



STAFF RESPONSE

Independent Monitoring Committee (IMC) Report Reviewing Fiscal Year (FY) 2016-2017 Annual Report Safe, Clean Water and Natural Flood Protection Program (SCW or Safe, Clean Water)

IMC General Recommendations

Subject:	IMC General Comments:	Staff Response:
Permitting	The majority of capital projects in the Annual Report require permits from other agencies and obtaining these permits in a timely manner can be a challenge. Permit delays can delay projects, increase construction costs and erode the public's trust.	No response required.
Capital Funding Partnerships	Large capital projects cannot be funded solely by the District and can rely heavily on funds from outside agencies. There are two areas which can prove challenging to the successful completion of these types of projects. Funding from outside agencies is not always guaranteed nor is it always delivered at the projected time.	No response required.
Climatic Extremes – Drought and Flood	A prolonged drought can have continued impacts over a long period of time. Impacts from a flood are immediate and require an immediate response. Climatic extremes of drought and flood will impact staffing and budgets.	No response required.
New Statutes and Regulations	The IMC recommends the SCW report acknowledge that new statutes and regulations may change the scope and cost of a project in the 15-year program, affecting large and small projects alike. Examples are Anderson Dam (spillway evaluation requirements) and the pharmaceutical grant project.	Staff agrees and will include information within the FY18 Annual Report about new statutes and regulations that may change the scope and cost of a project.
Financial Information per Project	If not already included, the IMC recommends providing explanation for any project budget that is either over or under by more than 5% of the annual budgeted amount to ensure transparency.	Staff agrees and will continue to provide an explanation for any project budget that is either over or under by more than 5% of the annual budgeted amount in the FY18 Annual Report.

IMC Recommendations – Annual Report Format

Subject:	IMC Recommendation:	Staff Response:
Status	For projects with a current or previous status of “Adjusted,” the IMC recommends adding a footnote in the Status History table to state the type of adjustment made (i.e. schedule, budget, etc.).	Staff agrees and will add a footnote in the Status History table to state the type of adjustment made.
Confidence Levels – Jurisdictional Complexity	Add “See Appendix D.”	Staff agrees and will add “See Appendix D” to the Confidence Levels section under jurisdictional complexity.
Appendix A – Annual Financial Summary	Page A-1, Project A-1 Main Avenue and Madrone Pipelines Restoration: The IMC recommends adding a footnote to clarify that any amount over \$6.3 million will be funded through the Water Utility Enterprise fund.	Staff agrees and will add a footnote to clarify that any amount over \$6.3 million will be funded through the Water Utility Enterprise fund.
Glossary	Include a copy of the glossary from Appendix A of the 5 Year Implementation Plan with a tab within Appendices.	Staff agrees and will include a copy of the glossary from Appendix A of the 5-Year Implementation Plan with a tab within Appendices.
Regional Water Quality Control Board (RWQCB)	For projects under the jurisdiction of either the San Francisco Bay or Central Coast RWQCB, identify the responsible RWQCB for clarity and to provide better information about the project partner.	Staff agrees and will identify the responsible RWQCB.
Priority E: Provide Flood Protection to Homes, Businesses, Schools and Highways	The IMC recommends including language in the Priority E description that addresses the multi-benefit approach to flood protection projects, which includes incorporating water quality, water supply, environmental stewardship and recreational enhancement benefits into capital flood protection projects, when possible.	Staff agrees and will update the Priority E description to address the multi-benefit approach to flood protection projects where appropriate.
Board resolution and Safe, Clean Water ballot language	The IMC recommends a link to the Board resolution and SCW ballot language be added to the SCW webpage and as a link in the Annual Report.	Staff agrees and will include a link to the Board resolution and SCW ballot language on the SCW webpage and in the FY18 Annual Report.

