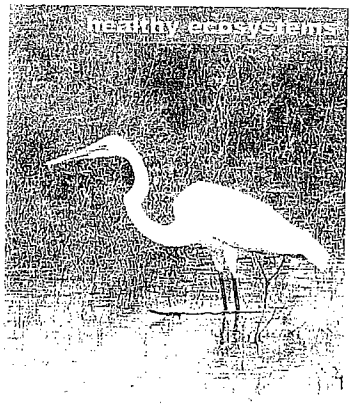
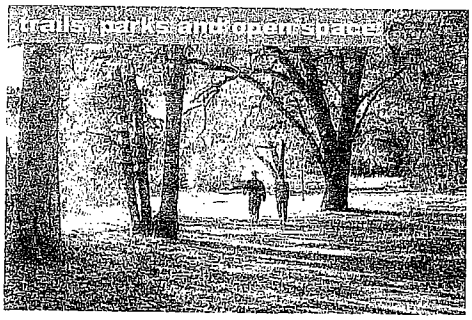
Santa Clara Valley
Water District

A 15-year plan to preserve & protect our quality of life

Clean, Safe Creeks & Natural Flood Protection





SANTA CLARA VALLEY WATER DISTRICT
THE PEOPLE BEHIND YOUR WATER

Santa Clara Valley
Water District

July 25, 2000

A 15-year plan to preserve & protect our quality of life

Clean, Safe Creeks & Natural Flood Protection

Santa Clara Valley Water District

Preface

This report outlines the Santa Clara Valley Water District's 15-year plan for CLEAN, SAFE CREEKS & NATURAL FLOOD PROTECTION. The proposed plan was developed by water district staff with input from the community in anticipation of the benefit assessment sunset in June 2000.

The report provides an overview of the elements of the CLEAN, SAFE CREEKS & NATURAL FLOOD PROTECTION plan and describes how the plan will be funded. This document allows stakeholders, the public and the independent monitoring committee to measure the district's progress toward achieving the objectives outlined in the plan.

The appendix provides additional information on the water district's overall Flood Protection and Stream Stewardship Program and how the 15-year CLEAN, SAFE CREEKS & NATURAL FLOOD PROTECTION plan fits into this larger program. It also provides details on how both the program and plan were developed and how they are funded.

Santa Clara Valley Water District

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Clean, Safe Creeks & Natural Flood Protection

Part of the comprehensive flood protection and stream stewardship program to protect and enhance the communities' quality of life

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WATER DISTRICT
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SAN JOSE, CA 95118

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Website and watershed tour: www.heynoah.com

For departments: 408/265-2607, plus the extension indicated

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Board of directors & clerk of the board 2270

Flood protection for homes, schools and businesses

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Emergency flood info. & sandbag locations 888-Hey-Noah

Sandbag disposal 2459 or 2413

Produced by Anne Muraski, publication consultant: 831/375-7299

Clean, safe water in our creeks & Bays

Adopt-A-Creek program & creek clean-up events 2049

To report illegal dumping of trash in creeks 2378

Public Information Office 2238

Permits for projects near creeks 2253

School program 2331

Underground storage tanks & fuel leaks 2649

Water conservation hotline 2554

Well information 2660

Urban runoff 1-800/794-2482

To report hazardous materials in waterways 1-888/510-5151

Trails, parks and open space

Current or planned partnership agreements 2253

For current recreational opportunities:

County Parks 408/358-3741

City of San Jose Parks 408/277-4477

Santa Clara Valley Water District

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Santa Clara Valley Water District

Acknowledgments

We thank all the individuals, organizations, businesses, municipalities and agencies who gave their time and talent to provide input. Their ideas and opinions were invaluable in helping us shape the 15-year plan and balance the needs of communities across Santa Clara Valley.

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The new plan: overview

Clean, Safe Creeks and Natural Flood Protection

Overview

This report gives a detailed picture of the Clean, Safe Creeks and Natural Flood Protection plan which is part of the Santa Clara Valley Water District's comprehensive flood protection and stream stewardship program. The plan is the result of an extensive effort to prepare for the sunset of benefit assessments in June 2000. Without a replacement for this funding source, which was approved by voters in 1982, 1986 and 1990, the water district will not be able to maintain current levels of service or construct new flood protection projects.

The approaching sunset of benefit assessment funding was a catalyst for developing a plan that reflects the community's values and concerns. Presently, after two years of community input, needs assessment and continual program evaluation and refinement, we are proposing a comprehensive 15-year plan based on sound environmental principles and careful fiscal management. The proposed outcomes and services would cost 39 percent more than post-sunset revenue estimates. This revenue shortfall of almost $25 million annually could be recouped through fees and special charges or by asking county voters to approve a special parcel tax. The countywide rate for this tax would equate to approximately $39 per residential household.

Goals and objectives

The CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan reflects the input of residents, community leaders, business owners, organizations and agencies throughout Santa Clara County. In keeping with the desires of the community, the new countywide plan reflects a comprehensive stream stewardship program that seeks to better preserve natural systems. Progressive methods make it possible to protect valley residents, while at the same time improving water quality, maintaining and restoring riparian corridors for wildlife habitat and creating trails and parks for recreational enjoyment.

To ensure a more consistent balance in addressing the needs of all areas of Santa Clara County, the new plan uses a simplified, countywide funding system that benefits all communities. The plan includes at least one flood protection project in each of the major watershed areas and provides benefits in the communities where the funds are collected. The plan maintains existing facilities and services throughout the county, increases some vital

services such as emergency response and adds new services requested by the community such as habitat restoration and recreational opportunities.

The process: how we arrived at this proposed plan

1. During Phase I, the water district evaluated future needs and existing levels of service to create a "baseline program"—a future scenario which assumed no new revenue sources after the current benefit assessments sunset in June 2000. All district programs were evaluated, including levels of service, maintenance needs and future challenges. These costs were compared with current funding and debt to create a prioritized budgeting plan. In March, 1998 we released our Phase I Report on Development of Baseline Programs and Alternative Funding Mechanisms. This report outlined the limited services which the water district could provide without additional funding and also analyzed the pros and cons of all funding mechanisms available to replace the existing benefit assessment.

2. The reduced level of service and loss of future flood protection projects identified in the Phase I Report were deemed unacceptable by the water district's Flood Control Zone Advisory Committees, city mayors and other community leaders. The water district board of directors directed staff to proceed with Phase II of the planning process: the development of flood protection alternatives to meet the needs of Santa Clara County beyond the year 2000.

3. To assess the needs and wishes of communities across Santa Clara County, the water district began an intensive outreach program to obtain input from community leaders, neighborhood groups, businesses, environmental advocates and government agencies. We used one-on-one interviews, public meetings, workshops and surveys to involve the community.

4. With the help of stakeholders and input from the community, the project team worked to create a comprehensive program that balanced flood protection services with the need for healthier ecosystems, improved water quality and increased recreational opportunities. The new plan includes many multipurpose flood protection projects which incorporate activities to improve water quality, keep creeks clean of trash and graffiti, restore natural habitat, and provide access to trails and recreational areas. Flood protection

projects that would safeguard the largest number of people and prevent the most damage and disruption were given priority, but we also included many services for communities outside the floodplains to ensure an equitable plan for all.

5. The project team investigated all possible funding mechanisms. The ideal funding source would: be able to fund a wide variety of services, both construction and maintenance; not be geographically restrictive; not unduly burden any one segment of the population; and not require a time-consuming or expensive implementation process. The funding mechanism that most nearly matches these requirements is a special tax.

6. Using community input, projected costs and funding options, the water district prepared a comparison of alternatives: what total cost would buy what combination of services, and what the probable outcomes and benefits of these services would be.

7. Throughout the development of the new plan, the water district continually refined services and funding mechanisms in response to community evaluation of alternatives.

8. After completing an extensive outreach process and obtaining input from numerous stakeholders, the water district is proposing the new CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan to meet flood protection and stream stewardship needs for the next 15 years. The proposed plan is composed of four program outcomes that benefit all communities in the Santa Clara County.

Funding the Plan

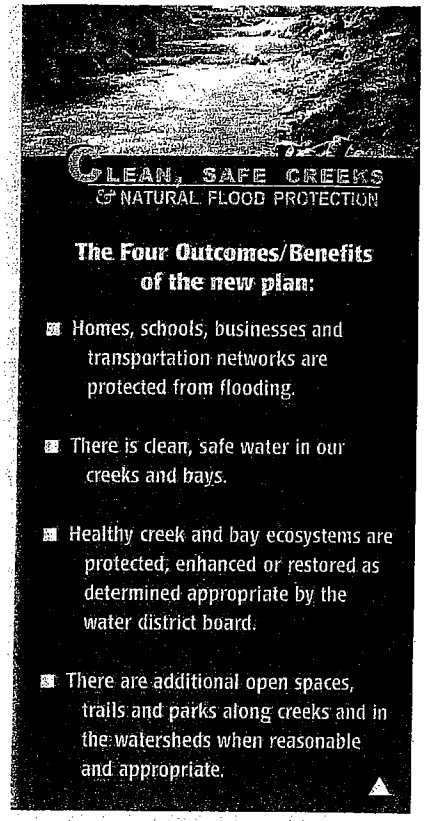
After two years of community input and refinement, the comprehensive CLEAN, SAFE CREEKS & NATURAL FLOOD PROTECTION plan is ready for consideration by the public. They will have an opportunity to support this plan by voting to approve a special parcel tax in November 2000. This tax will cost residents approximately $39 per household per year, raising $24.7 million annually for the new plan. If approved, this tax will be collected for 15 years and then sunset to zero; there is no debt provision in the proposal.

Built-in sunset clause

The sunset allows for evaluation of program effectiveness, reassessment of community needs and the addition of new projects in the future. If approved in November of 2000, the tax will take effect the following year with the first revenue reaching the district in January 2002. After 15 years the tax will automatically sunset to zero.

Pay-as-you go funding structure

Based on input from the community, it was decided that the CLEAN SAFE CREEKS AND NATURAL FLOOD PROTECTION plan would be built on a pay-as-you-go structure. The plan does not include debt financing to accelerate the construction of capital projects; rather, projects will be constructed as money becomes available. At the end of 15 years there will be no continuing debt payments for this plan.



The new plan

Introducing the new 15-year plan: Clean, Safe Creeks and Natural Flood Protection

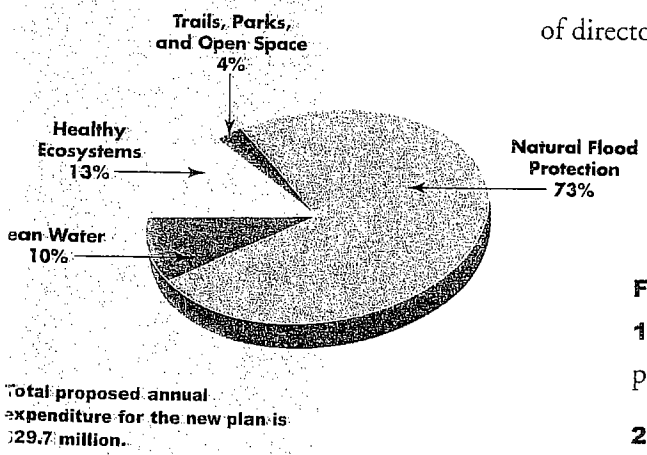
The CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan represents more than three years of cooperative effort between water district staff and the community to identify and balance the most pressing needs for Santa Clara County. The new 15-year plan is a part of the comprehensive flood protection and stream stewardship program that emphasizes working with rivers and floods rather than against them. Elements of the plan help to reduce property damage and disruption to business and ensure that people can travel to jobs and schools during even the wettest winters.

