



SANTA CLARA VALLEY WATER DISTRICT

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NON-AGENDA

January 20, 2023

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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3		CEO Bulletin: 01/19/23
		<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
9		BMR/IBMR Weekly Reports: 01/19/23
12		Memo from Jennifer Codianne, Deputy Operating Officer, Watersheds, to Director Jim Beall, dated 01/11/23, regarding Response to IBMR- I-23-0001, Boundaries when Debris Flows Out to the Bay.
16		Memo from Michele King, Clerk of the Board, to the Board of Directors, dated 01/20/23, regarding Protest Emails January 2023.
		<u>INCOMING BOARD CORRESPONDENCE</u>
20		Board Correspondence Weekly Report: 01/19/23
23		Email from Tom Cook, to the Board of Directors, dated 01/13/23, regarding the Anderson Dam (C-23-0027).
24		Email from Janis Schneider, to the Board of Directors, dated 01/14/23, regarding Water Management (C-23-0028).
25		Email from Libby Lucas, to the Board of Directors, dated 01/17/23, regarding Invasive Spartina in Palo Alto Flood Basin (C-23-0029).
26		Email from Stephen Quan, to the Board of Directors, dated 01/18/23, regarding Dam Levels and the Drought (C-23-0030).
		<u>OUTGOING BOARD CORRESPONDENCE</u>
30		Email from Director Hsueh, to Doris Livezey, dated 01/17/23, regarding Encampments on Saratoga Creek adjacent to the Murdock Neighborhood Association.

CEO BULLETIN

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

Weeks of January 6 – January 19, 2023

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>	Results of the Sale of Water Utility Debt Obligations
<u>2</u>	Safe, Clean Water Grants Application Period Open From January 11 - March 10, 2023
<u>3</u>	Water Management Agreements Executed in December 2022
<u>4</u>	Waterline Leak at Lower Calera Creek Flood Protection Project
<u>5</u>	<u>Beall</u> Recurring Report on Personnel Vacancies R-22-0012
<u>6</u>	<u>Eisenberg</u> Director Eisenberg requests the following information from the Office of District Counsel during the time period June 1, 2021 to December 16, 2022: <ul style="list-style-type: none">• engagement letters• invoices• paid bills• amounts paid/outstanding• budget estimates for all outstanding litigation as well, including responsive motions, discovery, and trial I-22-0007
<u>7</u>	<u>Beall</u> Through BMR 1-23-0001, Director Beall asked, "Do we have boundaries when debris flows out to the bay? Who is responsible for clean up of that debris?" I-23-0001
<u>8</u>	<u>Eisenberg</u> Role and scale of stormwater capture in reservoirs versus green stormwater infrastructure I-23-0007
<u>9</u>	<u>Eisenberg</u> Pacheco Reservoir Expansion Project Flood Protection Clarification I-23-0008

1. Results of the Sale of Water Utility Debt Obligations

On January 19, 2023, Valley Water closed \$343 million of debt issuances for the Water Utility program. The financing was authorized by the Valley Water Board of Directors at its November 8, 2022, regular Board meeting.

The debt proceeds were used: (1) to refund outstanding short-term debt of \$134M; (2) as new project funds of \$207M; and the remainder were used to fund costs of issuance and capitalized interest accounts. Valley Water received AA+ and Aa1 credit ratings from Fitch and Moody's, respectively. The debt was sold in a competitive sale, with a total of nine bids submitted for the tax-exempt debt and six bids submitted for the taxable debt. The debt was sold to the lowest cost bidders: Morgan Stanley & Co. LLC (tax-exempt debt) and Citigroup Global Markets Inc. (taxable debt). Valley Water achieved very favorable pricing with an aggregate, all-in true interest cost of 4.13% vs. 4.40% estimated in the November 8, 2022 Board Agenda Memo and achieved total debt service savings of approximately \$14 million. The successful transaction was a result of the Board's strong leadership and a fiscally prudent executive management team.

For further information, please contact Darin Taylor at (408) 630-3068.