IMC Recommendations – Additional IMC Support

Subject:	IMC Recommendation:	Staff Response:
Project visits	The IMC requests that the District continue to provide opportunities for IMC members to visit projects to obtain a better understanding of SCW Projects.	Staff agrees and will continue to host project site tours for the IMC members in fall 2018.
Presentations	<p>The IMC requests that the District provide presentations at the December 2018 IMC meeting regarding:</p> <ul style="list-style-type: none"> • The Good Neighbor Encampment Cleanup (Project B4) funding plan to address the funding shortfall. • The new grants management system and process. • The 5-Year Implementation Plan for Fiscal Years 2019-2023. 	<p>Staff agrees and will provide presentations at the December 2018 IMC meeting regarding:</p> <ul style="list-style-type: none"> • Good Neighbor Encampment Cleanup (Project B4) funding plan to address funding shortfall. • New grants management system and process. • The 5-Year Implementation Plan for Fiscal Years 2019-2023.
New member orientation	The IMC requests that the District develop and provide an orientation plan for new IMC members. This year we welcomed three new IMC members who would likely have benefitted from an opportunity to meet with the IMC District staff and committee members outside of the official IMC meetings. Staff and committee members could provide information about their role to help new members better understand the best way to make meaningful contributions.	Staff agrees and worked to develop an orientation plan and new member handbook during the FY17 IMC review process.



STAFF RESPONSE
Independent Monitoring Committee
Fiscal Year 2016-2017 Annual Report
Priority A
Ensure a Safe, Reliable Water Supply

Project:		Status:	IMC Recommendation:	Staff Response:
A1	Main Avenue and Madrone Pipelines Restoration	On Target	<p>IMC agrees with project status. Recommendation is:</p> <ul style="list-style-type: none"> In the FY17 Annual Report, in Appendix A-2, correct footnote #2 to reflect the amount of \$11.4 million. 	<p>Staff agrees and will correct the footnote in the FY17 Safe, Clean Water Annual Report.</p>
A2	Safe, Clean Water Partnerships and Grants	On Target	<p>IMC agrees with project status. Recommendations are:</p> <p><u>Water Conservation Grant Program</u></p> <ul style="list-style-type: none"> In the FY17 Annual Report, in Table A2.1, correct the project description for Ecology Action's Every Drop Counts project. In the FY18 Annual Report, highlight the long-term benefits of the pilot programs to the District's programs (e.g. Advanced Metering Infrastructure). <p><i>(continued on next page)</i></p>	<p><u>Water Conservation Grant Program</u> Staff agrees and will:</p> <ul style="list-style-type: none"> Correct the project description for Ecology Action's Every Drop Counts project in Table A2.1 in the FY17 Annual Report. Highlight the long-term benefits of the pilot programs to the District's programs (e.g. Advanced Metering Infrastructure) in the FY18 Annual Report. <p><i>(continued on next page)</i></p>

Project:		Status:	IMC Recommendation:	Staff Response:
A2	Safe, Clean Water Partnerships and Grants	On Target	<u>Water to Go (Hydration Station) Grant Program</u> <ul style="list-style-type: none"> Inquire with the schools about the long-term maintenance costs of the Water to Go stations. In the FY18 Annual Report, <ul style="list-style-type: none"> Include a summary of the survey results from the Water to Go grants and highlight the benefits of the program. Clarify that in the original Safe, Clean Water program text, the program is called the hydration station grant program, but now it is called the Water to Go grant program. The program appears to be successful. Depending on the survey results, the Board should consider allocating additional funds to this project. 	<u>Water to Go (Hydration Station) Grant Program</u> Staff agrees and will inquire with the schools about the long-term maintenance costs of the Water to Go stations. In the FY18 Annual Report, staff will: <ul style="list-style-type: none"> Include a summary of the survey results from the Water to Go grants and highlight the benefits of the program. Clarify that in the original SCW program text, the program is called the hydration station grant program, but now it is called the Water to Go grant program. Staff agrees that the program appears to be successful and the KPI has been met ahead of schedule. If this program were to receive additional funds to exceed the original KPI, additional staff resources would need to be allocated to administer the program. The District's agreement with FIRST 5 Santa Clara County to administer the Water to Go grant program in conjunction with its own grant program will expire at the end of FY18. Additionally, FIRST 5 completed its own grant program; therefore it would be of no benefit to FIRST 5 to continue administering the District's grant program.
			<u>Nitrate Treatment System Rebate Program</u> Despite substantial outreach, the demand for this rebate program remains very low. Suggest considering re-allocating the funds to other projects, such as the Water to Go grant program.	<u>Nitrate Treatment System Rebate Program</u> Staff agrees that the demand for this rebate program remains very low. Staff will pursue a modification of this KPI to re-allocate most or all of the remaining funds through the change control process, and perform an analysis of which projects would most benefit from receipt of these funds.

