



SANTA CLARA VALLEY WATER DISTRICT

# NON-AGENDA

**May 06, 2022**

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

<b>Page</b>		<b><u>CEO BULLETIN &amp; NEWSLETTERS</u></b>
<b>3</b>		CEO Bulletin:
<b>6</b>		May 2022 Water Tracker
		<b><u>BOARD MEMBER REQUESTS &amp; INFORMATIONAL ITEMS</u></b>
<b>9</b>		<b>BMR/IBMR Weekly Reports: 05/05/22</b>
<b>10</b>		Memo from Michele King, COB, to the Board of Directors, dated 04/28/22, regarding Fiscal Year 2023 Surface Water Charge Protest – NO MAJORITY PROTEST.
		<b><u>INCOMING BOARD CORRESPONDENCE</u></b>
<b>12</b>		<b>Board Correspondence Weekly Report: 05/05/22</b>
<b>13</b>		Email from Annie Belt, to the Board of Directors, dated 04/27/22, regarding Beavers and California Drought (C-22-0075).
<b>14</b>		Email from Jeffrey Michael, to the Board of Directors, dated 04/27/22, regarding Water Rates (C-22-0076).
<b>15</b>		Letter from Alie H. Saad, Ph.D., to the Board of Directors, dated 04/26/22, regarding the Impact of the Lake Draining and the Steps taken to Retrofit the Dam (C-22-0077).
<b>18</b>		Email from Jack Wilcock, to Director Kremen, dated 05/01/22, regarding Ground Water Recharge (C-22-0078).
		<b><u>OUTGOING BOARD CORRESPONDENCE</u></b>
<b>24</b>		Email from Director LeZotte, to Atif Hashmi, dated 04/27/22, regarding the Encampments within Guadalupe Creek (C-22-0073).
<b>28</b>		Email from Director Kremen, to Edward Ring, dated 05/02/22, regarding the Cost to treat all Urban WasteWater (C-22-0072).

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 April 22 – May 5, 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>Fee Reduction for U.S. Bank Line of Credit</b>
<u>2</u>	<b>Permanente Flood Protection Project Letter of Map Revision Update</b>
<u>3</u>	<b>State Water Resources Control Board Issues Livestock Stockpond Certificates</b>
<u>4</u>	<b><u>Varela</u> Staff to respond to Margaret's public comment during 4/12/22 meeting asking how Valley Water is managing North County requests for new wells in neighborhoods already served by Valley Water. R-22-0005</b>

### **1. Fee Reduction for U.S. Bank Line of Credit**

On April 29, 2022, Valley Water closed on an amendment to the revolving line of credit with U.S. Bank and reduced the fee structure applicable only to U.S. Bank. The amended fee structure is in line with current market rates for bank lines of credit, which has declined since Valley Water originally set up the facility in 2020, when rates were higher due to the then emerging COVID-19 pandemic. The fee structure applicable to the three small local community banks was not affected to ensure their continued participation levels. The overall revolving lines of credit ("Revolver") capacity remain the same at \$170 million and the credit allocations remain the same: (1) U.S. Bank \$150 million; (2) Bank of San Francisco \$7 million; (3) Community Bank of the Bay \$5 million; and (4) First Foundation Bank \$8 million.

The amended Revolver has a three-year term through April 29, 2025, with renewal options pursuant to Board Resolution 20-11 adopted by the Valley Water Board on April 28, 2020. The anticipated cost savings over the next three years is estimated to range between \$378,000 to \$3.9 million, depending on the draw status against the Revolver and market conditions. This credit facility ensures that Valley Water will have ample liquidity to continue funding ongoing capital projects, meet general financing needs and provide a financial buffer against the ongoing economic uncertainties related to the COVID-19 pandemic as well as global geopolitical risks.

For further information, please contact Darin Taylor at (408) 630-3068.

## **2. Permanente Flood Protection Project Letter of Map Revision Update**

Valley Water, the County of Santa Clara, and the cities of Mountain View, Los Altos and Cupertino jointly filed a Letter of Map Revision (LOMR) application with the Federal Emergency Management Agency (FEMA) on April 18, 2022 to change the FEMA 100-year floodplain area to reflect the recently-completed flood protection projects on Permanente Creek.

A LOMR is FEMA's vehicle for changing their Flood Insurance Rate Maps (FIRM). Parcels located within the 100-year floodplain on the FIRM are required to purchase flood insurance if they carry federally-backed loans. It is estimated that up to 1,000 parcels will be removed from the FEMA floodplain.