2. Safe, Clean Water Grants Application Period Open From January 11 - March 10, 2023

Valley Water launched the 2023 Safe, Clean Water grants application cycle on January 11, 2023 by posting the 2023 Standard Grant Guidelines on valleywater.org/grants, opening the online application process, and widely promoting the grant cycle. Applications are due by March 10, 2023.

Valley Water will host three virtual informational sessions to help applicants submit a competitive grant proposal. The virtual informational sessions will take place on the following dates and times:

- January 25, 2023 from 1 - 2:30 p.m.
- February 2, 2023 from 6 - 7:30 p.m.
- March 1, 2023 from 10 - 11:30 a.m.

For the Fiscal Year 2023 (FY23) grant cycle, up to \$1.4 million in total funding is available, with no minimum or maximum for projects that fit into the following categories:

- Water Conservation Research
- Pollution Prevention
- Volunteer Cleanup Efforts and Education
- Wildlife Habitat Restoration
- Access to Trails and Open Space

Applicants are eligible for bonus points for demonstrating financial stability, implementing projects that serve disadvantaged communities, and groups applying for the first time.

Valley Water is promoting the FY23 grants cycle opportunity through a promotional video, press release, blog post, social media posts, Nextdoor posts, stakeholder emails and more. Valley Water is also conducting proactive outreach to reach new prospective applicants and organizations that serve disadvantaged communities.

Grant applications will be evaluated by a review committee using approved evaluation criteria. Valley Water will make recommendations based on the approved grant funding allocation matrix to its Board of Directors in May 2023 for final determination on projects awarded funding.

For more information about the grant award process, eligibility criteria, minimum qualifications, how to apply, or to register for one of the virtual informational sessions, visit valleywater.org/grants.

For further information, please contact Valley Water's Grants Team at grants@valleywater.org or (408) 630-2080.

3. Water Management Agreements Executed in December 2022

Pursuant to EL-5.1.6 and EL-5.3.3, the CEO is required to inform the Board on a timely basis when imported water management agreements are executed. The imported water management agreements executed in December 2022 are listed below:

- December 21, 2022 - Amendment (#A3441W) to the 2011 agreement between Valley Water and San Benito County Water District (SBCWD) for the exchange and banking of water in Semitropic Water Storage District: Provides an extension to the 2011 agreement from December 2021 to December 2027.

For further information, please contact Vincent Gin at (408) 630-2633.

4. Waterline Leak at Lower Calera Creek Flood Protection Project

As part of the Lower Calera Creek Flood Protection Project, Valley Water coordinated with the City of Milpitas on replacement of a section of City owned and operated 12-inch diameter waterline. The waterline spans beneath the creek where the project was making improvements. Milpitas reviewed and approved the plans for the waterline replacement work, which was completed in July of 2022. On December 9, 2022, a water leakage occurred at the location where the waterline replacement work took place. Valley Water quickly coordinated with Milpitas to turn off the water and investigate the source of the leak. Valley Water is currently working on engineering solutions to address the waterline leak and will continue to coordinate with Milpitas on a preferred path forward.

The Lower Calera Creek Flood Protection Project was scheduled to be completed by the end of January 2023, but it is now anticipated that the repair of the waterline will exceed the original schedule. Costs associated to repair the waterline leak are yet to be estimated. Valley Water will be negotiating the repair costs with the contractor as well as the cost sharing with Milpitas and bring forth any agreements or amendments as needed for consideration by the Board of Directors.

For further information, please contact Bhavani Yerrapotu at (408) 630-2735.

5. Beall
Recurring Report on Personnel Vacancies
R-22-0012

Valley Water strives to attract, develop, and retain a talented and diverse workforce. Valley Water aims to recruit employees from diverse, cultural, and professional backgrounds and promotes high performance, diversity, and equal employment opportunities. Additionally, Valley Water values Excellence in Innovation, Integrity, Transparency and Teamwork. The agency's goal is to cultivate career pathway opportunities through Workforce Development Programs.

The following information provides information on our staffing levels as of January 19, 2023.

Valley Water Staffing Levels:

- 909 - Total Positions
- 848 - Number of positions filled
- 61 - Total Vacant positions
- 7% Current Vacancy Factor

This staffing information will be provided as a CEO Bulletin on a monthly basis moving forward.