The plan also helps improve the quality of life in Santa Clara County by incorporating new and increased services requested by residents and other stakeholders. The new plan improves water quality, restores habitat for wildlife, enhances creek aesthetics and provides new recreational opportunities—simultaneously ensuring a cost-effective investment of taxpayer dollars.

Plan developed around board governance policies

The elements of the new plan were developed to meet specific objectives identified by the water district board of directors. The board's charter directs the water district to protect public health and safety and enhance the quality of life within Santa Clara County. In order to accomplish these goals, the board has directed the district to carry out a prudent flood management program that reduces the potential for flood damage, balances costs and benefits, and addresses the expectations of the community. The district also serves as steward of the watersheds and must protect streams and natural resources through enhancement or restoration when appropriate. The board of directors has identified four specific outcomes that the comprehensive flood protection and stream stewardship program as a whole must achieve as a means of accomplishing these larger goals. Therefore, the CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan was designed with the following four outcomes in mind:

The four outcomes of the 15-year plan: how the special tax is allocated



Total proposed annual expenditure for the new plan is 29.7 million.

Four outcomes of the new plan

1. Homes, schools, businesses and transportation networks are protected from flooding.

2. There is clean, safe water in our creeks and bays.

BEYOND 2000
FLOOD PROTECTION

Outcome one: Homes, schools, businesses and transportations networks are protected from flooding and erosion.

- Nine new flood protection projects that safeguard 13,600 homes, 43 schools and public facilities, 1,040 businesses, and eight public buildings
- Vital transportation networks protected: 220 miles of streets and highways
- Natural flood protection that includes stream habitat restoration, removal of invasive plants and revegetation of native species
- Flood protection facilities that incorporate open space and recreational opportunities
- Use of progressive flood protection design that reduces sediment and turbidity, and improves water quality
- Sediment removal in unimproved channels
- Maintenance of newly-improved creeks

3. Healthy creek and bay ecosystems are protected, enhanced or restored as determined appropriate by the water district board.

4. There are additional open spaces, trails and parks along creeks and in the watersheds when reasonable and appropriate.

Outcome One: Homes, schools, businesses and transportation networks are protected from flooding

Sediment Removal

To maintain the water-carrying capacity of flood channels, the water district must regularly remove sediment. This element of the plan provides for the removal of approximately 120,000 cubic yards of sediment from unimproved channels.

Maintenance of newly-improved creeks

This element of the plan provides for future maintenance of 32 miles of newly improved creeks. It includes activities such as levee maintenance, sediment removal and vegetation management to ensure that new projects operate at their design capacity.

Flood protection projects

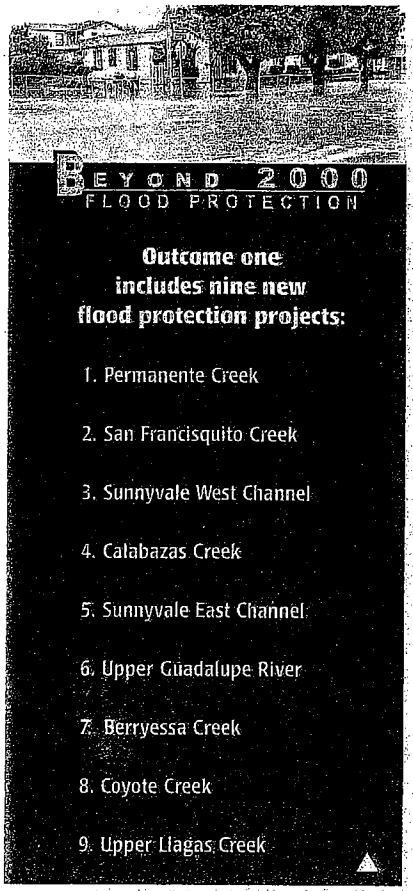
Overview

In keeping with changing values of the community, capital projects in the new plan incorporate flood protection goals into a larger stream stewardship program. Progressive methods make it possible to protect homes, businesses and highways while at the same time improving water quality, maintaining and repairing riparian corridors for wildlife, improving creek aesthetics, and creating trails and parks that benefit everyone. These benefits and the many services that fall under outcome one enhance the quality of life for all residents of Santa Clara County, whether they live inside a floodplain or not.

Benefits of outcome one include:

- **Projects which protect against a 1 percent flood**

Flood protection projects in the new plan are designed to meet FEMA standards so that homes, schools, businesses and highways are protected from a 100-year flood event, except for projects in rural and



agricultural portions of southern Santa Clara County which are designed to provide protection from a 10-year flood event. This level of protection will greatly reduce the cost of insurance premiums or eliminate insurance requirements altogether for those residing in the floodplain. Having this high level of protection will also lessen the need for expensive emergency flood services.

Analysis shows that projects which provide less than 1 percent flood protection do not necessarily cost less or have less environmental impact.

■ Projects which were carefully chosen to protect areas with the most frequent and costly damage.

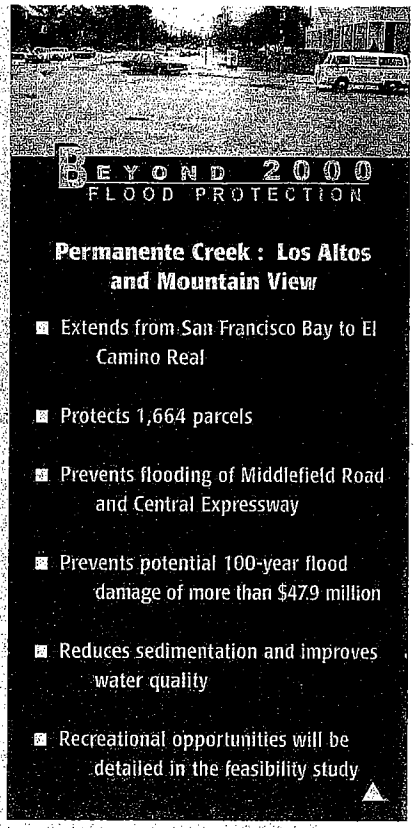
The water district carefully analyzed flooding history, damage estimates and economic impact to ensure that projects in the plan were prioritized to safeguard the largest number of people and prevent the most damage and disruption. Other considerations were: projects that protect developed areas, giving them higher priority than undeveloped areas; projects that rehabilitate previously constructed facilities to maintain FEMA standards; and projects that encourage multiple use. The highest priority flood protection projects in each watershed are included in the new plan.

■ Projects which provide as many benefits as possible beyond flood protection: ecosystem restoration, water quality improvement, aesthetic enhancement and recreational opportunities

The new plan includes many multipurpose flood protection projects which incorporate activities to improve water quality, restore natural habitat, and provide access to alternate transportation routes.

Mitigation for projects provides for planting of native species, removal of invasive species and the creation of acres of new riparian habitat to support wildlife. Project designs include removal of fish barriers, creation of fish ladders to encourage migration, and other elements that increase populations of threatened and endangered species. Improved design and construction will reduce erosion, sedimentation and turbidity so that water quality is improved and maintenance costs are reduced. The water district will remove unauthorized storm drain outfalls and work with cities and the county to decrease urban runoff pollution.

New flood protection projects will be designed to accommodate future trails and parks. In partnership with cities, the county and local agencies, the water district will identify and provide access to recreational areas to enhance the quality of life in Santa Clara County.



Permanente Creek flood protection project

The Permanente Creek watershed encompasses 28 square miles, including portions of the cities of Los Altos, Mountain View, Cupertino, Los Altos Hills and Palo Alto. This project protects over 1,600 homes and businesses in Mountain View. It also benefits native species and habitat in the baylands.

Total project cost: $35 million
New plan: $27.4 million
Baseline: $7.6 million

Flood protection benefits: lower peninsula watersheds

- The project provides protection from San Francisco Bay to El Camino Real.

- The project provides protection to 1,664 parcels from a 100-year flood, saving potential damages in excess of $47.9 million.

- The project may include widening of channels and construction of levees from Shoreline Park upstream to Amphitheater Parkway. Floodwalls 3-4 feet high could be added upstream from Amphitheater Parkway to Highway 101.

- Additional project features could include the widening of the concrete-lined channel upstream of Highway 101, the replacement of box culverts, and the upgrade of box culverts to handle higher flow capacities. The project terminates at El Camino Real with a new double box culvert.

Flooding history and impact

- The Permanente Creek watershed has had a history of recurring floods which have adversely impacted the safety and economic stability of residents and businesses in Los Altos and Mountain View. Flooding occurred in 1862, 1911, 1940, 1950, 1952, 1955, 1958, 1963, 1968, 1983, 1995 and 1998.

- In December 1955, the so-called "Christmas Storm" inundated approximately 770 acres in the lower reaches of Permanente Creek. Homes, businesses and agricultural land in Mountain View and Los Altos sustained losses, bridges and culverts in Mountain View were extensively damaged, and 100 people were evacuated from their homes for a two-week period.

- In 1958, flooding occurred along both the upper and lower reaches of Permanente Creek.

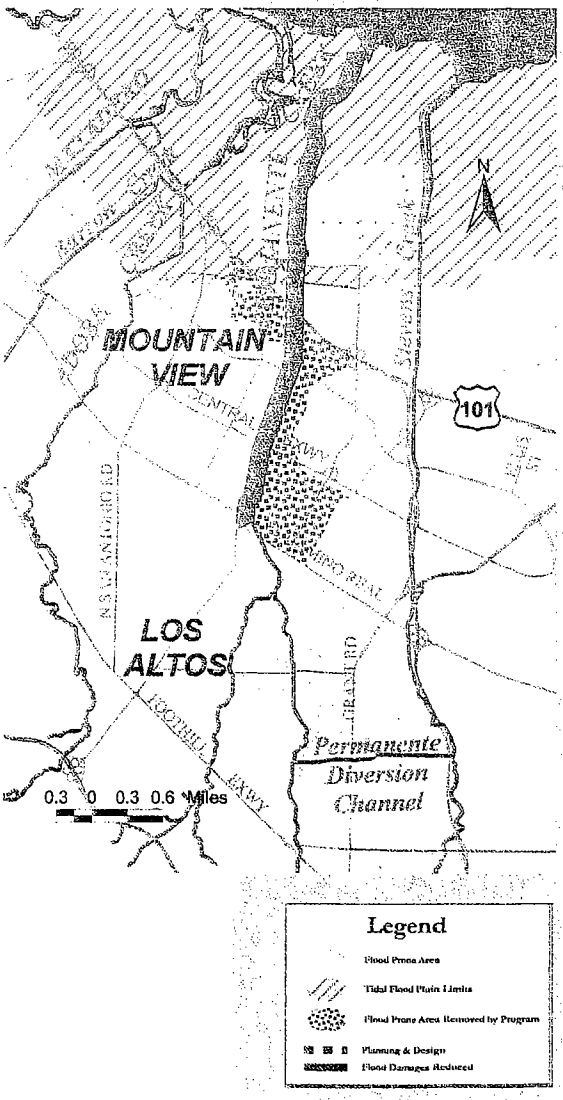
Additional benefits: ecosystem, water quality, aesthetics, recreation

- The project reduces erosion and sedimentation to improve water quality.
- The project addresses the deterioration of aging facilities.
- The potential for trails will be considered in the feasibility study.

