



FISH AND AQUATIC HABITAT COLLABORATIVE EFFORT (FAHCE) AD HOC COMMITTEE

MINUTES

Thursday, October 8, 2020
1:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. Call to Order
1.1 Roll Call

A meeting of the Santa Clara Valley Water District (Valley Water) Fish and Aquatic Habitat Collaborative Effort (FAHCE) Ad Hoc Committee was called to order at 1:00 p.m. on October 8, 2020, in the District Headquarters Building, Conference Room A-124, 5700 Almaden Expressway, San Jose, California.

Board Members in attendance in Conference Room A-124: Director Barbara Keegan-District 2; Board members attending by videoconference: Director Linda J. LeZotte-District 4; and Director Tony Estremera-District 6, constituting a quorum of the FAHCE Ad Hoc Committee.

Staff members in attendance in Conference Room A-124: Michele King, Clerk of the Board; staff in attendance by videoconference: Aaron Baker, Bart Broome, Anthony Fulcher, Rachael Gibson, Vince Gin, Chris Hakes, Ryan Heacock, Bassam Kassab, Susana McCloskey, Brian Mendenhall, Lisa Porcella, Tina Yoke, and Sarah Young.

2. Time Open for Public Comment on any Item not an Agenda

Chairperson Keegan declared time open for public comment on any item not on the agenda. There was no one present that wished to speak.

3.1 Proposed Conversion of Santa Clara Valley Water District (Valley Water) Fish and Aquatic Habitat Collaborative Effort (FAHCE) Ad Hoc Committee to a Standing Board Committee.

Mr. Vincent Gin, Deputy Operating Officer, provided background information on the potential broadening of the committee's purpose/scope, conversion to a standing board committee, and new committee name.

Mr. Chris Hakes, Deputy Operating Officer, provided background on the Anderson Dam Seismic Retrofit Project, how FAHCE elements were integrated into the project to ensure fish are in good condition, the Federal Energy Regulatory Commission's order to reduce the reservoir level and to expedite construction of the low level outlet tunnel, and the process for draining the reservoir.

Mr. Richard McMurtry asked when the Environmental Impact Report (EIR) would be released on the FAHCE related activities for the Guadalupe and Stevens creeks. Mr. Gin responded that the EIR would be released in Spring of 2021.

Mr. McMurtry also asked if Valley Water had entered into a Memorandum of Agreement with the County to complete Ogier Ponds and Singleton Road. Since the topic of the question was beyond the scope of the subject on the agenda, Committee Chair Keegan requested that staff follow up with Mr. McMurtry after the meeting.

Mr. Roger Castillo asked if a process is being included to acknowledge and inform the County and the City of San Jose on how notification will be provided to those living along the creeks of the flows that will be released. Since the topic of the question was beyond the scope of the subject on the agenda, Committee Chair Keegan requested that staff follow up with Mr. Castillo after the meeting.

Mr. Gin provided additional details regarding expanding the scope of the Committee, including the additional scope to, "Identify and track progress of district and outside activities that may affect the FAHCE settlement agreement and implementation."

Ms. Kit Gordon asked if there is a mission statement for the proposed standing board committee, and would it include flood protection elements. Mr. Gin answered that the new proposed scope is the mission statement and that staff does feel that flood protection elements were incorporated. Ms. Gordon also asked who the committee members would be and how the public would be involved. Committee Chair Keegan reviewed the public process that is used for standing committees.

Mr. Gin summarized how staff and the ad hoc committee arrived on the proposed new standing committee name of Stream Planning and Operations Committee.

Ms. Katja Irvin asked if the word "Dam" should be inserted into the proposed name before the word Operations. Committee Chair Keegan and Mr. Aaron Baker, Acting Chief Operating Officer, explained that dam operations is a piece of the program, but not the complete picture, therefore adding it into the name was not necessary.

Mr. Mark Rockwell asked about the committee membership. Committee Chair Keegan explained that standing board committee memberships are made up of three Board members and the meetings are open to the public. The current committee membership will remain the same for this year and may be reconsidered next year by the board.

Mr. Rockwell asked for clarification on the relationship with the FAHCE agreement and initialing parties and the new proposed board standing committee. Mr. Gin explained that committees are advisory to the full board and that meetings will be public meetings where the public can participate in discussions. Technical work groups will continue at staff level.

Mr. Gin summarized the next steps in the committee conversion process and outlined the plan for the first public meeting, if the conversion is supported by the ad hoc committee and subsequently approved by the Board.

Mr. Castillo expressed support for converting the committee and holding open public meetings.

Mr. Rockwell expressed concern for the expansion of the committee purpose. Mr. Anthony Fulcher, Senior Assistant District Counsel, Mr. Gin and all committee members provided background on the original ad hoc committee purpose and how

the expanded board standing committee would take a holistic approach to implementation of FAHCE and allow for public participation.

Ms. Gordon asked how often the standing committee would meet and if draft documents presented to committee would be made available to the public. Committee Chair Keegan stated that any information provided to the Committee for open session items will be made available to the public, and Mr. Gin shared that staff anticipates the standing committee will meet every other month, or as requested by the committee.

It was moved by Director LeZotte, seconded by Director Estremera, an unanimously approved by roll call vote to recommend to the full Board converting the ad hoc committee to a standing board committee, adding proposed committee purposes as outlined in the committee memo, and naming the standing board committee the Stream Planning and Operations Committee.

4. Clerk Review and Clarification of Committee Requests.

Ms. Michele King, Clerk of the Board, reported that staff was asked by Committee Chair Keegan to follow up with Mr. McMurtry and Mr. Castillo.

5. Adjourn:

Committee Chair Keegan adjourned the meeting at approximately 2:10 p.m.

Michele King

Michele L. King, CMC
Clerk of the Board

Approved: 1/14/21