Project:		Status:	IMC Recommendation:	Staff Response:
A3	Pipeline Reliability Project	Scheduled to Start in FY 2019	IMC agrees with project status. No recommendations.	No response required.



Safe, Clean Water
and Natural Flood Protection

STAFF RESPONSE

Independent Monitoring Committee Fiscal Year 2016-2017 Annual Report

Priority B

Reduce Toxins, Hazards and Contaminants in Our Waterways

Project:		Status:	IMC Recommendation:	Staff Response:
B1	Impaired Water Bodies Improvement	On Target	<p>IMC agrees with status. Recommendations are:</p> <ul style="list-style-type: none"> In the FY18 Annual Report, <ul style="list-style-type: none"> Further explain why the 10 creeks referenced in the KPI have not been identified in the Pollution Prevention Prioritization Plan. Change the name of Pollution Prevention Activity #1 from "Trash Accumulation Point Mapping" to "Trash Accumulation Point Mapping and Removal." Explain the maintenance and troubleshooting issues with the different systems. <p>General Statement:</p> <ul style="list-style-type: none"> The IMC appreciates the acknowledgement of the positive recognition that the District is receiving from the San Francisco Regional Water Quality Control Board for the operation and maintenance of oxygenation treatment systems in 4 reservoirs and would like to see that continue to be highlighted in future annual reports. 	<p>Staff agrees and will continue highlighting positive recognition in future annual reports.</p> <p>In the FY18 Annual Report, staff will:</p> <ul style="list-style-type: none"> Further explain why the 10 creeks referenced in the KPI have not been identified in the Pollution Prevention Prioritization Plan. Change the name of Pollution Prevention Activity #1 from "Trash Accumulation Point Mapping" to "Trash Accumulation Point Mapping and Removal." Explain the maintenance and troubleshooting issues with the different systems.

Project:		Status:	IMC Recommendation:	Staff Response:
B2	Interagency Urban Runoff Program	On Target	<p>IMC agrees with status. Recommendations are:</p> <ul style="list-style-type: none"> • In the FY18 Annual Report, <ul style="list-style-type: none"> ○ Explain in greater detail how the Safe, Clean Water funds are used in conjunction with other funds for the SCVURPPP local share for the Proposition 1 grant. ○ Mention the B1 Pollution Prevention Prioritization Plan for KPI #3 under B2 and explain how they are linked. ○ In the Highlights Box, include “all cities and the County” in the second bullet point to clarify that the District maintains multiple partnerships with all jurisdictions in Santa Clara County. 	<p>Staff agrees and in the FY18 Annual Report, staff will:</p> <ul style="list-style-type: none"> • Explain in greater detail how the Safe, Clean Water funds are used in conjunction with other funds for the SCVURPPP local share for the Proposition 1 grant. • Mention the B1 Pollution Prevention Prioritization Plan for KPI #3 under B2 and explain how they are linked. • Include “all cities and the County” in the second bullet point in the Highlights Box to clarify that the District maintains multiple partnerships with all jurisdictions in Santa Clara County.
B3	Pollution Prevention Partnerships and Grants	On Target	<p>IMC agrees with status. Recommendations are:</p> <ul style="list-style-type: none"> • In the FY17 Annual Report, in Appendix C-3, add “County” to the project description for the Silicon Valley Senior Services grant. • In the FY18 Annual Report, for the Secure Pharmaceutical Collection Bin Expansion Project, add clarifying language that pharmaceutical companies chose not to work with the grantee, but instead to pursue their own compliance program. 	<p>Staff agrees and will:</p> <ul style="list-style-type: none"> • Add “County” to the project description for the Silicon Valley Senior Services grant in Appendix C-3 in the FY17 Annual Report. • Add clarifying language for the Secure Pharmaceutical Collection Bin Expansion Project in the FY18 Annual Report to explain that pharmaceutical companies chose not to work with the grantee, but instead to pursue their own compliance program. There was little/no communication with grantee as to why that decision was made.

