



SANTA CLARA VALLEY WATER DISTRICT

# NON-AGENDA

## January 7, 2022

**Board Policy EL-7 Communication and Support to the Board**  
*The BAOs shall inform and support the Board in its work.*

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<b>19</b>	<b>Board e Weekly Report: 01/06/22</b>
<b>20</b>	Email from Ken Anderson, to Vice Chair Kremen, dated 01/03/22, regarding Long Version Land Survey (C-22-0001).
	<b><u>OUTGOING BOARD CORRESPONDENCE</u></b>
<b>44</b>	Email from Chair Estremera, to Dom Cortese, dated 12/29/21, regarding Cortese Bro Water System including a Reservoir, Wells, Pipeline, Pump Station, and Connection to the City's water system (C-21-0189)

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

# **CEO BULLETIN**

# CEO BULLETIN



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

## **Weeks of December 24, 2021 – January 6, 2022**

**Board Executive Limitation Policy EL-7:**

*The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.*

Item	IN THIS ISSUE
<u>1</u>	<b>2021 Volunteer Recognition Event</b>
<u>2</u>	<b>2022 Valley Water Summer Internship Program</b>
<u>3</u>	<b>California Citizens Redistricting Commission Finalizes District Maps</b>
<u>4</u>	<b>Captive Delta Smelt Released into Wild</b>

### **1. 2021 Volunteer Recognition Event**

On December 9, 2021, Valley Water held its annual volunteer recognition event. During the event, the Valley Water Board of Directors recognized seven volunteers, one from each district, for their outstanding commitment to their community and their ability to take on leadership roles in creek cleanup events or for demonstrating their passion for stewardship and community engagement through their role as a water ambassador. This year, due to the continued COVID-19 pandemic, the event took place via Zoom. A total of 39 people attended the event.

Creek stewardship volunteers were recognized for their efforts in removing trash and recyclables from our creeks and streams, such as supporting Valley Water's efforts during Coastal Cleanup/National River Cleanup days and for their partnership in the Adopt-A-Creek Program. They are truly committed to keeping our local waterways free of trash.

Water Ambassador volunteers, who go through intensive training in local water issues to become water champions in their own communities, were recognized for their leadership and inspiration to others in giving back through volunteerism.

Recipients for this year's Volunteer Recognition Event included:

- Farkhondeh Kazemi - District 1, Director John L. Varela
- Bellarmine College Preparatory - District 2, Director Barbara F. Keegan
- DIY Neighbors Pekon Gupta and Christiann Savage - District 3, Director Richard P. Santos
- West Valley Clean Water Program Authority - District 4, Director Linda J. LeZotte
- Amy Cody, President of the Moreland West Neighborhood Association - District 5, Director Nai Hsueh
- Danny Garza, President of the Plata Arroyo Neighborhood Association and Eastgate N.A.C.- District 6, Chair Tony Estremera
- Mountain View Fire Department - District 7, Vice Chair Gary Kremen

Chair Estremera gave opening and closing remarks and Rachael Gibson, Chief of External Affairs emceed the event. Also in attendance this year were Directors Hsueh, Varela, Santos and Keegan. In 2021, a total of 2,880 volunteers generously gave over 8,500 hours of their time. The overall value of volunteer time given in 2021 for creek cleanups and other activities amounts to \$286,000. Valley Water looks forward to working with our dedicated volunteers in the coming year.

For further information, please contact Marta Lugo at (408) 630-2237.

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## 2. 2022 Valley Water Summer Internship Program

The Valley Water Summer Internship Program will be accepting applications from January 24 - January 31, 2022.

Valley Water has partnerships with 283 colleges and universities with a focus on local, diverse, veteran, and engineering serving institutions. We are fortunate to be surrounded by many local Hispanic Serving Institutions (HSI). In order to further attract a diverse set of applicants, Valley Water conducted outreach in the southern U.S. area partnering with Historical Black Colleges and Universities (HBCU)/Predominately Black Institutions (PBI). In addition to colleges and universities, Valley Water posted information with 42 diverse college clubs, seven programs assisting local undeserved students, five local black fraternities/sororities, seven Veterans Offices, and continue to partner with the Valley Water's Office of Racial Equity, Diversity and Inclusion and Valley Water's Employee Resource Groups.

