



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

July 04, 2025

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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22	Letter (via email) from Don Harper, Manager- EFUEL Investments, San Jose, to the board, dated 06/24/25, requesting a resolution for security issues and a financial settlement. C-25-0090
38	Email from Doug Peterson to Chair Estremera, Director Beall, and Henry Barrientos, Senior Water Resource Specialist, dated 06/26/25, following up on comments made at the Water Recycling Committee Meeting regarding desalination. C-25-0091
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CEO BULLETIN

To: Board of Directors
From: Melanie Richardson, Interim CEO

Weeks of June 20, 2025 – July 3, 2025

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
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<u>2</u>	New Report and Fact Sheet: Groundwater Response to Tides, Seawater Intrusion, and Sea-Level Rise in Santa Clara County
<u>3</u>	Safe, Clean Water Refill Station Grant Closeout: MHOSC, LLC's Valley Water Refill Station Project – Morgan Hill Outdoor Sports Center
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<u>8</u>	Valley Water's Water Quality Lab demonstrates excellent performance in State Regulatory Audit

1. Drought emergency well permitting requirements rescinded

In March 2022, California Governor Gavin Newsom signed Executive Order N-7-22 in response to the existing extreme drought conditions. Executive Order N-7-22 prohibited well permitting agencies from issuing permits for the construction or alteration of water supply wells unless it could be demonstrated that the proposed work would not interfere with water production from existing nearby wells or create land subsidence that may damage nearby infrastructure.

The requirements of Executive Order N-7-22 were extended in February 2023 by Executive Order N-3-23. This Executive Order included an exemption for wells acquired by eminent domain or under threat of condemnation, provided the new wells would produce an equivalent quantity of water as the wells being replaced.

In the most recent Executive Order specific to the approval of new wells or the alteration of an existing well, Governor Newsom issued Executive Order N-3-24 in September 2024 proclaiming that the State of Emergency due to drought no longer exists in the County of Santa Clara.

This Executive Order rescinds the previous Executive Orders N-7-22 and N-3-23. In accordance with this proclamation, Valley Water no longer requires compliance with the provisions of the now expired Executive Order N-7-22 and Executive Order N-3-23. The permit application no longer requires a State certified hydrogeological analysis of well interference and subsidence. Valley Water's Wells and Water Use Measurement Unit has updated its compliance process for well permit applicants.

For further information, please contact Greg Williams at (408) 630-2867.

2. New Report and Fact Sheet: Groundwater Response to Tides, Seawater Intrusion, and Sea-Level Rise in Santa Clara County

Valley Water conducted a multi-year study on groundwater in the Santa Clara Subbasin adjacent to the southern San Francisco Bay to advance understanding of the impacts from tides, seawater intrusion, and sea-level rise on groundwater rise and emergence at land surface.

The report provides an overview for the public and policymakers, as well as relevant technical details for practitioners in groundwater science, engineering, and management. The report includes major advances in the hydrogeologic conceptual model of the Santa Clara Subbasin shallow aquifer system near the Bay.

Valley Water has notified interested stakeholders of the report and accompanying fact sheet, which are available on Valley Water's Groundwater Studies page:
<https://www.valleywater.org/your-water/groundwater/groundwater-studies>

For further information, please contact Greg Williams at (408) 630-2867.

3. Safe, Clean Water Refill Station Grant Closeout: MHOSC, LLC's Valley Water Refill Station Project – Morgan Hill Outdoor Sports Center

In Fiscal Year 2025, Valley Water awarded the Morgan Hill Outdoor Sports Center (MHOSC), LLC, a \$5,000 Safe, Clean Water Program F9 Refill Station Grant for their Valley Water Refill Station Project (Project) at the Morgan Hill Outdoor Sports Center. MHOSC completed the Project and submitted the final invoice items on April 3, 2025, allowing for grant closeout.

The Morgan Hill Outdoor Sports Center (MHOSC) is a 25-acre multi-sport facility that hosts youth and adult sports tournaments, city events, and community programs. The Grantee installed a new public water bottle refill station to enhance hydration access for thousands of community members and athletes who visit the facility year-round. The refill station was installed on the eastern side of the property, offering a convenient option in an area previously underserved with drinking water infrastructure.

Key Outcomes:

- Installed one new refill station in a high-traffic area of the facility, serving over 10,000 users annually.
- Served approximately 5,000 people in the first month after installation.
- Provides clean drinking water access to over 1,000 youth athletes participating in soccer, rugby, lacrosse, and football leagues.

- Improved drinking water accessibility for community members by eliminating the need to walk across the facility for water.

For further information, please contact Rachael Gibson at (408) 630-2884.

4. Safe, Clean Water Refill Station Grant Closeout: Morgan Hill Unified School District's Valley Water Refill Station Project – Ann Sobrato High School

In Fiscal Year 2023, Valley Water awarded Morgan Hill Unified School District (MHUSD) a \$5,000 Safe, Clean Water Program F9 Refill Station Grant for their Valley Water Refill Station Project – Ann Sobrato High School (Project). MHUSD completed the Project on December 18, 2024, and submitted the final invoice items, allowing for grant closeout.

Ann Sobrato High School, located in Morgan Hill and part of the Morgan Hill Unified School District, serves over 1,500 students in grades 9 through 12. The refill station was installed near one of the school's frequently used restrooms and increased drinking water accessibility for school-aged students.

Key Outcomes:

- Strategically installed a refill station in a high-traffic area frequented by students and visitors.
- Increased student accessibility to clean drinking water for 1,500 students.
- Encouraged the use of reusable bottles and reduced reliance on plastic bottles.

For further information, please contact Rachael Gibson at (408) 630-2884.

5. Safe, Clean Water Refill Station Grant Closeout: Morgan Hill Unified School District's Valley Water Refill Station Project – San Martin/Gwinn Elementary School

In Fiscal Year 2023, Valley Water awarded Morgan Hill Unified School District (MHUSD) a \$5,000 Safe, Clean Water Program F9 Refill Station Grant for their Valley Water Refill Station Project – San Martin/Gwinn Elementary School (Project). MHUSD completed the Project and submitted the final invoice items on January 2, 2025, allowing for grant closeout.

With funding from the Safe, Clean Water Program, MHUSD installed a new water refill station to improve drinking water accessibility at San Martin/Gwinn Elementary School. Previously, the campus had only one water bottle refilling station. The new station was strategically located near the administrative office, a convenient and high-traffic area where many students gathered. This placement was chosen to maximize visibility and ensure that the station is easily accessible to the majority of campus visitors.

Key Outcomes:

- Improved access to healthy drinking water for over 680 Kindergarten through 8th-grade students.
 - Approximately 380 students (55%) qualify as socioeconomically disadvantaged students.
- Reduced the use of single-use plastics and supported broader environmental goals.

For further information, please contact Rachael Gibson at (408) 630-2884.

6. Safe, Clean Water Refill Station Grant Closeout: Silicon Valley Academy Project's Valley Water Refill Station

In Fiscal Year 2024, Valley Water awarded Silicon Valley Academy Project (SVA) a \$5,000 Safe, Clean Water Program F9 Refill Station Grant for their Valley Water Refill Station Project (Project) in SVA's gymnasium. SVA completed the Project and submitted the final invoice items on April 16, 2025, allowing for grant closeout.

Silicon Valley Academy is a Pre-K through 9th grade school in Sunnyvale which also serves the community through shared facility use with St. Cyprian Parish. The Project improved access by installing a refill station by the gymnasium, where it would be easily accessible to students, staff, parishioners, and the basketball leagues that use the facilities. The refill station reduced the need for disposable cups and reduced slip hazards for students who frequently spilled water when refilling their bottles using the standard water fountain.