Status

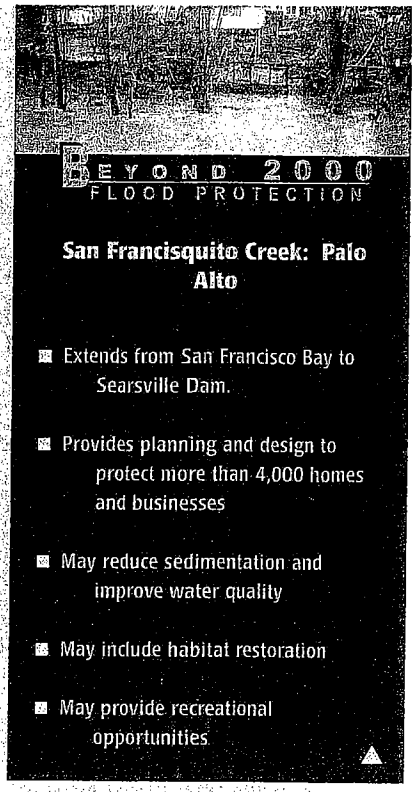
- The planning phase of this project is underway. The first phase focuses on those reaches of Permanente Creek downstream of the confluence with Hale Creek. The planning study will cover areas from San Francisco Bay to Foothill Expressway, with completion in 2006.

The project provides protection for 1,664 parcels from San Francisco Bay to El Camino Real.



Flooding and debris along Permanente Creek.

CD 4344-13



San Francisquito Creek flood protection project

San Francisquito Creek is one of the last continuous riparian corridors on the San Francisco Peninsula, and is also home to one of the few remaining viable steelhead trout runs. The creek runs along the border between San Mateo and Santa Clara counties and flows through five cities, from Searsville Lake above Stanford University to the San Francisco Bay near the Palo Alto Airport.

Planning and design cost: $16 million
New plan: $8 million
Baseline: $8 million

Flood protection benefits: lower peninsula watersheds

- The project provides planning and design (not construction) for the area extending from San Francisco Bay to Searsville Dam.

- The planning objective is to define a project which will eventually protect more than 3,000 homes and businesses from a 1 percent flood, saving potential damages of $135 million. The project will also protect areas of San Mateo County.

- The project provides funds for the feasibility study, environmental impact report and design which must be completed before flood protection measures can be constructed.

- The feasibility study will require six to seven years work and cost $5-6 million. Study elements include an investigation to define flooding, erosion and other stream needs within the project area; an analysis of alternative solutions; a public participation program followed by preparation of an engineer's report; and an EIR/EIS.

- Flood protection alternatives for the San Francisquito Creek project might include raising the levees downstream of Highway 101, storage of flows upstream, channel diversions such as detention basins or auxiliary channels, or instream improvements that increase the capacity of the channel through the urban area. The feasibility study would also include a "no project" alternative, as well as non-structural alternatives.

Flooding history and impact

- During the February 1998 El Niño event, record flooding caused an estimated $28 million in damages in Palo Alto, East Palo Alto and Menlo Park; $25.5 million of this was residential damages, largely in Palo Alto where more than 1,100 homes were damaged. In East Palo Alto (San Mateo County), 325 people were evacuated. Highway 101 was closed, as were numerous other streets.

- San Francisquito Creek has overflowed seven times since 1910. The largest flood on record (prior to 1998) occurred in December of 1955. During this flood, the creek overtopped its banks in several locations, inundating about 1,200 acres of commercial and residential property. Damages were estimated to be nearly $2 million (1956 dollars).

- A 1 percent flood would affect 4,850 homes and businesses, and cause more than $155 million in damages in Santa Clara and San Mateo counties, according to the 1998 Reconnaissance Investigation Report done by San Francisquito Creek Coordinated Resource Management and Planning Organization, a local stakeholder group.

Additional benefits: ecosystem, water quality, aesthetics, recreation

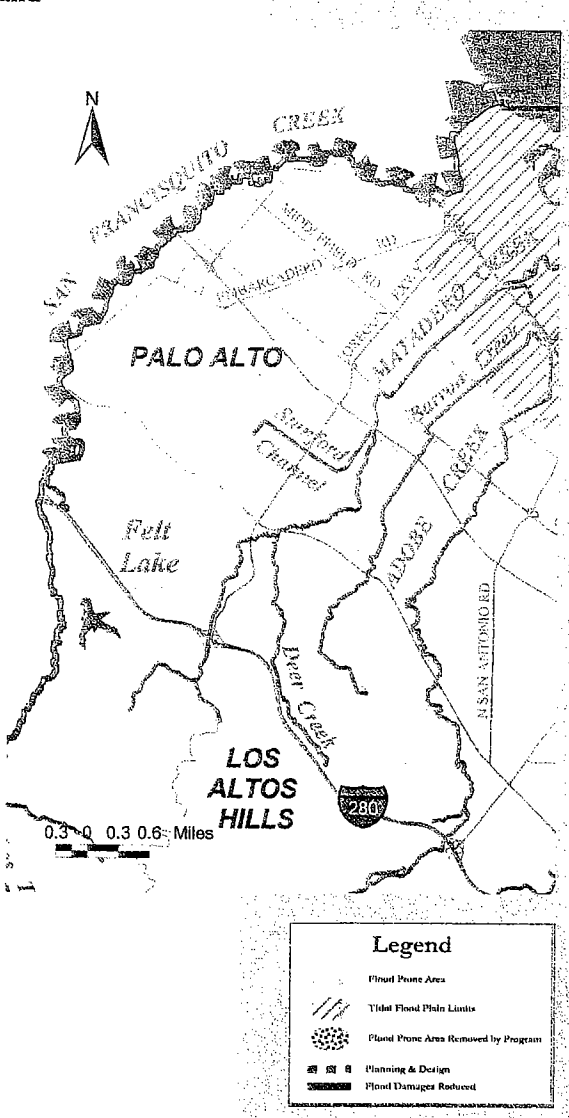
- The riparian habitat and urban setting offer unique opportunities for a multiobjective project which could enhance habitat, improve water quality and provide for recreational use.

Status

- A reconnaissance investigation of the flooding, erosion, sedimentation, and maintenance problems on San Francisquito Creek was completed in 1998.

- In 1999, the water district, San Mateo County, and the cities of Palo Alto, East Palo Alto and Menlo Park established a Joint Powers Authority (JPA) to coordinate creek maintenance, develop a community-supported solution to flooding, and address environmental issues. The JPA is currently working together to build support for a cost-shared feasibility study and EIR. The JPA has also requested assistance from the U.S. Army Corps of Engineers. The San Francisquito Creek project would be an excellent candidate for the Corps' proposed Challenge 21 Program, which supports projects that restore riverine ecosystems while reducing community flood hazards.

The project provides planning and design for the area extending from San Francisco Bay to Searsville Dam, it will eventually protect more than 4,000 homes and businesses.



San Francisquito Creek flooded over 300 homes in 1998, causing over $28 million in damages.

S5255-10

BEYOND 2000
FLOOD PROTECTION

Sunnyvale West Channel: San Jose, Sunnyvale

- Extends from Guadalupe Slough to Highway 101.
- Protects more than 47 acres of highly valuable industrial and government lands
- Prevents potential 100-year flood damage of over $22 million

The new plan outlines the

Sunnyvale West Channel flood protection project

This project upgrades the circa 1960 Sunnyvale West outfall to protect against a 100-year flood. Besides protecting an important commercial and industrial area in Sunnyvale, the project also reduces erosion, sediment and subsidence problems.

Total project cost: $5.1 million

Flood protection benefits: west valley watersheds

- The project extends from Guadalupe Slough to Highway 101.

- The project protects a primarily industrial area from a 100-year flood, saving potential damages of more than $22 million. It includes more than 47 acres of highly valuable industrial lands, including Onizuka Air Force Base (the "blue cube") satellite tracking station.

- The project upgrades flood protection from its existing 10 percent to a 1 percent probability of occurrence in any one year. Project elements include construction of flood walls, raising levees with earth fill, and building new culverts to cross the Hetch Hetchy pipelines.

Flooding history and impact

- The Sunnyvale West Channel was constructed by the water district in the early 1960s to convey the tributary storm drain waters of Sunnyvale to the bay. Since then, the land downstream of Highway 237 has subsided. These downstream reaches near Guadalupe Slough also accumulate sediment deposit from upstream erosion and tidal action.

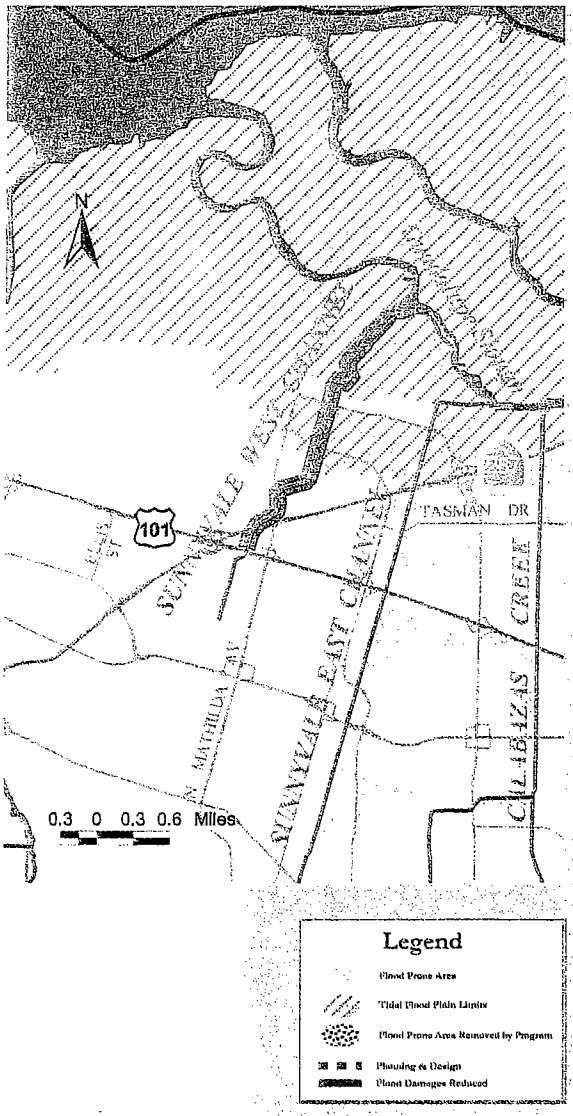
- Significant flood events occurred in the project area in 1955, 1958, 1963, and 1968.