This recruitment season, Valley Water attended a number of live events: five career fairs including Alcorn (HBCU) and Georgia State (PBI) universities; a Resume Blast with San Francisco State's National Society of Black Engineers; a private information session with San Jose State University's Black Fraternity Delta Rho; and the four Valley Water information sessions listed below. We also implemented a "boots on the ground" approach this year by distributing paper fliers at San Jose State University's (HSI) 7th Street Plaza.

Valley Water will be hosting Information Sessions via Zoom for those interested in our internship program. We will be discussing important deadlines, tips for creating the best resumes, and past internship experiences:

January 3rd, 2022 at 10:30AM  
January 11th, 2022 at 3PM  
January 19th, 2022 at 11:30AM  
January 27th , 2022 at 2PM

More information can be found here: <https://www.valleywater.org/paid-summer-internships>.

For further information, please contact Ingrid Bella 408-663-7078.

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### 3. California Citizens Redistricting Commission Finalizes District Maps

On December 20, 2021, the California Citizens Redistricting Commission released the final district maps for the U.S. Congress, State Senate, State Assembly, and State Board of Equalization. Below is a summary of key district changes of interest to Valley Water. An interactive map of all districts adopted by the Commission is available at: [https://www.wedrawthelinesca.org/final\\_maps](https://www.wedrawthelinesca.org/final_maps).

#### U.S. Congress

All four Santa Clara County Congressional delegation districts are redrawn, and 3 out of the 4 have been renumbered. As is currently the case, San José will be split into 3 congressional districts with different boundaries.

- Congressman Zoe Lofgren's district has been redrawn to include East San José, Morgan Hill, and Gilroy, and extends south 150 miles to King City, creating a majority Latino district (50.5%).
- Congressman Jimmy Panetta's district will include more of Santa Clara County, expanding into Evergreen and Edenvale, and as before extending west to Santa Cruz and far south to Paso Robles.
- Congressman Ro Khanna's district remains roughly the same, but no longer includes Fremont; and the district has a plurality of Asian residents (46.5%).
- Congressman Anna Eshoo's district continues to include Palo Alto and Mountain View, but the coastal piece is smaller and moved northward to include Pacifica and the western side expanded to include Willow Glen.

#### State Senate

The borders of the Senate districts have moved some, but the numbers remain the same.

- Senator John Laird (D-Santa Cruz) will no longer represent Santa Clara County after his next election in 2024, as his boundaries moved to the west, out of our county.
- Senator Dave Cortese (D-San José) loses parts of Cupertino, Campbell, and Los Gatos, but gains Morgan Hill, Gilroy, and the rest of South County formerly in Laird's district.
- Senator Josh Becker (D-San Mateo) will lose most of Sunnyvale, but his district expands south to include Campbell and Los Gatos.
- Senator Bob Wieckowski is termed out at the end of 2022, but his Senate District 10 lost Castro Valley and part of Hayward and now expands southwest to include Sunnyvale.

#### State Assembly

There are significant changes to the Assembly districts and their district numbers will change.

- Assemblymember Evan Low (D-Campbell) sees his hometown now moved into Marc Berman's district. A new district was formed that includes Sunnyvale, Santa Clara, and Cupertino.
- Assemblymember Marc Berman (D-Palo Alto) loses Sunnyvale, but gains Campbell & Saratoga.
- Assemblymember Alex Lee (D-San José) loses parts of San José and Santa Clara but gains more of Newark and Fremont.
- Assemblymember Ash Kalra (D-San José) keeps most of his district but also gains the scarcely populated mountains to the east, including Anderson and Coyote reservoirs.
- Assemblymember Mark Stone (D-Scotts Valley) now includes the City of Morgan Hill.
- Assemblymember Robert Rivas (D-Hollister) loses Morgan Hill but keeps the City of Gilroy and southward.

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

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#### 4. Captive Delta Smelt Released into Wild

On December 15, 2021, the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, California Department of Water Resources, and U.S. Bureau of Reclamation worked together to experimentally release delta smelt that were raised in captivity into the Sacramento-San Joaquin Delta for the first time. This multi-agency effort is designed to test the feasibility of future supplementation efforts with the goal of increasing the species' population size. Nearly 13 thousand tagged fish were released in the Sacramento River near Rio Vista. Several have already been recaptured in routine fish surveys, indicating at least some survived the transport, handling, and release. This is the first year of a three-year experiment to test the feasibility of releasing hatchery raised smelt into the environment. If the experiment is deemed a success, release of captive delta smelt to supplement wild populations may become an annual occurrence, similar to the ongoing release of hatchery salmon and steelhead.