Key Outcomes:

- Installed the first-ever water bottle refill station at Silicon Valley Academy.
- Improved drinking water access for approximately 215 students.
- Saved over 500 plastic bottles within two months of installation.

For further information, please contact Rachael Gibson at (408) 630-2884.

7. Update on the rehabilitation of the Sunnyoaks Percolation Pond and work with the City of Campbell and the Santa Clara County Fire Department

Valley Water continues to proactively respond to PFAS (per- and polyfluoroalkyl substances, often called forever chemicals), a large group of persistent chemicals widely used in consumer and industrial products. While no widespread water supply impacts have been identified, some water retailer wells are affected.

In December 2024, Santa Clara County Fire Department (SCCFD) provided results of PFAS levels in chip samples collected at the Sunnyoaks Fire Station and McCormack Training Center located at 485 W. Sunnyoaks Avenue, Campbell. Results revealed that PFAS is present within the tower materials and surrounding pavement at levels up to 360 µg/kg, which indicates the tower and adjacent area are likely contributing as a source to runoff waters after storm events and/or fire training wet operations (<https://geotracker.waterboards.ca.gov>). All fire training and wet-operation activities have ceased at the site so that fire training operations are not contributing runoff to Valley Water's Sunnyoaks Recharge Pond 1 (Pond 1).

In February 2025, the San Francisco Bay Regional Water Quality Control Board (Water Board) requested that SCCFD submit: (1) a completion report for stormwater sampling, to determine if significant rain events can cause similar PFAS discharges as were identified in the simulated runoff sampling event, and identify runoff pathways from the source property; and (2) a workplan to further investigate presence and magnitude of PFAS in soil and groundwater at the Sunnyoaks Fire Station and McCormack Training Center Facility. As of April 30, 2025, the SCCFD submitted a Monitoring Well Installation Work Plan and plans to submit the stormwater sampling completion report for the next wet season.

On June 2, 2025, Valley Water met with multiple stakeholders including staff and legal counsel from SCCFD, City of Campbell, the County, external legal counsel, and technical consultants to discuss next steps and actions to address PFAS sources and resulting runoff to Pond 1. SCCFD has ceased all fire training and wet operation activities, and no water is being applied to the site. They are exploring different options to address the tower and adjacent pavement as PFAS sources and PFAS-laden runoff to ensure PFAS do not enter Pond 1. SCCFD requires a few months to develop a cost/benefit analysis to select the best remedial option(s), which may include tower demolition and decontamination, capturing and treating water and engineering/grading the surface, or encapsulation of the tower with an epoxy/resin coating and removing asphalt sources. SCCFD next steps include further soil and groundwater investigation at the site, but do not intend to profile sediments in Pond 1. Valley Water highlighted the importance of implementing actions before the next rainy season and which need to be initiated to avoid terminating the discharge permit.

Valley Water is developing a work plan to sample sediment profiles for PFAS beneath Pond 1 to better characterize any PFAS distribution or sources. Valley Water will reach out to SCCFD monthly for updates on selected actions for source mitigation and timing of implementation. Valley Water continues to collaborate with SCCFD, the City of Campbell, and the Water Board to ensure fire training operations are not introducing contaminants into groundwater. Valley Water continues to explore the threat posed by PFAS and will keep the Board updated.

For further information, please contact Greg Williams at (408) 630-2867.

8. Valley Water's Water Quality Lab demonstrates excellent performance in State Regulatory Audit

As part of our ongoing commitment to regulatory excellence, the Water Quality Laboratory recently underwent a comprehensive audit to maintain accreditation under the California Environmental Laboratory Accreditation Program (ELAP). Conducted by the International Accreditation Service, Inc. on May 7 and 8, 2025, the audit encompassed both the main laboratory and the satellite facility at the Advanced Water Purification Center.

This rigorous review assessed our compliance with the updated ELAP standards, now aligned with the National Environmental Laboratory Accreditation Conference (NELAC) Institute (TNI) requirements. These enhanced standards demand elevated levels of quality control, record-keeping, and staff training to ensure consistently high performance in laboratory operations.

Over the course of two days, auditors conducted a detailed evaluation of key operational areas, including document control, instrument performance, analyst competency, record retention, chemical traceability, blind quality control testing, and the overall quality management system. The auditors commended our team for their strong regulatory knowledge and the implementation of a robust quality system. Highlights of their findings included:

- Meticulous maintenance of over 750 well-defined and actively managed controlled documents
- Exceptional chemical traceability supported by detailed, well-maintained record-keeping systems
- Robust and responsive corrective action and change management systems
- A rigorous, data-driven management review process that drives continuous improvement and operational excellence

The audit also included staff interviews, observation of laboratory practices, and a review of hundreds of records. Only one minor opportunity for process improvement was identified, relating to sample handling procedures. The laboratory team is proactively addressing this with an updated process and additional training and will submit the action plan to the assessors for review.

Successfully completing this audit, along with passing the annual proficiency testing, are key steps toward renewing our laboratory's accreditation.

Additionally, the audit reviewed the laboratory's new capability to test for eight nitrosamine compounds – emerging contaminants expected to be regulated by the State Water Resources Control Board starting Fall 2025. With these capabilities added to our accreditation, Valley Water is well-positioned to deliver timely, high-quality data in support of operational decisions and our mission to provide safe, clean water to the communities we serve.

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

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
R-25-0006	06/10/25	Estremera	Gibson Baker	Lugo Gin	Staff to prepare a letter for the Chair's signature to CCWD Board Expressing Interest in Partnerships on Water Storage	07/02/25		
R-25-0007	06/24/25	Beall Eisenberg	Gibson	Yasukawa	Ref: Item 9.1 File # 25-0543. Directors Beall and Eisenberg requested that staff create a list of grants for Districts 4 and 7.	07/15/25		
R-25-0008	06/24/25	Ballard	Richardson	Taylor	At the 6/24/25 board meeting Director Ballard requested policies that help guide Valley Water's overall process to determine rates	07/16/25		

TO: Board of Directors

FROM: Sheryl Higa

SUBJECT: Risk Management Unit Communication

DATE: July 1, 2025

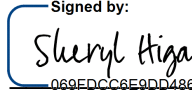
The purpose of this memorandum is to provide you a with copy of recent Risk Management staff's communication with parties/individuals that have filed a claim against Valley Water.

Please find the following:

- 1) May 20, 2025 - Late Claim Letter to Eric Heckman (District 2).
- 2) June 10, 2025 - Receipt of Claim to Chester Hayes (District 4).

For additional information, please contact me at 408-630-2213.

Signed by:


069EDCC6E9DD486...

Sheryl Higa
Risk Manager
Risk Management Unit



May 20, 2025

Eric Heckman
787 E. William Street
San Jose, CA 95112

Re: Claim

Dear Mr. Heckman:

The claim which was presented to the Santa Clara Valley Water District on May 14, 2025 is being returned because it was not presented within six (6) months after the event or occurrence as required by law. See sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action was taken on the claim.

WARNING

Your only recourse at this time is to apply without delay to Valley Water's Board of Directors for leave to present a late claim. See sections 911.4 to 912.2, inclusive, and section 946.6 of the Government Code. Under some circumstances, leave to present a late claim may be granted. See Government Code section 911.6.

If you have any questions, you can contact the Risk Management Unit at (408) 630-2213 or at RiskManager@valleywater.org.

