

November 30, 2022

**TO: SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM,  
INDEPENDENT MONITORING COMMITTEE**

**Jurisdiction**

District 1  
District 2  
District 3  
District 4  
District 5  
District 6  
District 7

**Member**

Marc Rauser  
Jeffrey Hare  
Will Ector  
Hon. Jason Baker  
Bill Hoeft  
Hon. Patrick S. Kwok  
Forest Peterson, Ph.D.

**Member**

Kathleen Sutherland  
Jean Marlowe  
Hon. Barbara Spector  
George Fohner  
Andrés Quintero  
Cari Templeton

The Safe, Clean Water and Natural Flood Protection Program, Independent Monitoring Committee meeting is scheduled to be held on **Wednesday, December 7, 2022, at 4:00 p.m., at Santa Clara Valley Water District, Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, CA 95118.**

Enclosed are the meeting agenda and corresponding materials. The meeting packet can also be viewed on-line at <https://www.valleywater.org/renewed-safe-clean-water-natural-flood-protection-independent-monitoring-committee>.

Please confirm your attendance **no later than 12:00 p.m., Friday, December 2, 2022,** by contacting Glenna Brambill at 1-408-630-2408, or [gbrambill@valleywater.org](mailto:gbrambill@valleywater.org).

Enclosures



**SAFE, CLEAN WATER PROGRAM INDEPENDENT MONITORING  
COMMITTEE MEETING**

Join Zoom Meeting for the public and non-presenting staff  
<https://valleywater.zoom.us/j/85611501656>

Meeting ID: 856 1150 1656

One tap mobile

+16699009128,, 85611501656#US (San Jose)

Dial by your location

+1 669 900 9128 US (San Jose)

Meeting ID: 856 1150 1656



# **Santa Clara Valley Water District SCW Independent Monitoring Committee (SCW IMC)**

**HQ Building Boardroom  
5700 Almaden Expressway  
San Jose CA 95118**

**Alternate Location: Seattle Public Library, Northgate Branch, 10548 Fifth  
Ave. N.E., Seattle, WA 98125**

## **REGULAR MEETING AGENDA**

**Wednesday, December 7, 2022  
4:00 PM**

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

**SAFE, CLEAN WATER  
INDEPENDENT MONITORING  
COMMITTEE (SCW IMC)**

**COMMITTEE OFFICERS:**  
Kathleen Sutherland, Committee Chair  
Pro Tempore  
, Committee Vice Chair

During the COVID-19 restrictions, all public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available to the public through the legislative body agenda web page at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

Ms. Glenna Brambill  
(Committee Liaison)  
Management Analyst II  
gbrambill@valleywater.org  
1-408-630-2408

**BOARD REPRESENTATIVES:**  
John L. Varela, Board Representative  
Barbara F. Keegan, Board Alternate

**Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.**

**Santa Clara Valley Water District**  
**SCW Independent Monitoring Committee (SCW IMC)**  
**REGULAR MEETING**  
**AGENDA**

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Wednesday, December 7, 2022

4:00 PM

HQ Building Boardroom

Alternate Location: Seattle Public Library,  
Northgate Branch, 10548 Fifth Ave. N.E., Seattle,  
WA 98125

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\*\*\*IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS\*\*\*

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a “hybrid” meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to comply with Ordinance 22-03 - AN ORDINANCE OF THE SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM FOR PARTICIPATION IN BOARD AND COMMITTEE MEETINGS located at <https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/s3fs-public/Ord.pdf>

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee at a video conferenced meeting, during public comment or on any item listed on the agenda, should use the “Raise Hand” tool located in the Zoom meeting link listed on the agenda, at the time the item is called. Speakers will be acknowledged by the Board Chair in the order requests are received and granted speaking access to address the Board.

- Members of the Public may test their connection to Zoom Meetings at: <https://zoom.us/test>
- Members of the Public are encouraged to review our overview on joining Valley Water Board Meetings at: <https://www.youtube.com/watch?v=ToJpYCxXm0>

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

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has



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

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

**Join Zoom Meeting:**  
**<https://valleywater.zoom.us/j/85611501656>**

Meeting ID: 856 1150 1656 Join  
by Phone:  
1 (669) 900-9128, 85611501656#

**1. CALL TO ORDER:**

1.1. Roll Call.

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

*Notice to the Public: Members of the public who wish to address the Committee on any item not listed on the agenda should access the "Raise Hand" tool located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in order requests are received and granted speaking access to address the Committee. Speakers comments should be limited to two minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Committee may take action on any item of business appearing on the posted agenda.*

**3. ELECTION OF CHAIR AND VICE CHAIR:**

3.1. Election of Chair and Vice Chair.

[22-1358](#)

Est. Staff Time: 5 Minutes

#### **4 APPROVAL OF MINUTES:**

- 4.1. Approval of Minutes. [22-1359](#)

Attachments: [Attachment 1: 05052021 RSCW IMC DRAFT Mins](#)

Est. Staff Time: 5 Minutes

#### **5. REGULAR AGENDA:**

- 5.1. Presentations on two projects in the Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program). [22-1360](#)

Attachments: [Attachment 1: Uvas LWD JN MG PowerPoint Presentation](#)  
[Attachment 2: Anderson Slides Sept. 2022 PowerPoint Presentati](#)

Est. Staff Time: 45 Minutes

- 5.2. Fiscal Year 2021-22 Safe, Clean Water and Natural Flood Protection Program Annual Review. [22-1361](#)

Attachments: [Attachment 1: Renewed SCW FY22 Annual Report Link](#)  
[Attachment 2: FY22 Annual Report 110922.pptx](#)

Est. Staff Time: 15 Minutes

- 5.3. Outcome of the Public Hearing on the Modifications to Project F5: Good Neighbor Program: Encampment Cleanup. [22-1362](#)

Attachments: [Attachment 1: F5 Adjustments Modifications Redlined.pdf](#)

Est. Staff Time: 15 Minutes

#### **6. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.**

*This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.*

#### **7. ADJOURN:**

- 7.1. Adjourn to Regular Meeting at 4:00 p.m., on Wednesday, January, 25, 2023.



# Santa Clara Valley Water District

**File No.:** 22-1358

**Agenda Date:** 12/7/2022

**Item No.:** 3.1.



	Meeting Date:	12-7-2022
	Item No.	3.1.
	Unclassified Manager:	Candice Kwok-Smith 1-408-630-3193
<b>SAFE, CLEAN WATER PROGRAM INDEPENDENT MONITORING COMMITTEE</b>		

**SUBJECT:**

Election of Chair and Vice Chair.

**RECOMMENDATION:**

Elect 2023 Chair and Vice Chair.

**SUMMARY:**

Per the Board Resolution, the duties of the Chair and Vice-Chair are as follows:

The officers of each Committee shall be a Chair and Vice-Chair, both of whom shall be members of that Committee. The Chair and Vice-Chair shall be elected by the Committee, each for a term of one year commencing on January 1 and ending on December 31 and for no more than two consecutive terms. The Committee shall elect its officers at the first meeting of the calendar year. All officers shall hold over in their respective offices after their term of office has expired until their successors have been elected and have assumed office.

The Chair shall preside at all meetings of the Committee, and he or she shall perform other such duties as the Committee may prescribe consistent with the purpose of the Committee.

The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair. In case of the unexpected vacancy of the Chair, the Vice-Chair shall perform such duties as are imposed upon the Chair until such time as a new Chair is elected by the Committee.

Should the office of Chair or Vice-Chair become vacant during the term of such office, the Committee

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shall elect a successor from its membership at the earliest meeting at which such election would be practicable, and such election shall be for the unexpired term of such office.

Should the Chair and Vice-Chair know in advance that they will both be absent from a meeting, the Chair may appoint a Chair Pro-tempore to preside over that meeting. In the event of an unanticipated absence of both the Chair and Vice-Chair, the Committee may elect a Chair Pro-tempore to preside over the meeting in their absence.

**ATTACHMENTS:**

None.



# Santa Clara Valley Water District

**File No.:** 22-1359

**Agenda Date:** 12/7/2022

**Item No.:** 4.1.

A horizontal graphic showing a dynamic splash of blue water with white foam and bubbles, set against a light blue background.		
	Meeting Date:	12-7-2022
	Item No.	4.1.
	Unclassified Manager:	Candice Kwok-Smith 1-408-630-3193
<b>SAFE, CLEAN WATER PROGRAM INDEPENDENT MONITORING COMMITTEE</b>		

**SUBJECT:**

Approval of Minutes.

**RECOMMENDATION:**

Approve 05052021 RSCW IMC Meeting Minutes

**SUMMARY:**

A summary of Committee discussions, and details of all actions taken by the Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the District's historical records archives and serve as historical records of the Committee's meetings.

**ATTACHMENTS:**

Attachment 1: 05052021 RSCW IMC Draft Mins





SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM  
INDEPENDENT MONITORING COMMITTEE

# DRAFT MINUTES

WEDNESDAY, MAY 5, 2021

(Paragraph numbers coincide with agenda item numbers)

A regularly scheduled meeting of the Renewed Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee was held on May 5, 2021, Teleconference via Zoom in San Jose, California.

**1. CALL TO ORDER**

Board Committee Liaison Glenna Brambill called the meeting to order at 4:02 p. m.

**1.1. ROLL CALL**

A quorum was established with 9 Members present.

Members in attendance were:

<u>Jurisdiction</u>	<u>Representative</u>	<u>Representative</u>
District 1	Marc Rauser	
District 2	Kathleen Sutherland	
District 3	Will Ector*	Jean Marlowe
District 4	Hon. Jason Baker	Hon. Barbara Spector
District 5	Bill Hoeft	George Fohner
District 6	Hon. Patrick S. Kwok	Andrés Quintero*
District 7	Cari Templeton	

\*Committee Members logged on as indicated below.

Board Member in attendance was: Director Gary Kremen (Board Alternate).

Staff members in attendance were: Lisa Bankosh, Erin Baker, Ricardo Barajas, Wade Blackard, Rechelle Blank, Glenna Brambill, Rolando Bueno, Jennifer Codianne, Jessica Collins, James Downing, Amy Fonseca, Meenakshi Ganjoo, Alexander Gordon, Christopher Hakes, Brian Hopper, Todd Inman, Sunshine Julian, Jay Lee, Larry Lopez, Marta Lugo, Ryan McCarter, Brian Mendenhall, Lizzie Mercado, Carmen Narayanan, Karl Neuman, Alec Nicholas, Melanie Richardson, Afshin Rouhani, Kirsten Struve, Darin Taylor, Paul Thomas, Sue Tippetts, Doug Titus, Liang Xu, and Kristen Yasukawa.

Public in attendance was: Director Linda J. LeZotte (Valley Water, District 4).

Attachment 1  
Page 1 of 4

\*Will Ector logged on at 4:07 p.m.

**2. PUBLIC COMMENT**

There was no one present who wished to speak.

**3. INTRODUCTIONS**

Valley Water Staff RSCW IMC Team:

Jessica Collins-Unit Manager, Meenakshi Ganjoo-Program Administrator  
and Wade Blackard-Senior Management Analyst.

Renewed Safe, Clean Water and Natural Flood Protection Program

Independent Monitoring Committee Members/Representative Districts:

Introduced themselves and gave a quick overview of their backgrounds and experiences:

Marc Rauser, District 1

Kathy Sutherland, District 2

Will Ector and Jean Marlowe, District 3

Hon. Jason Baker and Hon. Barbara Spector, District 4

Bill Hoeft and George Fohner, District 5

Hon. Patrick S. Kwok and Andrés Quintero (gave his later in the meeting), District 6

Cari Templeton, District 7

**4. ELECTION OF CHAIR PRO TEMPORE:**

The Renewed Safe, Clean Water and Natural Flood Protection Program

Independent Monitoring Committee unanimously by roll call voted

Kathy Sutherland as Chair Pro Tempore.

**5. 5-YEAR IMPLEMENTATION PLAN FOR FISCAL YEARS 2022-2026 FOR THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM**

Jessica Collins, Meenakshi Ganjoo and Carmen Narayanan reviewed the agenda materials as outlined in the agenda.

\*Andrés Quintero logged on at 4:35 p.m.

The Renewed Safe, Clean Water and Natural Flood Protection Program

Independent Monitoring Committee discussed: priorities given equal weight, criteria for setting minimum reserves, access to community survey data or results, difference between Measures regarding the debt financing, overlapping of the old and new Measures, projects being continued, program sunsetting, change in KPI's, line-item questions-B3, D1, D2, F8, F5 and good neighbor program.

Paul Thomas, Jen Codianne, Doug Titus, Erin Baker, and Lizzie Mercado were available to answer questions.



The Renewed Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee took the following action:

It was moved by Cari Templeton, seconded by Andrés Quintero, by roll call and majority vote, (10 Yes/1 abstained) the Committee approved the Draft 5 Year Implementation Plan.

## **5.2 PROPOSED ADJUSTMENTS AND MODIFICATIONS TO THE GOOD NEIGHBOR PROGRAM: ENCAMPMENT CLEANUP PROJECT, PROJECT F5 UNDER THE RENEWED SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM**

Jessica Collins and Jen Codianne reviewed the agenda materials as outlined in the agenda.

The Renewed Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee discussed: homelessness, cleanups, multifaceted issues surrounding the unhoused/homeless/encampments, partnerships, bond measures, and public benefit.

Paul Thomas, Jen Codianne, Doug Titus, Erin Baker and Lizzie Mercado were available to answer questions.

The Renewed Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee took the following action:

It was moved by Marc Rauser, seconded by Will Ector, by roll call and unanimous vote, (10 Yes) the Committee approved the text changes and removing the words 'unhoused'/homeless to encampment for the Proposed Adjustments and Modifications to the Good Neighbor Program: Encampment Cleanup Project, Project F5.

## **6. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.**

Glenna Brambill reported there were two action items for Board consideration.

### **Agenda Item 5.1**

The Renewed Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee took the following action:

The Committee majority vote, (10 Yes/1 abstained) approved the Draft 5 Year Implementation Plan.

### **Agenda Item 5.2**

The Renewed Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee took the following action:

The Committee by unanimous vote approved the text changes and removing the words 'unhoused'/homeless to encampment for the Proposed Adjustments and Modifications to the Good Neighbor Program: Encampment Cleanup Project, Project F5.

**7. ADJOURNMENT**

Chair Pro Tempore Kathy Sutherland adjourned the meeting at 6:06 p.m.

Glenna Brambill  
Board Committee Liaison  
Office of the Clerk of the Board

Approved:




# Santa Clara Valley Water District

**File No.:** 22-1360

**Agenda Date:** 12/7/2022

**Item No.:** 5.1.

		
	Meeting Date:	12-7-2022
	Item No.	5.1.
	Unclassified Manager:	Luz Penilla 1-408-630-2228
<b>SAFE, CLEAN WATER PROGRAM INDEPENDENT MONITORING COMMITTEE</b>		

**SUBJECT:**

Presentations on two projects in the Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program).

**RECOMMENDATION:**

Receive presentations on two projects in the Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program).