Delta smelt are an endangered species protected by state and federal law. The number of wild delta smelt remaining in the Delta is unknown, but many believe they are on the brink of extinction since they are now rarely detected in any monitoring surveys. Permits that allow Valley Water and other contractors to import water from the Delta are contingent on the State Water Project and Central Valley Project operating to a set of criteria designed to protect delta smelt, among other species.

See photos and videos of the release here:

[https://www.flickr.com/photos/usfws\\_pacificsw/albums/72157720295338780](https://www.flickr.com/photos/usfws_pacificsw/albums/72157720295338780).

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

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## Outlook as of January 1, 2022

The Santa Clara County and most of California are in a severe to extreme drought. After two consecutive dry years and due to low imported water allocations, end of 2021 groundwater storage is projected to be in Stage 1 (Normal) of the Water Shortage Contingency Plan due to our community implementing additional water use reduction and early winter rains. Valley Water secured emergency water supplies in 2021 and ramped up water conservation programs and outreach. On December 1, 2021, the California Department of Water Resources announced the initial State Water Project allocations of 0% of contract, plus minimum unmet water demands for public health and safety. Valley Water will rely more on imported water and water conservation in the next 10 years while Anderson Reservoir storage is unavailable. The Board of Directors declared a water shortage emergency in June 2021 and called for water use restrictions of 15% relative to 2019. Many cities and retailers have enacted water use prohibitions. Making conservation a California way of life is especially critical during this extreme drought.

### Weather

- Rainfall in San José:
  - » Month of December, City of San José = 4.3 inches
  - » Rainfall year total = 7.2 inches or 142% of average to date (rainfall year is July 1 to June 30)
- San José average daily high temperature was 57.6 degrees Fahrenheit in December, which is lower than the five-year average for December (59.5 degrees Fahrenheit)

### Local Reservoirs

- Total January 1 storage = 46,318 acre-feet

Reservoir Storage	All Ten Valley Water Reservoirs	All Reservoirs Except Anderson
Current storage as % of unrestricted capacity	28%	54%
Current storage as % of restricted capacity <sup>(1)</sup>	74%	69%
Current storage as % of the 20-year average for January 1	67%	133%

(1) Per the Federal Energy Regulatory Commission's order, the capacity of Anderson Reservoir was restricted to the deadpool storage of about 3,050 AF. The total restricted capacity for all ten reservoirs is 62,592 acre-feet.

- Approximately 0 acre-feet of imported water delivered into Calero Reservoir during December 2021
- Total estimated releases to streams (local and imported water) during December were 9,410 acre-feet (based on preliminary hydrologic data)

### Groundwater

- Seasonal recovery has begun to stabilize or increase groundwater levels in most areas, but groundwater levels continue to decline due to the drought in a few areas and levels remain lower than those at this time last year. Groundwater storage at the end of 2021 is projected to be in Stage 1 (Normal) of Valley Water's Water Shortage Contingency Plan

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
December managed recharge estimate	3,600	1,600	1,100
January to December managed recharge estimate	35,700	14,400	15,900
January to December managed recharge as % of 5-year average	57%	83%	74%
November pumping estimate	5,000	1,000	3,100
January to November pumping estimate	74,300	12,700	40,700
January to November pumping as % of 5-year average	122%	124%	103%
Current index groundwater levels compared to December 2020	2 Feet Lower	2 Feet Lower	12 Feet Lower

All volumes are in acre-feet. All data is for 2021 except where noted.

## Imported Water

- 2022 State Water Project (SWP) and Central Valley Project (CVP) allocations:
  - » The California Department of Water Resources (DWR) announced that the SWP initial allocation would meet a contractors' unmet public health and safety needs. Valley Water is working with DWR to determine its public health and safety allocation. DWR is monitoring conditions and may adjust the allocation based on changing conditions
  - » South-of-Delta CVP allocations have not yet been identified
- Statewide reservoir storage information, as of December 29, 2021:
  - » Shasta Reservoir at 29% of capacity (49% of average for this date)
  - » Oroville Reservoir at 37% of capacity (72% of average for this date)
  - » San Luis Reservoir at 29% of capacity (48% of average for this date)
- Valley Water's Semitropic groundwater bank reserves are near 87% of capacity, or 303,830 acre-feet, as of December 29, 2021
- Estimated SFPUC deliveries to Santa Clara County:
  - » Month of November = 2,931 acre-feet
  - » 2021 Total to Date = 43,641 acre-feet
  - » Five-year annual average = 48,700 acre-feet
- Board Governance Policy No. EL-5.3.3 includes keeping the Board informed of imported water management activities on an ongoing basis. No imported water agreements have been executed under EL-5.3.3 since the last Water Tracker update