Sincerely,

Signed by:


069FDCC6E9DD486...
Sheryl Higa
Risk Manager
Risk Management Unit

Enc: Claim



CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

California Government Code Sections 900 and following

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<p>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</p> <p>Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118</p> <p>Or submit the completed form electronically to: clerkoftheboard@valleywater.org</p>	Clerk of the Board's Date Stamp	
	For SCVWD Use Only	
	Date Received: 05/14/25	ROUTING
	<input type="checkbox"/> Via U.S. Mail	<input checked="" type="checkbox"/> CEO
	<input type="checkbox"/> Hand Delivered	<input checked="" type="checkbox"/> District Counsel
	<input checked="" type="checkbox"/> Email	<input checked="" type="checkbox"/> Risk Management
	<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> COB
	<input checked="" type="checkbox"/> BOD (District #): 2	

With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.

Name of Claimant: Eric Heckman		Email Address: thewealthcreator@gmail.com	
Address of Claimant: 787 E William St		City: San Jose	State: CA
		Zip: 95112	
Address to which Notices should be sent, if different from above:		City:	State:
		Zip:	
Home Phone Number: 4082342024	Cell Phone Number: 4082342024	Work Phone Number: 4082979800	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss: Rear fence 2-21-2017 and worse 4-1-2024 to 2-15-2025. Side fence 4-1-2024 to 2-15-2025. dirty house from construction	Location of incident or loss (address): 787 E William St	Is there a police report? <input type="checkbox"/> Yes If Yes, Police Report Case #: <input checked="" type="checkbox"/> No	

Describe how the incident or loss happened, and the reason you believe the Santa Clara Valley Water District is responsible for your damages (*Please attach additional sheets if necessary*):

The first is the rear fence that was heavily damaged during the Coyote Creek flood in 2017. The district propped it up to try to keep it from falling. We were told several times a flood wall would be built and replace the fence by District employees. That did not happen and during flood wall construction it got worse with boards falling out and the entire fence decaying and falling. Also, post flood and no flood wall the ground level does not match the fence.

The side fence next to the District driveway was replaced and paid for 100% by the District in 2017. However, it is very clear that all the heavy machinery that was parked on a nearly daily basis next to the fence has hit it once or twice. Now about a 40 foot section has all the nails pulling out. This needs to be fixed.

The 10 months of construction made the house filthy, our filters had to be replaced due to all the constant dirt in the pool. We need to have the house and pool area power washed



CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

California Government Code Sections 900 and following

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In detail, describe the damage or injury (*Please attach additional sheets if necessary*):

I think I did above

List Name(s) and contact information of any witness(es) or District employee involved (if any):

Michael Potter has seen the damage. Also, there was a consultant that came and took video and pictures after the floor wall was complete. He has a lot of details. I know his report was done since I pointed out the damage to the street and it was fixed very quickly after he did his report.

DAMAGES CLAIMED: Basis for computation of amounts claimed (include copies of bills, invoices, estimates, receipts, photos, police case # or other documentation.) Note: If your claim is more than \$10,000, you need not fill in an amount, but must state whether jurisdiction for the claim would be in the Limited Jurisdiction (up to \$25,000) or Unlimited jurisdiction of the Superior Court.

Is the amount of the claim under \$10,000? ☐ Yes ☐ No
 Court Jurisdiction: (Check One) ☐ Limited Civil ☐ Unlimited Civil

ITEMS	CLAIM AMOUNT
1. Rear Fence- not yet quoted and do not have access to both sides	\$
2. Side fence repair- not yet quoted	\$
3. Power washing the house	\$ 1000
4.	\$
TOTAL AMOUNT	\$

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 550)

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 14 day of may, 20 25


 Claimant's Signature

Government Code Section 945.6 provides that, with limited exceptions, any suit brought against a public entity must be commenced:

- (1) If written notice is given of a denial of claim in accordance with **Section 913**, not later than six months after the date such notice is personally delivered or deposited in the mail.
- (2) If written notice is not given of a denial of claim in accordance with **Section 913**, within two years from the accrual of the cause of action.



Clean Water • Healthy Environment • Flood Protection

June 10, 2025

Chester Hayes
18686 Rosalind Lane
San Jose, CA 95120

Re: Receipt of Claim – L2450014

Dear Mr. Hayes:

We received your claim regarding the damage to your vehicle while you were driving in the vicinity of weed abatement activities.

We are currently investigating the claim and will notify you of our findings.

If you have any questions, please don't hesitate to contact me at (408) 630-2213 or at shiga@valleywater.org

Sincerely,

Signed by:

A handwritten signature in black ink that reads "Sheryl Higa".

069FDCC8E9DD486

Sheryl Higa, ARM
Risk Manager
Risk Management Unit



CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

California Government Code Sections 900 and following

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<p>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</p> <p>Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118</p> <p>Or submit the completed form electronically to: clerkoftheboard@valleywater.org</p>	Clerk of the Board's Date Stamp	
	For SCVWD Use Only	
	Date Received: 06/09/25	ROUTING
	<input type="checkbox"/> Via U.S. Mail	<input checked="" type="checkbox"/> CEO
	<input type="checkbox"/> Hand Delivered	<input checked="" type="checkbox"/> District Counsel
	<input checked="" type="checkbox"/> Email	<input checked="" type="checkbox"/> Risk Management
	<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> COB
		<input type="checkbox"/> BOD (District #): _____

With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.

Name of Claimant: Chester Hayes		Email Address: hayescf782@gmail.com	
Address of Claimant: 18686 Rosalind Lane		City: San Jose	State: CA
		Zip: 95120	
Address to which Notices should be sent, if different from above: Same		City:	State:
		Zip:	
Home Phone Number: 408-999-1224	Cell Phone Number: 408-781-3632	Work Phone Number:	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss: 5/29/2025 At about 10:00 am	Location of incident or loss (address): On Graystone Lane near the intersection of Graystone Lane and Camden Avenue, San Jose, CA	Is there a police report? <input type="checkbox"/> Yes If Yes, Police Report Case #: <input checked="" type="checkbox"/> No	

Describe how the incident or loss happened, and the reason you believe the Santa Clara Valley Water District is responsible for your damages (Please attach additional sheets if necessary):

On Thursday May 29, 2025 at about 10:00am as my daughter was driving my vehicle approaching the stop sign at the intersection of Graystone Lane and Camden Ave. I heard a loud bang that sounded like a rock hit the right rear quarter panel of my car. My daughter stopped and I opened my front door after seeing at least 4 workers trimming weeds near and adjacent to Graystone Lane and told them to stop using their weed wackers(gas powered string trimmers) when there are people or cars around. I noticed several Valley Water District vehicles in the area and believed they were managing the trimming operation. There were 2 cars behind me and I was late for my doctor's appointment so I continued to my appointment thinking I could talk to the Valley Water workers when I returned. When I returned that afternoon all of the workers were gone so I called and left a message for Chris Method. While at my doctor's office I inspected my vehicle and noticed a ding on the right rear quarter panel that had not been there before the rock hit my car from the string trimmer. I have enclosed a photo copy of the ding to the right rear quarter panel of my vehicle. It is better to see it in person. I believe the presence of the Valley Water District during the weed trimming cleanup indicates to me that they and/or their agents are responsible for the negligent and irresponsible use of the weedwackers used to clear the weeds off of their property and as such are ultimately responsible for the damages caused by such behaviour. If the Valley Water District had nothing to do with the weed wacking activity, I would appreciate it if you would identify



CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

California Government Code Sections 900 and following

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In detail, describe the damage or injury (*Please attach additional sheets if necessary*):

There is an indentation on the right rear quarter panel of my vehicle. My vehicle is a 2022 Lexus LS 500 sedan. I am seeking a repair of the damage to the vehicle together with the expenses of a rental vehicle for use while my vehicle is being repaired.