- Under current conditions, the levees and excavated channel do not provide protection for a 1 percent flood. During a 1 percent flood, the channel would top its banks downstream of Mathilda Avenue. These lower areas along the channel are also subject to flooding from San Francisco Bay tides.

Status

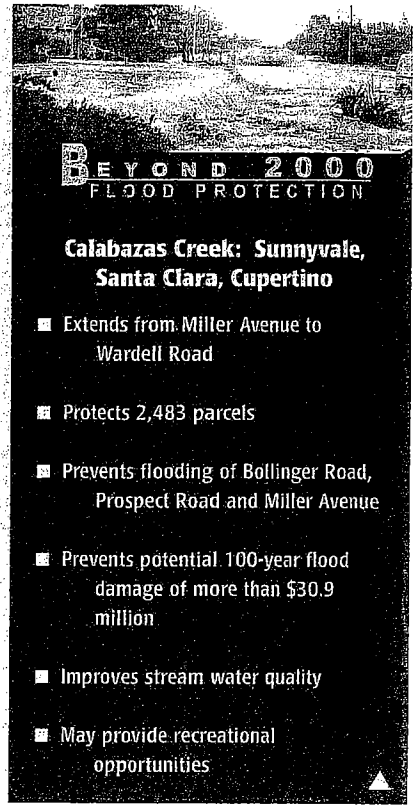
Studies would begin with successful funding of the proposed plan.

The project extends from Guadalupe Slough to Highway 101 and protects a primarily industrial area from a 100-year flood, saving potential damages of more than $22 million.



Sunnyvale West flooding upstream of Caribbean Drive in 1983.

S696-20



Calabazas Creek flood protection project

Calabazas Creek extends approximately 13.3 miles from the confluence with Guadalupe Slough to the Saratoga foothills. This project completes flood protection in the Calabazas Creek watershed, which drains approximately 21 square miles within the cities of Sunnyvale, Cupertino, San Jose, Santa Clara, and Saratoga.

Total project cost: $35.1 million

Flood protection benefits

- The project stretches approximately 3.3 miles from Miller Avenue to Wardell Road.

- The project protects 2,483 homes, businesses and schools from a 100-year flood, saving potential damages in excess of $30.9 million. The protected Parcels have a total assessed value of over $678 million.

- The project prevents Bollinger Road, Prospect Road and Miller Avenue from flooding.

Flooding history and impact

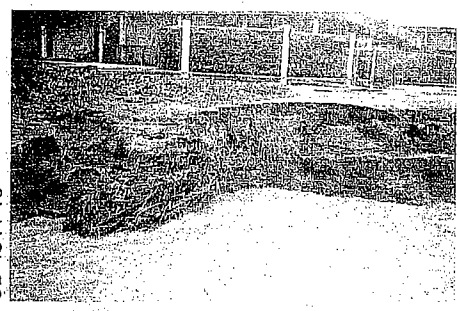
- Significant flooding occurred in 1955, 1958, 1963, 1968 and 1998.

- During the 1955 flood, water poured into homes and residential streets, forcing evacuation of more than 100 families. Flood waters inundated many of the same homes again in 1958.

- A 1 percent flood would inundate a large residential area bounded by Rodeo and Calabazas creeks on the east, Saratoga-Sunnyvale Road on the west, and Regnart Creek on the north.

- Currently, there are no maintenance roads along the entire reach on either the west or east banks.

High flows eroded the banks of Calabazas Creek and endangered adjacent properties in 1998.



CD 4344-15

Additional benefits: ecosystem, water quality, aesthetics, recreation

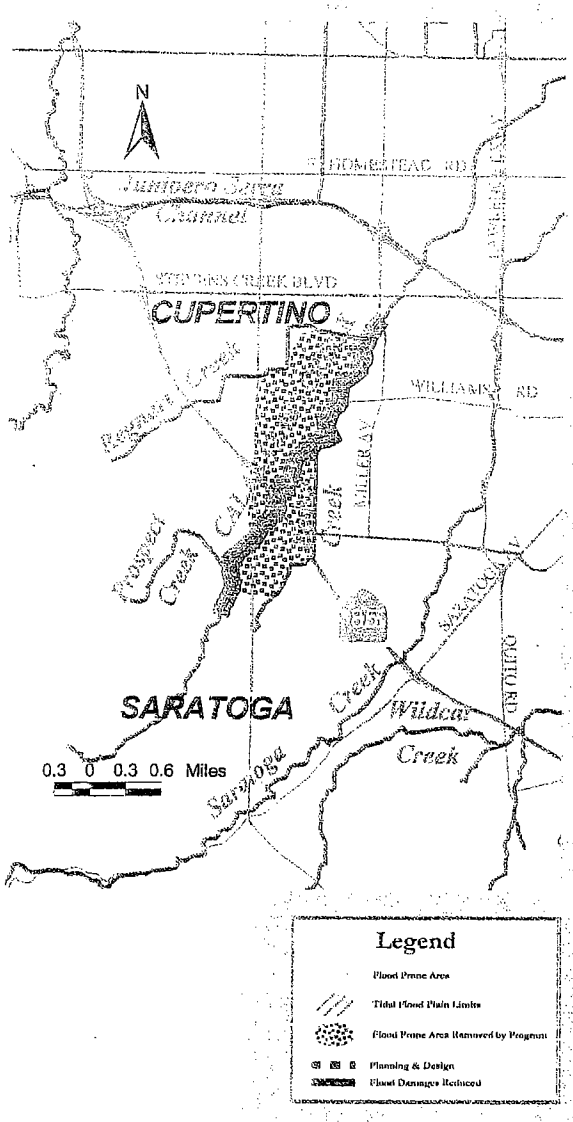
- Erosion prevention measures improve stream water quality.

Status

- The first stage of this project addresses removal of the abandoned old Bollinger Road Bridge, removal of the Comer Debris Basin, and enlargement of the Bollinger Road Bridge. The feasibility report is scheduled to be completed in 2002. The design for the Bollinger Road Bridge enlargement will begin after the report is adopted.

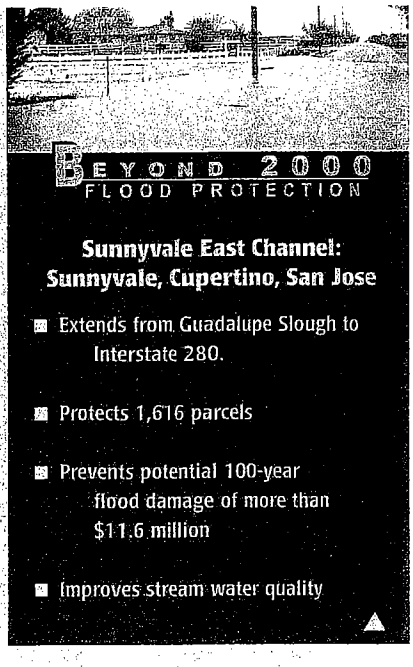
- The second stage will investigate the remaining flooding, bank stability, maintenance and other problems on the creek. The study will also identify recreation or resource enhancement opportunities. The district utilizes an open participatory process to identify problems and develop alternative solutions. All projects must be approved by the board of directors, must comply with the California Environmental Quality Act, and must meet all environmental regulations.

Stretching approximately 3.3 miles from Miller Avenue to Wardell Road, this project completes flood protection in the Calabazas Creek watershed and protects an additional 2,483 homes from a 100-year flood.



Calabazas Creek overtops its banks flooding neighborhood streets.

CD 4880-8



Sunnyvale East Channel flood protection project

This project upgrades the circa 1960 Sunnyvale East outfall to protect against a 100-year flood.

Total project cost: $24.1 million

Flood protection benefits: west valley watersheds

- The Project upgrades flood protection on approximately 6.4 miles of channel from the confluence with Guadalupe Slough to Interstate 280.

- The project protects 1,618 parcels from a 1 percent flood, saving potential damages in excess of $11.6 million.

- The flood protection measures are likely to be a combination of channel widening and the raising of existing levees as much as three feet using earth fill. Floodwalls would be constructed upstream of Highway 237.

- To prevent erosion and improve water quality, the channel may be rock-lined in several locations.

- The Caribbean Drive Bridge may be replaced, and 19 culverts from Tasman Drive to Dunholme Way will be rebuilt to provide freeboard for a 100-year flood.

Flooding history and impact

- The Sunnyvale East outfall channel was constructed by the water district in the 1960s to convey water from the tributary storm drain system of Sunnyvale and Cupertino to the bay. This project would increase the capacity to 100-year protection for the entire length of the project.

- The project area had significant flooding events in 1955, 1958, 1963, 1968 and 1998.

- Under current conditions, the levees and excavated channel do not meet FEMA requirements to provide protection for a 100-year flood. During a 100-year event, floodwater would overtop at culvert constrictions near Ashbourne Drive, El Camino Real, Evelyn Avenue, and Duane Avenue.

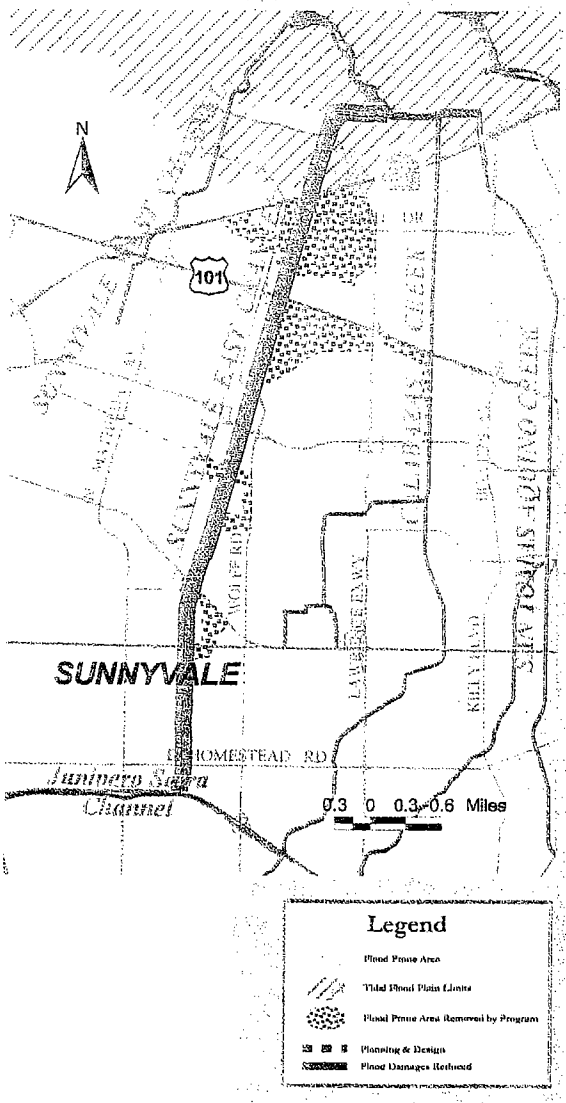
Additional benefits: ecosystem, water quality, aesthetics, recreation

- Erosion control measures decrease sediment and turbidity, thereby improving water quality.