**SUMMARY:**

Through tours and presentations, IMC members gain a greater understanding of Safe, Clean Water projects. While project site tours have been on hold due to the impacts of the COVID-19 pandemic, staff will provide presentations on two of the projects that were in construction in FY2021-22. Valley Water hopes to resume project tours in 2023 (FY2022-23 review cycle). Meanwhile, the two project presentations being made today are:

1. Uvas Creek Fish Habitat Improvement Project
2. Anderson Dam Seismic Retrofit Project

**ATTACHMENTS:**

Attachment 1: Uvas Creek Fish Habitat Improvement Project

Attachment 2: Anderson Dam Seismic Retrofit Project





# Uvas Creek Fish Habitat Improvement Project

Presented by: **Judy Nam**, Senior Water Resources Specialist  
Safe, Clean Water Program Independent Monitoring Committee, December 7, 2022

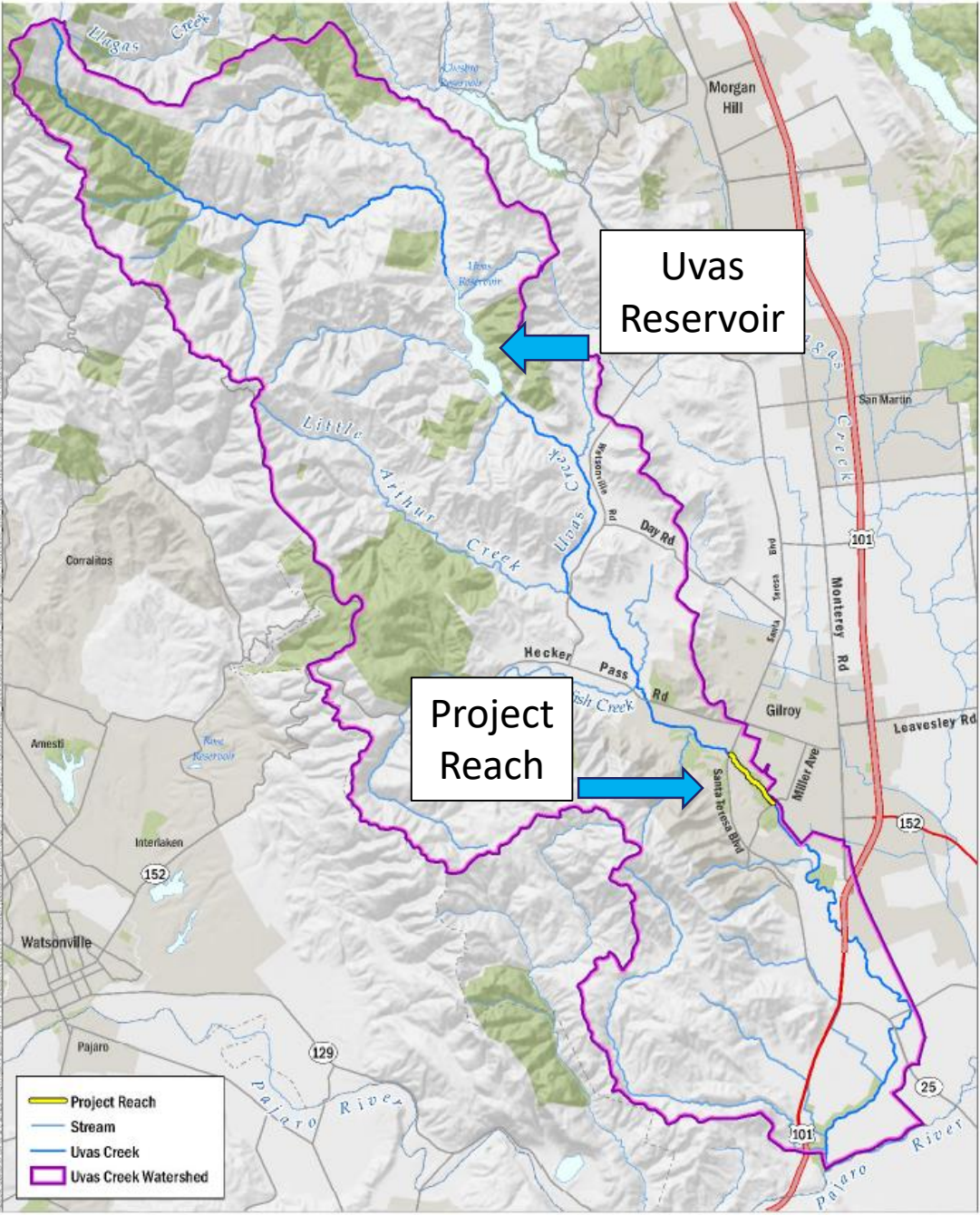


# Project Background

- Project D4: Fish Habitat & Passage Improvement
  - KPI #4.4 - Study all major steelhead streams in county to identify priority locations for fish migration barrier removal and installation of large woody debris and gravel as appropriate.
  - KPI #4.5 - Complete five (5) habitat enhancement projects based on studies that identify high priority locations for large wood, boulders, gravel, and/or other habitat enhancement features
- Stream Maintenance Program
  - Permitting
  - Construction

# Uvas Creek Watershed

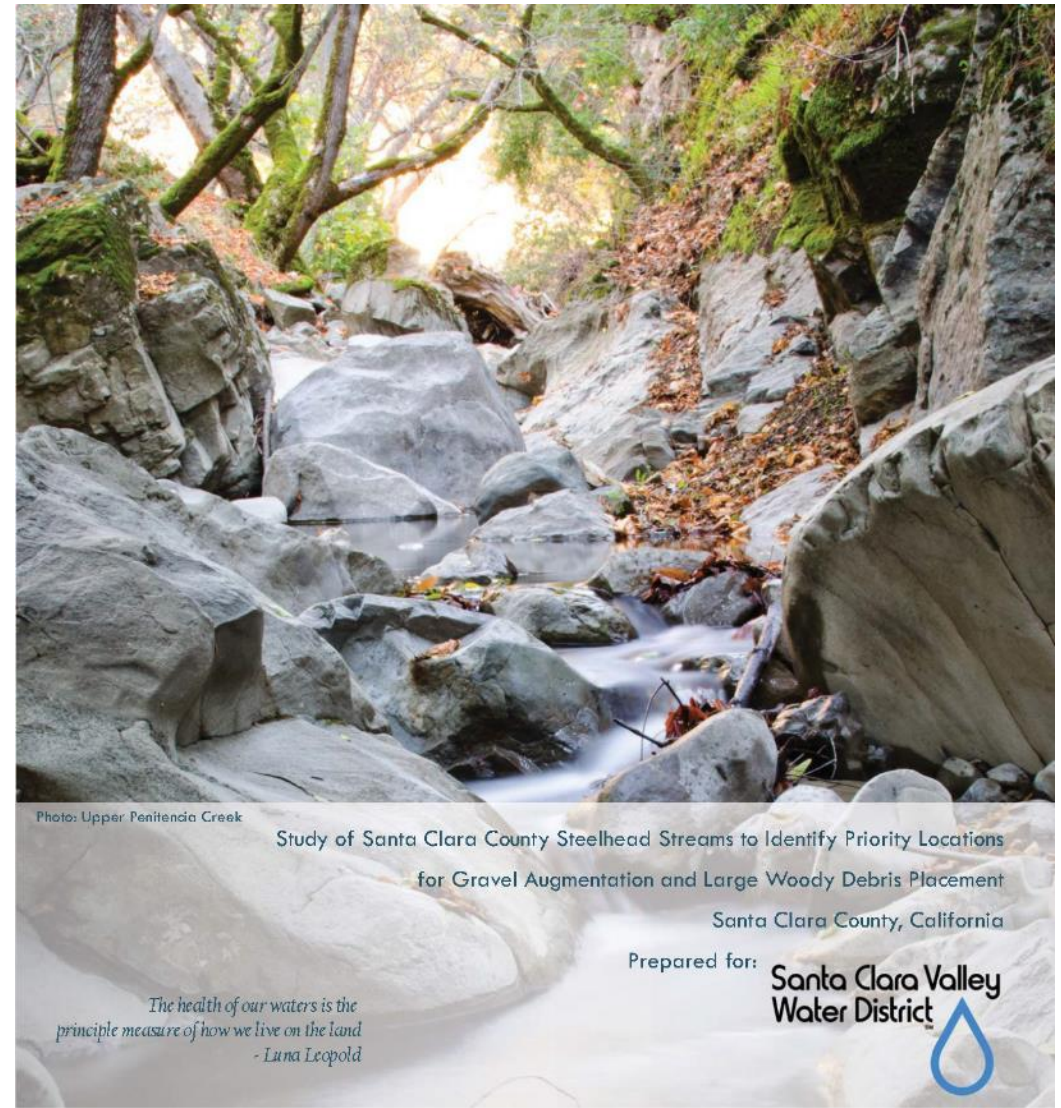
Uvas Creek Watershed,  
Important Steelhead Habitat





# Project Site Selection

- Phase 1 Study of Steelhead Streams in 2018
  - Covers 8 Streams, including Uvas
  - Prioritization Criteria
    1. Existing habitat conditions
    2. Channel morphology
    3. Flood risk
    4. Property ownership
    5. Construction access



Prepared by:

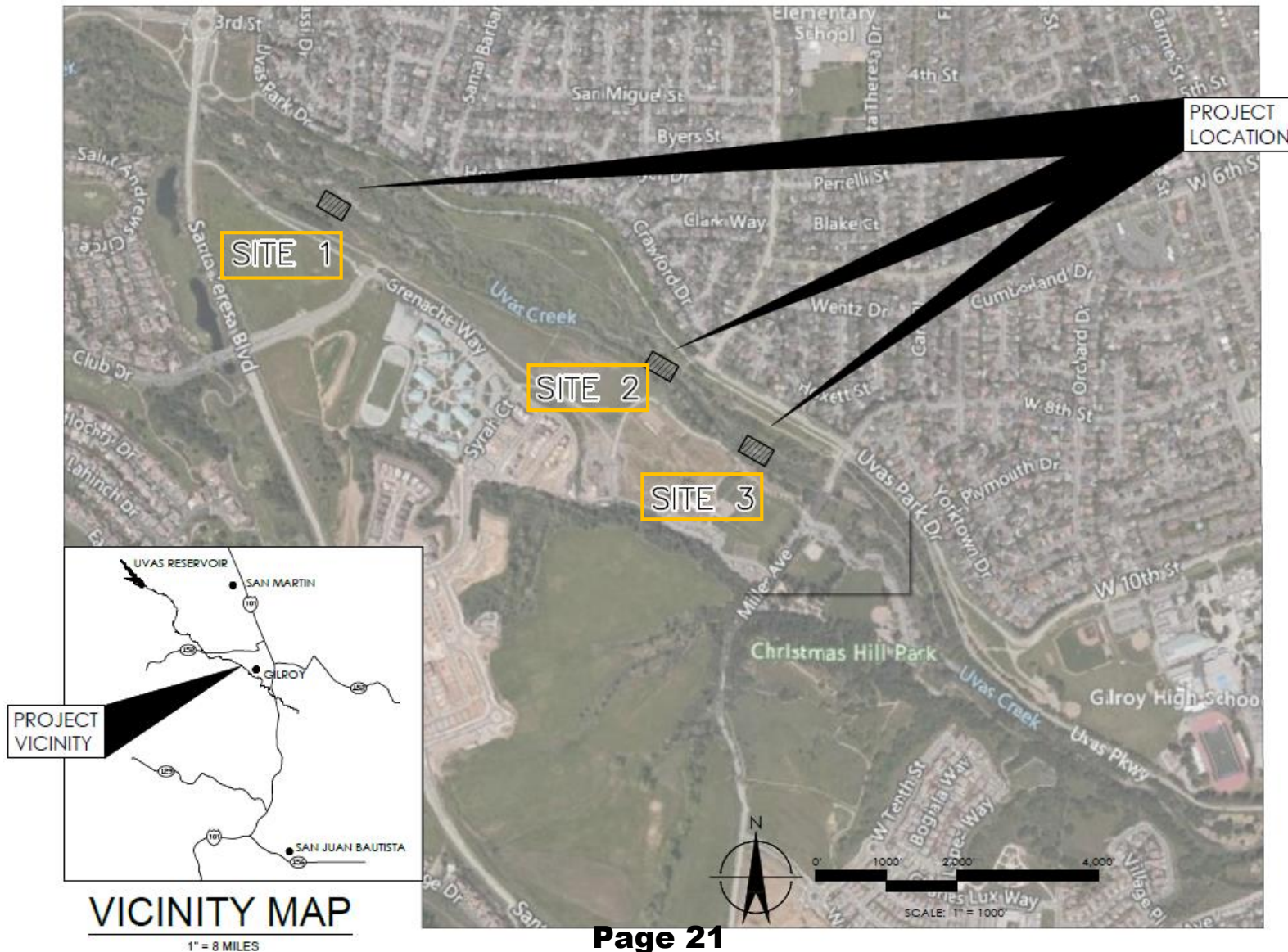
In collaboration with:

April 25, 2018





# Uvas Creek Fish Habitat Improvement Project



# Project Objective

- Increase salmonid habitat complexity and cover by adding large woody debris (LWD)
- Improve existing habitat by adding spawning gravels





# Design Considerations

- Flood Risks
  - Objective: no water-level rise
  - Solution: Grade low flow channel bank to offset reduction in channel area due to added woody debris
- Spawning Gravel and LWD
  - Surface with spawning gravel after grading
  - Add LWD to create hiding and resting places for fish



Bar Apex Jam at Site 2



# Site 1

before



after





# Site 2

9

before



after





# Site 3

before

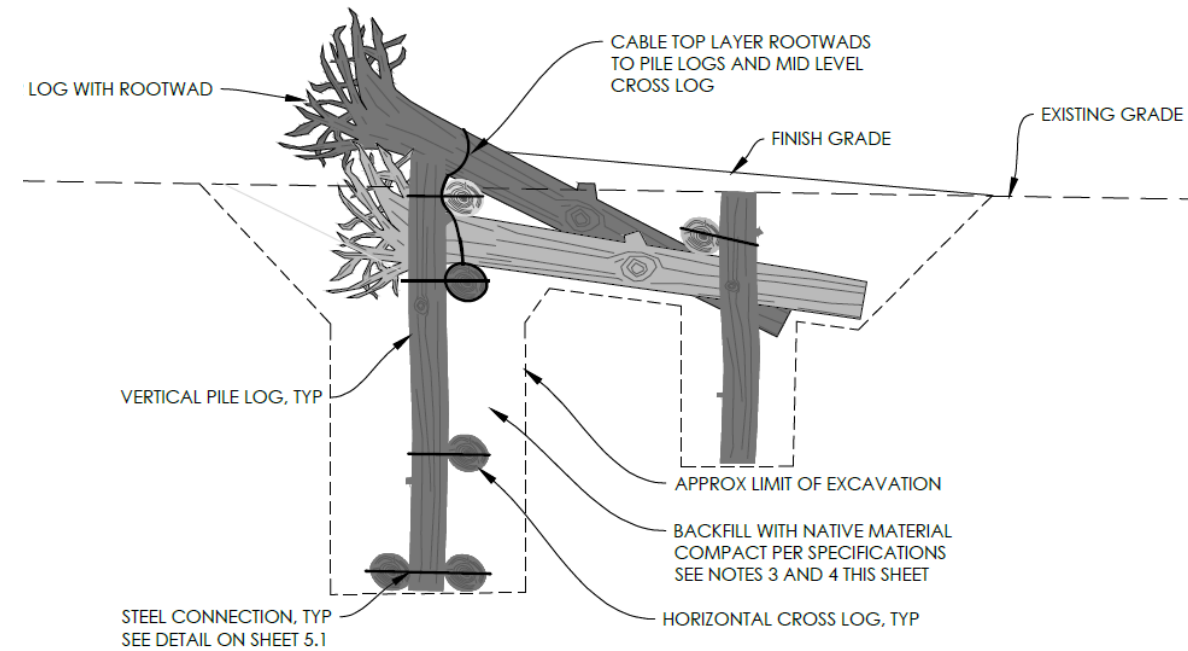
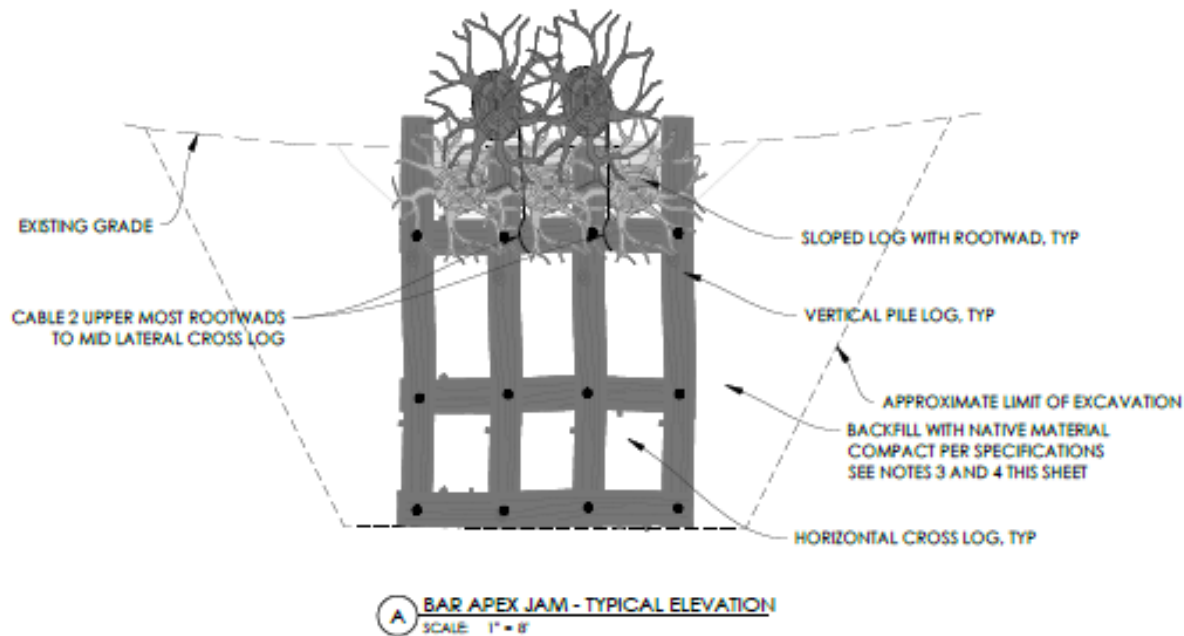


