sanjoseca.gov>; Rheyra Pawar <Rheyra.Pawar@sanjoseca.gov>
Cc: PNA Distribution <penitencia@googlegroups.com>
Subject: Homeless encampment west of McKee VTA stop along Capitol Ave

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Dear Honorable Peter Ortiz (et al),

My name is Michael Kraus, president of the Penitencia Neighborhood Association located on the boarder between district 4 and district 5. Several community members that visit the Target store on capitol or travel south from the neighborhood have brought to my attention a growing homeless camp issue. I would like to bring to your attention that the number of homeless people has grown significantly over the last two months located on the west side of capitol Avenue across from the McKee VTA stop. See map below. Respectfully request that you put this issue on your radar to address. Thank you in advance for advocating and acting on our concerns.



Mike Kraus
President-Penitencia Neighborhood Association
Cell: [REDACTED]
Web Page: www.Penitenciaassociation.com

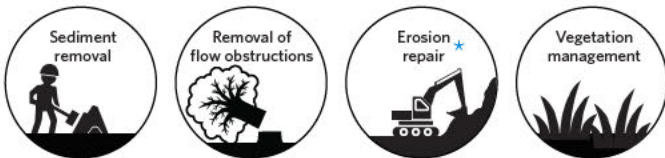
Stream Maintenance by Valley Water

Valley Water performs stream maintenance on completed flood protection projects to keep them in a safe and usable condition as originally designed and constructed. As the landowner, Valley Water also manages its property by performing work along streams.

Maintenance of Capital Projects

Capital projects are large-scale projects that maintain or improve capital assets. They involve a planning, design and approval process that includes public review, California Environmental Quality Act (CEQA) compliance, funding, and land and regulatory permit acquisition. Valley Water maintains the structural and functional integrity of these constructed projects to ensure the significant investment in infrastructure continues to provide the flood protection benefits as its intended design and construction.

Maintenance activities for Capital Projects



* Erosion is a natural process; Valley Water is not obligated to keep a creek "in place". Rather, Valley Water is obligated (considering the availability of resources) to preserve the functional and structural integrity of flood protection projects built or accepted by Valley Water.

Activities include removal of sediment and other obstructions to flow, erosion repair, and vegetation management.

Work activities are defined and permitted under a **Stream Maintenance Program (SMP)**, a ten-year program approved in 2013 by seven state and federal regulatory agencies.

Maintenance work is prioritized based on several considerations, including available resources. Higher priority is given to capital projects completed with federal partners, levee maintenance, and work to preserve channel capacity.



Staff removing fallen trees blocking creek flow.

Maintenance as a Landowner

Valley Water performs work on properties owned in fee title or where otherwise obligated by permit or agreement. These activities include weed abatement, hazardous tree removal, pruning for access, care of planted mitigation sites, fence and erosion repair, and graffiti, trash, and debris removal.

Maintenance activities as a landowner



Maintenance on easements

Valley Water performs limited work on properties owned by others where Valley Water has an easement. Easements are generally acquired for flood protection or water management and storm drainage purposes and grant rights (not obligations) to take actions in accordance with those purposes.

Valley Water does not perform activities such as weed abatement, erosion repair, graffiti or trash removal on easements as these are landowner responsibilities.

Removal of fallen trees or other obstructions to flow are flood protection activities that may be done by Valley Water. Unless otherwise stated, erosion repair on easements is a property owner responsibility.

The landowner retains rights to use the easement but cannot take actions, such as construction of a building, that conflict with the Valley Water easement right. A typical easement deed requires a property owner to seek Valley Water's approval for certain construction activities such as grading and fencing.

Property Owner's Responsibility for Creek Maintenance

Every property owner has a duty to maintain his or her property in a reasonably safe condition that does not interfere with a neighbor's ability to enjoy their property. A property owner is not required to enlarge or increase the capacity of a creek for flood protection purposes. Maintenance duties may include vegetation management, erosion repair, and removal of graffiti, trash, debris, and fallen trees. Some activities are subject to permitting by local, state and federal regulatory agencies prior to performing the work.

Property owner's responsibilities for creek management



Site of completed erosion repair.

Exceptions and Joint Efforts

There are limited situations where Valley Water may conduct work on private or other public agency owned property. Work may be conducted, subject to agreements, on other public agency owned property or on private property, with permission, during emergencies or for limited stream stewardship purposes.

Emergency Work

Valley Water may perform urgent and emergency flood protection work on other public or private property where a public purpose is endangered, subject to written permission to enter from the property owner. Staff availability and priorities will likely limit our response in an urgent or emergency situation.

Stream Stewardship

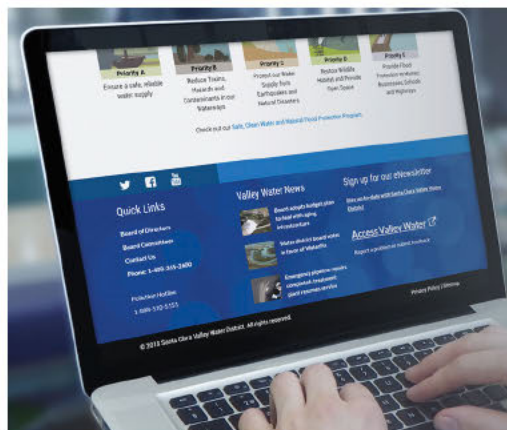
Stream stewardship activities that remove invasive plants along streams are conducted by Valley Water staff. This work may occur on Valley Water property and easements with permission from the property owner. Because it is important to eradicate invasive plants along a creek on a watershed and watershed wide basis and the **Safe Clean Water Program** provides funding for this activity, staff may also seek permission to perform this work on private property.



Crews removing giant reed (*arundo donax*), an invasive plant, from creek.

See link for care guidelines:

<https://www.valleywater.org/learning-center/healthy-creeks-and-ecosystems/creekside-property-program>



CONTACT US

For more information, contact us at **(408) 630-2378** or use our **Access Valley Water** customer request and information system at valleywater.org to find out the latest information on district projects or to submit questions, complaints or compliments directly to a district staff person.



To get eNews, drop an email to: info@valleywater.org

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