List Name(s) and contact information of any witness(es) or District employee involved (if any):

I called and left a message for Chris Method on 5/29/25 describing the situation but did not hear back from him. On or about June 3, 2025 I received a call from I believe Ms. Lillian Dennis who was apparently responding to my message on behalf of Mr Method.

DAMAGES CLAIMED: Basis for computation of amounts claimed (include copies of bills, invoices, estimates, receipts, photos, police case # or other documentation.) Note: If your claim is more than \$10,000, you need not fill in an amount, but must state whether jurisdiction for the claim would be in the Limited Jurisdiction (up to \$25,000) or Unlimited jurisdiction of the Superior Court.

Is the amount of the claim under \$10,000?

☒ Yes

☐ No

Court Jurisdiction: (Check One)

☒ Limited Civil

☐ Unlimited Civil

ITEMS	CLAIM AMOUNT
1. Repair dent on right rear quarter panel of ny vehicle and pay for a rental vehicle for use while my vehicle is being repaired.	\$
2.	\$
3.	\$
4.	\$
TOTAL AMOUNT	\$

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 550)

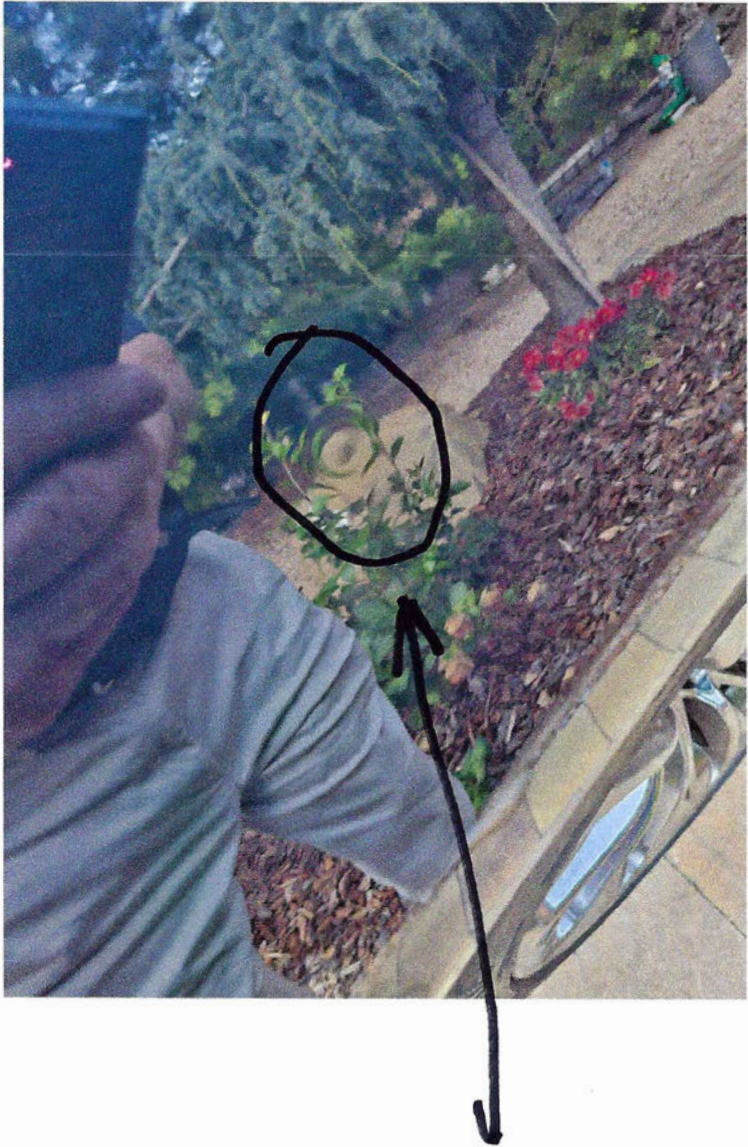
I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 8th day of June, 20 25


Claimant's Signature

Government Code Section 945.6 provides that, with limited exceptions, any suit brought against a public entity must be commenced:

- (1) If written notice is given of a denial of claim in accordance with **Section 913**, not later than six months after the date such notice is personally delivered or deposited in the mail.
- (2) If written notice is not given of a denial of claim in accordance with **Section 913**, within two years from the accrual of the cause of action.



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-25-0090	06/24/25	06/24/25	All	DON HARPER	Letter (via email) from Don Harper, Manager-EFUEL Investments San Jose, to the board, dated 06/24/25, requesting a resolution for security issues and a financial settlement.	Refer to Staff	Hakes	Yerrapotu	07/02/25	-	n/a	07/08/25
C-25-0091	06/26/25	06/26/25	All	DOUG PETERSON	Email from Doug Peterson to Chair Estremera, Director Beall, and Henry Barrientos, Senior Water Resource Specialist, dated 06/26/25, following up on comments made at the Water Recycling Committee Meeting regarding desalination.	Refer to Staff	Baker	Struve Gin	07/04/25	-	n/a	07/10/25
C-25-0092	06/30/25	06/30/25	All	ANYA AGARWAL	Email from Anya	Refer to Staff	Gibson	Yasukawa	07/08/25	-	n/a	07/14/25

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
					Agarwal, to the board, dated 06/30/25, reporting litter in Los Gatos Creek and inquiring about efforts to resolve the issue.							

EFUEL Investments San Jose
1346 Taylor Street
San Jose, CA 95133
June 24, 2025

Santa Clara Valley Water District Board of Directors
5750 Almaden Expressway
San Jose, CA 95118-3686

Subject: Urgent Request for Security Issue Resolution and Financial Settlement

Dear Members of the Board,

We are writing on behalf of EFUEL Investments San Jose to urgently address the ongoing security issues at our property located at 1346 Taylor Street, San Jose, CA, which have emerged since the installation of the flood wall by Valley Water and the adjacent city trail by the City of San Jose. These issues have already imposed significant financial burdens on EFUEL and our tenant, Monarch Leasing, totaling over \$169,400, and with the trial not expected until April 2026, approximately 9 months from now, we face additional security costs of at least \$105,300, plus potential further losses from theft, vandalism, and legal fees. We seek your immediate intervention to facilitate a collaborative solution and financial settlement to prevent further escalation.

Background and Security Vulnerabilities

Prior to the construction of the flood wall and city trail, our property experienced no significant vandalism or theft. Since their installation, however, the flood wall's security fencing, featuring a climbable ledge and insufficient height, has proven inadequate to deter trespassers. The city's trail and bridge, which Valley Water was aware of prior to construction of the security fencing, have introduced new easily accessible entry points to previously restricted areas, enabling unauthorized access. Our security report, dated March 4, 2025, documents these vulnerabilities with photographic evidence, highlighting issues such as fence-cutting, inadequate barriers at entry points like flood gates, and footholds aiding trespassers.

Key incidents underscore the severity of the problem:

- **February 3, 2025:** Trespassers cut the fence in multiple places, vandalizing 16 trucks by stealing batteries, despite a security guard patrolling from 5 PM to 6 AM.
- **May 19, 2025:** The flood wall's fence was cut again, validating our concerns about its inadequacy, with photographic evidence provided to Valley Water on May 20, 2025.