Project:		Status:	IMC Recommendation:	Staff Response:
B4	Good Neighbor Program: Encampment Cleanup	On Target	<p>IMC agrees with status. Recommendation is:</p> <ul style="list-style-type: none"> In the FY18 Annual Report, change the footnote on Graph B 4.2 to reference "combined cleanups" on Coyote Creek, instead of "large scale clean up." 	Staff agrees and will change the footnote on Graph B 4.2 to reference "combined cleanups" on Coyote Creek, instead of "large scale clean up" in the FY18 Annual Report.
B5	Hazardous Materials Management and Response	On Target	<p>IMC agrees with status. No recommendations.</p>	No response required.
B6	Good Neighbor Program: Remove Graffiti and Litter	On Target	<p>IMC agrees with status. No recommendations.</p>	No response required.
B7	Support Volunteer Cleanup Efforts and Education	On Target	<p>IMC agrees with status. Recommendations are:</p> <ul style="list-style-type: none"> In the FY18 Annual Report, <ul style="list-style-type: none"> Include the dates of the volunteer creek cleanup events in the text. Include the link to the virtual map of volunteer cleanup sites in the text and Project Highlights Box. <p>General Statement:</p> <ul style="list-style-type: none"> The IMC recognizes that because of higher than anticipated grant allocations in the early years of the Safe, Clean Water Program, Project B7 spent 34% of its funds within the first four years of the Program. Despite this, the IMC expects the project will meet its 15-year Key Performance Indicators. 	<p>Staff agrees and in the FY18 Annual Report, staff will:</p> <ul style="list-style-type: none"> Include the dates of the volunteer creek cleanup events in the text. Include the link to the virtual map of volunteer cleanup sites in the text and Project Highlights Box.



Safe, Clean Water
and Natural Flood Protection

STAFF RESPONSE

Independent Monitoring Committee Fiscal Year 2016-2017 Annual Report

Priority C

Protect our Water Supply from Earthquakes and Natural Disasters

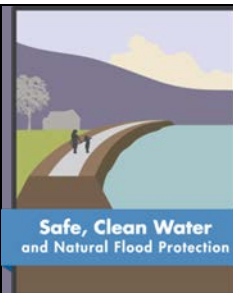
Project:		Status:	IMC Recommendation:	Staff Response:
C1	Anderson Dam Seismic Retrofit	Adjusted	<p>IMC agrees with status. Recommendation is:</p> <ul style="list-style-type: none"> In the FY18 Annual Report, in the progress update, include information regarding the state mandate about "spillway condition assessment of all high hazard dams," issued in April 2017, and the potential impacts to the project. 	<p>Staff agrees and will include information regarding the state mandate about "spillway condition assessment of all high hazard dams," issued in April 2017, and the potential impacts to the project, in the progress update in the FY18 Annual Report.</p>
C2	Emergency Response Upgrades	On Target	<p>IMC agrees with status. Recommendations are:</p> <ul style="list-style-type: none"> In the FY17 Annual Report, correct the typo on pg. 54 to "flood forecast." In the FY18 Annual Report, <ul style="list-style-type: none"> Explain what worked well and what did not during the February 2017 flooding. Include and clarify the linkage between C2 Emergency Response Upgrades and E2 Emergency Response Planning. Document the decision to rely on the National Weather Service data, rather than duplicate the forecast point on Coyote Creek, since Coyote Creek was listed as a location in the FY2014-2018 5-Year Implementation Plan. 	<p>Staff agrees and will correct the typo on pg. 54 to "flood forecast" in the FY17 Annual Report.</p> <p>In the FY18 Annual Report, staff will:</p> <ul style="list-style-type: none"> Explain what worked well and what did not during the February 2017 flooding. Include and clarify the linkage between C2 and E2. <p>Staff agrees and will document the decision to rely on the National Weather Service data rather than duplicate the forecast point on Coyote Creek.</p>



STAFF RESPONSE
Independent Monitoring Committee
Fiscal Year 2016-2017 Annual Report
Priority D
Restore Wildlife Habitat and Provide Open Space