after





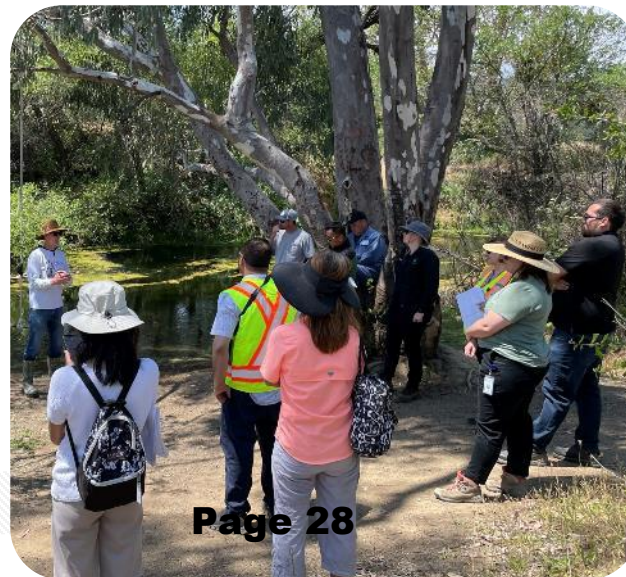
# Engineered Bar Apex Jam at Sites 2&3







**Thank You!**







# Anderson Dam Seismic Retrofit Project

Presented by: **Ryan McCarter**, Assistant Officer

Safe, Clean Water Program Independent Monitoring Committee, December 7, 2022

# Agenda

Background

Status

Challenges

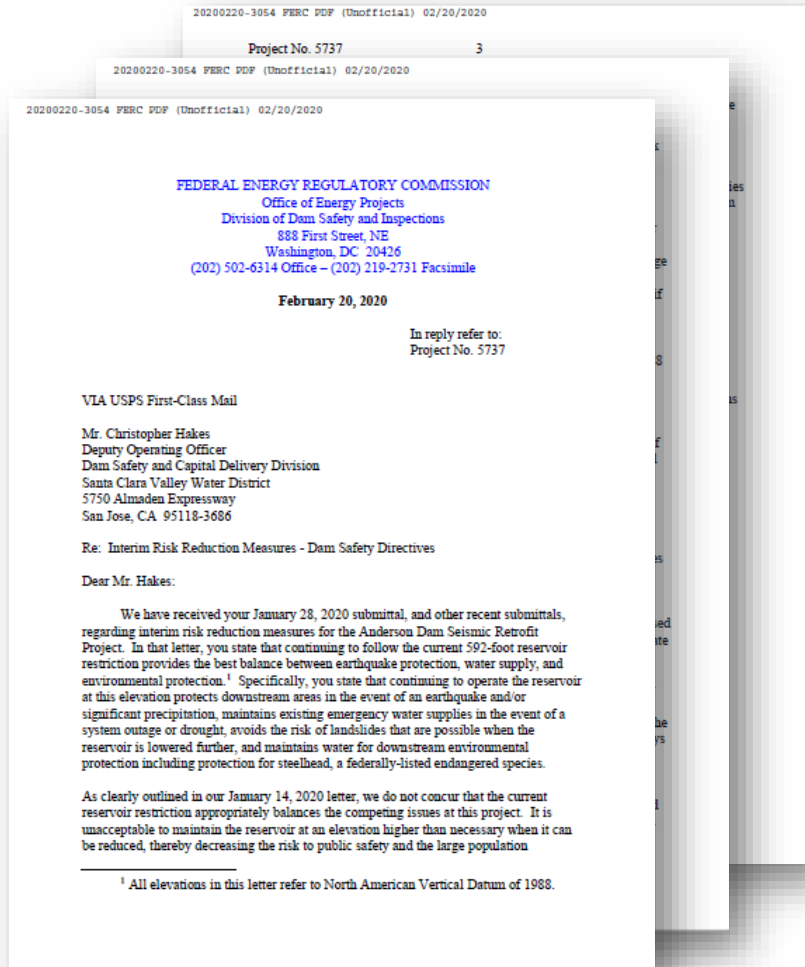
# Background

- Anderson Dam forms Anderson Reservoir, holding 90,000 acre feet of water when full and the largest of Valley Water's reservoirs.
- In 2012, following a seismic stability analysis, Valley Water began plans to retrofit the dam to meet current safety standards, creating the Anderson Dam Seismic Retrofit Project (ADSRP).
- On February 20, 2020, the Federal Energy Regulatory Commission (FERC) issued an order to Valley Water to undertake early implementation interim risk reduction measures associated with ADSRP immediately.

# FERC Directive: Risk Reduction Measures

4

valleywater.org



1. Lower reservoir to new restriction (El. 565')



2. Take all necessary measures to safely prepare and drain the reservoir to El. 488'



3. Oct. 1 - Begin draining reservoir to dead pool (El. 488')



4. Develop plan to maintain dead pool elevation in event of significant inflow



5. Expedite design and construction of new Outlet Tunnel



6. Secure permits and complete design of larger Seismic Retrofit Project



## Anderson Dam Federal Energy Regulatory Commission Order Compliance Projects (FOCP)

### Anderson Dam Tunnel

Coyote Creek  
Flood  
Management  
Measures

Coyote Percolation  
Dam Replacement

Cross Valley  
Pipeline Extension

Coyote Creek  
Stream  
Augmentation Fish  
Protection  
Measure

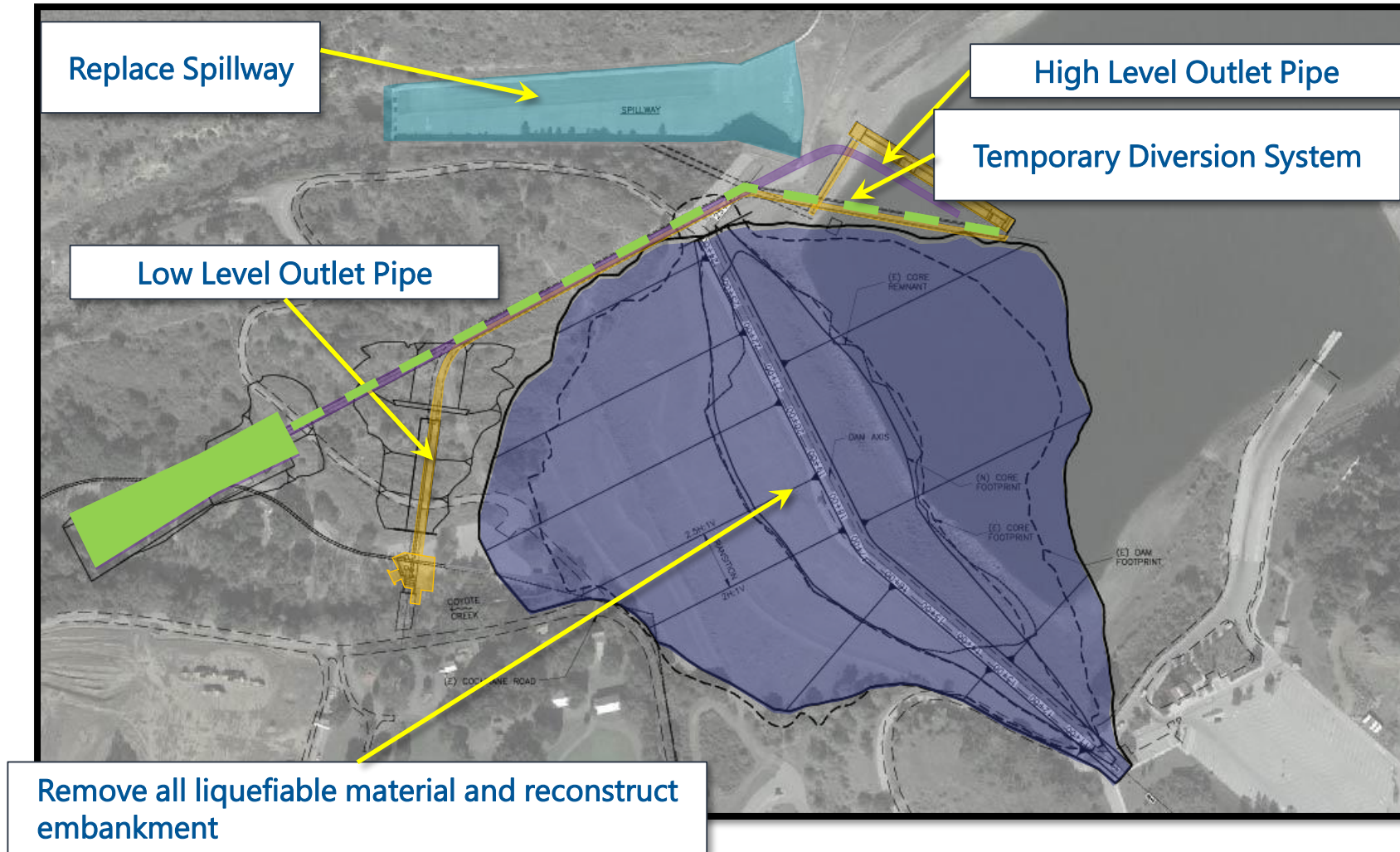
## ADSRP

- Seismic retrofit of dam embankment
- Construction of new higher capacity outlet tunnel and outlet works
- Replacement of concrete spillway and raising wall height 9-feet to safely discharge large storm flows
- Increase dam crest height 7-feet



# Anderson Dam Seismic Retrofit Project Components

6





# Anderson Dam Tunnel Project (ADTP)

- Anderson Dam
- Coyote Creek



Imagery date: 9/28/21 – newer Google



# ADTP

- Anderson Dam
- HLOW Drop Shaft
- Diversion Portal Entrance
- Coyote Creek



8

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valleywater.org

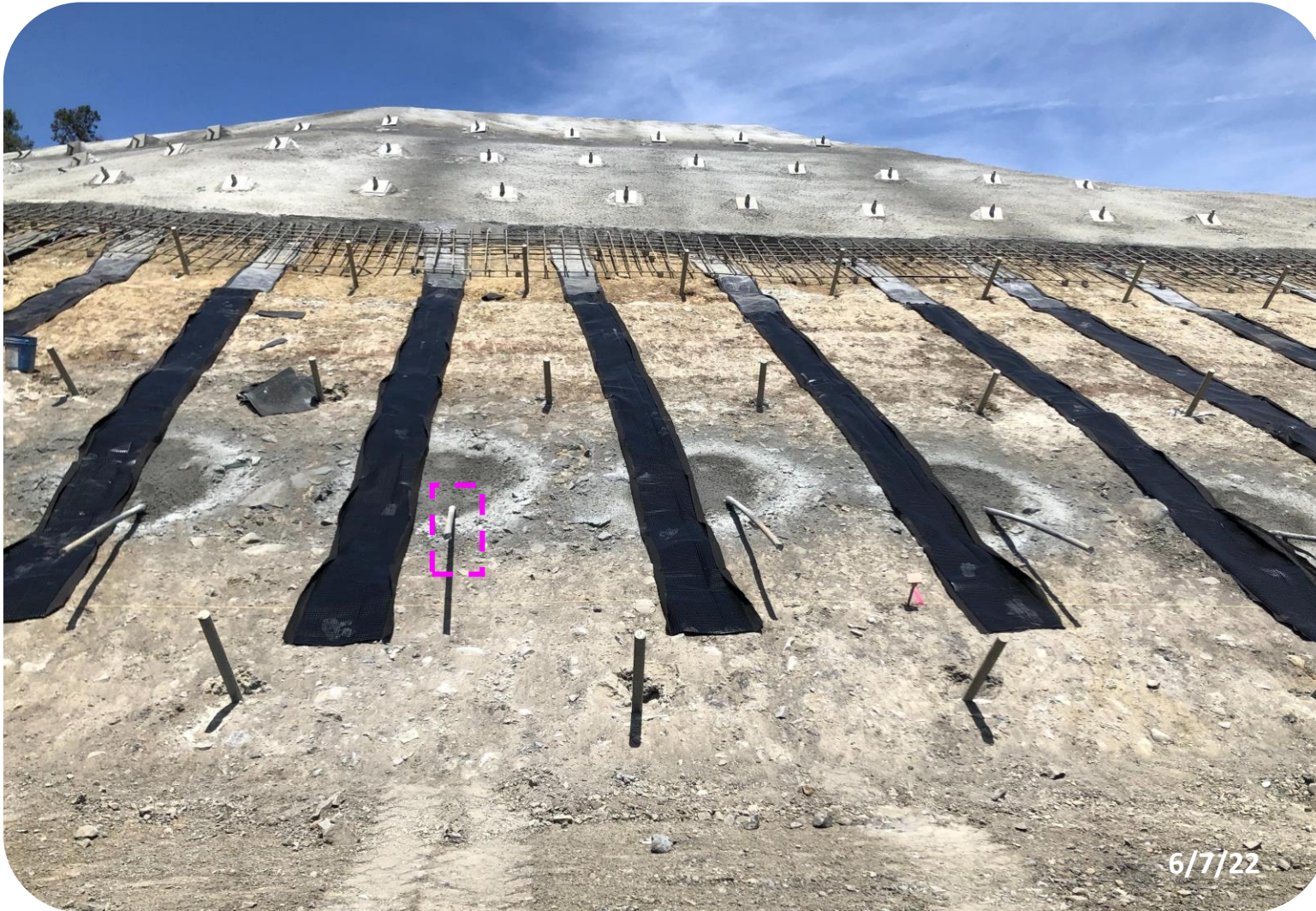




valleywater.org

soil nail wall bottom = 300 linear feet





## Hydraugers

- Completed installation early June 2022
- Consist of 80 PVC slotted pipe
- Placed near bottom of soil nail wall to expel water from soil behind the wall



# ADTP

## Soil Nail Wall

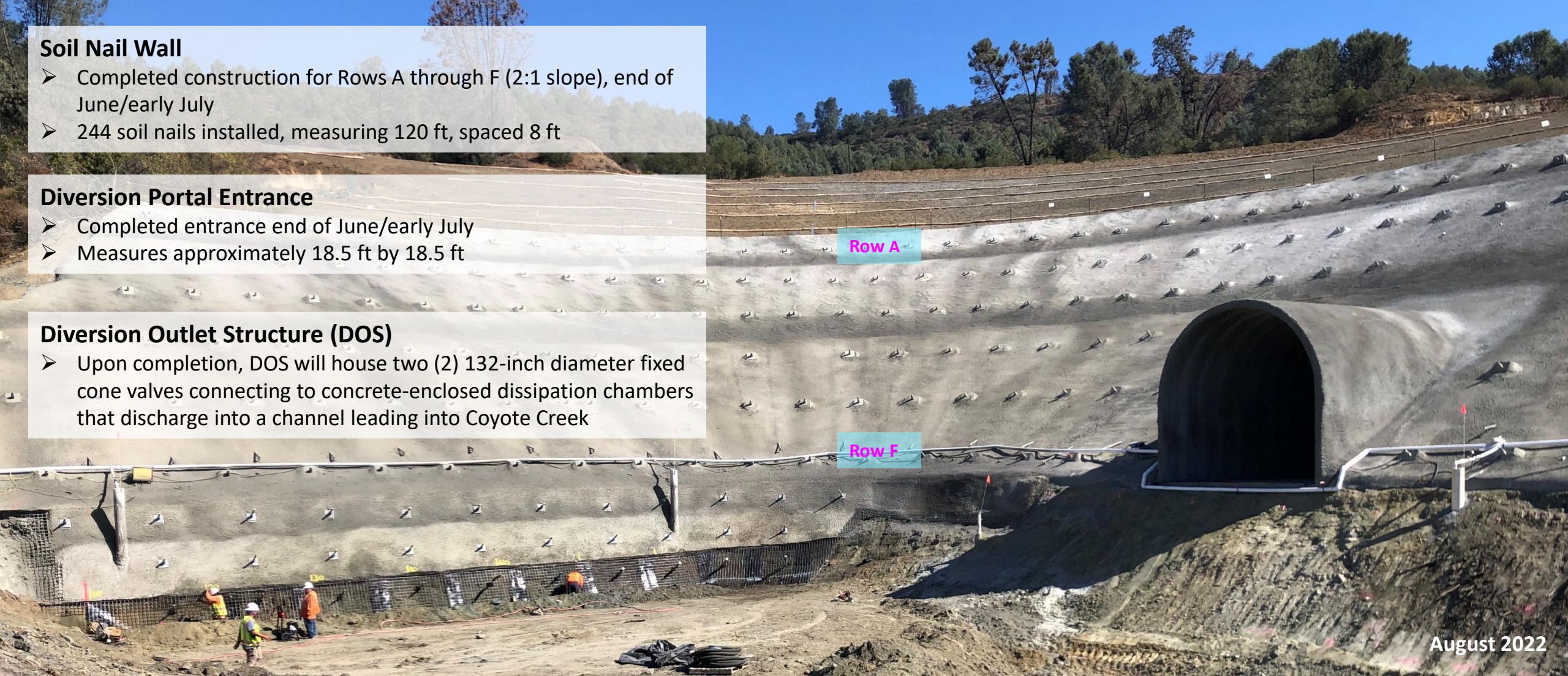
- Completed construction for Rows A through F (2:1 slope), end of June/early July
- 244 soil nails installed, measuring 120 ft, spaced 8 ft

## Diversion Portal Entrance

- Completed entrance end of June/early July
- Measures approximately 18.5 ft by 18.5 ft

## Diversion Outlet Structure (DOS)

- Upon completion, DOS will house two (2) 132-inch diameter fixed cone valves connecting to concrete-enclosed dissipation chambers that discharge into a channel leading into Coyote Creek