Security Issues and Financial Impact

The flood wall's design flaws and new access points from the city trail have facilitated repeated vandalism and theft. Financial impacts on EFUEL and Monarch Leasing include:

- **Security Costs:** Since July 2024, Monarch has employed a security guard at \$11,700 per month, totaling approximately \$128,700 by June 2025.
- **Vandalism Repairs:** Vandalism to 14 trucks, primarily in 2024, cost \$18,200 (\$1,300 per vehicle).
- **Fencing Replacement:** On May 29, 2025, EFUEL replaced the south fencing, damaged due to construction, for \$22,500, incorporating security features not previously needed.

These costs, exceeding \$169,400, are directly attributable to the security deficiencies introduced by the flood wall and fencing. Moreover, with the trial likely not until April 2026, approximately 9 months from now, we anticipate incurring an additional \$105,300 in security costs alone, based on the current monthly expenditure of \$11,700. This projection does not account for potential further theft and vandalism, which could significantly increase our financial burden, nor does it include the accumulating legal fees associated with the ongoing dispute for both EFUEL and Valley Water. Therefore, we are asking this matter to be addressed as soon as possible to prevent these costs from escalating further.

Challenges in Communication and Negotiation

Efforts to resolve these issues through Valley Water’s attorney, Gerry Murphy, have been unproductive. Mr. Murphy has consistently blocked communication with Valley Water staff, who were previously cooperative, as evidenced by our attempts on May 4 and June 10, 2025. We are concerned that the security issue is being leveraged to negotiate a discounted land value in the ongoing eminent domain case, delaying critical solutions. Notable instances include:

- **April 29, 2025:** Murphy proposed inadequate security measures, such as e.g., increasing fence height, which we found visually unappealing and ineffective (May 2, 2025).
- **May 22, 2025:** Murphy mischaracterized our position, claiming we demanded sole responsibility for security, when we sought collaboration.
- **June 10, 2025:** Murphy instructed staff to avoid direct contact, which we perceive as a tactic to pressure for a favorable settlement.

These obstructions have delayed resolution, increasing our financial burden and frustration. We honestly need this resolved for the benefit of all parties.

Proposed Solution

To mitigate ongoing damages, we urgently propose installing three light poles with cameras, for which we received a bid of \$68,691 on May 6, 2025. This aligns with our security report’s recommendation for cameras and motion sensors to deter trespassers effectively. Implementation requires access to the area between the bollards and the flood wall, which Valley Water has not granted, as confirmed on June 20, 2025, when Murphy noted such access requires permission due to the easement. Our proactive measures, such as the \$22,500 fencing replacement on May 29, 2025, demonstrate our commitment to security, but as we warned, vandals are now more likely to target Valley Water’s weaker flood wall fence, just as they did on May 19, 2025.

Legal Context and Good Faith

EFUEL was negotiating property values in good faith when Valley Water filed suit, introducing unnecessary legal costs. The ongoing eminent domain case, with a trial scheduled for April 2026, complicates the security issue, as we believe Murphy is using the unresolved security problems to pressure for a lower land valuation. We are committed to resolving the security issue promptly to avoid further costs and legal escalation, emphasizing that continued delays will increase our financial claims against Valley Water.

Request for Action

Given the urgency of this matter and the projected additional costs of at least \$105,300 over the next 9 months, plus potential further losses, and legal fees, we respectfully request the Board's immediate intervention to:

1. **Facilitate Direct Communication:** Allow direct engagement with Valley Water staff to collaboratively develop and implement security solutions, bypassing current communication barriers.
2. **Grant Property Access:** Provide access to the area between the bollards and the flood wall to install the proposed light poles and cameras.
3. **Reimburse Incurred Costs:** Compensate EFUEL and Monarch Leasing for \$169,400 in security, vandalism, and fencing costs resulting from the flood wall's deficiencies.
4. **Support Security Enhancements:** Assist in funding or implementing the light pole installation and other recommended measures to ensure long-term security.

Conclusion

Addressing these security concerns is in the mutual interest of EFUEL and Valley Water to maintain a cooperative relationship and protect our property's integrity and long-term value. Given that the trial is not until April 2026, delaying resolution will result in at least an additional \$105,300 in security costs, plus potential further losses from theft and vandalism, and increased legal fees. We have taken proactive steps, such as replacing fencing and obtaining bids, but require Valley Water's support to achieve a lasting solution. Enclosed are our security report and various documents to provide full context.

Thank you for your consideration. We look forward to your response and are hopeful for a resolution that ensures the safety and security of our property.

Sincerely,

Don Harper
Manager - EFUEL Investments San Jose
Mobile: [REDACTED]

Enclosures:

- GMAIL – Security breach 2.4.2025
- Security Report to Valley Water 3.4.2025
- GMAIL 5.20.202 - Security breach 5.19.2025
- GMAIL 6.11.2025 Costs (\$128,700) and Vandalism Repairs (\$18,200)



Don Harper [REDACTED]

Re: Recent New Theft / Vandalism of Trucks at 1346 Taylor Street Yard

1 message

Don Harper [REDACTED]

Tue, Feb 4, 2025 at 12:14 PM

To: Anthony Guetersloh <tguetersloh@monarchtruck.com>

Cc: Don Harper <don@efuelco.com>, "jonl@efuelco.com" <jonl@efuelco.com>, Robert Yamane <RYamane@valleywater.org>, Rafael Turcios <RTurcios@valleywater.org>, Nicole Guetersloh <nguetersloh@monarchtruck.com>, NORMAN MATTEONI <Norm@matteoni.com>

Tony - Thank you for letting me know about this. We have not seen this kind of vandalism in the past so I am wondering if the city's new trail or location of the flood wall has created an issue? Any thoughts on this?

Rafael - Can you comment on when Monarch will be reimbursed for the prior events damages? Seems like that should have happened by now.

Thank you,

Don Harper

Mobile: [REDACTED]

On Tue, Feb 4, 2025 at 11:57 AM Anthony Guetersloh <tguetersloh@monarchtruck.com> wrote:

Hi Don, Jon, and Valley Water Team,

We wanted to make you aware that we have just experienced another theft / vandalism on the trucks we store in the lot at 1346 Taylor Street. We discovered on Monday (2/3/25) that the newly installed fence has been cut in multiple places and 16 trucks have been vandalized with batteries stolen. We do have a security guard patrol the lot from 5pm – 6am every day, so it is believed this occurred over this past weekend during daylight hours.



We plan to have our preferred fence vendor, Pacific Security Fence West, come see the site and provide a bid to repair the cut fence, harden the fencing by installing expanded metal and razor wire, and further assess areas where the fence is insufficient to keep out criminals.

We wanted to make you aware of this situation because it continues to be a problem with securing the yard and protecting Monarch's assets. We still are waiting on the insurance claim we submitted with Valley Water last year for previous vandalism while the project was ongoing.

<https://mail.google.com/mail/u/0/?ik=ce161990fd&view=pt&search=all&permthid=thread-f:1823158121082641568%7Cmsg-a:r-1781991976902778630&simpl=ms...> 1/2
6/24/25, 9:54 AM Gmail - Re: Recent New Theft / Vandalism of Trucks at 1346 Taylor Street Yard

Thanks,
Tony

Tony Guetersloh

Vice President & General Manager

Monarch Leasing, Inc.