Unfortunately, to correct an error in the FEMA map that is currently effective, two properties along the Permanente Diversion channel will also be added to the 100-year floodplain. After the LOMR filing, the FEMA review and appeals process occurs. Currently, notice letters for any property that will experience a change to their floodplain, (where "change" is defined as any change, even a small shift in the floodplain that may not impact any structures) are being sent out in coordination with Valley Water's Public Information Office. Subsequent to the review appeals process, the revised FIRM maps would then become effective. The process is expected to take approximately 12 to 18 months, but could be longer if additional review rounds are needed, and/or if valid appeals to the proposed FIRM are received from the community.

After the LOMR becomes effective, additional community outreach will be conducted to notify all properties that will be removed from the floodplain to inform them of the map change and the next steps required to remove the insurance requirement. Similar outreach has been conducted for the Lower Silver Creek LOMR.

For further information, please contact John Bourgeois at (408) 630-2990.

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## **3. State Water Resources Control Board Issues Livestock Stockpond Certificates**

Valley Water acquired mitigation property at Upper Penitencia Creek and Rancho Cañada de Pala in December 2014 and December 2015, respectively. These properties collectively contain a total of 14 stockponds. Upon acquisition of the property, Valley Water inherited three water right licenses and six certificates that cover 10 stockponds. These stockponds had been allotted water rights totaling just over 54 acre-feet.

In 2019, registration documentation was submitted to the State Water Resources Control Board for the remaining four stockponds. On April 19, 2022, the State Water Resources Control Board issued four livestock stockpond water right certificates to Valley Water and appropriated a total of 0.48 acre-feet in water rights.

For further information, please contact Greg Williams at (408) 630-2867.

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4. Varela

**Staff to respond to Margaret's public comment during 4/12/22 meeting asking how Valley Water is managing North County requests for new wells in neighborhoods already served by Valley Water.**

**R-22-0005**

At the April 12, 2022 Valley Water Board Meeting, during public comment a constituent named Margaret asked how Valley Water manages North County requests for new wells in neighborhoods already served by Valley Water. Margaret did not provide any contact information, but a response is provided below for the Board's information and to support future inquiries.

Valley Water typically receives very few applications for new water supply wells in areas served by water retailers, such as North County. Valley Water issues permits for all new wells in Santa Clara County and manages groundwater for beneficial uses but does not directly serve water to neighborhoods or businesses. Valley Water reviews all well permit applications to determine if the proposed well construction conforms with State and Valley Water well standards and regulations. Valley Water also verifies the proposed well location has been approved by the Santa Clara County Department of Environmental Health. Drilling contractors must determine if the proposed well site can provide adequate access for drilling equipment to construct the proposed well, especially in residential neighborhoods.

For further information, please contact Greg Williams at (408) 630-2867.

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## Outlook as of May 1, 2022

Based on continued drought conditions, the imported water allocations are low. The State Water Project allocation is at 5% of contract amount. The U.S. Bureau of Reclamation (USBR) has reduced the 2022 Municipal and Industrial allocation from 25% to zero but is considering Valley Water's request for a Public Health and Safety allocation. Santa Clara County continues to be in a water shortage emergency. Due to severe drought and increased reliance on imported water in the next 10 years while Anderson Reservoir storage is unavailable, meeting the Board of Directors call for 15% water use reduction relative to 2019 is essential.

### Weather

- Rainfall in San José:
  - » Month of April, City of San José = 0.4 inches
  - » Rainfall year total = 8.35 inches or 59% of average to date (rainfall year is July 1 to June 30)
- Snowfall in the Northern Sierra:
  - » April 29 snowpack was 32% of normal for this date

### Local Reservoirs

- Total May 1 storage = 40,512 acre-feet

Reservoir Storage	All Ten Valley Water Reservoirs	All Reservoirs Except Anderson
Current storage as % of unrestricted capacity	24%	48%
Current storage as % of restricted capacity (1)	65%	62%
Current storage as % of the 20-year average for May 1	41%	76%

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

- Approximately 609 acre-feet of imported water delivered into Calero Reservoir during April 2022
- Total estimated releases to streams (local and imported water) during April were 3,600 acre-feet (based on preliminary hydrologic data)