For further information, please contact Patrice McElroy at (408) 630-3159.

6. Eisenberg
Director Eisenberg requests the following information from the Office of District Counsel during the time period June 1, 2021 to December 16, 2022:

- engagement letters
- invoices
- paid bills
- amounts paid/outstanding
- budget estimates for all outstanding litigation as well, including responsive motions, discovery, and trial

I-22-0007

Because the records requested include information that is confidential or privileged, in whole or in part, as attorney-client privileged communications, attorney work-product, confidential personnel records, or under other legal doctrines, the full response to the IBMR is being provided in a confidential communication from counsel dated January 13, 2023.

For further information, please contact Carlos Orellana at (408) 630-2755.

7. Beall
Through BMR 1-23-0001, Director Beall asked, "Do we have boundaries when debris flows out to the bay? Who is responsible for clean up of that debris?"
I-23-0001

The response for I-23-0001 is included in the Board's January 20, 2023 Non-Agenda package.

For further information, please contact Rechelle Blank at (408) 630-2615.

8. Eisenberg

**Role and scale of stormwater capture in reservoirs versus green stormwater infrastructure
I-23-0007**

Stormwater in the upper unurbanized area above the reservoir is captured by reservoirs, thereby providing water supply as well as some incidental flood risk reduction. Most stormwater in the lower urbanized areas runs off of rooftops, driveways, streets, parking lots, and other impervious surfaces into gutters and storm drain inlets which connect to a network of storm drain pipes owned by cities and the County that empty into local creeks carrying any pollutants the water has picked up along the way. Those creek waters ultimately flow to the Bay.

Through the implementation of green stormwater infrastructure and low impact development, more and more stormwater in the urbanized area is being infiltrated into the ground or otherwise filtered and treated before being slowly released to the storm drain system. These green infrastructure measures are designed to capture most storms which are much smaller in size than the more recent atmospheric rivers. Larger storms bypass these systems and flow directly to the storm drains. Most green stormwater infrastructure including rain barrels provides a very small benefit to water supply and flood control. The amount of rain captured by rain barrels and other green stormwater infrastructure would likely cumulatively amount to tens of acre feet per year, orders of magnitude smaller than reservoirs.

For further information, please contact John Bourgeois at (408) 630-2990.

9. Eisenberg

**Pacheco Reservoir Expansion Project Flood Protection Clarification
I-23-0008**

All dams attenuate high flows from the watershed(s) feeding into their reservoirs, allowing for controlled flow releases at a later date to help prevent flooding as compared to the initial high flows that would have been experienced by the areas downstream of the dam. Because Valley Water's dams and reservoirs were constructed for ground water recharge, and not explicitly for flood protection, the flow attenuation, controlled releases, and flood protection benefit to the downstream areas is classified as incidental flood protection.

In 2017, this type of flood protection was experienced on Coyote Creek downstream of Anderson Dam. At that time, due to the Anderson reservoir flood attenuation, the estimated Anderson inflow 9,000 cubic feet per second (cfs) was reduced to 7,200 cfs downstream of the dam. Without the controlled flow release capability, the downstream flows would have been 9,000 cfs and would have caused much worse flooding in San Jose.

Similarly, an expanded Pacheco Reservoir would provide for flow attenuation, controlled releases, and incidental flood protection benefit to the flood prone downstream areas on Pacheco Creek. Over the past few weeks of January 2023, the maximum mean daily flow on Pacheco Creek at the United States Geological Survey (USGS) stream gage near Walnut Avenue peaked at 5,250 cfs and exceeded 1,000 cfs several times. Based on the hydrologic analysis presented in the Draft EIR, if the expanded reservoir had been in place, these mean daily flows within Pacheco Creek near Walnut Avenue would have been reduced 15 - 24% on average.