Project:		Status:	IMC Recommendation:	Staff Response:
D1	Management of Revegetation Projects	On Target	IMC agrees with status. Recommendation is: <ul style="list-style-type: none"> For the FY18 Annual Report, clarify that the total composition of the 300 acres referenced in the KPI changes over time due to projects starting, maturing, and ending. 	Staff agrees and in the FY18 Annual Report, staff will clarify that the total composition of the 300 acres referenced in the KPI changes over time due to projects starting, maturing and ending.
D2	Revitalize Stream, Upland and Wetland Habitat	On Target	IMC agrees with status. No recommendations.	No response required.
D3	Grants and Partnerships to Restore Wildlife Habitat and Provide Access to Trails	On Target	IMC agrees with status. Recommendation is: <ul style="list-style-type: none"> For the FY18 Annual Report, specify that the mini-grants are up to \$5,000 each. 	Staff agrees and in the FY18 Annual Report, staff will specify that the mini-grants are up to \$5,000 each.
D4	Fish Habitat and Passage Improvement	Adjusted	IMC agrees with status. Recommendation is: <ul style="list-style-type: none"> For future annual reports, highlight the relationship with pre-established programs, such as the Fish and Aquatic Habitat Collaborative Effort (FAHCE), to make them more apparent. 	Staff agrees and will highlight the relationship with pre-established programs in future annual reports.
D5	Ecological Data Collection and Analysis	On Target	IMC agrees with status. No recommendations.	No response required.

Project:		Status:	IMC Recommendation:	Staff Response:
D6	Creek Restoration and Stabilization	On Target	<p>IMC agrees with status. Recommendation is:</p> <ul style="list-style-type: none"> For the FY18 Annual Report, include a link to background information on geomorphic conditions described in the project write-up. 	Staff agrees and in the FY18 Annual Report, staff will include a link to background information on geomorphic conditions described in the project write-up.
D7	Partnerships for the Conservation of Habitat Lands	On Target	<p>IMC agrees with status. Recommendation is:</p> <ul style="list-style-type: none"> For the FY18 Annual Report, include the criteria, or a link to the criteria, that is part of the Board approved criteria for suitable partnerships. 	Staff agrees and in the FY18 Annual Report, staff will include the criteria, or a link to the criteria, that is part of the Board approved criteria for suitable partnerships.
D8	South Bay Salt Ponds Restoration Partnership	Adjusted	<p>IMC agrees with status. No recommendations.</p>	No response required.



STAFF RESPONSE

Independent Monitoring Committee Fiscal Year 2016-2017 Annual Report

Priority E

Provide Flood Protection to Homes, Businesses, Schools and Highways

Project:		Status:	IMC Recommendation:	Staff Response:
E1	Vegetation Control and Sediment Removal for Flood Protection	On Target	<p>IMC agrees with status.</p> <p>Recommendations are:</p> <ul style="list-style-type: none"> In the FY18 Annual Report, <ul style="list-style-type: none"> For Project E1.2: Sediment Removal, provide an explanation of the linkage with Project D8: South Bay Salt Ponds Restoration Partnership. Highlight the positives and how the sediment removal helps to minimize flooding. 	<p>Staff agrees and in the FY18 Annual Report, staff will:</p> <ul style="list-style-type: none"> Provide an explanation of the linkage between Project E1.2: Sediment Removal and Project D8: South Bay Salt Ponds Restoration Partnership. Highlight the positives and how the sediment removal helps to minimize flooding.
E2	Emergency Response Planning	On Target	<p>IMC agrees with status.</p> <p>Recommendation is:</p> <ul style="list-style-type: none"> Include and clarify the linkage between E2 Emergency Response Planning and C2 Emergency Response Upgrades. 	<p>Staff agrees and will include and clarify the linkage between Project E2 and Project C2.</p>
E3	Flood Risk Reduction Studies	On Target	<p>IMC agrees with status.</p> <p>Recommendations are:</p> <ul style="list-style-type: none"> In the FY17 Annual Report, make a correction to the text of the Progress on KPI #2 to read "levees would completely fail in the hydraulic analysis." In the FY18 Annual Report, explain the benefits of the maps beyond flood insurance. For example, for risk management and land use guidance. 	<p>Staff agrees and will:</p> <ul style="list-style-type: none"> Correct the text of the Progress on KPI #2 to read "levees would completely fail in the hydraulic analysis" in the FY17 Annual Report. Explain the benefits of the maps beyond flood insurance in the FY18 Annual Report. For example, for risk management and land use guidance.