August 2022

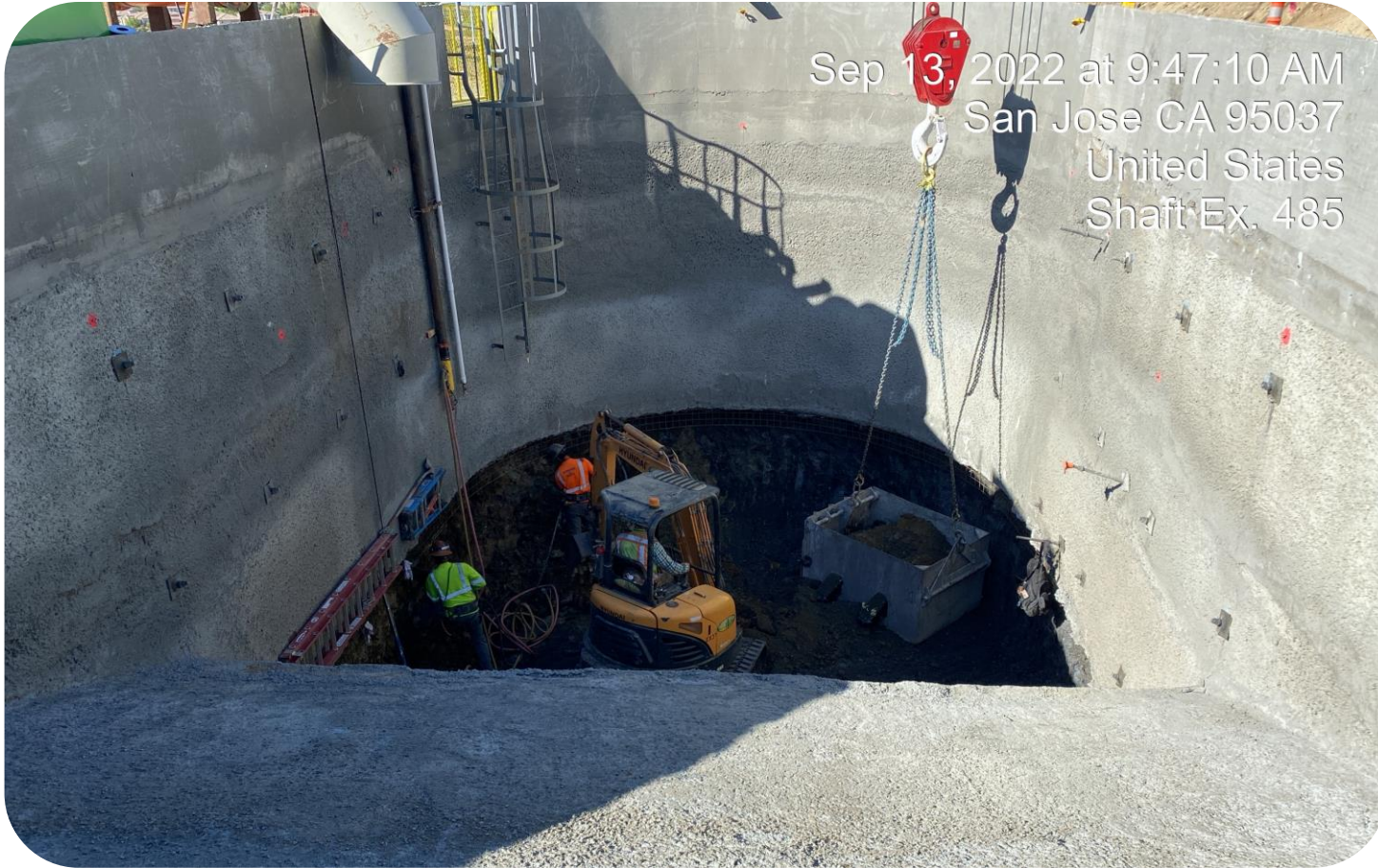




## High Level Outlet Works (HLOW) Drop Shaft

- Future feature of ADSRP
- Will provide ability to drawdown upper level of reservoir





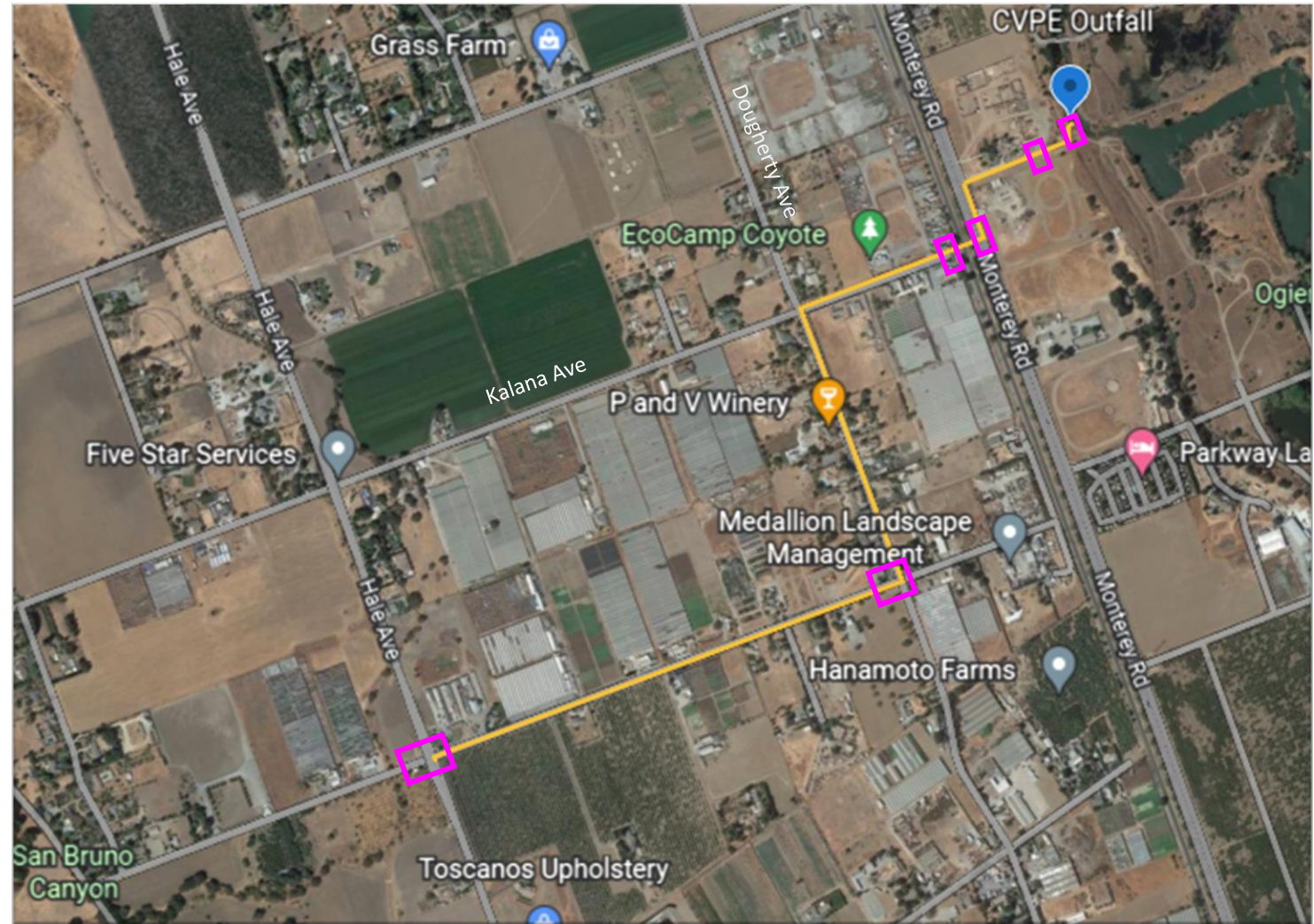
## High Level Outlet Works (HLOW) Drop Shaft

- Fourth lift (shaft excavation)
- Bottom of lift is approximately 19 ft down from the ground surface
- Height of shaft will be approximately 89 ft



# Cross Valley Pipeline Extension Project (CVPEP)

- Installation of 7,100 feet of new pipeline to convey imported water from the Cross Valley Pipeline to Coyote Creek to supplement flows during construction of ADSRP downstream of Ogier Ponds
- Construction contract awarded in November 2021
- Construction completion by December 2022

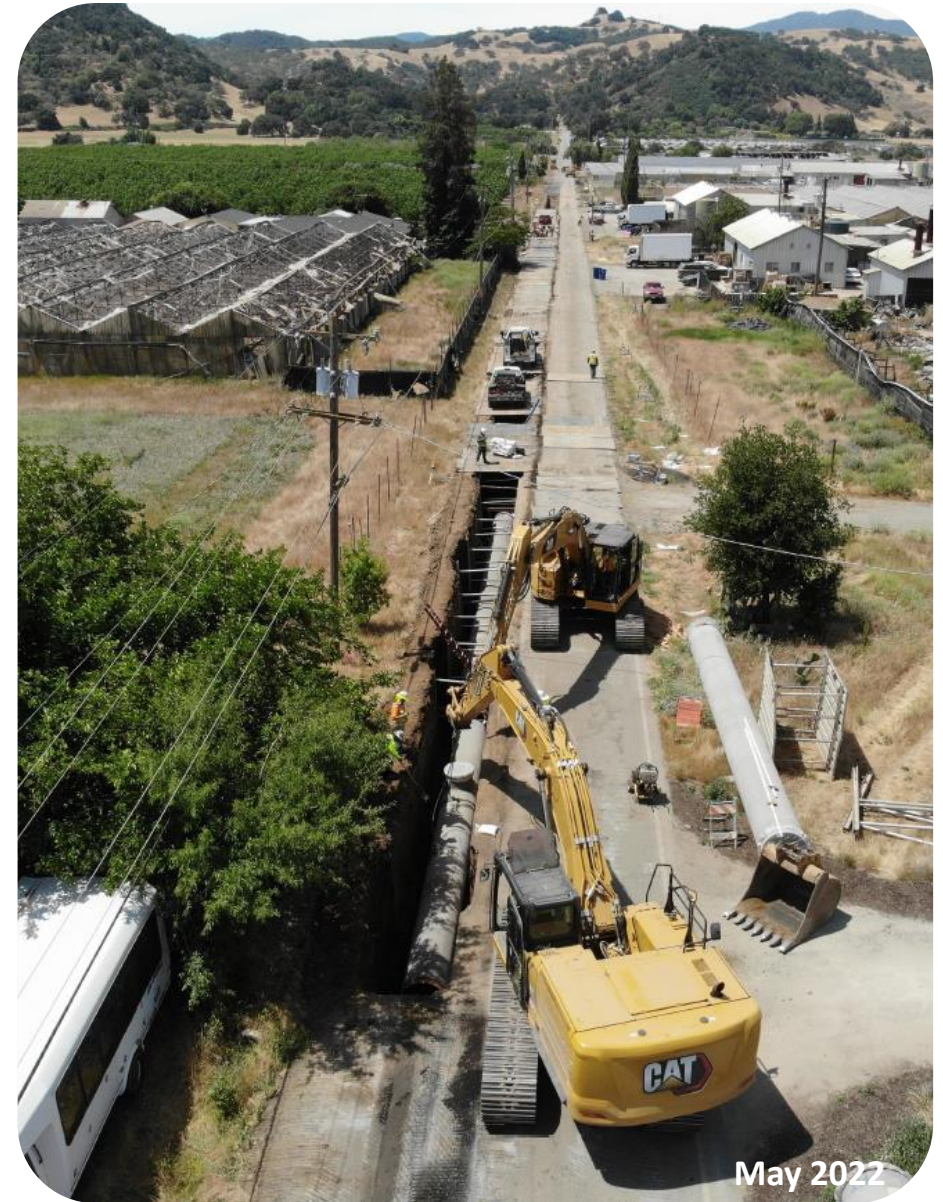


□ remaining work areas



# CVPEP

**Bottom & Right:** Pipeline installation along San Bruno Ave.





# CVPEP

17



**Left:** Welding connections in open trench along Dougherty Ave.

**Right:** Back filling open trench with flowable fill

valleywater.org

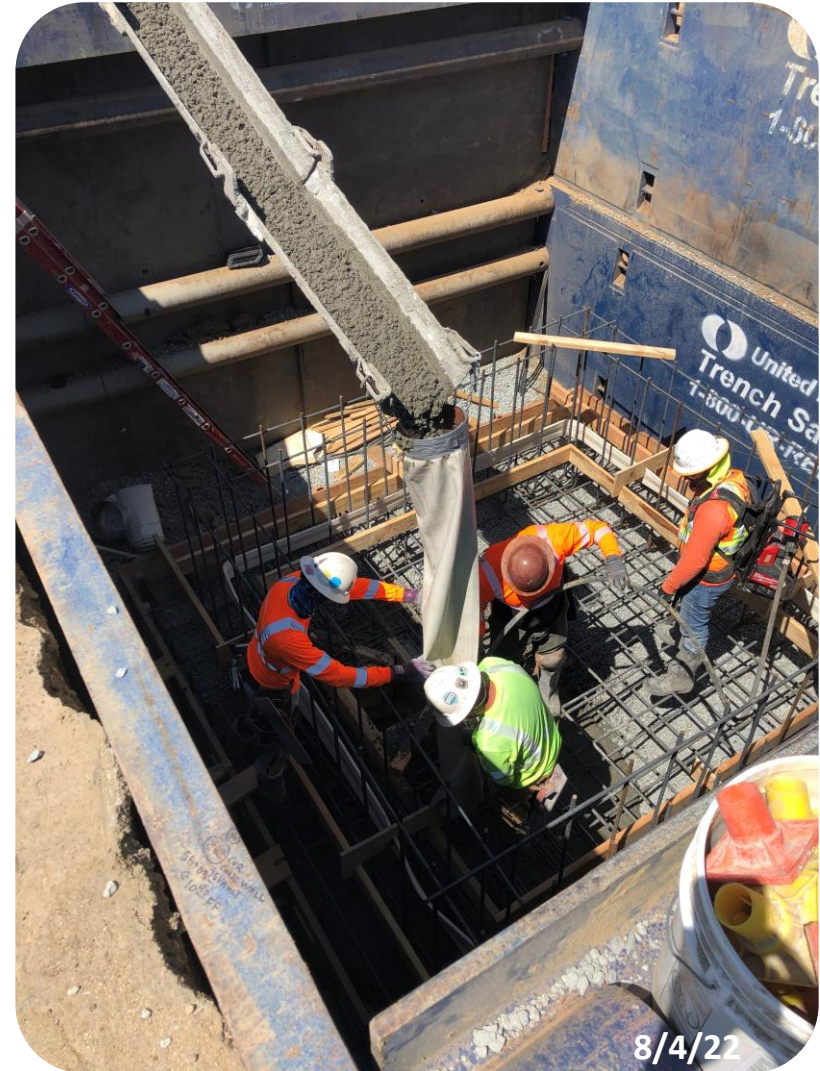


# CVPEP

18

**Left:** Butterfly vault rebar installation

**Right:** Butterfly vault concrete pour for slab



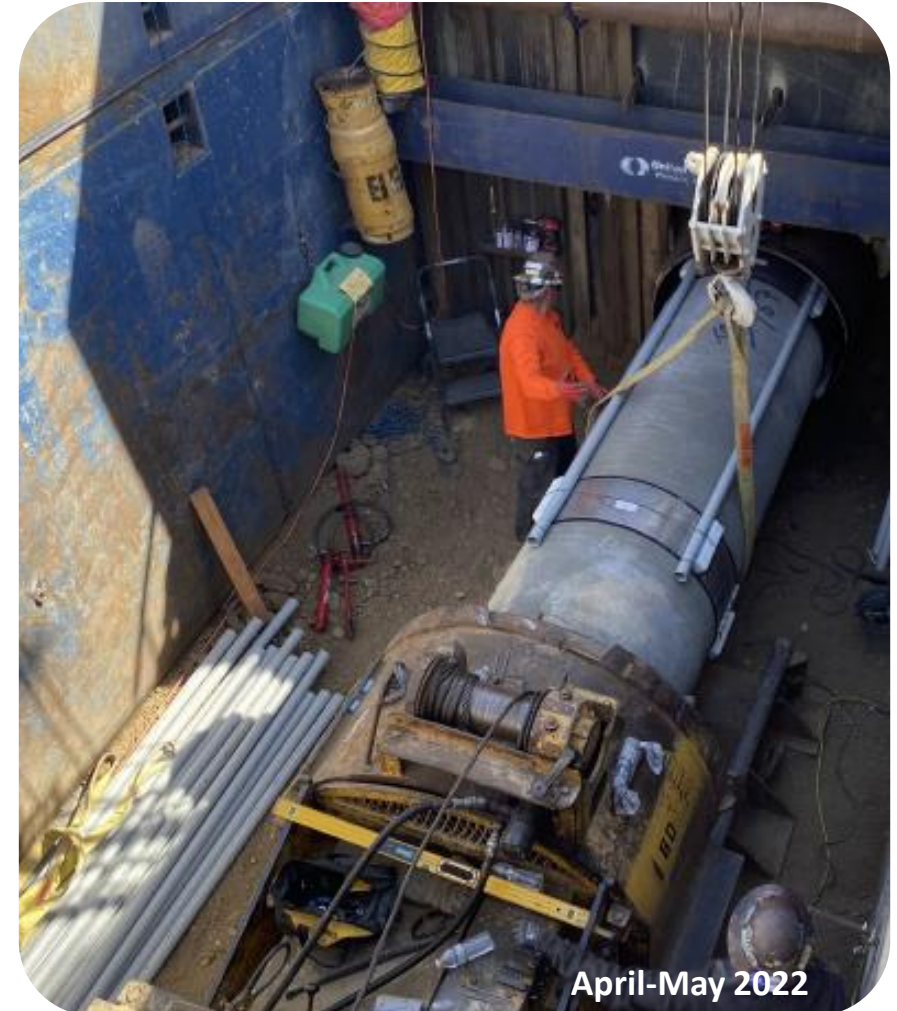


# CVPEP

19

**Left:**  
Butterfly valve  
assembly

**Right:**  
Jack and bore  
launching pit to cross  
under UPRR and  
Monterey Rd.



valleywater.org



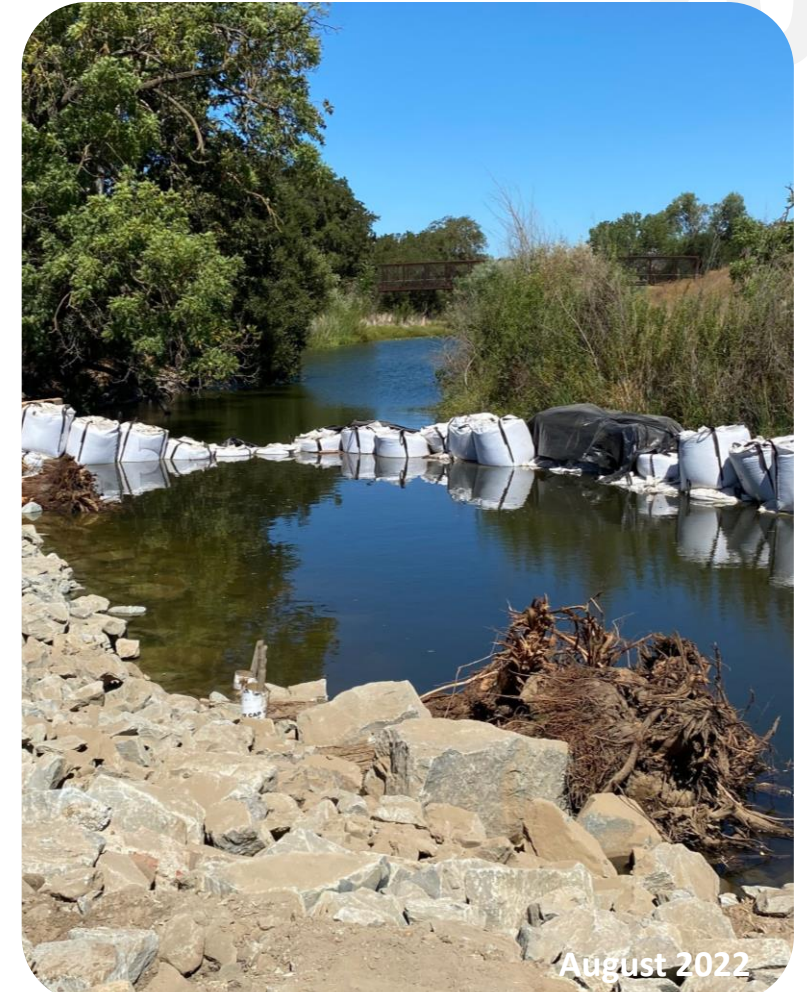
# CVPEP



Root wad placement at outfall



Outfall willow plantings (38 total)