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

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-22-0007	12/16/22	Eisenberg	Orellana	Chan Hopper	Director Eisenberg requests the following information from the Office of District Counsel during the time period June 1, 2021 to December 16, 2022: <ul style="list-style-type: none"> • engagement letters • invoices • paid bills • amounts paid/outstanding • budget estimates for all outstanding litigation as well, including responsive motions, discovery, and trial 	01/08/23		01/06/23 CEO Bulletin: Response provided via Confidential Memo and documented in CEO Bulletin.
I-23-0001	01/09/23	Beall	Blank	Codianne	Director Beall asked, "Do we have boundaries when debris flows out to the bay? Who is responsible for clean up of that debris?"	01/29/23		
I-23-0002	01/09/23	Eisenberg	Blank	Codianne	Provide Director Eisenberg with a map of unhoused communities for all our creeks	01/29/23		
I-23-0003	01/09/23	Eisenberg	Baker	Struve Gin	What programs focus on capturing storm water	01/29/23		
I-23-0004	01/09/23	Beall Eisenberg	Baker	Gin	What kinds of short term solutions do we have for turf and concrete (fact sheet)? Cities and residents need to know about sustainability	01/29/23		
I-23-0005	01/11/23	Eisenberg	Baker	Gin Nguyen	Provide Director Eisenberg with a PPT for her to brief a Palo Alto council member on Purified Water and provide her with a copy of the 2019 agreement and information on GP5.	02/01/23		
I-23-0006	01/11/23	Eisenberg	Yoke	Ndah	Director Eisenberg requests that	02/01/23		

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
					staff install an EV charger at or near the Board of Directors parking area.			
I-23-0007	01/12/23	Eisenberg	Richardson Baker	Williams	One confusion that came up in yesterday's board meeting is the misunderstanding that stormwater capture takes water from reservoirs. That conflicts with what I was told by staff. My understanding is that the water runoff that would be captured by barrels does not go into the channels that feed the reservoirs, but rather, goes down the street to mix with poisonous elements like gasoline and oil, before going into gutters which lead to [where? the Bay?] but not to the reservoirs. Can someone please clarify that?	02/01/23		
I-23-0008	01/12/23	Eisenberg	Richardson	Hakes	Provide Director Eisenberg with clarification: there were several statements that the Pacheco Dam would protect against flooding, but my understanding from staff is that the Pacheco Dam has nothing to do with flood protection. This also is related to the general question/misunderstanding about whether dams more often cause floods or protect against floods. The Board seems confused by this	02/01/23		
R-22-0009	12/13/22	Beall	Richardson	Penilla	For the 1/10/23 CIP Work study session, identify projects that can	01/02/23		

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
					be completed faster to save constructions funds.			
R-22-0010	12/13/22	Beall	Gibson	Broome	Investigate State fund matching opportunities for CIP projects.	01/02/23		
R-22-0012	12/13/22	Beall	Yoke	Mcelroy	Provide a reoccurring report listing the number of Valley Water personnel vacancies.	01/02/23		

TO: Director Jim Beall**FROM:** Jennifer Codianne, Deputy Watersheds O&M**SUBJECT:** Boundaries when Debris Flows out to the Bay
- Response to IBMR I-23-0001 **DATE:** 1/11/2023

Through IBMR I-23-0001, Director Beall requested information on whether we have boundaries when debris flows out to the bay and who is responsible for the debris clean up?

Staff Response

Valley Water owns or has access to maintain approximately 294 miles of the 800 miles of the creeks and rivers in Santa Clara County. Valley Water has constructed flood protection projects on approximately 180 miles of creek within the 294 miles of right-of-way. Maintaining these 180 miles of constructed and improved channels is a top priority for Valley Water. Valley Water also conducts many maintenance activities outside the limits of constructed projects, but still within sections of Valley Water right-of-way. These may be performed for maintenance access, water quality, fire code compliance, erosion repair, and mitigation purposes. The type and level of maintenance depends on a variety of factors, most significantly whether there has been a capital project that has constructed flood protection modifications to convey flood flows. The remaining stretches of creeks are owned by Santa Clara County, private entities, cities in which the creeks are located, and other public agencies.

Flood protection improvements and most stream-related, Valley Water-owned property are located on downstream or lower creek reaches, including: Coyote Creek, Guadalupe River, San Tomas Aquino Creek, Matadero Creek, and San Francisquito Creek, among others. Debris flowing in these creek reaches to the bay may be removed by Valley Water within the boundaries of a flood protection project.