1015 Timothy Dr.

San Jose, CA 95133

408-275-0500 ext. 208

www.monarchtruck.com



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March 4, 2025

Security Concerns and Recommendations for Valley Water Flood Wall and Fencing

Overview

Since completion of the flood wall and city trail our tenant, Monarch Leasing, has incurred significant vandalism. It is vandalism that we have not seen in our long history of tenants operating on the property. The recently installed flood wall and security fencing by Valley Water appear to have security vulnerabilities that allow unauthorized access to private property. Additionally, the construction of a city trail and bridge has created new access points that increase security risks. This document outlines the key issues observed and provides recommendations for addressing them.

Key Security Concerns

Fence Climbing Vulnerability

The security fencing on top of the flood wall has a convenient ledge that allows individuals to easily climb over. The height of the fencing is not sufficient to deter trespassers.



New Access Created by City Trail and Bridge

The installation of a new city trail and bridge has unintentionally provided an entry point for unauthorized access to private property. The bridge connects directly to an area where access was previously restricted. The access from the city trail to the new entry point is easily walkable, allowing unauthorized individuals access to the side of the property.



New Access Allows Entry to Side of Property, Bypassing the Security Fence

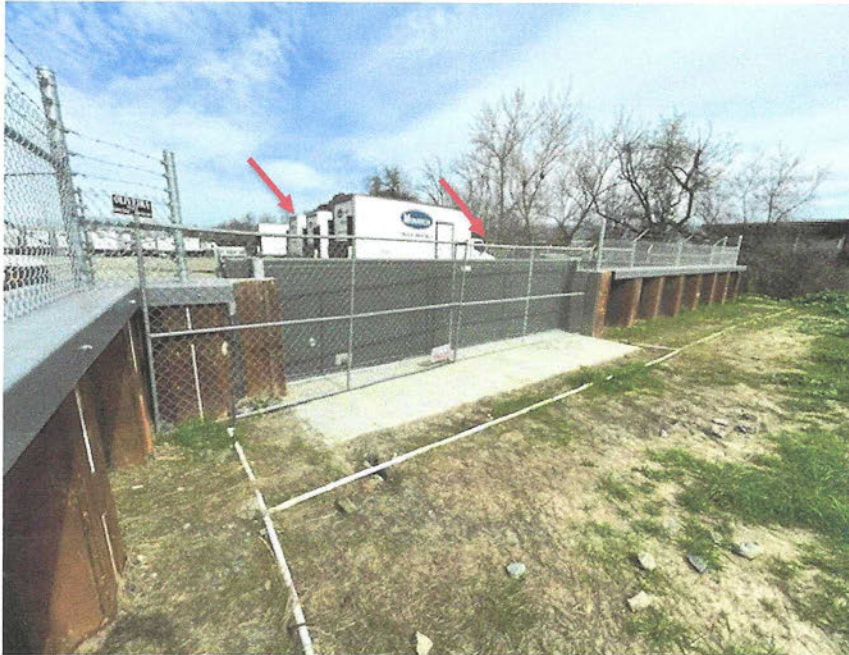
The installation of a new city trail and bridge has provided an unintended access point to private property. Individuals are now cutting the existing fence on our property to gain access (see the red arrows showing the entry points below), resulting in vandalism and grand theft.





Lack of Adequate Barriers at Key Entry Points

Several sections of the wall (Entry door and flood gate) have inadequate barriers and security, allowing trespassers to easily climb over the structure. Footholds and the ledge on the opposite side provide leverage for individuals to easily enter and exit the property.



Possible options/Recommendations for Valley Water

- Increase Fence Height / Add Anti-Climb and fence penetration Features: Consider raising the height of the fence and using materials designed to prevent climbing and cutting through the fence.
- Extend the Security Barrier: Ensure that there are no unprotected entry points, especially near the trail and bridge.
- Reevaluate Access Routes: Work with the city to determine what modifications are needed to prevent unintended access and theft.

- **Install Additional Security Measures:** Motion sensors, security cameras, and warning signage could help deter unauthorized entry. These can be added on the property owner's property and may be the most cost-effective solution. In other words, this deterrent may solve the issue instead of modifying the existing wall security. Also, consider adding additional security features to the side fence to stop entry. See example below of additional thicker gauge material that would deter ability to cut through existing fence.



Conclusion

The current security setup presents significant risks that must be addressed to protect private property. Implementing these recommendations will help mitigate vulnerabilities and enhance security for the affected tenant. Valley Water should promptly review these concerns and take appropriate action to ensure a secure and functional barrier.

In the meantime, we intend to address the damaged fencing on the side of our property, but we remain highly concerned this will not resolve the new theft issue. Without Valley Water's efforts to address the broader security weaknesses, including fence climbing vulnerabilities and weak points in the flood wall, unauthorized access will persist. Once we repair the fence, it is likely that trespassers will simply cut it again or use existing weak points in the flood wall to gain entry.

Please let us know your thoughts as soon as possible as our tenant is experiencing theft and vandalism on a regular basis.



Don Harper [REDACTED]

RE: FW: Proposal For 1346 E. Taylor Street

1 message

Anthony Guetersloh <anguetersloh@monarchtruck.com>

To: Don Harper [REDACTED]

Cc: "joni@efuelco.com" <joni@efuelco.com>, Nicole Guetersloh <nguetersloh@monarchtruck.com>

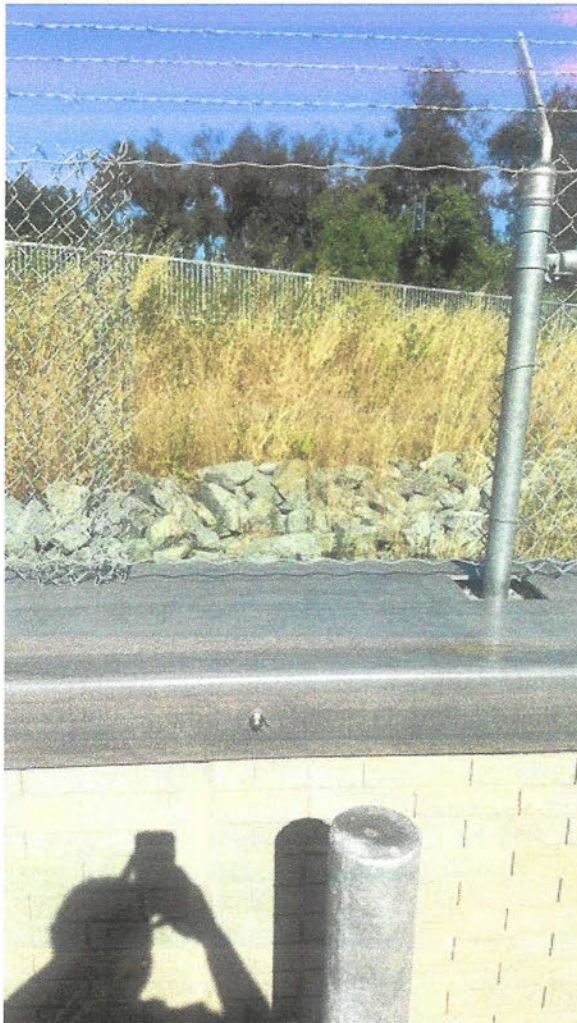
Tue, May 20, 2025 at 10:08 AM

Hi Don,

I wanted to thank you for taking the time to meet with me last week. I hope your meeting with Valley Water went well.

A1 is here today starting on the fence work. Thank you also for approving the work and covering it.

As if timing couldn't be worse, I got a message from our security guard yesterday afternoon showing that now thieves have cut through the chain-link fence above the pony wall that Valley Water installed. It is just as we feared, the wall is so short it doesn't deter anything and the chain-link is very easy to breach.