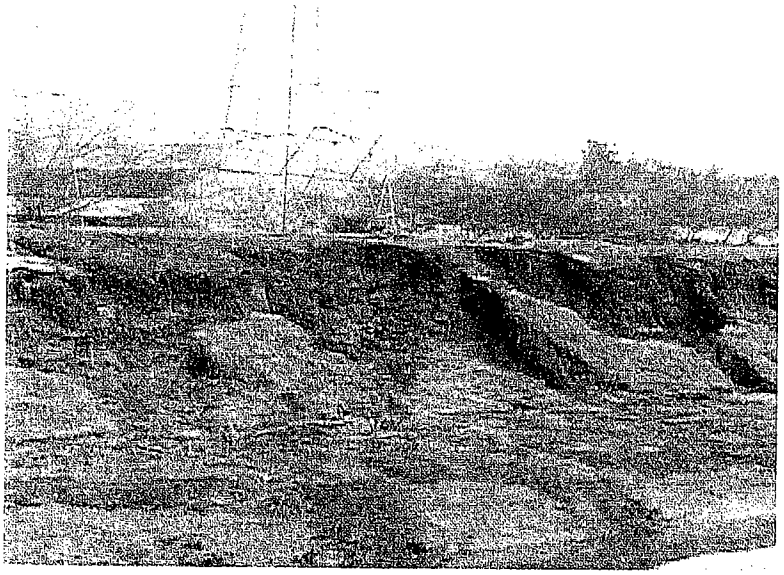
Status

- Studies would begin with successful funding of the proposed program.

The Project will upgrade flood protection between Guadalupe Slough and Interstate 280 to protect 1,618 parcels.



The capital project would repair and prevent bank erosion such as occurred at this site along the Sunnyvale East Channel.



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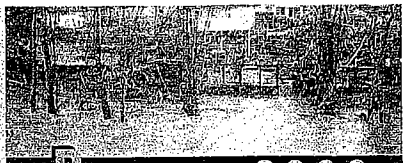


BEYOND 2000
FLOOD PROTECTION

Upper Guadalupe River: San Jose

- Extends from highway 880 upstream to Blossom Hill Road
- Protects 7,500 homes and businesses and 2,300 acres
- Prevents flooding of Highway 87
- Prevents potential 100-year flood damage of over $280 million
- Adds approximately 20 percent to the riparian forest
- Provides an additional 12 miles of fish habitat, and adds fish ladders to enhance migration
- Reduces bank erosion and improves water quality
- Allows for continuous creekside trail access

Upper Guadalupe River flood protection project

This project provides protection for some of the oldest residential areas in San Jose, as well as commercial areas in Willow Glen and vital transportation networks.

Local cost: $70.8 million
Federal contribution: $42.9 million
Total project cost: $113.7 million

Flood protection benefits: Guadalupe watershed

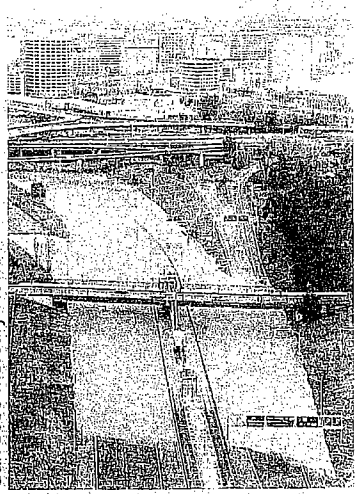
- The Project provides protection on the Upper Guadalupe River, upstream of the Willow Street bridge to Blossom Hill Road.
- The Project protects 2,300 acres, including 6,900 homes and businesses, from a 1 percent flood, saving potential damages in excess of $280 million (1998 value).
- The Project prevents flooding of Highway 87 and the adjacent light-rail line—a vital commuter route.
- Proposed project modifications include bypass channels, channel widening, gabion lining, bridge construction, and construction of floodwalls and levees.
- Total estimated cost for the project is $113.7 million, with estimated federal participation covering $42.9 million; this reduces the local cost to $70.8 million.

Flooding impact

- Within the last 17 years, damaging flood events occurred in 1982, 1983, 1986, 1995 and 1998.
- Severe flooding in 1995 damaged more than 150 homes in residential districts of Gardner, Willow Glen and south San Jose.
- Highway 87 and the parallel light-rail line—both major commuter thoroughfares—were closed by floods in 1995 and 1998.

Additional benefits: ecosystem, water quality, aesthetics, recreation

- The environmentally-sensitive 100-year bypass channel will result in long-term beneficial impacts to stream ecology, hydrology, wildlife and fisheries.
- All riparian forest vegetation removed by construction will be replaced on a two to one basis, and all mitigation sites will be planted entirely with native



San Jose Mercury News

Highway 87 and the parallel light-rail line—both major commuter thoroughfares—were closed by floods in 1995 and 1998.

species. This will add approximately 20 percent more area to the riparian forest.

- Planned mitigation measures would provide an additional 12 miles of fish habitat within and upstream of the project reach.

- Vortex rock weirs will provide fish with protective covering and deepen feeding areas in the riffle reach of the channel.

- Some elements of the project plan have already been constructed, because they solved critical problems. For example, the water district has already constructed a step-pool fish ladder to replace the drop structure upstream of Blossom Hill Road; the first salmon successfully passed through the ladder in November, 1999.

- The project reduces bank erosion, thereby improving water quality.

- The project allows for continuous creekside trail access.

Status

- The feasibility report and EIR/EIS are expected to be adopted by the end of 2000.

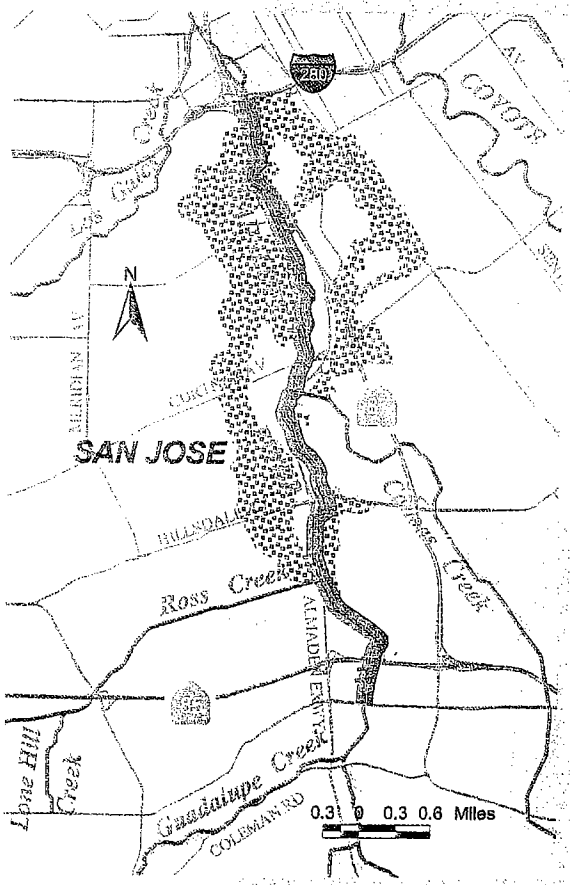
Outcomes with local funding only

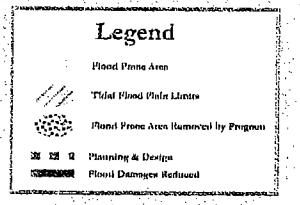
- If only local funding is available, the reduced project would extend from Highway 280 to Curtner Avenue. This would reduce flooding frequency, but parcels in the floodplain would still be vulnerable to flooding from upstream sources.

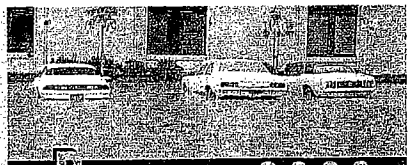
The water district has already constructed 2 step-pool fish ladders downstream of Blossom Hill Road to encourage fish migration. This replaced the preexisting drop structures which were impassable to fish.

CD 4880-51

The project protects 2,300 acres in San Jose, including 7,500 homes and businesses and vital commuter networks such as Highway 87 and the adjacent light-rail commuter line.







BEYOND 2000
FLOOD PROTECTION

Berryessa Creek: Milpitas, San Jose

- Extends from Calaveras Boulevard to Old Piedmont Road
- Protects 1,814 parcels
- Prevents flooding of Montague Expressway and Highway 237
- Prevents average annual damages of $3.6 million, and potential 100-year flood damage of $52 million.
- Federal and state funding reduces local costs
- Revegetation mitigationenhances habitat
- Includes potential creekside trail

Berryessa Creek flood protection project

Berryessa Creek is a major tributary of the Coyote Creek watershed—the largest watershed in Santa Clara County. It drains a large portion of Milpitas as well as areas of San Jose's commercial district. The Berryessa project protects homes in Milpitas and San Jose, as well as Silicon Valley's commercial district.

Local cost: $19 million
Federal and state contribution: $19 million
Total project cost: $38.4 million

Flood protection benefits: Coyote watershed

- The project extends from Calaveras Boulevard to 200 feet upstream of Old Piedmont Road.

- Protects 1,814 businesses and homes in, Milpitas and San Jose from a 1 percent flood, saving potential damages in excess of $93 million.

- The project provides protection for more than 30 miles of streets including Highway 237 and Montague Expressway.

- Additional box culvert barrels will be constructed at Montague Expressway and Cropley and Morrill avenues; the culvert at Old Piedmont Road will be reconstructed with an energy-dissipating outlet structure.

Flooding impact

- Berryessa Creek floods an average of once every four years.

- Some of the larger flood events happened in January 1967, February 1980, January 1983 and February 1998, with significant damage to homes and vehicles.

- The majority of damage from a 100-year flood would impact development bounded by Lower Penitencia Creek to the west, Calaveras Boulevard to the north, and Montague Expressway to the south.

Additional benefits: ecosystem, water quality, aesthetics, recreation

- The project uses a mix of setback levees and floodwalls to preserve sensitive areas and minimize the use of concrete where possible.
- Revegetation mitigation protects the riparian and wetland environment.
- Sediment control structures limit turbidity and protect water quality.
- The project accommodates the cities' adopted trail master plans, which provides streamside access along the creek.