Completed in-creek work of the outfall



# Projects in Design

21

## **Coyote Creek Stream Augmentation Fish Protection Measure Chillers Plant Project (Chillers)**

- In design

## **Coyote Creek Flood Management Measures Project (CCFMMP)**

- Final design near completion
- Staff working to finalize necessary right of way
- Request for construction management proposals in progress
- Start of construction: winter 2022

## **Coyote Creek Percolation Dam Replacement Project (CPDP)**

- Final design completion: December 2022
- Approval to advertise: January 2023
- Start of construction: spring 2023

## **Anderson Dam Seismic Retrofit Project (ADSRP)**

- 90% design submittal for VW review: October 2022
- 90% design submittal for BOC, DSOD, FERC review: February 2023
- 90% design completion: spring 2023

# QUESTIONS?



**Page 50**



Attachment 2  
Page 22 of 22





# Santa Clara Valley Water District

File No.: 22-1361

Agenda Date: 12/7/2022

Item No.: 5.2.



	Meeting Date:	12-7-2022
	Item No.	5.2.
	Unclassified Manager:	Luz Penilla 1-408-630-2228
<b>SAFE, CLEAN WATER PROGRAM INDEPENDENT MONITORING COMMITTEE</b>		

## SUBJECT:

Fiscal Year 2021-22 Safe, Clean Water and Natural Flood Protection Program Annual Review.

## RECOMMENDATION:

- A. Receive overview of the first year of implementation of the renewed Safe, Clean Water and Natural Flood Program (Safe, Clean Water Program) and the Fiscal Year 2021-22 (FY22) Program Annual Report;
- B. Determine whether to continue with review process established under the 2012 Safe, Clean Water and Natural Flood Protection Program or establish a new process to review the Annual Report; and
- C. Consider and approve the schedule for finalizing the Independent Monitoring Committee (IMC) Report on the FY22 Safe, Clean Water Program Annual Report.

## SUMMARY:

FY22 marked the first year Valley Water implemented the renewed Safe, Clean Water Program that Santa Clara County voters overwhelmingly approved in November 2020.

The renewed Safe, Clean Water Program became effective on July 1, 2021, and Valley Water is implementing it on a 15-year financial cycle. FY21-22 Annual Report (Annual Report) is the first annual report prepared for the Program and it provides progress updates for each project under the following priorities:

**Priority A:** Ensure a Safe, Reliable Water Supply

**Priority B:** Reduce Toxins, Hazards, and Contaminants in our Waterways

**Priority C:** Protect Our Water Supply and Dams from Earthquakes and Other Natural Disasters

- 
- Priority D:** Restore Wildlife Habitat and Provide Open Space  
**Priority E:** Provide Flood Protection to Homes, Businesses, Schools, Streets, and Highways  
**Priority F:** Support Public Health and Public Safety for Our Community

Valley Water staff will present a brief overview of the Program implementation, FY22 Program highlights, and an introduction to and overview of the FY22 Annual Report.

Valley Water staff will review the sub-committee structure used by past IMCs and propose to the IMC for its approval the schedule for finalizing the IMC's Annual Report for FY22. The schedule will include proposed dates for sub-committee and full committee meetings to complete the IMC Annual Report and its presentation to the Board of Directors by the IMC Chair.

**ATTACHMENTS:**

- Attachment 1: FY2021-22 Annual Report Link for Safe, Clean Water and Natural Flood Protection Program  
Attachment 2: FY2021-22 Annual Report Presentation



**FY 2021-22 Annual Report**

# **Safe, Clean Water and Natural Flood Protection**







# Fiscal Year 2021-22 Annual Report

Presented by: **Meenakshi Ganjoo**, Program Administrator

Safe, Clean Water Program Independent Monitoring Committee, December 7, 2022



# Agenda

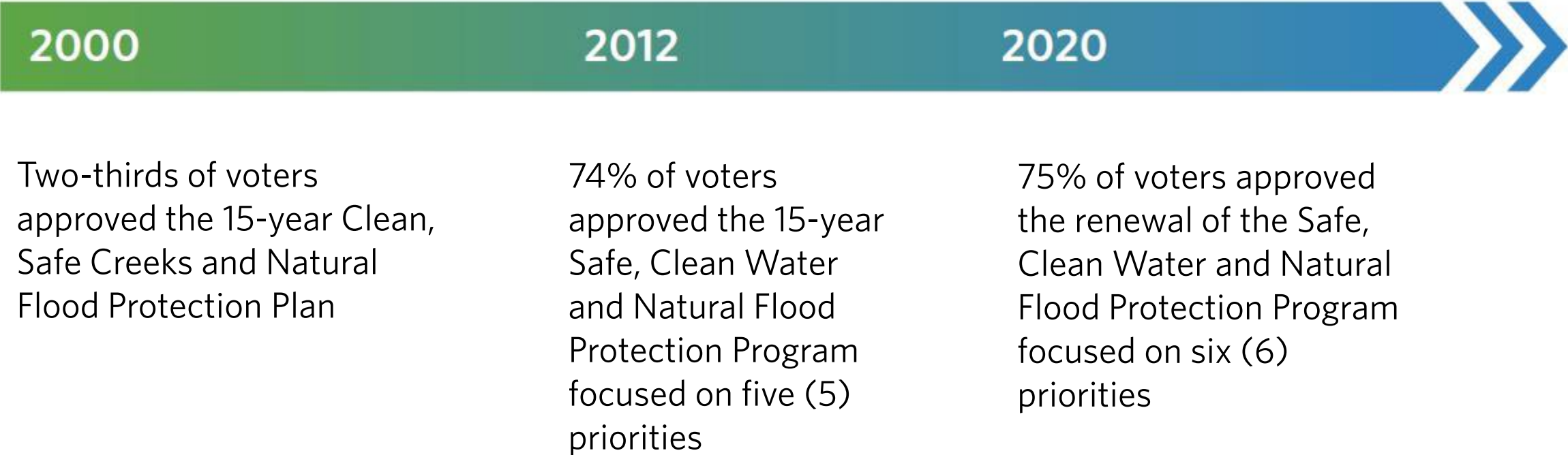
Renewed Safe, Clean Water Program

Program Implementation

FY22 Annual Report

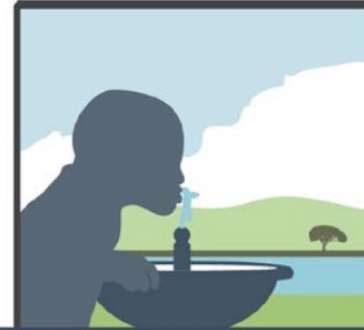
FY22 IMC Review Schedule

# History of Voter-Approved Measures





# Community-Preferred Priorities



## Priority A

Ensure a safe, reliable water supply

**Safe, Clean Water**  
and Natural Flood Protection



## Priority B

Reduce toxins, hazards and contaminants in our waterways

**Safe, Clean Water**  
and Natural Flood Protection



## Priority C

Protect our water supply and dams from earthquakes and other natural disasters

**Safe, Clean Water**  
and Natural Flood Protection



## Priority D

Restore wildlife habitat and provide open space access

**Safe, Clean Water**  
and Natural Flood Protection



## Priority E

Provide flood protection to homes, businesses, schools, streets and highways

**Safe, Clean Water**  
and Natural Flood Protection



## Priority F

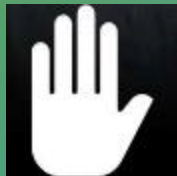
Support public health and public safety for our community

**Safe, Clean Water**  
and Natural Flood Protection

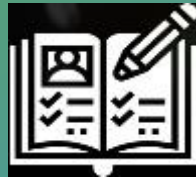
# Transparency and Accountability



Multiple  
15-Year  
Financial  
Planning  
Cycles



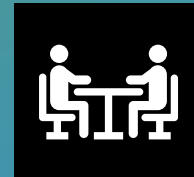
5-Year  
Checkpoints and  
Implementation  
Plans



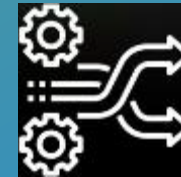
Annual Reports;  
Website  
Updates



Independent  
Monitoring



5-Year  
Professional,  
Independent  
Audits



Change  
Control  
Process



Public &  
Stakeholder  
Engagement  
Process every  
15-years



# Program Implementation



# Valley Water Board Roles & Responsibilities

- Approve implementation strategies, project budget and budget adjustments.
- Conduct an annual detailed review of the Safe, Clean Water Program performance, financial analysis and strategies.
- Direct project adjustments or modification, including not implementing a project due to funding or other limitations.
- Initiate professional, independent audits of the program every five years.
- Appoint the Independent Monitoring Committee (IMC).
- Evaluate the need for the Safe, Clean Water Program at 15-year intervals.



# Staff Roles & Responsibilities

- Plan Program implementation.
- Develop 5-year implementation plans with targets for the Board's consideration.
- Implement projects to meet project-specific KPIs
- Track and report on the Program's progress
- Support the work of the IMC

# IMC Roles & Responsibilities

- Analyze Valley Water's annual reports and conduct its annual review of the Program implementation
- Produce its own annual reports and present the information to the Valley Water Board
- Make recommendations to the Board regarding necessary measures to meet Program priorities
- Review each proposed 5-year implementation plan before its submittal to the Board for approval
- Every 15 years, review and recommend to the Board whether to maintain, reduce or repeal the special tax to accomplish the community-identified priorities

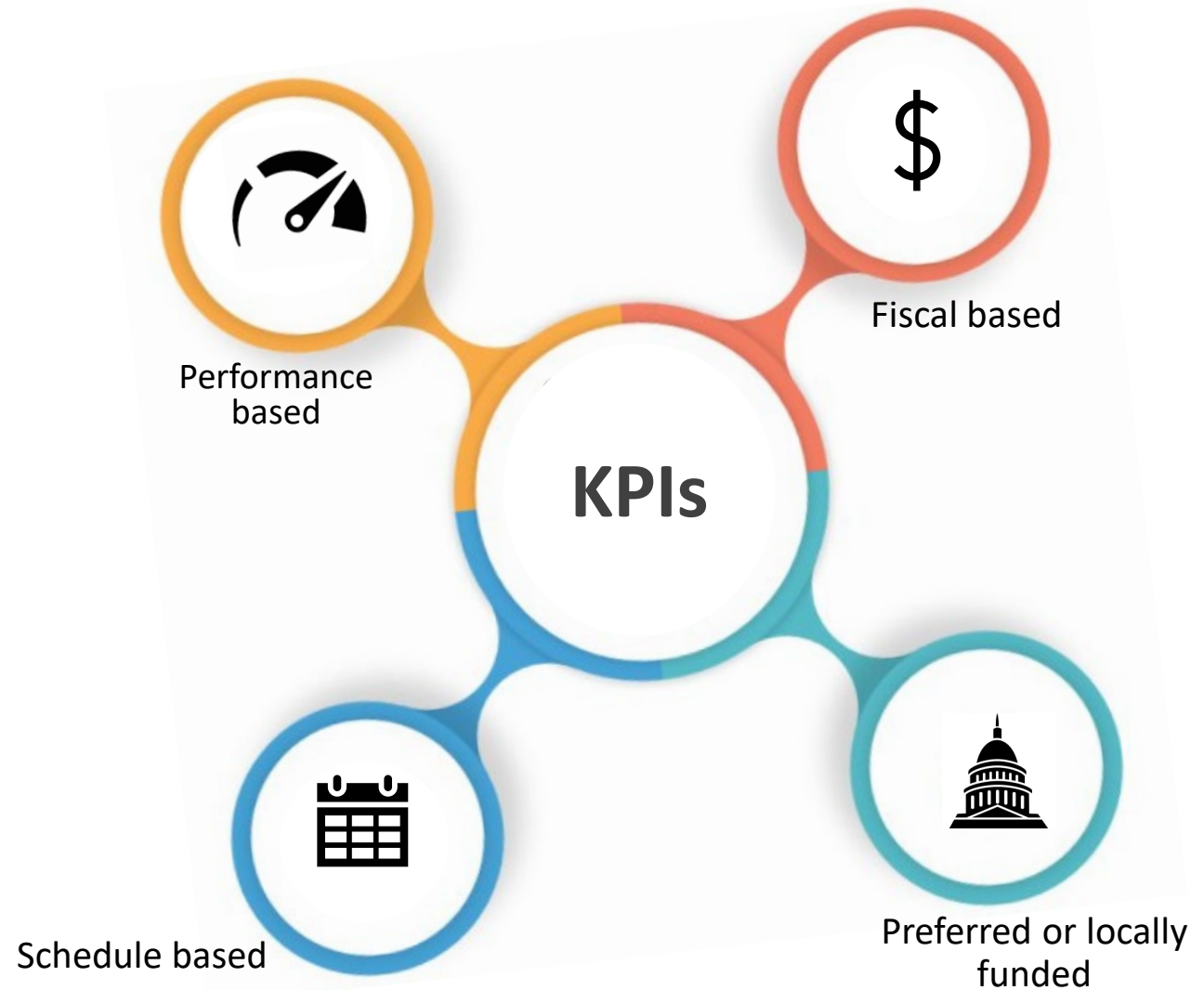


# Change Control Process

	<b>Adjustments</b> (publicly noticed meetings)	<b>Modifications</b> (formal public hearing required)
Text	Edits to text for correction of grammatical errors, information/data updates, and overall readability.	Changes to a project's key performance indicators (KPIs).
Schedule	Adjustments to project schedules provided in the original 2020 voter-approved Program.	Non-implementation of a project.
Funding	Budget adjustments and increases to project funding allocations that do not impact any project deliverables in the Program.	Increases to project funding allocations that will impact any project's KPIs in the Program.