Debris identified on Valley Water fee title or easement that Valley Water determines needs action may be removed by Valley Water if the site is accessible and the work can safely be done. Debris identified elsewhere is not Valley Water's responsibility and therefore, no work is performed by Valley Water in those areas unless an agreement exists. While Valley Water generally has stream maintenance responsibility in the lower or downstream reaches of some creeks that flow toward San Francisco or Monterey Bays, Valley Water does not have responsibility within the bays. Watersheds Field Operations crews inspect over one hundred trouble spots ("hot spots") countywide where trash and debris are known to accumulate and clear trash and debris as necessary prior to and during storm events and quarterly throughout the year.

Additionally, trash provisions in the Stormwater Municipal Regional Permit (MRP) require Valley Water to implement trash control measures; specifically, the installation of 4 trash booms or 8 outfall capture devices (minimum 2-foot-diameter outfalls) or equivalent measures. Valley Water complies by means of trash booms having been installed on Lower Silver, Thompson, Matadero, and Adobe Creeks, the latter two creeks through an agreement with the City of Palo Alto.

As part of the MRP, the City of San Jose has a Direct Discharge Plan (DDP) with which they comply. The purpose of a DDP is to control direct discharges of trash to receiving waters from non-storm drain system sources (e.g., unhoused discharges). Permittees of the MRP stormwater permit are given the option to create this type of plan (approved by the Regional Water Quality Control Board) in return for a 15% offset in the permit's trash reduction requirements. Not all permittees need this type of offset to meet their trash reduction requirements; San Jose is the only city that has one in our County. Permittees also have the option of conducting additional creek and shoreline cleanups beyond what is required in the permit as an offset (most permittees do the additional cleanups). As a flood

management agency, Valley Water is not subject to trash load reduction requirements in the permit, except for the hot spots and trash booms.

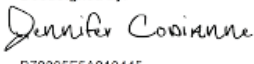
In addition, Valley Water uses Safe Clean Water funding to partner with the City of San Jose to remove up to five partnered trash raft cleanups on Coyote Creek and Guadalupe River annually. We receive no regulatory credit for this, but San Jose does as part of their DDP offsetting the amount of on-land trash capture they have to do.

Graph showing Trash & Debris Cleanup Efforts

Valley Water Encampment/Trash and Debris Cleanup Efforts					
Budget Year	Encampment Cleanup (CY)	Encampment Cleanup Cost	Litter Removal (CY)	Litter Removal Cost	Trash Booms, Hot Spots, Volunteer Cleanup Efforts (CY)
FY 2013-14	9,982	\$ 786,085.00	1,174	\$ 130,881.00	450
FY 2014-15	17,024	\$ 1,341,166.00	1,793	\$ 189,675.00	419.5
FY 2015-16	11,746	\$ 929,727.00	1,589	\$ 198,269.00	614.5
FY 2016-17	12,698	\$ 1,018,873.00	1,148	\$ 144,733.00	478
FY 2017-18	16,923	\$ 1,485,693.00	1,704	\$ 219,078.00	731.25
FY 2018-19	11,480	\$ 968,819.00	1,045	\$ 512,487.00	636.78
FY 2019-20	9,536	\$ 845,455.00	1,219	\$ 639,570.00	295
FY 2020-21	1,989	\$ 364,896.00	2,204	\$ 1,264,002.00	639.2
FY 2021-22	4,085	\$ 2,341,605.00	1,050	\$ 967,135.00	326
FY 2022-23 (As of 1/12/23)	2,795	\$ 1,024,164.22	456	\$ 281,344.23	751.5
Estimated Totals	98,258	\$ 11,106,483.22	13,382	\$ 4,547,174.23	5,341.73

Enclosed is a fact sheet, which describes stream maintenance responsibilities of both Valley Water and property owners.

Please contact Jen Codianne at extension 3876 with questions.

