



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

November 4, 2022

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: Weeks of October 21 – November 3, 2022
		<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
		BMR/IBMR Weekly Reports: 11/03/22
7		Memo from Bhavani Yerrapotu, DOO, Watersheds, to Rick Callender, CEO, dated 10/20/22, regarding Report of Properties Acquired Under Executive Limitation 6.7.1.
		<u>INCOMING BOARD CORRESPONDENCE</u>
11		Board Correspondence Weekly Report: 11/03/22
12		Email from Swanee Edwards, to Chair Pro Tem Varela, dated 10/29/22, regarding Llagas Creek (C-22-0195).
15		Email from Ron Cachopo, to Jennifer Codianne, CC to the Board of Directors, dated 10/29/22, regarding Broken Fence along Saratoga Creek (C-22-0196).
16		Email from Mahin Saneinejad, to Director Kremen, dated 10/30/22, regarding Shared Property Line with Cal Water (C-22-0197).
20		Email from Sandra Harrison Kay, to Director Santos, dated 11/01/22, regarding Homeless activity in the Perc Ponds (C-22-0198).
		<u>OUTGOING BOARD CORRESPONDENCE</u>
		None.

Board correspondence has been removed from the online posting of the Non-Agenda to protect personal contact information. Lengthy reports/attachments may also be removed due to file size limitations. Copies of board correspondence and/or reports/attachments are available by submitting a public records request to publicrecords@valleywater.org.

CEO BULLETIN

CEO BULLETIN



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

Weeks of October 21 – November 3, 2022

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>	Stream Maintenance Program: Educational Site Visits with Regulatory Agencies
<u>2</u>	Valley Water and County Parks Received Grant for Invasive Mussel Prevention Program
<u>3</u>	Valley Water's Public Meeting for the Coyote Percolation Dam Replacement Project
<u>4</u>	Winter Preparedness Workshop on October 27, 2022

1. Stream Maintenance Program: Educational Site Visits with Regulatory Agencies

Valley Water currently conducts routine stream maintenance under the second ten-year phase of the Stream Maintenance Program (SMP), known as SMP-2. SMP-2 consists of a Supplemental Environmental Impact Report to comply with the California Environmental Quality Act (CEQA) and permits from seven regulatory agencies. With some of the regulatory permits set to expire in 2023 and to incorporate elements to more adequately represent the work conducted, Valley Water is in the process of updating the CEQA document and working with regulatory agencies to obtain new permits for a ten-year program, referred to as SMP-3.

As part of these discussions, regulatory agencies expressed interest in better understanding how Valley Water uses stream maintenance guidelines to inform routine stream maintenance under the SMP. On September 15 and 21, 2022, Valley Water led regulatory agencies on site visits to discuss stream maintenance guidelines. Discussions focused on triggers for conducting in-stream vegetation management and sediment removal, and how proposing of said work is a multi-disciplinary action, including input from inspectors, engineers, biologists, environmental planners, vegetation specialists, and maintenance workers, among others. Because of past concerns raised by regulatory agencies about the extent of the impact of Valley Water's maintenance work, Valley Water explained that in many instances, sites are monitored and no work is prompted – this was a critical learning element for regulatory agencies, some of whom are newer to the SMP. It was also discussed how submissions of notices of proposed work from Valley Water to regulatory agencies can be streamlined as part of SMP-3. There was also agreement on resuscitating annual lessons learned meetings and having more regular site visits with regulatory agencies.

For further information, please contact Jennifer Codianne at 408-630-3876.

2. Valley Water and County Parks Received Grant for Invasive Mussel Prevention Program

To help protect California's waterways from invasive mussel infestation, California State Park's Division of Boating and Waterways (DBW) provides invasive mussel prevention grants to entities that own or manage reservoirs that are open for public recreation and are free of quagga and zebra mussels. Funding priority is given to agencies that have an invasive mussel prevention plan complying with California Code of Regulations Title 14 §672.1(b) and Fish and Game Code Section 2302.

In September 2022, Santa Clara County Parks and Recreation Department (County Parks) was awarded three grants from DBW with total funding of \$867,000 for the grant period of August 29, 2022 through August 28, 2024. Per the Valley Water-County Parks Vessel Inspection Program Funding Agreement, the grants will be equally shared between Valley Water and County Parks.

Valley Water has been instrumental in developing the mussel prevention plan and conducting quagga and zebra mussel monitoring in its reservoirs, which are the main requirements for the grant application and approval. The grant will be used to offset the costs related to the mussel prevention program such as watercraft inspection, data collection and educational signage and outreach.

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

3. Valley Water's Public Meeting for the Coyote Percolation Dam Replacement Project

On October 19, 2022, Valley Water held a public meeting to update the San Jose community about the Coyote Percolation Dam Replacement Project, currently in design. The project supports the Anderson Dam Seismic Retrofit Project's construction of an outlet tunnel next to the dam, which will allow the release of more water during a storm or other emergency.