# Monitoring Projects & Program Performance

- KPIs are contained in the election resolution approved by the voters
- Board may modify KPIs as per the Change Control Process
- IMC may recommend to the Board KPI modification





# Project Status Categories

On Target	<ul style="list-style-type: none"><li>• The project on track to meet targets</li></ul>
Adjusted	<ul style="list-style-type: none"><li>• Target will not be met, and implementation required a Board-approved schedule adjustment</li></ul>
Modified	<ul style="list-style-type: none"><li>• The Board formally modified the project following a public hearing (future year status' will be based upon the modified project targets)</li></ul>
Not on Target	<ul style="list-style-type: none"><li>• Target has not been or will not be met</li></ul>
On Hold	<ul style="list-style-type: none"><li>• Work on delivering the project KPIs is temporarily on hold while progress is being made on addressing challenges to meeting targets</li></ul>
Scheduled to Start	<ul style="list-style-type: none"><li>• The project is scheduled to start in a future fiscal year</li></ul>
Completed	<ul style="list-style-type: none"><li>• The project has been completed and the KPIs have been met</li></ul>

# FY2021-22 Program Performance





# FY22 Program Highlights



Phase 2A Upper Llagas tunnel construction

- Provided \$1 million towards the \$2.3 million Valley Water conservation rebates
- Anderson Dam Tunnel Project on pace for a 2024 completion
- Completed construction of Phase 1 of the Upper Llagas Flood Protection Project; continued Phase 2A construction
- Removed 28,034 cubic yards of sediment; Completed 1,853 acres of in-stream vegetation management
- Awarded nearly \$1.6 million awarded in grants & partnerships

# FY22 Program Highlights...cont.



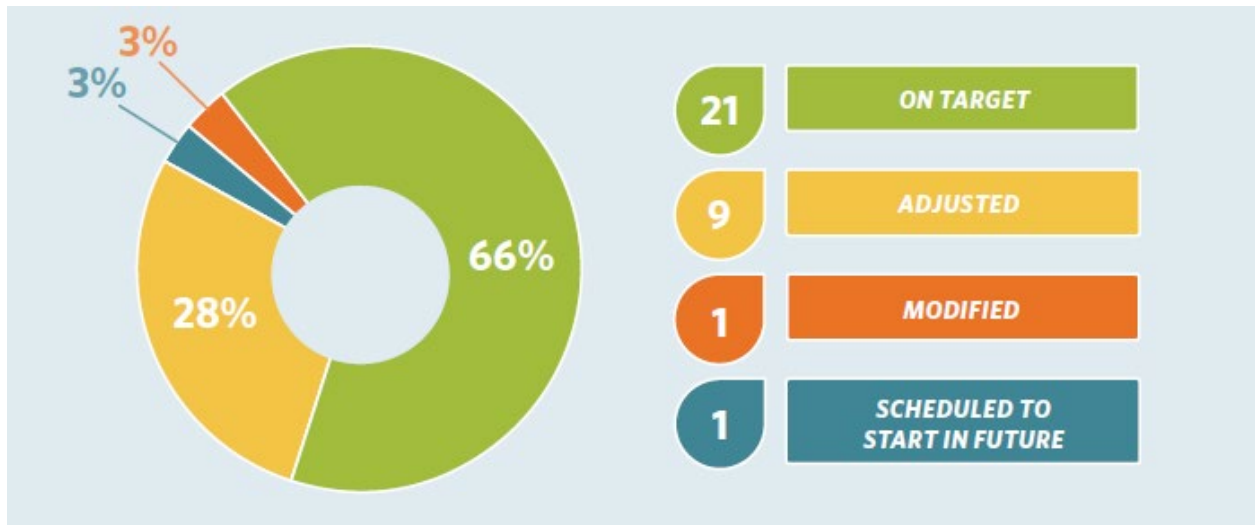
Tracer rocks at Guadalupe River Reach 6 Project

- Began construction on Uvas Creek Fish Habitat Improvement and Hale Creek Enhancement Pilot projects
- Provided \$1 million to San José in cost share for the construction of a new interim pedestrian bridge, replacing the Singleton Road low-water crossing
- Managed 1,457 acres to clean up encampment-generated trash, debris and hazardous pollutants
- Removed 1,006 tons of trash



# FY22 Program Status

FY22 Status: 32 Projects Total



## Program Status as of June 30, 2022

Project	Project Description	Status
<b>Priority A : Ensure a Safe, Reliable Water Supply</b>		
A1	Pacheco Reservoir Expansion	ADJUSTED*
A2	Water Conservation Rebates and Programs	ON TARGET
A3	Pipeline Reliability	ADJUSTED
<b>Priority B: Reduce Toxins, Hazards, and Contaminants in Our Waterways</b>		
B1	Impaired Water Bodies Improvement	ON TARGET
B2	Inter-Agency Urban Runoff Program	ON TARGET
B3	Hazardous Materials Management and Response	ON TARGET
B4	Support Volunteer Cleanup Efforts	ON TARGET
<b>Priority C : Protect our Water Supply and Dams from Earthquakes and Other Natural Disasters</b>		
C1	Anderson Dam Seismic Retrofit	ADJUSTED*
<b>Priority D: Restore Wildlife Habitat and Provide Open Space</b>		
D1	Management of Riparian Planting and Invasive Plant Removal	ON TARGET
D2	Revitalize Riparian, Upland and Wetland Habitat	ON TARGET
D3	Sediment Reuse to Support Shoreline Restoration	ON TARGET
D4	Fish Habitat and Passage Improvement	ADJUSTED
D5	Ecological Data Collection and Analysis	ON TARGET
D6	Restoration of Natural Creek Functions	ADJUSTED
D7	Partnerships for the Conservation of Habitat Lands	ON TARGET
<b>Priority E: Provide Flood Protection to Homes, Businesses, Schools, Streets, and Highways</b>		
E1	Coyote Creek Flood Protection	ON TARGET
E2	Sunnyvale East and Sunnyvale West Channels Flood Protection	ADJUSTED
E3	Lower Berryessa Flood Protection, including Tularcitos and Upper Calera Creeks (Phase 3)	SCHEDULED TO START
E4	Upper Penitencia Creek Flood Protection	ADJUSTED
E5	San Francisquito Creek Flood Protection	ADJUSTED
E6	Upper Llagas Creek Flood Protection	ON TARGET
E7	San Francisco Bay Shoreline Protection	ON TARGET
E8	Upper Guadalupe River Flood Protection	ADJUSTED
<b>Priority F: Support Public Health and Public Safety for Our Community</b>		
F1	Vegetation Control and Sediment Removal for Capacity	ON TARGET
F2	Emergency Response Planning and Preparedness	ON TARGET
F3	Flood Risk Assessment Studies	ON TARGET
F4	Vegetation Management for Access and Fire Safety	ON TARGET
F5	Good Neighbor Program: Encampment Cleanup	MODIFIED
F6	Good Neighbor Program: Graffiti and Litter Removal and Public Art	ON TARGET
F7	Emergency Response Upgrades	ON TARGET
F8	Sustainable Creek Infrastructure for Continued Public Safety	ON TARGET
F9	Grants and Partnerships for Safe, Clean Water, Flood Protection and Environmental Stewardship	ON TARGET

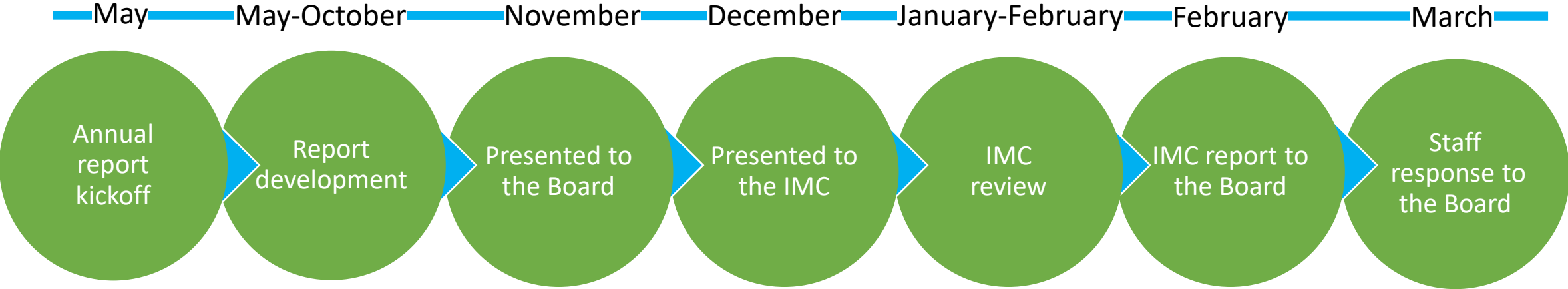
\*The project is adjusted only in terms of the Safe, Clean Water Program KPI of providing funding for the two projects and is not reflective of the overall project schedule.

# Annual Report



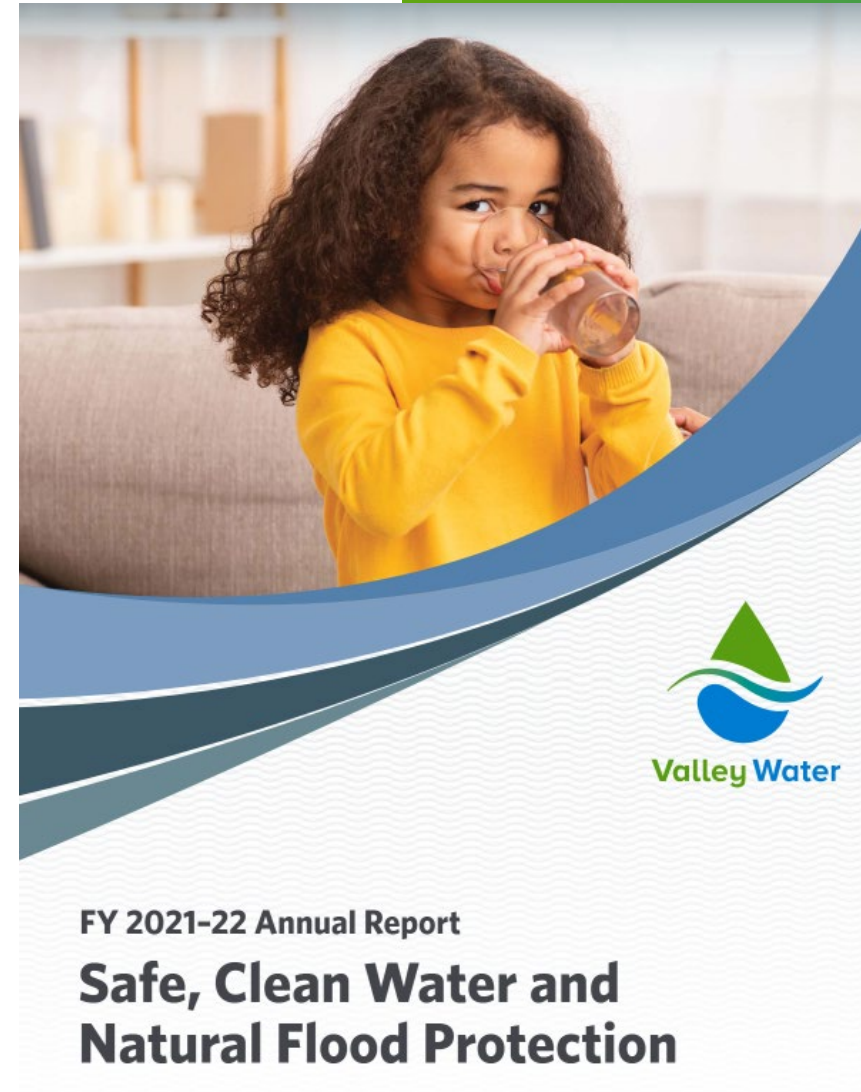


# Annual Report & Review Timeline



# Report Structure

- Introduction
- Project updates
- Appendices





- Project description
- Benefits
- Key performance indicators (KPIs)
- Geographic area of benefits
- Location map



# Project Update...cont.

- Schedule (baseline & current)
- Project status history
- Annual FY status
- Adjustment or modification details
- KPI progress

## PROJECT E2 SUNNYVALE EAST AND SUNNYVALE WEST CHANNELS FLOOD PROTECTION, SAN FRANCISCO BAY TO INVERNESS WAY AND ALMANOR AVENUE—SUNNYVALE

This project is to upgrade approximately 6.4 miles of the existing Sunnyvale East Channel to provide 1% flood protection (100-year event) to 1,638 parcels and approximately three (3) miles of the existing West Channel to provide 1% flood protection for 47 acres of highly valuable industrial lands, including the Onizuka Air Force Base.

The Sunnyvale East Channel and Sunnyvale West Channel improvement projects have been combined into a single flood protection project with a single Environmental Impact Report (EIR) to reduce construction costs and improve efficiencies. Both projects decrease channel turbidity and sediment by repairing erosion sites, thereby improving water quality and reducing sediment to the San Francisco Bay.

In 2018, Valley Water entered into a Memorandum of Understanding with Google, LLC (Google) to incorporate Google's proposed enhancement effort along 1,300 linear feet of the Sunnyvale West Channel into the project. This portion of the project will also be part of Google's Caribbean Campus Project. Valley Water has completed 100% design and has submitted all required permit applications for the project. Once all permits are received, Valley Water will begin construction.

### Benefits

- Provides 1% flood capacity for approximately 6.4 miles of channel along Sunnyvale East and approximately three (3) miles of channel along Sunnyvale West, 1,638 properties (Sunnyvale East) and 47 acres (11 properties) of industrial properties (Sunnyvale West).
- Improves channel water quality by providing erosion control measures to decrease sediment.
- Identifies recreational opportunities that can be integrated by the City of Sunnyvale.
- Addresses climate change.

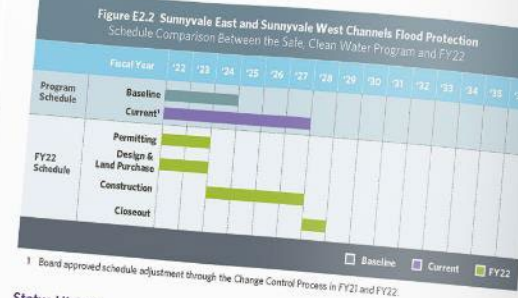
### Key Performance Indicator (FY22-36)

1. Provide 1% (100-year) flood protection for 1,638 properties and 47 acres of industrial water quality and working with other agencies to incorporate recreation.

### Geographic Area of Benefit: Sunnyvale



### Schedule



### Status History

Fiscal Year	Status
FY 22	ADJUSTED

### Status for FY22: ADJUSTED (Schedule Adjustment)

The FY22 annual project status is adjusted following the Board's approval for project construction to occur in FY24-27, instead of the previously adjusted schedule of FY22-26. Earlier in FY21, the Board had approved a schedule adjustment for construction to be completed in FY26 instead of FY24. The Board approved the initial adjustment on June 8, 2021, during the approval of the Safe, Clean Water Program's 5-Year Implementation Plan, Fiscal Years 2022-2026.

The latest schedule adjustment, approved on June 28, 2022, was required because of the coordination with Google LLC (Google) regarding their Caribbean Campus Project that enhances approximately 1,100 linear feet of the Sunnyvale West Channel and generates onsite mitigation for use by Valley Water.

In June 2017, Valley Water submitted all the required permit applications to various state and federal regulatory agencies. However, the resource agencies requested Valley Water address project impacts with onsite and in-kind mitigation instead of an offsite mitigation bank as Valley Water had proposed in the 2017 permit application. In 2018, Valley Water entered a Memorandum of Understanding with Google to share costs associated with integrating flood conveyance improvements on the West Channel with Google's campus development project. The project, referred to as the West Channel Enhancement Project, provides excess onsite and in-kind mitigation that Valley Water will utilize to offset some of the impacts of the Sunnyvale East and Sunnyvale West Channels Project.

In February 2022, following continued coordination with Google, the Board approved an agreement with Google for them to construct and maintain their West Channel Enhancement Project. Meanwhile, due to the length of elapsed time for completion of the Valley Water agreement with Google, in June 2021, the San Francisco Bay Regional Water Quality Control Board (RWQCB) denied Valley Water's 2017 permit application and requested that the 401 Water Certification application be

resubmitted. Previous revision comments from the RWQCB will be incorporated into the application re-submittal. Since portions of the project have been refined and five (5) years have transpired since permit applications in 2017, Valley Water will resubmit permit applications in early FY23 to the RWQCB, the California Department of Fish and Wildlife, Bay Conservation and Development Commission and the U.S. Army Corps of Engineers (USACE). The USACE will initiate consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service.

### PROGRESS ON KPI:

- In FY22, Valley Water continued working on the final design, which is expected to be completed in FY23 when the City of Sunnyvale and resource agency permit comments are incorporated.
- Valley Water has secured most right-of-way and temporary staging area easements for project construction. Valley Water continued to work on securing housing agreements from the adjacent property owners—Santa Clara County and the San Francisco Public Utilities Commission (SFPUC)—for temporary construction staging and temporary construction easements. All leasing agreement acquisitions are anticipated to be executed in FY23, prior to construction advertisement.
- Valley Water expects to resubmit permit applications in early FY23. Depending on how long permit negotiations with the various resource agencies take, Valley Water hopes to receive the regulatory permits by FY24. Upon receipt of the required permits, the project will be immediately advertised for construction (FY24), with anticipated completion in FY27.
- On April 24, 2018, the Board approved a Memorandum of Understanding (MOU) with Google to form a partnership. Project of the Sunnyvale West Channel as part of its proposed site development for the Google Caribbean Campus Project. The Google project will create onsite and in-kind mitigation opportunities by constructing a wide, channel with larger setback levees without floodwalls. The Google project will enhance public access and provide Valley Water the opportunity to utilize excess onsite and in-kind mitigation created by the Google project to offset some impacts from the Valley Water project. Valley Water has agreed to contribute \$2.6 million towards the Google project. The amount of \$2.6 million represents the estimated costs for the flood protection improvements, as designed by Valley Water, within the Google project limits that Valley Water will no longer need to construct.
- In addition, on February 22, 2022, the Board approved the CEQA addendum, which addresses project changes resulting from the Google Caribbean Campus Project and the Valley Water-City of Sunnyvale Wastewater Pollution Control Plant joint shared wall project.
- In December 2020, an amendment to a cost-sharing agreement between Valley Water and the City of Sunnyvale to construct recreational trails was finalized, extending an original 2016 cost-sharing agreement to December 2025. This extension accommodates the delayed construction timeline for the project. A related and preceding Joint Use Agreement between Valley Water and the City of Sunnyvale for recreational trail use and maintenance remains in place, as enacted in 2016, for a term of 25 years (until 2041).

### Financial Information

In FY22, approximately 38% of the annual project budget was expended.

During the development of the FY22 budget, negotiations were still ongoing with Google and it was assumed that Valley Water would be required to provide in FY22 the \$2.6 million to Google. However, under the final Google-Valley Water agreement, Valley Water will pay \$2.6 million after Google completes the work and Valley Water approves the work (FY24). As a result, the unspent dollars from FY22 will be moved into future years, while future spending will also be adjusted in accordance with the changed construction schedule. The overall project cost is not expected to change.



# Project Update...cont.

- Financial summary: annual & 15-year plan
- Opportunities and challenges

## PROJECT E6 UPPER LLAGAS CREEK FLOOD PROTECTION, BUENA VISTA AVENUE TO LLAGAS ROAD—MORGAN HILL, SAN MARTIN, GILROY



### Preferred project: A federal-state-local partnership

This project continues a partnership with the U.S. Army Corps of Engineers (USACE) and the State of California to plan, design and construct improvements along 13.9 miles of channel. The project extends from Buena Vista Avenue to Llagas Road and includes West Little Llagas Creek in downtown Morgan Hill. The federally authorized preferred project protects the urban area of Morgan Hill from a 1% flood (100-year event) and reduces the frequency of flooding in surrounding areas. Construction includes channel modifications and replacement of road crossings. Valley Water continues to work with Congress to aggressively pursue federal funds to bring this project to full fruition.