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## Treated Water

- Below average demands of 4,870 acre-feet delivered in December
- This total is 82% of the five-year average for the month of December
- Year-to-date estimated deliveries are 93,980 acre-feet or 91% of the five-year average

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## Conserved Water

- Saved 76,584 acre-feet in FY21 through Valley Water's long-term conservation program (baseline year is 1992)
- Long-term program goal is to save nearly 100,000 acre-feet by 2030 and 110,000 acre-feet by 2040
- On June 9, 2021, the Board called for a 15% reduction in water use compared to 2019, for the public to limit irrigation of ornamental landscapes with potable water to a maximum of three days per week, and for retailers, cities and the County to implement local water restrictions
- The community has continued to increase its drought-related conservation from June 2021, with November 2021 water use approximately 20% less than November 2019 water use.

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## Recycled Water

- Estimated December 2021 production = 970 acre-feet
- Estimated year-to-date through December = 16,860 acre-feet or 96% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.6 billion gallons (4,864 acre-feet) of purified water in 2020. Since the beginning of 2021, about 4,268 acre-feet of purified water has been produced. The purified water is blended with existing tertiary recycled water for South Bay Water Recycling Program customers

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## Alternative Sources

- As of December 10, 2019, Valley Water's wastewater contract right from Palo Alto/Mountain View remains at 11,200 acre-feet/year

## CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, email [info@valleywater.org](mailto:info@valleywater.org) or use our **Access Valley Water** customer request system at <https://deliver.com/2yukx>.



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**City of Sunnyvale**

**Notice of City Council Reorganization**

The City Council of the City of Sunnyvale, at a regular meeting held on Tuesday, January 4, 2022, reorganized as follows:

Larry Klein, Mayor

Alysa Cisneros, Vice Mayor

Gustav Larsson, Councilmember

Glenn Hendricks, Councilmember

Russell Melton, Councilmember

Omar Din, Councilmember

*Vacancy*, Councilmember

*Dated this 4<sup>th</sup> day of January, 2022*

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*David Carnahan  
City Clerk  
Sunnyvale, California*

# **BOARD MEMBER REQUESTS and Informational Items**

**Report Name: Board Member Requests**

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
R-21-0007	12/14/21	Santos	Tippets	Codianne	Send letters/communications to creek owners, i.e. cities, County, school districts, private property owners, etc. requesting that they remove debris/obstructions on the portion(s) of the creek which they own.	01/03/22		



## MEMORANDUM

FC 14 (08-21-19)

**TO:** Rick L. Callender  
Chief Executive Officer

**FROM:** Heath McMahon, P.E.  
Deputy Operating Officer

**SUBJECT:** Final Mitigated Negative Declaration for the  
Pacheco/Santa Clara Conduit Right-of-Way  
Acquisition Project (Project No. 92144001)

**DATE:** January 4, 2022

A Final Mitigated Negative Declaration (FMND) has been prepared for the proposed Pacheco/Santa Clara Conduit Right-of-Way Acquisition Project (proposed project) to fulfill Valley Water's lead agency responsibilities under the California Environmental Quality Act (CEQA). The MND has been assigned a State Clearinghouse No. SCH # 2021010063.

The proposed project would improve Valley Water's access to the Santa Clara (SCC) and Pacheco (PC) conduits located within Santa Clara and San Benito Counties to undertake maintenance and repair of these facilities by implementing access agreements with landowners and constructing improvements at vaults and above-ground maintenance sites. Valley Water is proposing to obtain easements from private landowners at ten vault locations and construct improvements including path, gravel collars, driveways, sign, and gates at numerous vault locations.

The easements and improvements would allow Valley Water to more effectively and safely access and perform the maintenance in areas where existing access is currently limited.

This Final MND is being submitted to the Board of Directors (Board) for their information prior to the Board meeting when the Board would consider approval of the project.