Valley Water utilized a hybrid model, holding the meeting in-person at the Southside Community Center in San Jose and through Zoom. There were 17 community members participating virtually and one in-person attendee.

Chair Pro Tem John Varela kicked off the meeting in person with opening remarks. Valley Water facilitated the meeting, conducted by Program Administrator Mike Potter and Capital Engineering Manager Karl Neuman. Attendees were encouraged to contact the project's neighborhood liaison with further questions or concerns.

A recording of the virtual meeting, presentation and materials is available on the project webpage: <https://www.valleywater.org/project-updates/coyote-percolation-dam-replacement-project>

For further information, please contact Don Rocha at 408-630-2338.

4. Winter Preparedness Workshop on October 27, 2022

On October 27, 2022, Valley Water's Office of Emergency Services (OES) hosted its annual Winter Preparedness Workshop for external stakeholder partners that included the County of Santa Clara, City of San Jose, City of Palo Alto, City of Milpitas and many others. Chair Pro Tem Varela made opening comments, and Juan Ledesma, OES Unit Supervisor, hosted the event. Director Santos elaborated and kindly shared his historical experiences with the attendees and reminded all how critical it is for agencies to train well and implement the knowledge gained to maximize adaptability when responding to emergencies.

The virtual workshop had 77 participants and included presentations for: Flood information distributions to the community; reservoir operations status; watershed field operations; hydrology/hydraulics support for Valley Water and partners; sandbag operations including locations; and the National Weather Service winter projection.

The weather forecast reflects a current La Niña for the third consecutive year. The hope is that our region transitions into El Niño in early spring 2023, otherwise the outlook is continued dry conditions. National Weather reminded workshop attendees that it only takes one big storm to have a major impact, so all agencies need to be prepared.

For further information, please contact Alexander Gordon at (408) 630-2637.

BOARD MEMBER REQUESTS and Informational Items



MEMORANDUM

FC 14 (08-21-19)

TO: Rick L. Callender, Esq.

FROM: Bhavani Yerrapotu

SUBJECT: Report of Properties Acquired Under
Executive Limitation 6.7.1

DATE: October 20, 2022

BACKGROUND:

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

PURPOSE:

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

1. A report of the properties which may be acquired under EL 6.7.1 in the upcoming quarter, October 1, 2022, through December 31, 2022. (Attachment 1)
2. A report of the properties that have been acquired under EL 6.7.1 in the last quarter, July 1, 2022, through September 30, 2022. (Attachment 2)

If you have questions or need additional information, please contact Kathy Bradley at (408) 630-3109.

DocuSigned by:

Bhavani Yerrapotu

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

Attachment 1 (Properties which may be acquired)

Attachment 2 (Properties acquired)

cc: R. Blank, M. Richardson, K. Bradley, B. Magleby, C. Herrera

REPORT OF PROPERTIES WHICH MAY BE ACQUIRED UNDER E.L. 6.7.1 IN THE UPCOMING QUARTER

DISTRICT FILE	PROJECT NAME	ASSESSOR'S PARCEL NUMBER (APN)	INTEREST
1024-173	Google Exchange	116-08-101	Fee
1024-174	Google Exchange	116-08-105	Fee
1024-175	Google Exchange	116-09-140	Fee
2010-225	Watershed Asset Protection Sup.	104-28-066	Fee
4021-287	Coyote Creek Flood Management Measures	467-29-026	Fee
4021-290	Coyote Creek Flood Management Measures	467-29-036	Fee
4021-295	Coyote Creek Flood Management Measures	241-05-001	Permanent Easement
4021-296	Coyote Creek Flood Management Measures	241-05-014	Permanent Easement
4021-297	Coyote Creek Flood Management Measures	241-05-015	Permanent Easement
4021-302	Coyote Creek Flood Management Measures	254-13-090	Permanent Easement
4021-304	Coyote Creek Flood Management Measures	254-17-043	Permanent Easement
4021-378	Coyote Creek Flood Management Measures	241-05-001	Temporary Construction Easement
4021-379	Coyote Creek Flood Management Measures	241-05-014	Temporary Construction Easement
4021-380	Coyote Creek Flood Management Measures	241-05-015	Temporary Construction Easement
4021-383	Coyote Creek Flood Management Measures	254-13-090	Temporary Construction Easement
4021-385	Coyote Creek Flood Management Measures	254-17-043	Temporary Construction Easement

REPORT OF PROPERTIES ACQUIRED UNDER EL 6.7.1
JULY 1, 2022 - SEPTEMBER 30, 2022

DISTRICT FILE	PROJECT NAME	AGENT	GRANTOR	INTEREST	REC DATE	DOC#	INITIAL OFFER	FINAL SETTLEMENT
9433-4	Milpitas Pipeline	Grimaldo	City of Milpitas	Easement in	7/28/2022	25347395	n/a	There is no financial impact with this agreement