### Local-funding-only project

Construct flood protection improvements along Llagas Creek from Buena Vista Avenue to Highway 101 in San Martin (Reaches 4 and 5 (portion)), Monterey Road to Watsonville Road in Morgan Hill (Reach 7a), approximately W. Dunne Avenue to W. Main Avenue (a portion of Reach 8), and onsite compensatory mitigation at Lake Silveira.

In September 2019, Valley Water began construction on the locally funded Reach 4, 7a, a portion of Reach 5 and Lake Silveira, which is expected to be completed in 2,300 linear feet of a horseshoe-shaped underground tunnel and approximately 1,300 acres upstream and downstream of the tunnel to carry high water flows. Construction is expected to take 2.5 years.

### Benefits

- Provides 1% flood capacity for four (4) miles along West Little Llagas Creek approximately 1,300 homes and 500 businesses.
- Provides 10% (10-year event) flood protection to approximately 1,300 San Martin.
- Locally funded project provides improved flood protection for a limited Morgan Hill.
- Improves stream habitat and fisheries.
- Creates additional wetlands.
- Improves stream water quality.
- Identifies opportunities to integrate recreation improvements with it.
- Addresses climate change.

### Key Performance Indicators (FY22-36)

1. Preferred project with federal and local funding: Plan, design and construct 13.9 miles of Upper Llagas Creek from Buena Vista Avenue to Llagas Road, approximately 1,300 homes and 500 businesses, and 1,300 agricultural acres, while improving stream habitat.

SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION

Service (NRCS) grant. Valley Water has received a commitment from the NRCS to fund up to \$80 million for Phase 2B. Valley Water is now working with NRCS to complete that agency's consultation requirements so that we can receive the funding. In 2023, Valley Water is also exploring a low-cost federal loan under the Water Infrastructure Finance and Innovation Act (WIFIA) Program. The project is near shovel-ready and the current estimated schedule is for construction to begin in FY23. 1,300 agricultural acres while improving stream habitat.

### Financial Information

In FY22, approximately 53% of the annual project budget was expended.

The primary reason for the underspending is that the Phase 2A advertisement and award was delayed by several months because of coordinating and incorporating the City of Morgan Hill's Hole Avenue extension design. The Phase 2A contractor also took several months longer than anticipated to mobilize and begin the significant construction work.

Lastly, Phase 2B construction (the last remaining phase) is anticipated to be advertised for construction once funding is secured, anticipated in the second half of FY23.

Figure E6.3 Upper Llagas Creek  
Financial Summary (\$ Thousands)

Project No. and Name	Adopted Budget	Project Cost-Forwarded	Budget Adjustments	Adjusted Budget	Fiscal Year 2021-2022			15-year Plan		
					Budgetary Actual	Actual	Under/Over	Total	% of Budget Spent	% of Adjusted 15-year Plan Spent
2017/018 Real Estate Acquisitions	\$0	\$32	\$3,048	\$3,080	\$1,382	\$0	\$1,382	45%	\$3,080	45%
2017/022 Construction	\$58,292	\$1,616	\$10	\$59,918	\$29,502	\$3,716	\$18,237	59%	\$175,350	28%
2020/054 Design	\$0	\$2,303	\$0	\$2,303	\$274	\$0	\$274	9%	\$5,178	10%
<b>Total</b>	<b>\$58,292</b>	<b>\$1,951</b>	<b>\$3,058</b>	<b>\$63,304</b>	<b>\$31,667</b>	<b>\$3,716</b>	<b>\$34,813</b>	<b>63%</b>	<b>\$193,508</b>	<b>28%</b>

### Opportunities and Challenges

#### Confidence Levels

Phase 1, Phase 2A, and Phase 2B of the project are constructed independently.

#### Phase 1

##### Schedule: High confidence

Phase 1 construction was completed in FY22. The post-construction three-year native plant revegetation maintenance establishment period is underway and anticipated to be completed in April 2025 (FY25).

##### Funding: High confidence

Fully funded through the Safe, Clean Water Program.

##### Jurisdictional Complexity: High confidence

Cooperation on the project has included USACE, California Department of Fish and Wildlife (CDFW), Central Coast Regional

SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION

Priority E 109

Water Quality Control Board, California Department of Water Resources (DWR) (state subventions), City of Morgan Hill, and the County of Santa Clara.

#### Phase 2A

##### Schedule: High confidence

Phase 2A construction began in June 2021 and is anticipated to be completed in FY24.

##### Funding: High confidence

Fully funded through the Safe, Clean Water Program.

##### Jurisdictional Complexity: High confidence

Cooperation on the project has continued with the USACE, CDFW, Central Coast Regional Water Quality Control Board, DWR (state subventions), and the City of Morgan Hill.

#### Phase 2B

##### Schedule: Moderate confidence

Valley Water continues to work on the remaining Phase 2B acquisitions. Valley Water must obtain the necessary rights-of-way to be able to advertise Phase 2B of the project for construction. Valley Water is moderately confident this property acquisition will be completed in FY23. Funding for Phase 2B is still pending. The current estimated schedule is for a three-year native plant revegetation establishment period.

##### Funding: Moderate confidence

Valley Water has received a commitment from the Natural Resources Conservation Service (NRCS) to fund up to \$80 million for Phase 2B of the Upper Llagas Creek Project. Valley Water is now working with NRCS to complete that agency's consultation requirements so that we can receive the funding in 2023. Valley Water is also exploring a low-interest WIFIA loan for the project.

##### Jurisdictional Complexity: High confidence

Given the successful completion of Phase 1 construction and the successful start of Phase 2A construction, confidence is high that cooperation on the Phase 2B of the project will continue with the USACE, CDFW, Central Coast Regional Water Quality Control Board, DWR (state subventions), City of Morgan Hill, and the County of Santa Clara.

See Appendix C, Capital Projects Jurisdictional Complexities for a list of confidence levels for each project by outside agency for funding, regulatory permitting, cities, counties, and other agencies.

ANNUAL REPORT 1 FY 2021-22

# Confidence Level Details

Appendix C: Capital Projects Jurisdictional Complexities (Confidence Level Regarding Outside Agencies) Fiscal year 2021-22

Partners and Outside Agencies	A1 Pacheco Reservoir Expansion	A3 Pipeline Reliability	C1 Anderson Dam Seismic Retrofit		D4 Fish Habitat and Passage Improvement		D6 Restoration of Natural Creek Function		E1 Coyote Creek Flood Protection	E2 Sacramento East/West Channels Flood Protection	E4 Upper Peninsula Creek Flood Protection	E5 San Francisco Creek Flood Protection	E6 Upper Lagoon Creek Flood Protection	E7 San Francisco Bay Shoreline Protection	E8 Upper Guadalupe River Flood Protection
			ADSR	FOCP	Site 1: Alameda Lake	Site 2: Upper Ponds	Site 1: Hake Creek	Site 2: Hake Road							
Funding															
U.S. Army Corps of Engineers (Funding)											M	M		M	L
State Grants	H								M		M	M			
San Francisco Bay Restoration Authority (Measure AA)												M			
Water Infrastructure Finance and Innovation Act (WIFIA)	M		M	M	M				M	M	M				
Other	L								M			M	M	M	
Regulatory Permitting															
U.S. Army Corps of Engineers (Permits)	M		M	H	M	M	H	H		M		H	M	H	M
California Department of Fish and Wildlife	M	M	M	H	M	M	H	H	M	M	H	M	H		M
California Department of Industrial Relations/CA Occupational Safety			M	H											
Department of Water Resources Division of Safety Dams			M	H											
Federal Energy Regulatory Commission			M	H											
National Marine Fisheries Service			M	H	M	M		H	M	M	H	M	H		M
San Francisco Bay Regional Water Quality Control Board	M	M	M	H	M	M	H		M	M	H	M		M	M
Central Coast Regional Water Quality Control Board			M	H				H					H		
San Francisco Bay Conservation and Development Commission			M	H					M						
United States Fish and Wildlife Service	M		M	H				H	M		H	M	H		M
Valley Habitat Plan		M	M	H				H	M		H				
Santa Clara Valley Habitat Agency					M	M									
Cities															
Cupertino		H													
East Palo Alto												H			
Los Altos							M	H							
Menlo Park															
Morgan Hill			M	H								H			
Mountain View							M						H	M	

NOTE:  
H- HIGH, M- MODERATE, L- LOW  
Empty cells are not applicable to that project.

SAFE, CLEAN WATER AND NATURAL FOOD PROTECTION

APPENDIX C: Capital Projects Jurisdictional Complexities C-4

Appendix C: Capital Projects Jurisdictional Complexities (Confidence Level Regarding Outside Agencies) Fiscal year 2021-22, cont'd

Partners and Outside Agencies	A1 Pacheco Reservoir Expansion	A3 Pipeline Reliability	C1 Anderson Dam Seismic Retrofit		D4 Fish Habitat and Passage Improvement		D6 Restoration of Natural Creek Function		E1 Coyote Creek Flood Protection	E2 Guaymas East/ West Channels Flood Protection	E4 Upper Peninsula Creek Flood Protection	E5 San Francisco Creek Flood Protection	E6 Upper Lagoon Creek Flood Protection	E7 San Francisco Bay Shoreline Protection	E8 Upper Guadalupe River Flood Protection		
			ADSR	FOCP	Site 1: Altamira Lake	Site 2: Oyar Ponds	Site 1: Mate Creek	Site 2: Balboa Road							Reaches 1-10	Reach 4	Reaches 7-12
Palo Alto												M		M			
San José			H			H	H			H		M			H		M
Saratoga			H														
Sunnyvale																	M
Counties																	
Santa Clara County			H	M	H	M	M		H	H	M	H	H	M			
San Mateo County												H					
San Benito County Water District		M															
Pacheco Pass Water District		M															
Other Agencies																	
California Department of Transportation (Caltrans)										H			H	M			M
California State Coastal Conservancy															M		
Gate of Heaven Cemetery (Diocese of San José)																	
Department of Water Resources		H											H	M			
Santa Clara Valley Habitat Agency						M	M										
Santa Clara County Parks & Recreation Department							M										
Federal Emergency Management Agency										M			M	M			
Peninsula Corridor Joint Powers Board (Caltrans)																	M
Midpeninsula Regional Open Space District															M		
Santa Clara Valley Transportation Authority (VTA)		M										M					
Union Pacific Railroad		L															
West Valley Sanitation District		M															
NASA Moffett Field															M		
PG&E		M	M	M	H			M			H	M	M	M			L
San Francisco Bay Area Joint Powers Authority														H			
San Mateo County and Sea Level Rise Resiliency District													H				
Union Pacific Railroad		L												M			L
State Office of Historical Preservation									H								
San Francisco Public Utilities Commission (SF PUC)										H							

C-4 APPENDIX C: Capital Projects Jurisdictional Complexities

ANNUAL REPORT | FY 2021-22



# Annual Financial Program Summary

Appendix A-1.1 Annual Financial Summary Fiscal Year 2021-2022 (\$ Thousands)

	Adopted Budget	Carry-forward	Budget Adjustment	Adjusted Budget	Budgetary Actual Total			% Received
Revenue	Special Tax	47,705	0	47,705	46,955			100%
	Interest	1,561	0	1,561	1,700			103%
	Other	7,560	0	7,560	5,522			73%
	<b>Subtotal</b>	<b>56,226</b>	<b>0</b>	<b>56,226</b>	<b>54,197</b>			<b>96%</b>
	Transfers In	2,522	85	2,606	2,606			103%
	<b>Total Funding Sources</b>	<b>58,748</b>	<b>85</b>	<b>58,833</b>	<b>56,803</b>			<b>97%</b>
Safe, Clean Water Priority & Projects		Adopted Budget	Carry-forward	Budget Adjustment	Adjusted Budget	Budgetary Actual		% of Budget Spent
						Actual	Total Encumbrance	Total Budgetary Actual
Priority A: Ensure a Safe, Reliable Water Supply	A1: Pacheco Reservoir Expansion	0	0	0	0	0	0	0
	A2: Water Conservation Rebates and Programs	1,013	0	0	1,013	1,000	0	100%
	A3: Pipeline Reliability	315	(30)	0	285	380	0	133%
	<b>Subtotal</b>	<b>1,328</b>	<b>(30)</b>	<b>0</b>	<b>1,298</b>	<b>1,380</b>	<b>0</b>	<b>106%</b>
Priority B: Reduce Toxins, Hazards, and Contaminants in Our Waterways	B1: Impaired Water Bodies Improvement	1,686	0	0	1,686	1,313	319	1,632
	B2: Inter-agency Urban Runoff Program	825	0	0	825	685	0	685
	B3: Hazardous Materials Management and Response	33	0	0	33	25	0	75%
	B4: Support Volunteer Cleanup Efforts	180	0	0	180	87	6	93
	<b>Subtotal</b>	<b>2,724</b>	<b>0</b>	<b>0</b>	<b>2,724</b>	<b>2,109</b>	<b>326</b>	<b>2,435</b>
Priority C: Protect Our Water Supply and Dams from Earthquakes and Other Natural Disasters	C1: Anderson Dam Seismic Retrofit	0	0	0	0	0	0	0
	<b>Subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Priority D: Restore Wildlife Habitat and Provide Open Space	D1: Management of Riparian Planting and Invasive Plant Removal	1,929	0	0	1,929	1,367	2	1,370
	D2: Revitalize Riparian, Upland and Wetland Habitat	1,011	0	(10)	897	368	243	611
	D3: Sediment Route to Support Shoreline Restoration	234	0	0	234	202	0	202
	D4: Fish Habitat and Passage Improvement	12,222	409	(800)	11,831	3,072	8	3,080
	D5: Ecological Data Collection and Analysis	888	0	0	888	183	151	233
	D6: Restoration of Natural Creek Functions	6,029	0	0	6,029	2,209	1,699	3,904
	D7: Partnerships for the Conservation of Habitat Lands	0	0	0	0	0	0	0
	<b>Subtotal</b>	<b>22,313</b>	<b>409</b>	<b>(913)</b>	<b>21,808</b>	<b>7,400</b>	<b>2,099</b>	<b>9,499</b>

Appendix A-1.1 Annual Financial Summary Fiscal Year 2021-2022 (\$ Thousands), cont'd

Safe, Clean Water Priority & Projects		Adopted Budget	Carry-forward	Budget Adjustment	Adjusted Budget	Budgetary Actual			% of Budget Spent
						Actual	Total Encumbrance	Total Budgetary Actual	
Priority E: Provide Flood Protection to Homes, Businesses, Schools, Streets, and Highways	E1: Coyote Creek Flood Protection	1,596	1,282	-36	2,903	2,200	45	2,247	77%
	E2: Sunnyvale East and Sunnyvale West Channels Flood Protection	0	3,271	0	3,271	1,253	0	1,253	38%
	E3: Lower Berryessa Flood Protection	0	0	0	0	0	0	0	0
	E4: Upper Penitencia Creek Flood Protection	114	2,515	2,522	5,151	662	17	679	13%
	E5: San Francisco Creek Flood Protection	12,721	0	300	13,021	1,219	266	1,485	12%
	E6: Upper Ulagas Creek Flood Protection	58,292	3,951	3,061	65,304	31,099	3,716	34,815	53%
	E7: San Francisco Bay Shoreline Protection	2,403	14	0	2,417	424	0	424	18%
	E8: Upper Guadalupe River Flood Protection	563	2,014	0	2,576	1,233	89	1,322	51%
	<b>Subtotal</b>	<b>75,689</b>	<b>13,046</b>	<b>3,708</b>	<b>94,443</b>	<b>38,089</b>	<b>4,133</b>	<b>42,222</b>	<b>45%</b>
Priority F: Support Public Health and Public Safety for Our Community	F1: Vegetation Control and Sediment Removal for Capacity	4,263	0	0	4,263	2,731	0	2,732	64%
	F2: Emergency Response Planning and Preparedness	218	0	0	218	100	0	300	46%
	F3: Food Risk Assessment Studies	1,270	0	0	1,270	1,098	5	1,103	87%
	F4: Vegetation Management for Access and Fire Safety	664	0	0	664	732	6	738	111%
	F5: Good Neighbor Program: Encumbrance Cleanup	1,924	0	0	1,924	2,216	0	2,216	115%
	F6: Good Neighbor Program: Graffiti and Litter Removal and Public Art	772	0	0	772	626	105	731	95%
	F7: Emergency Response Upgrades	511	0	0	511	503	5	508	99%
	F8: Sustainable Creek Infrastructure for Continued Public Safety	320	0	0	320	220	0	220	69%
	F9: Grants and Partnerships for Safe, Clean Water, Flood Protection and Environmental Stewardship	3,109	0	(522)	2,587	820	355	1,175	46%
	<b>Subtotal</b>	<b>13,042</b>	<b>0</b>	<b>(522)</b>	<b>12,519</b>	<b>9,047</b>	<b>480</b>	<b>9,527</b>	<b>76%</b>
<b>Subtotal of All Outcome Costs</b>		<b>115,096</b>	<b>13,425</b>	<b>4,272</b>	<b>132,793</b>	<b>58,026</b>	<b>7,037</b>	<b>65,062</b>	<b>49%</b>
2012 Safe, Clean Water Program Closeout	Grants and Partnerships to Restore Wildlife Habitat and Provide Access to Trails	0	0	0	0	5	0	5	-
	San Francisco Creek Flood Protection	0	112	(100)	12	12	0	12	100%
	Berryessa Creek Flood Protection	0	536	0	536	342	0	342	64%
	Permanente Creek Flood Protection	0	441	352	793	811	0	811	102%
	<b>Subtotal</b>	<b>0</b>	<b>1,089</b>	<b>252</b>	<b>1,341</b>	<b>1,170</b>	<b>0</b>	<b>1,170</b>	<b>87%</b>
Safe, Clean Water Planning and Development		5,606	0	(146)	5,460	4,396	6	4,402	81%
Debt Service		7,050	0	0	7,050	935	3	938	13%
<b>Total Program Cost</b>		<b>127,752</b>	<b>14,514</b>	<b>4,378</b>	<b>146,644</b>	<b>64,528</b>	<b>7,046</b>	<b>71,574</b>	<b>49%</b>
Debt Proceeds		(100,000)	0	0	(100,000)	(56,000)	0	(56,000)	56%
<b>Net Total</b>		<b>27,752</b>	<b>14,514</b>	<b>4,378</b>	<b>46,644</b>	<b>8,528</b>	<b>7,046</b>	<b>15,574</b>	<b>33%</b>
<b>Net Increase/(Decrease) to Reserves</b>		<b>30,996</b>				<b>12,189</b>		<b>41,230</b>	
<b>Total Outlay</b>		<b>158,748</b>				<b>158,833</b>		<b>112,802</b>	<b>71%</b>

1 Debt Proceeds (Budget and Actual balances) are shown in the Total Program Cost section below with Debt Service Payments.  
NOTE: Budgetary Actual numbers are based on the Draft Annual Comprehensive Financial Report and are subject to change.

SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION

Appendix A A-11

# Cumulative Financial Program Summary

Appendix A-1.2 Cumulative Financial Summary Fiscal Year 2021-2022 (\$ Thousands)

		15-year Plan	FY22 Actual	Board Approved	Adjusted 15-year Plan	Program-To-Date Actual Total	Current 15-year Forecast	% of Adjusted 15-year Plan
Revenues	Special Tax Interest Other	874,487 14,763 117,039	0 0 0	0 0 6,902	874,487 14,763 123,941	45,905 1,759 5,122	855,407 14,763 118,819	98% 100% 96%
	Subtotal	996,289	0	6,902	996,289	52,786	943,503	94%
	Beginning FY22 Reserve Transfers In Debt Proceed	0 2,756 0	0 0 0	0 0 0	0 2,756 0	0 0 0	0 2,756 0	0% 100% 0%
Total Funding Sources		996,289	0	6,902	996,289	52,786	943,503	94%
		15-year Plan	FY22 Actual	Board Approved	Adjusted 15-year Plan	Program-To-Date Actual Total	Current 15-year Forecast	% of Adjusted 15-year Plan
Priority A: Lessen a Safe, Reliable Water Supply	A1. Technical Research Expansion	30,000	0	0	30,000	0	0	0%
	A2. Water Conservation Reduction and Programs	3,992	0	0	3,992	1,000	0	25%
	A3. Pipeline Priority	9,816	21	30	9,816	290	6	4%
	Subtotal	43,808	21	30	43,808	1,290	6	3%
Priority B: Reduce Toxics, Sediments, and Contaminants in Our Watersheds	B1. Impaired Water Bodies Improvement	32,552	719	0	33,271	1,417	422	4%
	B2. Inter-agency Urban Runoff Program	15,788	0	0	15,788	485	0	3%
	B3. Watershed Watershed Management and Response	1,054	0	0	1,054	25	0	2%
	B4. Support Volunteer Cleanup Events	5,081	147	0	5,081	105	342	7%
Priority C: Protect Our Water Supply and Dam Infrastructure and Other Natural Resources	C1. Anderson Dam Seismic Retrofit	54,053	0	459	54,712	0	0	0%
	Subtotal	54,053	0	459	54,712	0	0	0%
Priority D: Restore Wildlife Habitat and Provide Open Space	D1. Management of Riparian Planting and Native Plant Removal	68,910	21	0	68,931	1,214	7	2%
	D2. Wetland Management, Upstream Wetland Habitat	9,778	883	0	10,661	454	1,014	10%
	D3. Facilities: Issues to Support Wetland Restoration	4,081	0	0	4,081	202	0	5%
	D4. Fish Habitat and Passage Improvement	4,542	2,882	39,988	47,412	3,702	410	9%
	D5. Ecological Data Collection and Analysis	7540	62	0	7,602	223	351	3%
	D6. Restoration of Natural Creek Function	14,519	2,360	2,854	19,733	2,019	1,990	10%
	D7. Partnerships for the Conservation of Habitat Lands	8,008	0	0	8,008	0	0	0%
Priority E: Provide Flood Protection to Homes, Businesses, Schools, Streets, and Highways	E1. Coyote Creek Flood Protection	41,711	923	1,971	44,605	1,012	49	2%
	E2. San Mateo Valley and San Mateo Creek Flood Protection	32,944	14,072	2,237	49,253	1,253	36	3%
	E3. Lower Benavente Flood Protection	8,202	0	0	8,202	0	0	0%
	E4. Upper Penitencia Creek Flood Protection	20,403	4,037	0	24,440	642	17	3%
	E5. San Francisco Creek Flood Protection	21,816	2,856	12,383	37,055	1,377	1,088	3%
	E6. Upper Llagas Creek Flood Protection	126,328	20,409	36,049	182,786	40,619	10,300	6%
	E7. San Francisco Bay Shoreline Protection	45,980	4	0	45,984	424	4	1%
	E8. Upper San Joaquin River Flood Protection	35,773	25,200	4,802	65,775	4,186	4,186	6%
	Subtotal	242,838	61,340	43,792	347,970	66,856	16,649	5%

Appendix A-1.2 Cumulative Financial Summary Fiscal Year 2021-2022 (\$ Thousands), cont'd

		15-year Plan	FY22 Actual	Board Approved	Adjusted 15-year Plan	Program-To-Date Actual Total	Current 15-year Forecast	% of Adjusted 15-year Plan
Priority F: Support Public Health and Public Safety for Our Community	F1. Vegetation Control and Fuel Load Removal for Canby	34,342	121	0	34,463	1,087	2,705	8%
	F2. Emergency Response Planning and Preparedness	1,779	0	0	1,779	186	26	15%
	F3. Flood Risk Assessment Studies	21,864	102	0	21,966	1,363	39	2%
	F4. Vegetation Management for Access and Fire Safety	50,001	12	0	50,013	1,012	6	2%
	F5. Good Neighbor Program Enrollment, Changes	38,769	0	0	38,769	2,118	0	5%
	F6. Good Neighbor Program Grants and Fuel Load	11,092	117	0	11,209	486	105	4%
	F7. Emergency Response Upgrades	13,810	0	0	13,810	104	7	1%
	F8. Suburban Creek Infrastructure for Confined Public Safety	1,501	0	0	1,501	220	0	15%
	F9. Grants and Partnerships for Safe, Clean Water, Flood Protection and Environmental Stewardship	82,637	0	0	82,637	820	318	1%
	Subtotal	285,785	445	0	286,230	6,233	656	2%
Subtotal of All Outcome Goals		916,494	73,172	46,322	1,041,988	70,331	20,644	2%
Council of 2022 Safe, Clean Water Program	Safe, Clean Water Partnerships and Grants	0	138	0	138	44	91	13%
	Public Safety Partnerships and Grants	0	816	0	816	44	909	11%
	Grants and Partnerships for Resilient Watersheds and Provide Access to Trails	0	3,224	0	3,224	3,224	3,224	100%
	San Francisco Creek Flood Protection	0	66	0	66	12	0	18%
	San Mateo Creek Flood Protection	0	15,209	0	15,209	142	3,338	2%
	San Joaquin Creek Flood Protection	0	3,105	0	3,105	1,017	1,015	33%
	Subtotal	0	22,349	0	22,349	3,428	4,344	19%
Safe, Clean Water Program & Development	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
	Safe, Clean Water Program & Development	22,642	39	0	22,681	12,477	6,235	27%
Total Program Cost	Contingency Reserve	0	0	0	0	0	0	0%
	Rate Stabilization Reserve	25,000	0	0	25,000	0	0	0%
	Reserve for Economic Balance	0	0	0	0	0	0	0%
	Currently Authorized Project Reserve	0	0	0	0	0	0	0%
	Operating & Capital Reserve	33,126	0	0	33,126	0	0	0%
	Subtotal	58,126	0	0	58,126	0	0	0%
Total Outlay		996,289	0	0	996,289	77,061	25,000	2%

- Board approved adjustments include changes to Safe, Clean Water capital projects based on the Board approved FY22 CIP.
- The \$22.8M projected Other Revenue includes \$100M in unsecured grant funding for the following: (1) \$80M for Upper Llagas Creek and (2) \$20M for San Francisco Creek.
- Transfers in of \$2.5M is for the Upper Penitencia Creek project.
- Adjusted 15-year Plan reflects unsecured funding sources; if funding is not secured project scope will be modified accordingly. See Appendix A-3 for more detail.
- Board Approved Adjustment for Shoreline is isolated to FY2025-22 and reflects other funding sources for the project modeled for financial planning purposes; total project cost and project KPIs remains the same.
- Currently Authorized Project Reserve represents unspent capital project budget that will be carried forward and spent in a future year; refer to Appendix A-2 for more detail.
- Operating and Capital Reserves are to ensure adequate working capital for cash flow needs and to provide a funding source for operating and capital needs that arise during the year. A negative balance would indicate funding needs are projected to exceed funding sources. See Summary Budget Book (Chapter 3: Financial Review: Reserve Policy and Fund Balances) for further details.
- Current 15-year Forecast is a staff forecast on which the Board has not taken any action, and reflects the long term forecast from the planning cycle following the report year.



# FY22 IMC Review Schedule



# Determine IMC Review Process

## FY21 ANNUAL REPORT SUB-COMMITTEE MEMBERS

➤ Priority A & C	Hon. Jason Baker    Bill Hoeft
➤ Priority B	Bill Hoeft    Kathy Sutherland
➤ Priority D	George Fohner (Sub-committee Chair)
➤ Priority E	Hon. Patrick S. Kwok
➤ Priority F	NEW PRIORITY
➤ Financial	Bill Hoeft (Sub-committee Chair)    George Fohner



# IMC Review: Tentative Schedule

- **Dec. 7, 2022** - IMC Review Kickoff Meeting
- **Jan. 2-13, 2023** - IMC project review via priority sub-committees
- **Jan. 25** – Sub-committee chairs report findings to IMC
- **Jan. 26** - Report drafting meeting
- **Feb. 3** - Draft report mailed to IMC members
- **Feb. 8** - IMC meeting to review/finalize report
- **Feb. 10** - IMC Report finalized
- **Feb. 21** - IMC Report presented to the Board
- **Mar. 7** - Staff Response presented to the Board





# Valley Water

Clean Water • Healthy Environment • Flood Protection





# Santa Clara Valley Water District

**File No.:** 22-1362

**Agenda Date:** 12/7/2022

**Item No.:** 5.3.



	Meeting Date:	12-7-2022
	Item No.	5.3
	Unclassified Manager:	Luz Penilla 1-408-630-2228
<b>SAFE, CLEAN WATER PROGRAM INDEPENDENT MONITORING COMMITTEE</b>		

**SUBJECT:**

Outcome of the Public Hearing on the Modifications to Project F5: Good Neighbor Program: Encampment Cleanup.

**RECOMMENDATION:**

Receive an Overview on the Outcome of Public Hearing on the Proposed Modifications to Project F5: Good Neighbor Program: Encampment Cleanup.

**SUMMARY:**

The Good Neighbor Program: Encampment Cleanups project (Project F5) under the renewed Safe, Clean Water and Natural Flood Protection Program (Program) is a countywide project. The project's primary objective is to remove trash, debris, and hazardous pollutants generated from encampments near waterways or on Santa Clara Valley Water District (Valley Water) property. Previously, the cleanup of encampments was linked to the removal of structures. As a result, KPI 1 identified the number of encampments to be cleaned up annually as a success measurement.

While developing the renewed Program's first 5-Year Implementation Plan for Fiscal Years 2022-2026 (5-Year Plan), staff identified the need for text adjustments and modifications to the KPIs for Project F5 and related Glossary definitions. This was in response to the changing legal, political, and social climate related to encampment sites and homelessness in Santa Clara County.

Recent court cases have found unconstitutional laws that prohibit people from sleeping on public lands when housing is unavailable. Further, in response to the COVID-19 pandemic, many new

restrictions were placed on the type of cleanup activities that could be performed in relation to encampments. Consequently, it became challenging to partner with agencies on encampment site cleanups.

Additionally, more recent case law highlighted legal limitations regarding removing illegal encampments. Recent cases had cited and relied upon guidance from the Center for Disease Control (CDC) regarding encampments during the COVID-19 pandemic to limit when encampment abatements can proceed. These limitations curtailed the removal of illegal encampments and displacement of the people living in those encampments for the time being.

In effect, the CDC's COVID-19 pandemic restrictions and the associated legal restrictions on removing illegal encampments had halted the Good Neighbor Program: Encampment Cleanup project under the 2012 Safe, Clean Water Program.

This resulted in a buildup of trash, debris and potentially hazardous pollutants in waterways and Valley Water facilities. To address this, Valley Water needed to be able to perform work, either independently or through ongoing coordination with local cities and agencies, to clean up trash, debris and hazardous pollutants generated by encampments near waterways or on Valley Water property.

Furthermore, through education and increased awareness, Valley Water staff recognized that people living in illegal encampments may identify the encampment site as their home and feel a sense of community there. In turn, while these individuals are without a house or lacking a place to live, they prefer not to be referred to as homeless.

To align the renewed Safe, Clean Water Program with these changing conditions, staff proposed a modification to both KPIs and text adjustments to both Glossary definitions and the Project's description and benefits. It is important to note that the modification to KPI 1 does not impact Valley Water's level of service, but instead changes the way the service is measured. Further, the modified KPI 1 allows Valley Water the flexibility to operate both under these new restrictions and beyond.

Attachment 1 shows the adjustments to the glossary definitions, project description and benefits and the modification to the KPIs, with all changes shown with strike-through for removed text and red font for new text.

Before the public hearing, the proposed adjustments and the modifications were presented for review and input to the Homeless Encampment Committee, now known as the Environmental Creek Cleanup Committee (Committee) on April 20, 2021. The Committee, comprised of three Board members, is tasked with, among other things, discussing unhoused encampment issues and bringing discussion and recommendations to the Board.

Valley Water staff also presented the proposed adjustments and modifications to Project F5 to the IMC as part of its review of the first 5-Year Plan and the IMC also expressed its support of the proposed changes.

*Public Hearing Outcome:*

On July 13, 2021, in the Board's review of Agenda Item 2.9, the Board approved the adjustments to glossary definitions, project description and benefits, and the modifications to the KPIs of Project F5: Good Neighbor Program: Encampment Cleanup.

**ATTACHMENTS:**

Attachment 1: Project F5 Adjustments and Modifications





# Glossary

## Cleanup

The removal of trash and debris **generated** ~~resulting~~ from encampments **or other illegal dumping**; by Valley Water or by Valley Water in **partnership or** coordination with other agencies.

## Encampment ~~(homeless)~~

**A site where people are living or storing personal property** ~~1 or more structures occupied by an individual or family~~ that is located illegally on Valley Water **property** or other public property. **Encampments may generate trash, debris, and hazardous pollutants. Such encampments contribute to contamination of waterways and damage to Valley Water facilities.** ~~An area where there are no structures, but where personal property is stored is also considered an encampment.~~

## Encampment cleanup

Valley Water, independently or in partnership and coordination with cities and local agencies, will seek to remove trash, debris and hazardous pollutants generated from encampments near waterways or on Valley Water property.

## PROJECT F5

### GOOD NEIGHBOR PROGRAM: ENCAMPMENT CLEANUP

This project supports Valley Water's independent efforts and ongoing coordination with local cities and agencies to clean up trash, debris and hazardous pollutants generated by encampments near waterways or on Valley Water property. ~~This project supports Valley Water's ongoing coordination with local cities and agencies to clean up trash from encampments near waterways or on Valley Water property.~~ Such encampments contribute to contamination of waterways and damage to Valley Water facilities. This project includes ~~is a cooperative effort partnering~~ cooperative efforts to partner with local municipalities and other agencies for services related to encampment cleanups and to help provide alternatives to homelessness.

This project will also provide funding for local municipalities' services supporting staff safety as they work around encampments and discouraging re-encampments along waterways.

#### Benefits

- Reduces the accumulation of trash, debris, and hazardous ~~other~~ pollutants in local waterways, including streams, ~~reservoirs and~~ wetlands, and water utility facilities (e.g. percolation ponds)
- Protects Valley Water facilities and reduces flood risk
- Improves the aesthetics of creeks in neighborhoods and along trails
- Coordinates Valley Water's efforts with multiple agencies to create lasting solutions to reduce ~~homeless~~ encampments near waterways

#### Key Performance Indicators (FY22-36)

1. ~~Manage Perform~~ 300 acres annually to cleanups trash, debris, and hazardous pollutants generated from encampments and to reduce the amount of these pollutants ~~of trash and pollutants~~ entering streams.
2. Provide up to \$500,000 per year in cost-share with local agencies for services related to encampment cleanups, including services supporting staff safety, discouraging re-encampments along waterways or addressing the socio-environmental ~~homelessness~~ crisis with the goal of reducing the need for encampment cleanups.

#### Geographic Area of Benefit:

Countywide