The Draft MND and Notice of Intent (NOI) to adopt an MND was circulated to local and state agencies, interested organizations, and individuals to review and provide comments on the project, impact analysis, proposed mitigation measures or other elements of the report. The 30-day public review period began on **Friday, January 8, 2021** and ended on **Monday, February 8, 2021**. One comment letter from Caltrans District 4 was received as part of the 30-day public review process. The letter from Caltrans commented on requirements for encroachment permits, right-of-way concerns, construction impacts, and stormwater concerns.

Staff has prepared a Final MND that contains Valley Water's responses to Caltrans' comments. The Final MND also includes Best Management Practices (BMPs), Valley Habitat Plan (VHP) conditions and avoidance and minimization measures (AMMs), and mitigation measures to reduce the project impacts. The Final MND discloses that the proposed project would potentially result in significant impacts on related to biological resources, archeological/paleontological resources, and wildfire., but concludes that the BMPs, AMMs and mitigation measures would reduce the impacts to levels of less-than-significant. These measures are included in the Mitigation Monitoring and Reporting Program (MMRP) in Appendix F of the Final MND.

Prior to approving the project, CEQA requires the Board review and consider the information contained in the Final MND. When adopting the Final MND, the Board will also need to adopt the MMRP.

Since Valley Water is required to prepare an Engineers Report (ER) for the proposed project, staff in the near term will ask the Board to set a public hearing date for the ER and the MND, and after the public hearing the Board will be asked to consider the MND before adopting the MND, approving the ER, and then approving the project.

DocuSigned by:



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Heath McMahon, P.E.  
Deputy Operating Officer  
Water Utility Capital Division

Attachments: Pacheco/Santa Clara Conduits Final MND (contains Response to Comments) and MMRP

cc: CEQA Administration File, Project File, Mike Coleman, Todd Inman, Alex Hunt

TCI  
Final Mitigated Negative Declaration  
Pacheco/Santa Clara Conduit Right-of-Way Acquisition Project  
January 4, 2022

# FINAL Mitigated Negative Declaration



Valley Water

**DECEMBER 2021**

## **Pacheco/Santa Clara Conduit Right-of-Way Acquisition Project**

**Project No. 92144001      SCH # 2021010063**

The FINAL Mitigated Negative Declaration for the Pacheco/Santa Clara Conduit Right-of-Way Acquisition Project may be viewed from the following link:

<https://fta.valleywater.org/fl/OeSQ57jT70>

**TO:** Board of Directors**FROM:** Rick Callender, CEO**SUBJECT:** Letter from General Manager Ben Hornstein  
of Marin Water**DATE:** January 5, 2022

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Attached is a letter dated January 5, 2022 informing Valley Water that the Marin Water Board of Directors, at the January 4, 2022 Board Meeting, directed staff to continue all efforts to develop the Intertie Project using a traditional (non-emergency) environmental review process.



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Rick L. Callender  
Chief Executive Officer

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January 5, 2022

Mr. Rick Callender, Chief Executive Officer  
Valley Water  
5750 Almaden Expressway  
San Jose, CA 95118-3686

Via US Mail and email: [rcallender@valleywater.org](mailto:rcallender@valleywater.org)

Dear Mr. Callender,

As a stakeholder actively engaged with us on the Emergency Intertie Project, I wanted to let you know that the Marin Water Board of Directors, at the January 4, 2022 Board Meeting, directed staff to continue all efforts to develop the Intertie Project using a traditional (non-emergency) environmental review process.

As you are aware, we have had a positive start to the water year, such that our water supply storage has improved to more than 90 percent of capacity, well above the average storage level for this time of year. This shift in weather from the past two years of drought conditions has allowed the Board to continue moving forward with the proposed Intertie Project consistent with a normal CEQA review process.

The severe conditions brought on by the drought have underscored the need to work towards greater long-term resiliency for Marin Water. The Board continues to express its deep interest in this drought resiliency project for Marin Water and the Board is hopeful that the additional time will help ensure all of the considerations for such a complex project are thoroughly reviewed and any environmental impacts are appropriately addressed.

On behalf of the District, and the Board of Directors, I want to thank you for the support you provided us during the drought emergency we found ourselves in, and express our ongoing appreciation as we continue to pursue this very important project.

Ben Horenstein  
General Manager  
Marin Water