



ENVIRONMENTAL AND WATER RESOURCES COMMITTEE

MINUTES

**MONDAY, APRIL 19, 2021
6:00 PM**

(Paragraph numbers coincide with agenda item numbers)

A regular scheduled meeting of the Environmental and Water Resources Committee (Committee) Meeting was held on April 19, 2021, Teleconference via Zoom in San Jose, California.

1. CALL TO ORDER/ROLL CALL

Chair Mr. Bob Levy called the meeting to order at 6:02 p.m. A quorum was established with 12 Members present.

Members in attendance were:

<u>Jurisdiction</u>	<u>Representative</u>	<u>Representative</u>	<u>Representative</u>
District 1	Bonnie Bamburg*	Loren Lewis	
District 2	Charles Ice*	Elizabeth Sarmiento*	
District 3	Hon, Dean Chu	Rev. Jethroe Moore, II	Charles Taylor
District 4	Susan Blake	Bob Levy	
District 5	Hon. Tara Martin-Milius	Mike Michitaka	
District 6	Hon. Patrick S. Kwok	Diego Mora Tejeda	
District 7	Tess Byler*	Steve A. Jordan	Arthur M. Keller, Ph.D.

*Committee Members arrived as indicated below.

Board member in attendance was: Director Nai Hsueh (Board Alternate).

Staff members in attendance were: Jennifer Abadilla, Aaron Baker, Lisa Bankosh, Glenna Brambill, John Bourgeois, Vincent Gin, Carmen Narayanan, Kirsten Struve, Darin Taylor and Greg Williams.

Guests in attendance were: Hon. Helen Chapman (Open Space Authority), Shani Kleinhaus (Santa Clara Valley Audubon Society), and Jane Mark (Mid-Peninsula Open Space District).

Public in attendance was: Jane Dresden.

*Ms. Bonnie Bamburg logged on at 6:04 p.m.

*Mr. Charles Ice and Ms. Elizabeth Sarmiento logged on at 6:05 p.m.

2. PUBLIC COMMENT

Ms. Shani Kleinhaus of the Santa Clara Valley Audubon Society commented on:

- Project moving slowly in San Jose by a group called the Urban Confluence that are modeling the project after the old light tower that killed score of birds (source from history) where the light attracted them to light beam/source. Building a massive 200 feet total light generator within 200' of the riparian corridor-confluence point of the Los Gatos Creek/Guadalupe Creek come together is not a good location. The lighting will interfere with wildlife movement, 20 story total light generator 'light pollution' is not good and in a riparian corridor is irresponsible. Another concern is the proximity to the airport which will also impact aircraft and migratory birds that fly at night attracted by the source of light. The Project is scheduled to go to the City Council in early May, and she is asking that interested parties say "no", to at least the lighting portion but prefers a "no" to the whole Project.

3. APPROVAL OF MINUTES

3.1 APPROVAL OF MINUTES

It was moved by Hon. Tara Martin-Milius, seconded by Rev. Jethroe Moore, II., and by roll call and unanimous vote carried, to approve the January 25, 2021, Environmental and Water Resources Committee meeting minutes as presented.

4. ACTION ITEMS

4.1 DISCUSS PROPOSED FISCAL YEAR 2021-22 GROUNDWATER PRODUCTION CHARGES AND RECEIVE BOARD GUIDANCE

Ms. Carmen Narayanan reviewed the materials as outlined in the agenda item.

*Ms. Tess Byler logged on at 6:50 p.m.

The Environmental and Water Resources Committee discussed the following: SWP tax impact, water from SBA, Pacheco Reservoir Expansion Project, water storage, water retailers, agricultural rates, benchmarks, comparisons, debt service, inflation, cash flow, depreciation, Anderson Dam retrofit, 2020 no increase, Open Space credit continuing, and public hearings.

The Environmental and Water Resources Committee took the following action:

It was moved by Arthur M. Keller, Ph.D., seconded by Ms. Bonnie Bamburg, by roll call and majority vote (6 Yes/10 Nays) the Committee did not pass the motion to have the agricultural rate stay @ 10% M& I rate.

The Environmental and Water Resources Committee took the following action:

It was moved by Arthur M. Keller, Ph.D., seconded by Ms. Bonnie Bamburg, by roll call and majority vote (4 Yes/12 Nays) the Committee did not pass the motion to not to increase the SWP Tax (have it stay the same).

The Environmental and Water Resources Committee took the following action:

It was moved by Hon. Patrick S. Kwok, seconded by Hon. Dean Chu, by roll call majority vote (15 Yes/1 Nay) approved supporting staff's recommendation on the increase of the Municipal & industrial (M&I) rates for all Zones (W-2=9.6%, W-5=4.6%, W-7=10.3% and W-8=4.4%).

4.2 PUBLIC TRAILS ON VALLEY WATER LANDS: POLICY CRITERIA AND GUIDANCE

Ms. Lisa Bankosh reviewed the materials as outlined in the agenda item.

The Environmental and Water Resources Committee discussed the following: accessibility to stewardship, partnership/agencies-roles and responsibilities, multi-benefit project-permit processes, funding and maintenance of trails, security concerns with encampments, clean creeks, trails in neighbors' backyards without fencing, criteria and guidance, public outreach, stakeholder and focus meetings, City of Morgan Hill's letter (handout), trail grants, joint use agreements, CEQA, and strengthening guidance language.