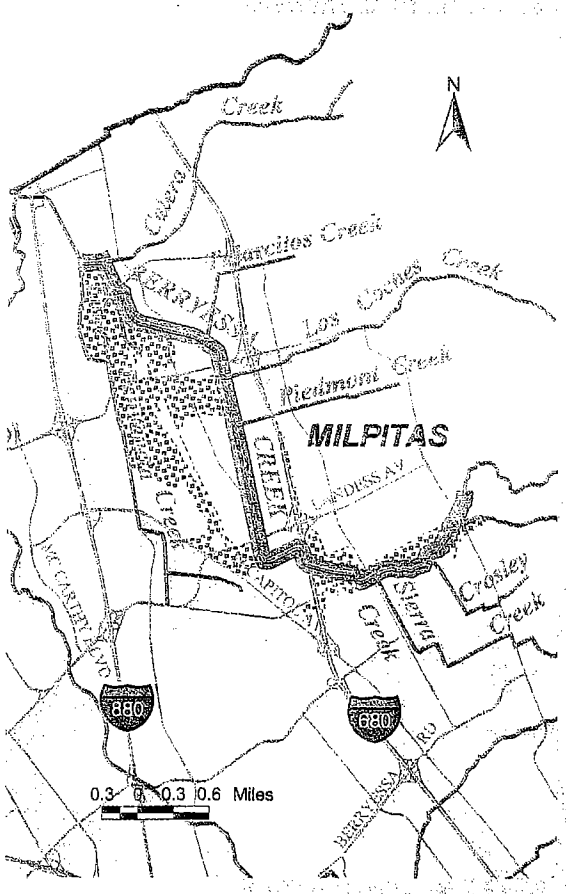
Status

- The Army Corps' project extends 3.8 miles from Calavaras Boulevard to Old Piedmont Road. The Army Corps of Engineers began the revised feasibility study in April 2000; completion of the revised document is expected in mid-2002. Planning and design for this project will start in 2005, with construction scheduled for 2008-2015.

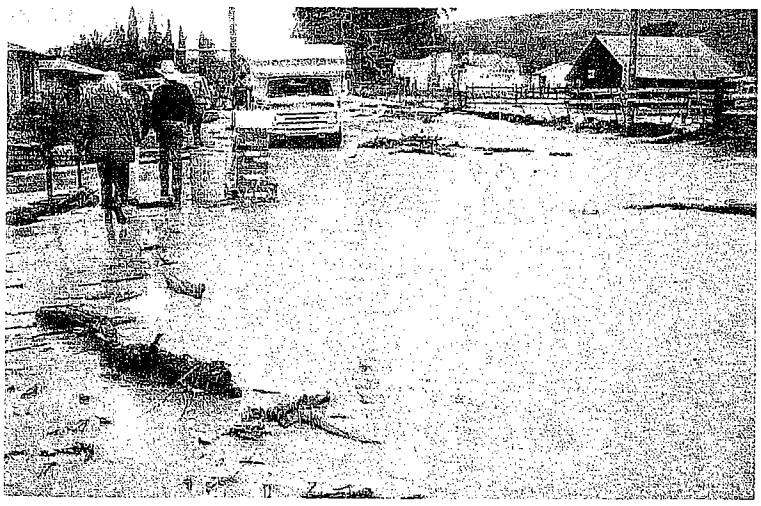
Outcomes with local funding only

If only local funds are available, the reduced project would extend upstream from Berryessa Creek's confluence with Lower Penitencia Creek to the Montague Expressway; this would modify three miles of channel and protect approximately 100 parcels in the Milpitas area. Montague Expressway and Highway 237 would also be protected.

The project protects 1,810 parcels in Silicon Valley's high-tech commercial district, as well as residential areas in Milpitas and San Jose; it also prevents flooding on the Montague Expressway and Highway 237.



Berryessa Creek flooding at Old Piedmont Road in 1983.



Beyond 2000 Flood Protection

Coyote Creek: San Jose

- Extends from Montague Expressway to Interstate 280.
- Provides planning, design and partial construction to protect 1,400 parcels
- Project objectives include water quality improvement, enhanced riparian habitat and recreational opportunities

Coyote Creek flood protection project

The Coyote Creek watershed is the largest in Santa Clara County, draining Milpitas and portions of San Jose and Morgan Hill. This projects provides planning, design and partial construction to protect residential, commercial and business districts in central and north San Jose.

Design and partial construction cost: $32 million

Flood protection benefits: Coyote watershed

- The project includes planning, design and partial construction for the project area extending approximately six miles upstream of Montague Expressway to Interstate 280.
- The project will eventually protect 1,400 parcels from a 1 percent flood.
- The project could include channel capacity improvements such as levee construction, channel excavation, bridge replacement, property acquisition and structural removal.

Flooding history and impact

- In January 1997, Coyote Creek went over its banks in several locations from Morgan Hill to San Jose, damaging many homes. Parts of William Street Park in downtown San Jose were under three feet of water on January 26, and several houses were inundated with more than six feet of water. Flooding also occurred at the mobile home park and businesses adjacent to the Union Pacific Railroad tracks south of Old Oakland Road.
- Other transportation networks affected were Jackson Street and Highway 101, which had to be closed due to the flooding.
- Flooding also occurred at Kelly Park, damaging the Japanese Tea Garden and some animal enclosures.

Additional benefits: ecosystem, water quality, aesthetics, recreation

- This project will incorporate the revegetation and aesthetic elements of the Coyote Creek park chain.

- Project objectives include flood protection, improved water quality, enhancement of stream habitats and recreational opportunities.

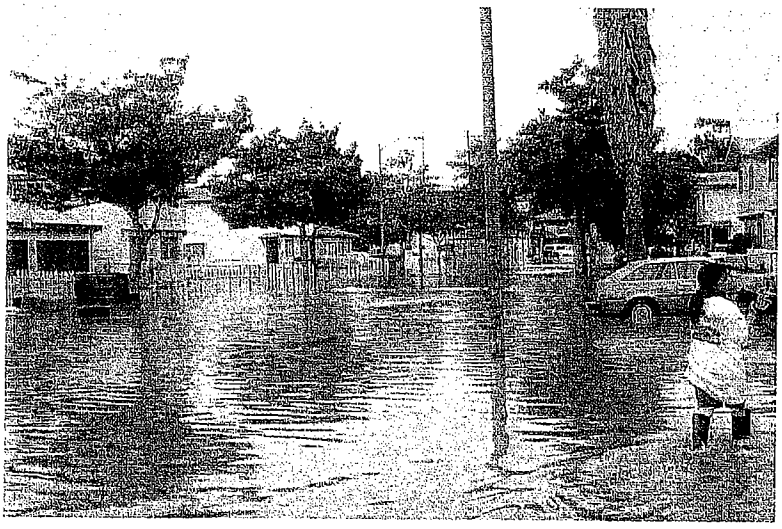
Status

- Planning for the proposed project on Coyote Creek will start in 2,002 pending the outcome of the election.

S5089-2

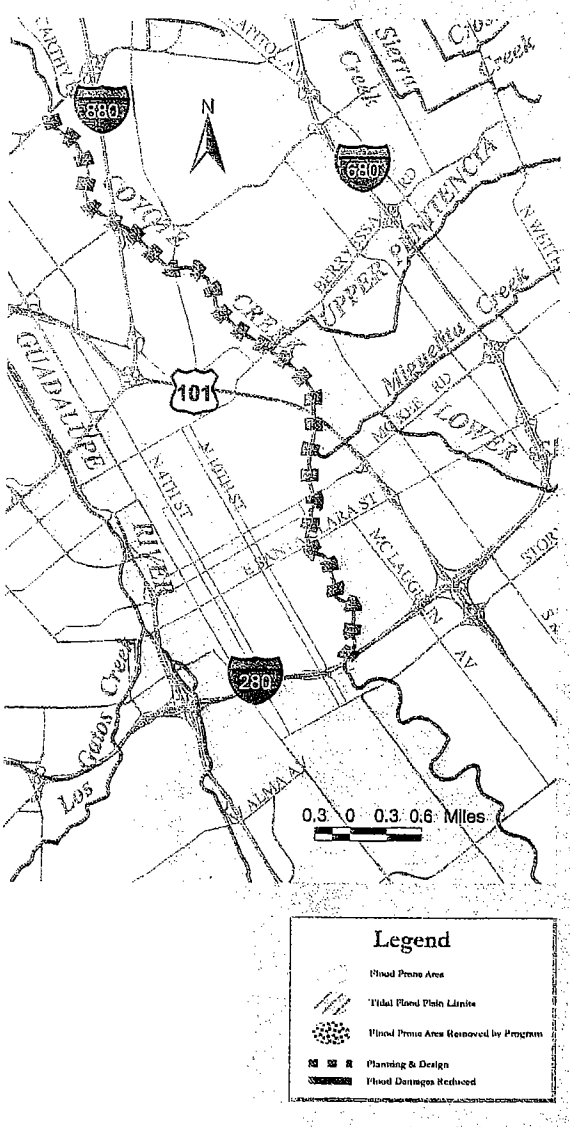
Coyote Creek overtops its banks in January 1997, flooding the Four Seasons Mobile Home Park.

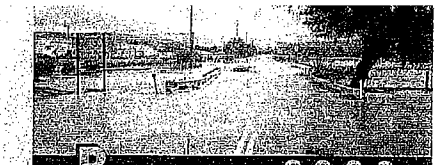
The Rock Springs neighborhood was also flooded, including 27 apartment buildings.



CD 4880-27, S5089-74

This projects provides planning, design and partial construction to eventually protect 1,400 parcels in central and north San Jose.





BEYOND 2000
FLOOD PROTECTION

Upper Llagas Creek: Morgan Hill, San Martin, Gilroy

- Extends from Buena Vista Avenue to Wright Avenue and West Little Llagas Creek
- Protects 1,397 parcels, 1,300 agricultural acres and downtown Morgan Hill
- Prevents flooding of urban area of Morgan Hill
- At 1982 costs, average annual damages are $900,000, and potential 100-year flood damage is $8 million. Current damage values are much higher.
- Local costs reduced by federal and state funding
- Revegetation with native species provides riparian canopy for fish and wildlife
- Creates additional wetlands
- Improves stream water quality
- Potential recreational use includes bike paths, sports fields and parks

Upper Llagas Creek flood protection project

The Llagas Creek watershed covers 104 square miles in Gilroy, San Martin and Morgan Hill, and includes commercial and agricultural developments, as well as rapidly expanding residential areas. This project protects the urban area of Morgan Hill from the 1 percent flood and reduces the frequency of flooding in other areas.

Local cost: $12.7 million
Federal and state contribution: $32.3 million
Total project cost: $45 million

Flood protection benefits: Uvas and Llagas watersheds

- The project includes 16.6 miles of channel extending from Buena Vista Avenue to Wright Avenue, including West Little Llagas Creek.

- A 1982 study shows that the project protects 1,100 homes, 500 commercial and industrial buildings, and 1,300 agricultural acres from a one percent flood, saving more than $8 million in potential damages. Average annual damages in the project areas were $900,000 (1982 value). Current damage values would be far greater, due to expanding residential communities that support Silicon Valley.

- This project provides 1 percent flood protection for 7 miles of channel in the urban area of Morgan Hill; the remaining 9.6 miles of channel would have between 4 and 10 percent flood protection. The completed construction of the Lower Llagas and mitigation planting was carried out between 1982 and 1996. These completed facilities are now providing flood protection to Gilroy.