Project:		Status:	IMC Recommendation:	Staff Response:
E4	Upper Penitencia Creek Flood Protection Coyote Creek to Dorel Drive – San José	On Target	<p>IMC agrees with status. Recommendations are:</p> <ul style="list-style-type: none"> In the FY18 Annual Report, <ul style="list-style-type: none"> Specify that the “state-of-the-art” model is HEC-RAS. Indicate that a Flood Control 2.0 “style” Landscape Concepts meeting was held. 	<p>Staff agrees and in the FY18 Annual Report, staff will:</p> <ul style="list-style-type: none"> Specify that the “state-of-the-art” model is HEC-RAS. Indicate that a Flood Control 2.0 “style” Landscape Concepts meeting was held.
E5	San Francisquito Creek Flood Protection San Francisco Bay to Middlefield Road – Palo Alto	On Target	<p>IMC agrees with status. Recommendations are:</p> <ul style="list-style-type: none"> In the FY18 Annual Report, <ul style="list-style-type: none"> Bring back more information on the “significant” claims for the S.F. Bay to Highway 101 Project. For the Upstream of Highway 101 project, clarify any difference between the local-state-funding only and potential federal funding confidence levels. 	<p>Staff agrees and in the FY18 Annual Report, staff will:</p> <ul style="list-style-type: none"> Include more information on the “significant” claims for the S.F. Bay to Highway 101 Project. Clarify any difference between the local-state-funding only and potential federal funding confidence levels for the Upstream of Highway 101 project.
E6	Upper Llagas Creek Flood Protection Buena Vista Avenue to Wright Avenue – Morgan Hill, San Martin, Gilroy	Adjusted	<p>IMC agrees with status. Recommendation is</p> <ul style="list-style-type: none"> In the FY18 Annual Report, explain why Phase 1 and Phase 2 have combined confidence levels. 	<p>Staff agrees and in the FY18 Annual Report, staff will explain why Phase 1 and Phase 2 have combined confidence levels.</p>

Project:		Status:	IMC Recommendation:	Staff Response:
E7	San Francisco Bay Shoreline Protection Milpitas, Mountain View, Palo Alto, San José, Santa Clara and Sunnyvale	Adjusted	<p>IMC agrees with status. Recommendations are:</p> <ul style="list-style-type: none"> • In the FY18 Annual Report, <ul style="list-style-type: none"> ○ In Opportunities and Challenges section under schedule adjustment, explain why the project was extended for 9 years and provide specific explanation by KPI #1 and KPI #2. ○ For KPI #2, explain that the “initial project phase” is Economic Impact Area 11; define the “local share” and show how it is being met, possibly by utilizing a table to show that the KPI was met in the status update. 	<p>Staff agrees and in the FY18 Annual Report, staff will:</p> <ul style="list-style-type: none"> • Explain why the project was extended for 9 years and provide specific explanation by KPI #1 and KPI #2 in the Opportunities and Challenges section under schedule adjustment. • Explain that the “initial project phase” in KPI #2 is Economic Impact Area 11; define the “local share” and show how it is being met, possibly by utilizing a table to show that KPI #2 was met in the status update.
E8	Upper Guadalupe River Flood Protection Highway 280 to Blossom Hill Road – San José	On Target	<p>IMC agrees with status. No recommendations.</p>	No response required.



STAFF RESPONSE **Independent Monitoring Committee** **Fiscal Year 2016-2017 Annual Report** **Other Capital Flood Protection Projects and** **Clean, Safe Creeks Grants Projects**

Project:	Status:	IMC Recommendation:	Staff Response:
Permanente Creek Flood Protection San Francisco Bay to Foothill Expressway – Mountain View	On Target	IMC agrees with status. No recommendations.	No response required.
Sunnyvale East and Sunnyvale West Channel Flood Protection San Francisco Bay to Inverness Way and Almanor Avenue – Sunnyvale	On Target	IMC agrees with status. No recommendations.	No response required.
Berryessa Creek Flood Protection Calaveras Boulevard to Interstate 680 – Milpitas and San José	On Target	IMC agrees with status. No recommendations.	No response required.
Coyote Creek Flood Protection Montague Expressway to Tully Road – San José	Modified	IMC agrees with status. No recommendations.	No response required.
Calabazas Creek Flood Protection Miller Avenue to Wardell Road – Sunnyvale	Completed	IMC agrees with status. No recommendations.	No response required.
Clean, Safe Creeks Grants Projects	On Target	IMC agrees with status. No recommendations.	No response required.