DocuSigned by:

 B78805F5A810445
 Jennifer Codianne, Deputy
 Operating Officer – Watersheds O&M

Attachment 1: Fact Sheet Stream Maintenance and Property Management

cc: R. Blank, D. Mody

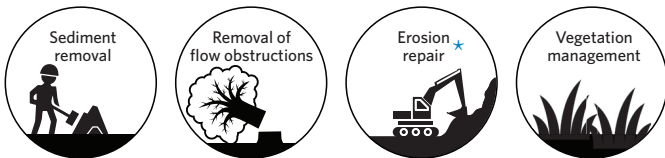
Stream Maintenance by Valley Water

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

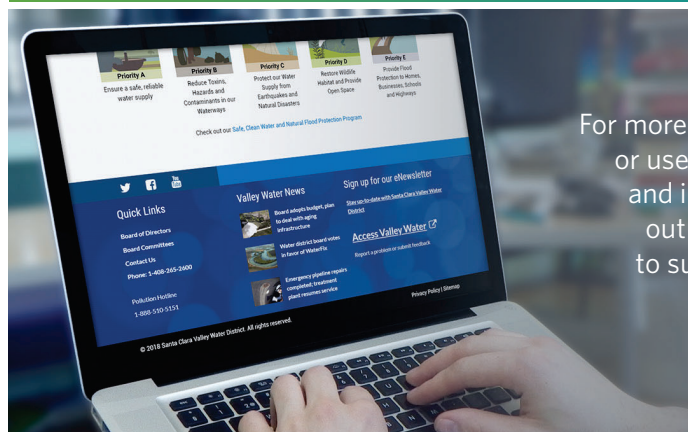
Stream stewardship activities that remove invasive plants along streams are conducted by Valley Water staff. This work may occur on Valley Water property and easements with permission from the property owner. Because it is important to eradicate invasive plants along a creek on a watershed and watershed 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.



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TO: Board of Directors**FROM:** Michele King, Clerk of the Board**SUBJECT:** Protest Emails January 2023.**DATE:** January 20, 2023

The Board has received over 150 mass emails (Attachment 1) from constituents listed in (Attachment 2.) They have been noted and filed.

Dear Valley Water Board,

Please remove the drought mandate at your January meeting given the series of recent storms and above average snowpack in the Sierras.

San Jose Water Company has been relentless with their rate increases, and the surcharge (as a result of the drought mandate) has increased their profits tremendously, in spite of our success with water conservation. San Jose Water Company's annual income in 2020 and 2021 was \$60 million, a huge increase from the \$20 million in 2010-2013.

Please protect the county residents. Please remove the drought mandate and ask San Jose Water to remove the associated surcharge.

Thank you,
(Resident)

Please Remove the Drought Mandate from your January 2023 Meeting Agenda

Christine Yang	Jake Prasad	Joan Stoelker	Lloyd Bass	Victor Wen
Lori Ellingboe	Deepak Gupta	Michael Lomio	Patricia Juarez	Vinayak Desai
Judd Murkland	Jasim Ahmad	Satya Mannem	Umesh Talwalker	Terry Saranie
Michael Deklerk	Karen Genovese	Nitin Deo	Tom Cook	Ali Djabbari
Arvind Lyer	Jill Murano	Ergun Genc	FM Saratoga	Ed Katz
Sanjog Gad	Anthony Gideli	Paul Singer	Wolfgang Hoeflich	Warming Dick
James Dargin	Gary Engelking	Dwight Baird	John McDonald	George Stuckert
Gayle Andre	F.W. Shriver	Pranav Kotamraju	Dan Rhoads	Jugnu Tripathi
Kanaka Sriram	Alan Ji	Mike Lee	Lynn Sakamoto	Cy Shi
Shamik Mehta	Ti Chen	Mohammad Safa	Lisa Hazen	Steve Machado
Harold Morales	Rohit Puri	John Lindsay	Adele Salle	Pavi Gmail
Marina Pejcio	Mayura Jayam	Firozeh Vasseghi	Isobel Morrish	Ron Maltiel
Kamran Bahadorzaden	Lance Agee	Olga Agee	Diane Farrington	Ing Marie Jonsson
Gloria Janac	Anand Hirekatur	Vera Rangos	Sharon Andres	Andy Watson
Fred Andres	Andy Watson	Fred Andres	Vish Nayak	Kirti Mehta
Venkat Subramanian	Keith Mueller	Patricia Sweeney	Sima Geller	David Kalmus
Jan Payne	Sierra Linda	Venkatesh Kesavan	Keith Andre	Shiv Agarwal
Michelle Liu	Umashanker	Dennis Dougherty	Ajit Mayya	Jackie Wall
Kalar Rajendiran	LJong Lee	Andrea Lawrence	Sierra Linda	Gloria Hayes
Chakra Srivatsa	Karkha	John Smith	David Whitmore	Danh Van
Carolene Wong	Albert Golko	Dimitry Bobroff	John Chang	Heidi
John Nielson	Danh Van	John Chang	JoAnne Masters	Sharadaa Srinivasan
Ravikumar Chandrase	Margie Montgomery	Bhret Graydon	Jack Payne	Valentina Losifovna
Olga Chervyakova	Thomas Leipelt	Lynne Engelbert	TJ Desai	Keith Bhatia
Kanaka Sriram	Peter	Sriran Chakravarthy	John Esterbrook	Linda Rae Collins
Jeff Barco	Neeti Soota	Ray Froess	Becky Olmos	Judy Ting
Umashanker	Heidi Magner	Shinjani Gaur	Bruce Schaefer	Larry Chang
Terry Snowden	Bob Goedjen	Fran Eberhardt	George Stuckert	Balaji Bashyam
Shobha Adiraju	Joe Doll	Chester Thuener	Shivaram Mysore	Ruchi Joshi
Robin Stoffers	Glenn Crow	Daniel Onn	Sridevi Venigalla	Girish Ramakrishnan
Joe Liu	Rajit Kambo	Rajeev Bharadwaj	Kin-Man-Kan	Carol Shih