I checked all our vehicles, and luckily I don't think anything was stolen or vandalized this time. It looks like they removed the battery covers from a few more trucks, but they apparently didn't have the tools to unbolt and steal the actual batteries. Anyway, we talked to the work crew from A-1 Fence, and they said it was an easy fix and that they would go ahead and fix it for us while they are there.

Hopefully, though, this will further help your case against Valley Water in showing that the site perimeter security they put in place is insufficient.

Thanks,
Tony

Tony Guetersloh

Vice President & General Manager

Monarch Leasing, Inc.

1015 Timothy Dr.

San Jose, CA 95133

408-275-0500 ext. 208

www.monarchtruck.com



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From: Don Harper [REDACTED]
Sent: Wednesday, May 7, 2025 3:21 PM
To: Anthony Guetersloh <tguetersloh@monarchtruck.com>
Cc: jonl@efuelco.com; Nicole Guetersloh <nguetersloh@monarchtruck.com>
Subject: Re: FW: Proposal For 1346 E. Taylor Street

⚠ **EXTERNAL SENDER:** This email is from an external sender. Do not click links or download attachments unless you trust the source.

Tony - My flight lands at 9:25 and should be at the site by 9:30 AM on Monday. I am flexible about the time but do need to leave for the mediation with Valley Water at 11:15 AM.

Thanks

Don Harper

Mobile: [REDACTED]

On Wed, May 7, 2025 at 11:44 AM Anthony Guetersloh <tguetersloh@monarchtruck.com> wrote:

Hi Don,

Thank you very much for taking care of this. We greatly appreciate it.

Yes, I am available on Monday May 12th to meet over at the property in person. Just let me know a good time to meet. If you have time, we'd also love to show you our main operation over at our new building a block over on Timothy Dr.

Thanks again, and I look forward to seeing you next week.

Thanks,
Tony

<https://mail.google.com/mail/u/0/?ik=ce161990fd&view=pt&search=all&permthid=thread-f:1825707730118582110%7Cmsg-f:1832660119450845816&simpl=msg-f...> 2/5



Don Harper [REDACTED]

Costs Associated with 1346 E Taylor St. Yard Security and Vandalisms

1 message

Anthony Guetersloh <tguetersloh@monarchtruck.com>
To: Don Harper [REDACTED]
Cc: Nicole Guetersloh <nguetersloh@monarchtruck.com>

Wed, Jun 11, 2025 at 3:12 PM

Hi Don,

Thank you very much for the call yesterday. It was good talking with you.

Per your request, I wanted to send you an email outlining the costs Monarch is incurring due to Valley Water's failure to properly secure the back side of the yard with the pony wall and limited fencing they installed.

Onsite Security Costs: We have a security guard stationed in the yard from 5pm – 6am every day ever since the initial vandalisms occurred in July of 2024. The normal monthly cost of the security guard is **\$11,700**, which can slightly fluctuate based on the number of days in the month and if there is a holiday during that time (holiday pay is 1.5x). Attached are the most recent invoices from April as evidence of that cost.

Vandalism Costs: So far we have had a total of 14 trucks vandalized with the battery cables cut, battery brackets removed, and batteries stolen. The cost for repairs for each vehicle is approximately \$1300, for a total vandalism cost of **\$18,200**. Most of these occurred last year, with the first 6 trucks being hit on July 11 and then several more in the days and weeks that followed.

Once we began stationing the security guard in the yard, most of the vandalism stopped, but there were still multiple ongoing attempts to breach the fence. We fear that without the security guard, the costs of vandalism would skyrocket as thieves would continue to go for more expensive and valuable vehicle components beyond just batteries.

Finally, we filed a claim with Valley Water for the first 6 vehicles that were vandalized for an amount of \$7,815.42. As you know, this claim was denied. Attached is a copy of the claim form along with the letter from Valley Water letting us know their intent to deny the claim.

Please let me know if you have any questions or need any additional information or documentation reflecting our costs in this matter.

Thanks,
Tony

Tony Guetersloh*Vice President & General Manager*

Monarch Leasing, Inc.

1015 Timothy Dr.

San Jose, CA 95133

408-275-0500 ext. 208

www.monarchtruck.co

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**TRUCK CENTER**

6 attachments



Golden State Security & Patrol Invoice - April 16 - 30 2025.pdf 22K



Golden State Security & Patrol Invoice - April 1 - 15 2025.pdf

72K



Valley Water District Current Claim Form - Monarch Truck Center Stolen Truck Batteries Claim.pdf 201K



Letter Denying Monarch Claim from Valley Water.pdf 224K



RE_ Security Breach at 1346 E Taylor Yard Through Valley Water _ Gordon Ball Easement Fencing.pdf 1056K



RO 122626 - invoice for batteries that were stolen and connectors replaced (002).pdf 636K

From: [Candice Kwok-Smith](#)
To: [Board of Directors](#)
Subject: FW: Siting of Desalination Facility
Date: Thursday, June 26, 2025 7:48:35 PM

From: Doug Peterson [REDACTED]
Sent: Thursday, June 26, 2025 4:44 PM
To: Henry Barrientos <HBarrientos@valleywater.org>; Tony Estremera <TEstremera@valleywater.org>; Jim Beall <JBeall@valleywater.org>
Subject: Siting of Desalination Facility

***** 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. *****

Good afternoon,

I wanted to follow up on my comments at yesterday's Water Recycling Committee meeting. At that meeting, I expressed strong concern about the possibility that a desalination facility might one day be constructed just south of Charleston Slough and Salt Pond A1. I greatly appreciated Director Beall's follow up questions that allowed me to clarify my concern. I was also thankful for reassurances I received after the meeting regarding the precise location that is being considered for a desalination facility in this pristine area. It appears that the siting process will continue to move forward with this location as a favored option. I continue to be troubled that the reassurances I received after the meeting regarding the boundaries of the theoretical facility are considerably different than the boundaries presented in the PowerPoint presentation and the preliminary feasibility study.

The purple area marked with the numeral eleven in the PowerPoint presentation is consistent with the area designated as the "Treatment Facility Planning Area" in the Environmental Feasibility and Planning Study from July of 2023, which was prepared by GEI Consultants (See Figure 3-10). In the context of the preliminary study, "Treatment Facility Planning Area" is abbreviated "TFPA" and refers to the "general area" of the desalination facility where the reverse osmosis process would take place. In both the preliminary study and the PowerPoint, the maps clearly show an area bound by the south shores of Charleston Slough and Pond A1, the western shore of Shoreline Lake, the entire length of Terminal Blvd, and a contiguous triangular area west of San Antonio Road, east of Adobe Creek, and north of existing developed property. As pictured, this defined area includes the entire Coast Casey Forebay, which is a very sensitive wildlife habitat of extraordinary value, and similar lush habitat along the trail southeast of Adobe Creek. I was reassured after the meeting that the facility site being considered would actually be confined to a much smaller portion of the defined triangular area west of San Antonio Road, and that this area has little ecological value.

I drove out to the location this morning and had a chance to see the parcel that was described to me as the actual site of the proposed facility. It appears to be an area currently

bound by a chain link fence topped with barbed wire, some of which is currently being used as a staging area for nearby construction (1237 San Antonio Road). The staging area is covered with large metal storage containers and does appear to be different in character from the surrounding wetlands, but much of the area enclosed by the fence includes small ponds and vegetation very similar to that encountered in the Coast Casey Forebay. I used my phone to photograph the triangular parcel from vantage points facing in all directions, walking the perimeter of the area using existing public trails, a private parking lot, and a short stretch of San Antonio Road. I have toured the Silicon Valley Advanced Water Purification Center, and it is difficult for me to visualize a similar facility for desalination that would fit within the small parcel currently being used as a staging area within that chainlink fence.