- Project completion would protect 946 acres of urban land and 1,280 acres of agricultural land from flooding during a 100-year event. The project also replaces 35 road crossings (bridges and box culverts).

- Total project cost is $45 million, with $32.3 million covered by federal and state participation; this reduces the local cost to $12.7 million.

Flooding from Llagas Creek in Morgan Hill in 1995.

CD 4880-14, S5079-20

Flooding impact

- Flood damage was sustained in 1937, 1955, 1958, 1962, 1963, 1969, 1982, 1986, 1996, 1997 and 1998.

- The floods of 1997 and 1998 affected many residences in the upper Llagas Creek areas, with damages of $150,000 and $200,000 respectively.

Additional benefits: ecosystem, water quality, aesthetics, recreation

- Additional wetland will be created by widening the creek channel. The riparian restoration plan specifies the replanting of native plants, trees and shrubs on both sides of channel banks to provide canopy coverage for wildlife and fisheries.

- The project design allows steelhead trout to migrate upstream.

- The project includes measures to prevent or control pollutants in runoff during and after construction. Channel design and construction will eliminate streambank and bottom erosion to improve water quality.

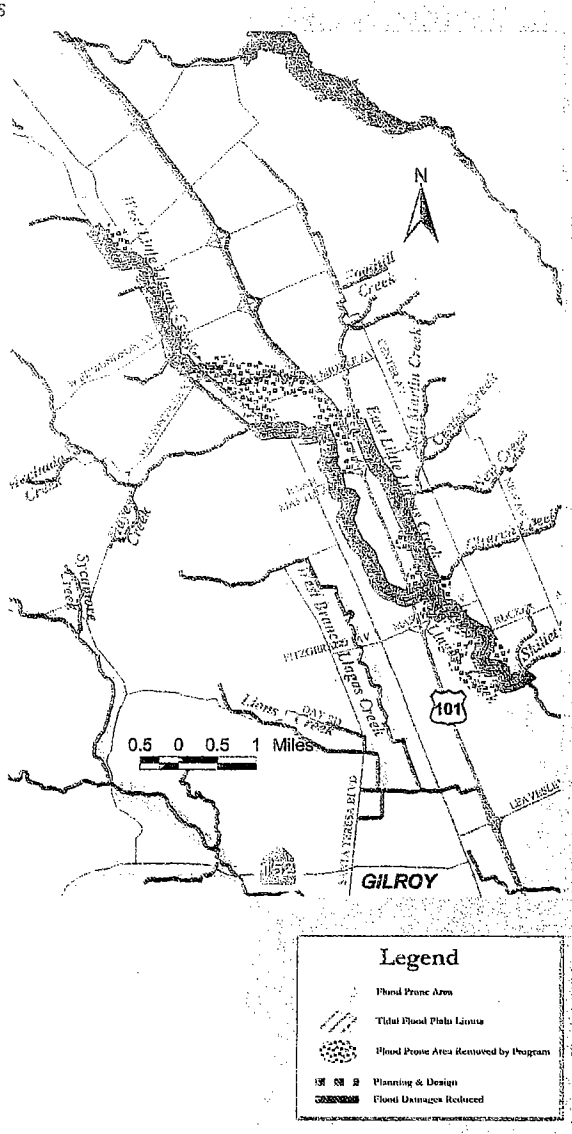
- Potential recreational areas may be incorporated in the watershed plan through the joint-use agreement with cities; these include bike paths, sports fields and parks.

Outcomes with local funding only

If local funding alone is available, only two reaches of this project can be completed: an excavated earthen channel extending for approximately 2-1/4 miles from Buena Vista Avenue to an area slightly upstream of Masten Avenue; and a one-mile long diversion channel from the main branch of Llagas Creek upstream to LaCrosse Drive.

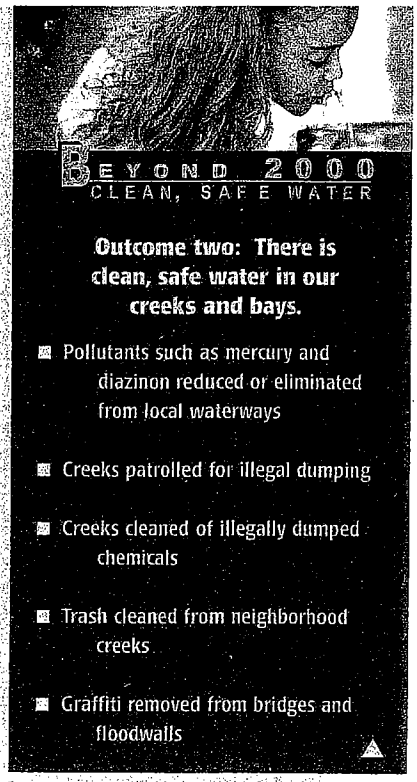
Completion of these two reaches would provide some protection for agricultural land, but would leave the area within the city of Morgan Hill vulnerable to flooding.

The Upper Llagas Creek project protects commercial and residential developments in Morgan Hill, as well as agricultural rapidly expanding residential areas in San Martin.



Llagas Creek floods Watsonville Road and the surrounding area in 1997.

CD 4346-17



Outcome two of the new plan:
There is clean, safe water in our creeks and bays.

Continued funding would help reduce and prevent pollution in Santa Clara County creeks and San Francisco and Monterey bays. Expanded services would further ensure the safety of drinking water, detect and monitor toxic materials and sediments, protect ecosystems, and increase hazardous material emergency response countywide. New services would also improve creek aesthetics by providing trash and graffiti removal.

Activities in outcome two include:

Reduction of pollution from urban runoff

The new plan facilitates implementation of urban pollution prevention in south county. This is to help ensure water district compliance with Regional Water Quality Control Board regulations by reducing urban runoff pollution such as heavy metals, oils and grease, pesticides, herbicides and toxic substances that drain from water district facilities or work sites.

The water district will participate in special studies and watershed monitoring activities to identify pollution sources and evaluate the effectiveness of pollution control measures. The district will develop and ensure implementation of the best possible management practices in the field for storm drain maintenance, channel maintenance, facility operations, water utility operations, capital project construction and well-drilling operations.

Hazardous materials management and incident response

The new plan provides for hazardous materials incident response services in south county. This plan element provides for response to hazardous material incidents within two hours of the report. The water district will advertise and conduct 60 hazardous material disposal events in the Uvas and Llagas watershed over the life of the 15-year plan. Continued funding will provide 24-hour-a-day, 7-day-a-week emergency response to reported releases of hazardous materials along creeks, lakes and reservoirs throughout the Uvas and Llagas watersheds.

Improvement of impaired water bodies

Activities in this plan element help improve the water quality of our creeks, reservoirs and bays. The water district will develop and implement a management plan to support Regional Water Quality Control Board and

Environmental Protection Agency regulations in reducing pollutants (mercury, diazinon, copper, zinc, PCBs and selenium) in our waterways. It is anticipated that this work element will be carried out with the participation of the community, local agencies and regulatory agencies.

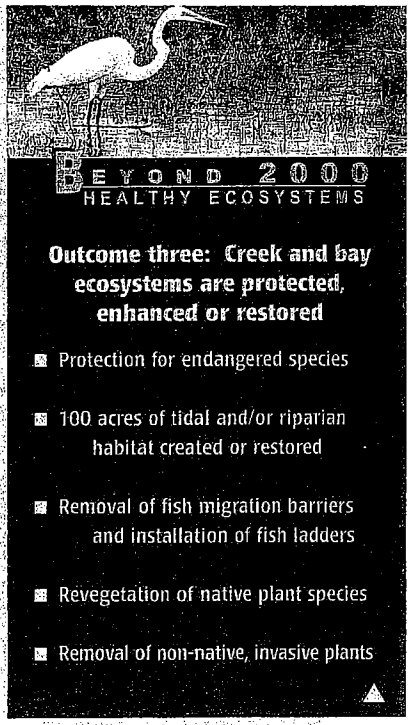
■ Litter and graffiti clean-up along creeks

This element of the plan helps improve the appearance of waterways and enhances quality of life in Santa Clara County. The water district will dedicate staff for cleanup of illegally dumped items such as shopping carts, mattresses, cans, bottles and general litter. New services include inspection of creeks for illegal dumping, 60 trash removal events annually, removal of graffiti from flood walls and bridges, repair of fences for aesthetic purposes, and a five-working-day response time for trash and graffiti complaints.

The plan also expands the Adopt-a-Creek cleanup program and allow the water district to increase support for participating neighborhood volunteers.

■ Surface water quality protection

The plan encourages the water district to participate with other agencies and community organizations in various pollution prevention and reduction efforts that are not a part of existing programs.



Outcome three of the new plan:
Creek and bay ecosystems are protected, enhanced or restored.

Outcome three provides for crucial environmental work to protect and restore habitats and encourage the return of endangered species such as the Chinook salmon, steelhead trout, salt marsh harvest mouse, California clapper rail and California red-legged frog. The new plan includes the removal of non-native plants and revegetation. New community partnerships will help restore riparian or tidal habitat.

Activities included in outcome three include:

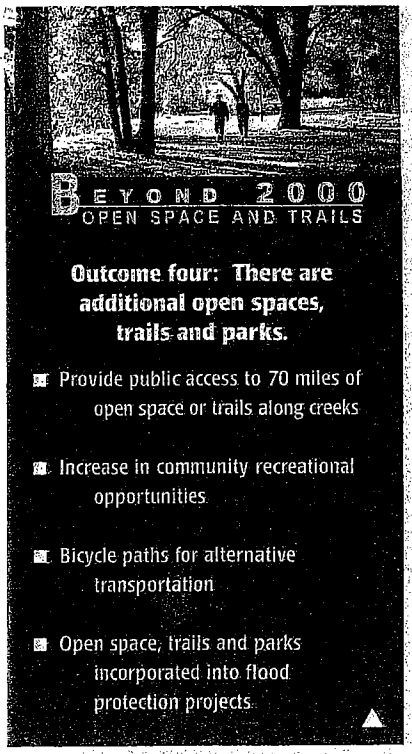
Vegetation management

Vegetation management provides for regular removal of nonnative plants and other obstructing vegetation from channels to ensure adequate carrying capacity even at flood levels. It also includes planting and maintenance of native species to reestablish plant communities and wildlife habitat in areas disturbed by construction activities. This plan provides for removal and maintenance of approximately 21,450 acres mostly in unimproved channels.

Habitat Restoration

This new plan element uses existing water district right-of-way (when applicable) and additional purchased property for conservation purposes—to create or restore an estimated total of 100 acres of tidal and/or riparian habitat. Working with partners such as Santa Clara County, the 13 cities within the county, the California Department of Fish and Game, the San Francisco Bay Regional Water Quality Control Board, community and environmental groups, the water district will identify and complete projects to preserve and restore creekside vegetation, remove barriers to fish migration and restore and protect habitat for fish and wildlife, especially endangered species.