Ms. Shani Kleinhaus of the Santa Clara Valley Audubon Society commented on:

- Agrees with strengthening the guidance language
- "Must" ..serious or major disturbance is subjective with the impacts to birds seen in the region, subjective or only relative to CEQA endangered species declines in the most common species
- "as feasible" should use the word avoidance to make it strong which leads to having functional riparian corridors
- lighting up or down impacts the riparian/different species—look at wave lengths
- policy is needed and appreciates the work done by Valley Water staff (Lisa Bankosh and Sue Tippets)

The Environmental and Water Resources Committee took the following action:

It was moved by Ms. Tess Byler, seconded by Ms. Elizabeth Sarmiento, by roll call unanimously voted to approve the Public Trails On Valley Water Lands:Policy Criteria And Guidance: and strengthening the language with a few suggested edits: page 100 (review word "*contiguous*", "*shall be/may be*" change to "*should be*", incorporate public comment, and adding public safety language.

🚩 Footnote: The Committee received a letter from Mr. Chris Ghione (Public Works Director-City of Morgan Hill) for consideration on this agenda item.

Ms. Bonnie Bamberg logged off at 8:30 p.m.

4.3 STATUS OF ENVIRONMENTAL AND WATER RESOURCES COMMITTEE'S WORKING GROUPS

Chair Bob Levy reviewed the following:

Dr. Arthur Keller reported on the Future Impacts of Climate Change Working Group #:

- Goal 1. More chargers for commuters (Goals 1.1 & 3.1) what % by when for metrics, Reduce emissions from concrete through alternatives (Goal 1, possibly 5),
- Goal 2. Renewable energy: go to 100% energy (Goal 2.1), Backup batteries instead of diesel generators (Goal 2.3, 2.2),
- Divest from fossil fuel investments (Goal 2.1),
- Goal 3. Eliminate fossil fuels from power supply (Goal 2.1, 2.2), Eliminate food waste to redirect from landfill {like Sunnyvale} (Goal 3.2),
- Goal 4. Water Reuse. increase flexibility and resilience,

- Goal 5. become a library for Alviso and other low-lying areas (Goal 5), protection of coastal areas when the Valley Water did Reach 6 or was it Reach 7, need to buy homes (Goal 5), Do not build in Baylands---stewardship of land and saltmarshes, (Goal 5), Eco-district for human interface with Bay. Habitat restoration at same time. As adding bike trails. Ref Portland, Oregon. Salt marsh, flood plain, in North end of Sunnyvale. (Goal 5 Pumped Hydro--Goal 5),
- Goal 6. Carbon sinks in soils within district for carbon offsets <https://bcarbon.org/> -- reference to ag in district Goal 6,
- Goal 7. Consider microgrid for local lands for continued operation when PG&E down. emergency preparedness.

Mr. Loren Lewis acknowledged and thanked Committee Chair Bob Levy for working with the Board to update the Working Groups and Tess Byler's prior work as the Groups are now able to be impactful and influence the reports for the Committee and Board.

Mr. Bob Levy and Ms. Susan Blake reported on Environmental Stewardship Working Group #8:

- Expanding opportunities for partnering with Cities and the County along with Santa Clara Valley Urban Run Off Pollutions and Preservation Program, West Valley Clean Creeks Program Authority, and West Valley Clean Creeks Coalition on an ongoing basis, coordinating creek clean ups on homeless encampments, anti-litter, storm drain treatment, and groundwater recharging
- Encourage that Valley Water news post on various Nextdoor Groups for a wider audience.

Mr. Steve Jordan reported on the Water Storage Exploratory Working Group #

- The group is attending the Water Storage Exploratory Committee meetings.

The Environmental and Water Resources Committee took no action.

4.4 REVIEW OF ENVIRONMENTAL AND WATER RESOURCES COMMITTEE WORK PLAN, THE OUTCOMES OF BOARD ACTION OF COMMITTEE REQUESTS AND THE COMMITTEE'S NEXT MEETING AGENDA

Chair Mr. Bob Levy reviewed the materials as outlined in the agenda item.

The Environmental and Water Resources Committee took no action but would like information or updates on the following items: FAHCE (new committee called SPOC), recycled and purified water, homeless encampment strategies, and drought and future opportunities.

5. INFORMATION ITEMS

5.1 STANDING ITEMS REPORT

Ms. Glenna Brambill reviewed the materials as outlined in the agenda item.

The Environmental and Water Resources Committee took no action.

6. CLERK REVIEW AND CLARIFICATION OF COMMITTEE'S REQUESTS TO THE BOARD

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

Agenda Item 4.1

The Environmental and Water Resources Committee took the following action by roll call majority vote (15 Yes/1 Nay) approved supporting staff's recommendation on the increase of the Municipal & industrial (M&I) rates for all Zones (W-2=9.6%, W-5=4.6%, W-7=10.3% and W-8=4.4%).

Agenda Item 4.2

The Environmental and Water Resources Committee took the following action by roll call unanimously voted to approve the Public Trails On Valley Water Lands: Policy Criteria And Guidance: and strengthening the language with a few suggested edits: page 100 (review word "*contiguous*", "*shall be/may be*" change to "*should be*", incorporate public comment, and adding public safety language.

7. REPORTS

7.1 DIRECTOR'S REPORT

Director Nai Hsueh reported on:

- The Climate Change Action Plan coming to the Committee in July.
- Water Conservation presentation to the Board on April 27, 2021.

7.2. MANAGER'S REPORT

Mr. Aaron Baker reported on:

- Water Conservation presentation to the Board on April 27, 2021.

7.3 COMMITTEE MEMBER REPORTS

None.

7.4 INFORMATIONAL LINK REPORTS

Place Committees' information as links.

8. ADJOURNMENT

Chair Bob Levy adjourned at 8:59 p.m. to the next regular meeting on Monday, July 19, 2021, at 6:00 p.m. to be called to order in compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20.

Submitted by:

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

Approved: 7-19-2021