INCOMING BOARD CORRESPONDENCE

Report Name: 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-22-0210	12/16/22	12/16/22	All	GREG SELLERS	Email from Greg Sellers, to Director Varela, dated 12/16/22, regarding Private Sewer Lateral Repair Program.	Refer to Staff	Baker	Bourgeois Adriano	12/24/22	12/21/22	n/a	12/30/22
C-23-0004	12/31/22	01/03/23	All	DHRUV KHANNA	Flooding of property at 742 Alester Avenue, Palo Alto.	Noted and Filed			01/11/23		n/a	01/17/23
C-23-0005	01/01/23	01/03/23	Cc: Eisenberg	ALFRED LANE	Water flows into section of Permanente Creek.	Refer to Staff	Blank	Codiann e	01/11/23		n/a	01/17/23
C-23-0006	01/02/23	01/03/23	All	MIKE POWELL	Llagas Creek flooding issues.	Refer to Staff	Blank	Codiann e	01/11/23		n/a	01/17/23
C-23-0007	12/30/22	01/03/23	All	BOB FANJOY	Individual housing options.	Noted and Filed			01/11/23		n/a	01/17/23
C-23-0009	01/04/23	01/04/23	All	ALFRED LANE	Following to 1/1/23 Email regarding water flow in Permanente Creek.	Noted and Filed			01/12/23		n/a	01/18/23
C-23-0010	12/29/22	12/29/22	All	BETH MCGOWEN County of Santa Clara Superior Court	Letter granting an extension to March 31, 2023, to submit a response to the Santa Clara Civil Grand Jury Report, If You Only Read the Ballot, You're Being Duped	Noted and Filed			01/06/23		n/a	01/12/23
C-23-0011	01/04/23	01/04/23	All	DHRUV KHANNA	Fallen tree at the mouth of the Chaucer Bridge.	Noted and Filed			01/12/23		n/a	01/18/23
C-23-0012	01/04/23	01/04/23	All	DHRUV KHANNA	Newell bridge debris.	Noted and Filed			01/12/23		n/a	01/18/23
C-23-0013	01/05/23	01/05/23	All	GERHARD ESCHELBECK	Unsafe water levels at Stevens Creek reservoir ahead of multiple storms.	Refer to Staff		Kassab Williams	01/13/23		n/a	01/19/23
C-23-0014	01/04/23	01/04/23	All	MARK WARREN	Appreciation for recent attention to the San Francisquito Creek flooding issues.	Noted and Filed			01/12/23		n/a	01/18/23
C-23-0015	01/05/23	01/05/23	All	GERHARD ESCHELBECK	Email to Bassam Kassab (cc Board) stating appreciation for listening to the	Noted and Filed			01/13/23		n/a	01/19/23