### Groundwater

- Due to Valley Water efforts to secure emergency imported water, groundwater conditions remain good despite the ongoing drought. However, seasonal water level decline has begun, with greater than average declines expected this year. Water levels in most wells are equal to or lower than April 2021 and are expected to end this year lower than last year. The end of 2022 groundwater storage is projected to be in low Stage 1 (Normal) of the Water Shortage Contingency Plan, if the USBR grants Valley Water's request for public health and safety supplies. Valley Water continues to plan for dry and rapidly evolving conditions

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
April 2022 managed recharge estimate	1,300	700	2,100
YTD managed recharge estimate	13,700	3,500	6,900
YTD managed recharge as % of 5-year average	96%	74%	144%
March 2022 pumping estimate	2,800	600	1,600
YTD pumping estimate	11,200	2,100	4,800
YTD pumping as % of 5-year average	85%	92%	92%
Current index well groundwater levels compared to April 2021	11 Feet Higher	Same Level	3 Feet Lower

All volumes are in acre-feet. All data is for 2022 except where noted. YTD = Year-to-Date

## Imported Water

WY 2022 Imported Water Allocations	Allocation	Allocation (acre-feet)	Details
State Water Project	5%	5,000	Additional allocation of 39 TAF of human health and safety water
Central Valley Project	-	-	Public health and safety water requested
<b>State-wide Reservoir Storage</b>	Capacity	Current Storage (acre-feet)	Average for Date (as of 4/28/22)
Shasta Reservoir	39%	1,797,966	47%
Oroville Reservoir	54%	1,893,971	70%
San Luis Reservoir	46%	946,997	56%
<b>Semitropic Groundwater Bank</b>	Capacity	Current Storage (acre-feet)	Date of Data
	82%	286,631	3/31/22
<b>Estimated SFPUC Deliveries</b>	March (acre-feet)	2022 Total to Date (acre-feet)	Five-year annual average (acre-feet)
	3,697	9,647	48,700

- No imported water agreements executed under EL-5.3.3 since the last Water Tracker

## Treated Water

- Above average demands of 6,920 acre-feet (estimated) delivered in April
- This total is 100% of the five-year average for the month of April
- Year-to-date estimated deliveries are 24,133 acre-feet or 104% of the five-year average

## 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 and for retailers, cities, and the County to implement local water restrictions. On April 12, 2022, the Board called for the public to limit irrigation of ornamental lawns and landscapes with potable water to no more than two days per week
- The cumulative water savings since the water use reduction call in June 2021 through March 2022 is 3%

## Recycled Water

- Estimated April 2022 production = 1,182 acre-feet
- Estimated year-to-date through April = 3,952 acre-feet or 114% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.7 billion gallons (5,150 acre-feet) of purified water in 2021. Since the beginning of 2022, about 1,319 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

## 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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# **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-22-0003	04/12/22	Keegan	Gibson	Rocha	Provide information on the last two years of polling, what we polled for, and what the costs were for those polls.	05/09/22		
R-22-0004	04/12/22	Varela	Baker	Gin	Staff to respond to Mr. Peter Drekmeier's 4/12/22 public comment regarding participating in a shared water purchase savings program.	05/11/22		
R-22-0005	04/12/22	Varela	Baker	Williams Chatwani	Staff to respond to Margaret's public comment during 4/12/22 meeting asking how Valley Water is managing North County requests for new wells in neighborhoods already served by Valley Water.	05/12/22		05/05/22 CEO Bulletin: Email from Usha Chatwani with an attached CEO Bulletin Submission form responding to R-22-0005.



## MEMORANDUM

FC 14 (02-08-19)

**TO:** Board of Directors

**FROM:** Michele King,  
Clerk of the Board

**SUBJECT:** Fiscal Year 2023 Surface Water Charge  
Protest – NO MAJORITY PROTEST

**DATE:** April 28, 2022

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On February 25, 2022, surface water account holders in North County modified Zone W-2 and South County Zones W-5, W-7 and W-8 were mailed a Notice of Public Hearing on the Groundwater Production and Surface Water Charges for Fiscal Year 2022-2023 (FY23). The notice provided dates and times of the public hearings and open houses for the public to receive information and provide input.

Additionally, in accordance with District Resolution No. 12-10, the notice included details on how owners with surface water use facilities were eligible to protest the proposed surface water charge increases for FY23.

Protests were accepted via US mail between Friday, February 25, 2022, and Tuesday, April 26, 2022, until the close of the public hearing at approximately 6:20 p.m.

The District received no surface water protests.