I appreciate the fact that we are early in the planning process for a possible desalination facility and that technical issues regarding intake, brine discharge, brine dilution, and the conveyance of product water are primary considerations when narrowing down feasible sites. That being said, we are now in the process of completing a second study that will greatly inform the siting decision, and favored options have emerged. A concerned member of the public like myself would naturally like to see reliable maps showing the rough boundaries of the desalination facility sites under consideration. In the case of this very sensitive area south of Charleston Slough, it would seem especially important that all stakeholders have a clear understanding of the proposed facility's actual boundaries, even at this early stage of planning.

I remain fully confident that Valley Water shares my concerns about our most precious ecosystems and that our mutual concerns will be weighed heavily in the siting of any future desalination facility. Know that I have been troubled by the Charleston Slough/Pond A1 site option since reading the preliminary study and consider myself an advocate for the vulnerable wildlife that thrives there. I am hopeful that the site will be removed from consideration when the process is further along, and I will strive to keep myself fully engaged.

Sincerely, Doug Peterson

A black rectangular redaction box covering the signature of Doug Peterson.

From: [Anya Agarwal](#)
To: [Board of Directors](#)
Subject: Local Creek Issue
Date: Monday, June 30, 2025 10:00:43 AM

*** 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 there,
I hope you are well. I've noticed an issue in creeks in Los Gatos where there is a lot of litter that is polluting the water and I was wondering what is being done to help this issue? Can younger people help with this issue through creek clean ups?
Thanks,
Anya Agarwal

OUTGOING BOARD CORRESPONDENCE

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Breanne Roderick](#); [Aaron Baker](#); [Kirsten Struve](#)
Cc: [Board of Directors](#)
Subject: FW: 2029 Irrigation/Landscape Requirements
Date: Wednesday, July 2, 2025 8:14:05 AM

Good morning,

C-25-0089 is complete.

Thanks,
Candice

From: Shiloh Ballard <SBallard@valleywater.org>
Sent: Tuesday, July 1, 2025 5:22 PM
To: [REDACTED]
Cc: Candice Kwok-Smith <ckwok-smith@valleywater.org>
Subject: Re: 2029 Irrigation/Landscape Requirements

Hi June,

Sorry it took a little bit to get back to you. It sounds like the information referenced in the webinar may be related to **Assembly Bill 1572 (AB 1572)**, a state law passed in 2023 that restricts the use of potable water for irrigating non-functional turf on commercial, institutional, and industrial (CII) properties, including common areas of HOAs. While the law goes into effect in phases depending on property type, the permanent prohibition on potable irrigation of non-functional turf in HOAs and multi-family complexes areas is set to begin in 2029, as currently outlined in the legislation.

At this time, the State Water Resources Control Board is still in the process of developing resources that will further define key terms such as “non-functional turf” and provide clarity on enforcement, exemptions, and compliance timelines. It can be a little difficult to understand it all so we are in the process of developing a dedicated webpage with educational information and resources related to AB1572.

In the meantime, I would recommend:

Beginning with a landscape evaluation: Valley Water offers free landscape surveys to evaluate current irrigation system and landscape water management and recommend improvements. Surveyors provide recommendations for improving system efficiency. These may include upgrading irrigation hardware and/or providing the site with a calculated irrigation budget based on climate, irrigation system components, and vegetation.

Exploring our Landscape Rebate Program: There are several options to help offset costs for removing turf and converting to drought-tolerant landscaping. HOA's, such as your own, are eligible for up to \$100,000 in rebates for converting turf to low-water use landscapes, upgrading irrigation equipment, and installing rainwater capture features. There's more info at www.watersavings.org or contact us at (408) 630-2554 or conservation@valleywater.org.

Staying connected: As more guidance becomes available from the state, we will continue to provide updates on AB 1572 implementation to the public through the county's water retailers, Valley Water's newsletters, and our future webpage on this topic. We'll also explore how to better feature this information on our website—thank you for that suggestion.

For additional questions, Senior Water Conservation Specialist, Ashley Shannon, can be contacted at (408) 630-2951 or ashannon@valleywater.org.

And, please don't hesitate to reach out if you get stuck on any of this.

Take care~

Shiloh Ballard

Director, District 2

From: [REDACTED]
Sent: Monday, June 30, 2025 12:01 PM
To: Shiloh Ballard <SBallard@valleywater.org>
Subject: RE: 2029 Irrigation/Landscape Requirements

*** 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. ***

Ms. Ballard,

It's now the end of June and I haven't heard anything from you regarding my inquiry about stricter 2029 landscape/water requirements. I wonder if this is actually legit and that maybe the person doing the webinar my neighbor attended was just speculating. And I have now tried to schedule an irrigation audit for my condo complex, but that isn't working either – I fill out the online form and it just takes me back to the same form...I have tried several times and have never gotten an email confirmation that my request is in line to get scheduled.

My HOA's water bill is sky high and so the irrigation audit is important in identifying areas where we can save and if any rebates are available for any upgrades we might want to do.

We want to do our part by trying to save precious water, but we can't if the water district isn't making tools to do this easily found/available.

Again, any help you can provide will be greatly appreciated.

Sincerely,

June Cooley

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Shiloh Ballard <SBallard@valleywater.org>

Sent: Thursday, June 19, 2025 4:45 PM

To: [REDACTED]

Cc: 'Bruce Manuel' [REDACTED]; 'Shelly Dorai-Raj' [REDACTED];
'Judi Rosenthal' [REDACTED]; 'Justin Crick' [REDACTED] 'Tiffany Lu'
[REDACTED]

Subject: Re: 2029 Irrigation/Landscape Requirements

Hi June,

Glad to hear y'all are trying to get ahead of things and I'm sorry it's been so difficult to get info on the topic. Let me poke around internally to see if I can point you to the right person at Valley Water. If you don't hear back from me in a week, feel free to send me a nudge.

Take care~

Shiloh

From: [REDACTED]

Sent: Thursday, June 19, 2025 12:58 PM

To: Shiloh Ballard <SBallard@valleywater.org>

Cc: 'Bruce Manuel' [REDACTED]; 'Shelly Dorai-Raj' [REDACTED]
'Judi Rosenthal' [REDACTED] 'Justin Crick' [REDACTED] 'Tiffany Lu'
[REDACTED]

Subject: 2029 Irrigation/Landscape Requirements

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Ms. Ballard,

I am on the Board of Directors of a condo complex next to EBAY at the corner of Hamilton & Leigh in the 95125 zip code. One of our owners attended an SCVWD webinar this spring, where it was mentioned that tight irrigation/landscaping requirements will go into effect in 2029. Since that time, we have been trying to find out what those requirements actually are, so we can begin to plan projects that will help our complex meet those requirements and qualify for rebates.

So far, we have not been successful in finding out any information about this and are asking for your help as an SCVWD director to get this information. There should be a tab about this on the SCVWD website about this, but there isn't and attempts to call and get the information got nowhere.

Any help you could provide in getting us these requirements would be greatly appreciated, as we have no money tree and could really use the rebates to fund projects that will bring us into compliance with the 2029 stricter requirements...if we know what those specific requirements are. You can't play by the rules if you don't what the rules are.

Sincerely,

June E. Cooley

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]