Report Name: 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
					many residents and for taking action in lowering the Stevens Creek reservoir to a safer level.							
C-23-0016	01/08/23	01/09/23	All	KARLI KRISHNAN	Stop Funding the Sites Reservoir Project	Noted and Filed			01/17/23		n/a	01/23/23
C-23-0017	01/06/23	01/06/23	All	JON ALBERT	Anderson Dam storage capacity of VW web page.	Noted and Filed			01/14/23		n/a	01/20/23
C-23-0018	01/06/23	01/06/23	Varela	ANONYMOUS CORRESPONDENCE	Concerns of property grading being changed, modification of water drainage, potential contamination for the land and water table with the addition of soil from unknown origin on party in Morgan Hill on Hale Ave (between Madrone Ave and Live Oak Ave) APN 71208018.	Refer to Staff	Baker Blank	Infante Bourgeois Williams	01/14/23	01/12/23	n/a	01/20/23
C-23-0019	01/06/23	01/09/23	All	ALFRED LANE	Email to staff (cc to Board) questioning why the water flowing into Permanente Creek has been stopped.	Noted and Filed			01/17/23		n/a	01/23/23
C-23-0020	01/06/23	01/06/23	All	MIKE POWELL	Email expressing appreciation for information regarding erosion and debris on Llagas Creek.	Noted and Filed			01/14/23		n/a	01/20/23
C-23-0021	01/06/23	01/09/23	All	DIANA TORRES	Email expressing appreciation for debris being removed from Babbs Canyon Creek.	Noted and Filed			01/17/23		n/a	01/23/23
C-23-0022	01/06/23	01/09/23	All	PAM WALATKA	Email expressing concern for restoration projects being overly influenced by groups who judge plants by their ancestry instead of their usefulness.	Noted and Filed			01/17/23		n/a	01/23/23
C-23-0023	01/07/23	01/09/23	All	KENNETH MURRAY	Email requesting updates on retrofit projects for Calero and Guadalupe and questioning	Refer to Staff	Richards on	Hakes	01/17/23	01/12/23	n/a	01/23/23

Report Name: 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
					timeline and cost for Anderson retrofit project.							
C-23-0024	01/08/23	01/09/23	All	ASHOK AGGARWAL	Flood zone warning along Cape Horn Drive and suggestion to widen the bridge on King Road near Commodore Drive.	Refer to Staff	Blank	Yerrapotu	01/17/23	01/17/23	n/a	01/23/23
C-23-0025	01/09/23	01/10/23	Santos	RAY SOLNIK	Email regarding Corey Court Burm.	Refer to Staff		Yerrapotu	01/18/23		n/a	01/24/23
C-23-0026	01/17/23	01/17/23	All	SUSAN MISTER	Email from Susan Mister, to the Chair Varela, dated 01/17/23, regarding Uvas Dam.	Refer to Staff	Richards on	Hakes	01/25/23		n/a	01/31/23
C-23-0027	01/13/23	01/13/23	All	TOM COOK	Email from Tom Cook, to the Board of Directors, dated 01/13/23, regarding the Anderson Dam.	Refer to Staff	Richards on	Hakes	01/21/23		n/a	01/27/23
C-23-0028	01/14/23	01/16/23	All	JANIS SCHNEIDER	Email from Janis Schneider, to the Board of Directors, dated 01/14/23, regarding Water Management.	Refer to Staff	Baker	Gin Adriano	01/24/23		n/a	01/30/23
C-23-0029	01/17/23	01/17/23	All	LIBBY LUCAS	Email from Libby Lucas, to the Board of Directors, dated 01/17/23, regarding Invasive Spartina in Palo Alto Flood Basin.	Refer to Staff	Blank	Bourgeois	01/25/23		n/a	01/31/23
C-23-0030	01/18/23	01/18/23	All	STEPHEN QUAN	Email from Stephen Quan, to the Board of Directors, dated 01/18/23, regarding Dam Levels and the Drought.	Refer to Staff	Baker	Williams	01/26/23		n/a	02/01/23