The new plan: outcome four



Outcome four of the new plan: There are additional open spaces, trails and parks along creeks and in the watersheds

Additional funding will allow the water district to partner with open space agencies, community organizations, cities and the county to provide public access to creekside trails and parks for recreational opportunities. Natural floodplains will be preserved to serve as open space and places of urban respite. Bicycle trails will provide alternative transportation routes to relieve highway congestion and reduce air pollution.

Additional trails and open space

This new plan creates a community partnership to identify and provide public access to 70 miles of open space or trails along creeks. The water district will work with cities, the county, private landowners, the Santa Clara County Open Space District, county parks and other agencies to purchase open space and construct projects in the County Trails Master Plan.

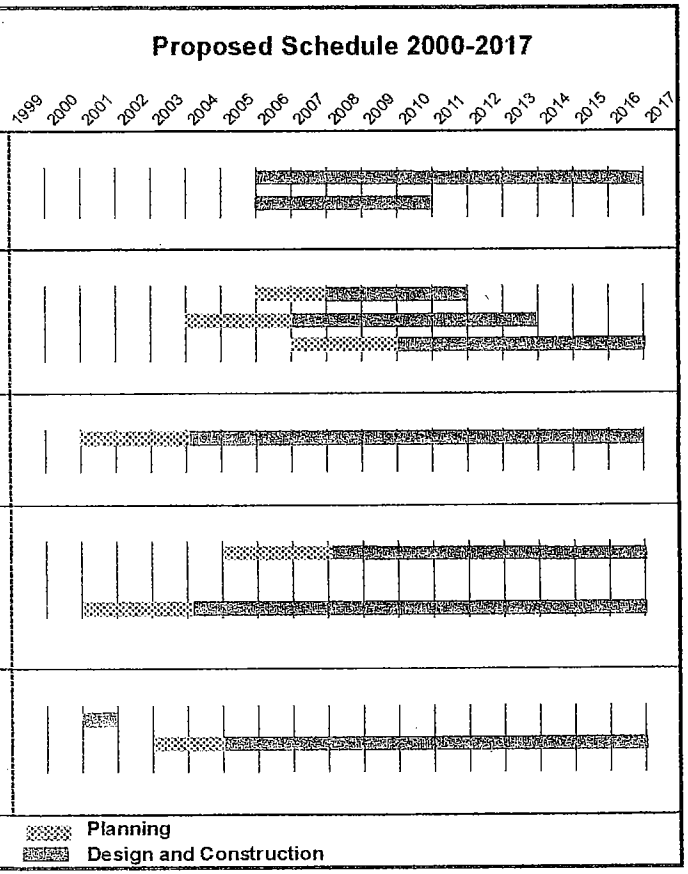
Projects identified in the master plan include completion of the upper Guadalupe trail, which will link Los Alamitos Trail with downtown San Jose, as well as possible creekside trails on portions of Upper Llagas Creek, Sunnyvale Channels, Upper Penitencia Creek, Berryessa Creek and Permanente Creek.

This new plan requires the water district to incorporate trails, parks and recreational values into existing or new flood protection projects. Existing examples of these multi-use flood protection projects include the very popular trails at Los Gatos Creek, Stevens Creek and Los Alamitos Creek, as well as the levee access on Coyote Creek in the Golden Triangle.

Capital Program Funding Schedule

Clean, Safe Creeks and Natural Flood Protection Plan

Proposed Capital Program		Project Schedule	1999 Cost (In Millions)	
LOWER PENINSULA WATERSHEDS				
Permanente Creek	*(SF Bay to El Camino)*	*2006-16*	*$27.4*	
San Francisquito Creek	*(Design SF Bay to Searsville Dam)*	*2006-10*	*$8.0*	
		Subtotal	$35.4	
WEST VALLEY WATERSHEDS				
Sunnyvale West Channel	*(Guadalupe Slough to Hwy 101)*	*2006-10*	*$5.1*	
Calabazas Creek	*(Miller Avenue to Wardell Road)*	*2004-12*	*$35.1*	
Sunnyvale East Channel	*(Guadalupe Slough to I-280)*	*2007-16*	*$24.1*	
		Subtotal	$64.3	
GUADALUPE WATERSHED				
Upper Guadalupe River	*(I-280 to Blossom Hill Rd.)*	*2001-16*	*$113.7*	*(Local $70.8M) (Corps $42.9M)*
		Subtotal	$113.7	
COYOTE WATERSHED				
Berryessa Creek	*(Calaveras Rd to Old Piedmont Rd)*	*2005-16*	*$38.0*	*(Local $19M) (Corps $19M)*
Coyote Creek	*(Design and partial Construction - Montague to Hwy 280)*	*2001-16*	*$32.0*	
		Subtotal	$70.0	
UVAS/LLAGAS WATERSHEDS				
Upper Llagas Creek	*(West Little Llagas - Reach 7a)*	*2001-02*	*$3.8*	
	(Buena Vista to Wright Ave.)	*2003-16*	*$41.2*	*(Local $12.7M) (State/Corps $32.3M)*
		Subtotal	$45.0	
		TOTAL	$328.4	



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Program Summary 3a New.xls (Phase II Report) 07/23/00

Benefits of the new plan

What your $39 buys

Assuming that the special tax is approved by a two-thirds majority in the November 2000 election, the water district will receive its initial special tax revenue in January of 2002. The following table details the various ways that this revenue will be spent, and the benefits and outcomes it will provide for the community—these are the elements that make up the 15-year plan for CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION.

Plan elements funded with monies provided by the special tax were chosen both to meet board directives and to fulfill the needs and interests of the community. Some of these plan elements are unprecedented, reflecting the board's new policies, which direct the water district to assume more responsibility as stewards of the watershed and protectors of our natural resources. Some elements are in response to specific concerns voiced by the community in the course of developing the 15-year plan. Other elements are routine district activities previously funded by the expired benefit assessment; some of these services may not be funded if the special tax does not pass.

External, independent monitoring committee

The water district is committed to implementing the new plan in cooperation with the community and other agencies. After passage of the special tax, the water district will prepare detailed procedures for implementation of all the new plan elements of the new plan. The water district board of directors will also appoint an external, independent monitoring committee who will conduct an annual review to evaluate implementation and effectiveness of the CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan. The chart on the following two pages lists the activities and outcomes which the oversight committee will monitor.

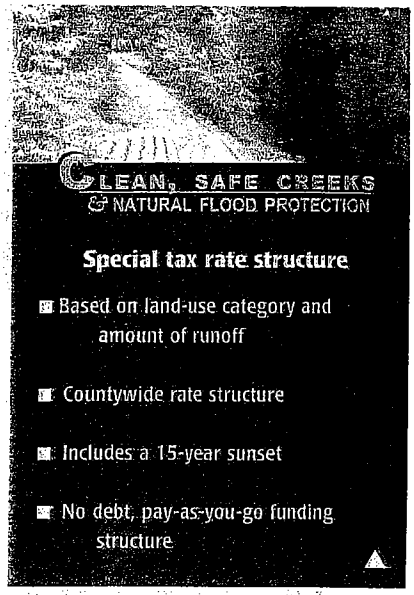
Summary of Key Performance Indicators for the 15-year Plan

Outcomes and Activities	Key Performance Indicators	Estimated Cost (in $1,000)
1. Homes, schools, businesses and transportation networks are protected from flooding		
• Provide flood damage reduction by increasing the stream's ability to convey the 100-year flow.		
Permanente Creek *(SF Bay to El Camino Real)*	Flood damage reduction for 1,664 parcels that include: 1,378 homes, 160 businesses and 4 schools/institutions.	$27,400
San Francisquito Creek *(Planning & Design SF Bay to Searsville Dam)*	Planning study and design of an engineering plan to provide flood damage reduction for 3,000 parcels.	$8,000
Sunnyvale West Channel *(Guadalupe Slough to Hwy 101)*	Flood damage reduction for 11 parcels by increasing the creek's ability to convey the 100-year storm flow	$5,100
Calabazas Creek *(Miller Avenue to Wardell Rd)*	Flood damage reduction for 2,483 parcels that include: 2,270 homes, 90 businesses, and 7 schools/institutions.	$35,100
Sunnyvale East Channel *(Guadalupe Slough to I-280)*	Flood damage reduction for 1,618 parcels that include: 1,450 homes, 95 businesses, and 4 schools/institutions.	$24,100
Upper Guadalupe River *(I-280 to Blossom Hill Rd.)*	Using only local funds from the special tax, a reduced project would extend from Hwy 280 to Curtner Avenue. Frequency of flooding would be reduced, however parcels in the flood plain would still be subjected to flooding from upstream sources.	$70,800 (Local Funding Only)
	Local and federal funding would protect 6,989 parcels that include: 6,280 homes, 320 businesses, and 10 schools/institutions.	$113,700 (Local & Federal Funding)
Berryessa Creek *(Lower Penitencia Creek to Old Piedmont Rd)*	Using only local funds from the special tax, a reduced project would extend from the confluence with Lower Penitencia upstream to Montague Expressway, modifying 3 miles of channel and protecting approximately 100 parcels.	$19,000 (Local Funding Only)
	Local and federal funding for flood damage reduction would provide protection for 1,814 parcels including 1,420 homes, 170 businesses, and 5 schools/institutions.	$38,000 (Local & Federal Funding)
Coyote Creek *(Montague Expway to 280)*	Planning study, design, and partial construction (to the extent allowed by available funding) of an engineering plan to provide flood damage reduction.	$32,000
Upper Llagas Creek (Buena Vista Ave. to Wright Ave. and W. Little Llagas)	Using only local funds from the special tax, a reduced project would include 3.25 miles of channel construction, including a 1-mile diversion. This would provide protection from a 10-year flood event for some agricultural land, leaving areas of Morgan	$12,700 (Local Funding Only)
	Local and federal funding combined would provide flood damage reduction for 1,397 parcels comprised of 820 homes, 200 businesses, 190 agricultural parcels, and 6 schools/institutions.	$45,000 (Local & Federal Funding)
• Sediment removal to preserve flood protection capacity of creeks.	Remove approximately 120,000 cubic yards of sediment from unimproved creeks.	$4,500
• Maintenance of newly improved creeks	Preserve flood protection capacity for 40 miles of newly improved creeks maintained (vegetation control and sediment removal)	$5,700
	Subtotal	**$254,200**

Special tax outcomes rev.xls

Outcomes and Activities	Key Performance Indicators	Estimated Cost (in $1000)
2. There is clean, safe water in our creeks and bays		
• Continue to reduce pollutants from urban runoff as a co-permittee with other local agencies and expand the program to Uvas/Llagas Watersheds.	Reduce urban runoff pollutants in South County cities.	$600
• Hazardous materials management and incident response including reservoirs for Uvas/Llagas Watersheds	Provide hazardous material response for Uvas/Llagas Watersheds. Respond to incidents within 2 hours of initial report. (Equivalent of approximately 180 incident responses).	$450
• Impaired water bodies improvement	Reduce or prevent additional impairment of water.	$15,900
• Neighborhood creeks frequently inspected and cleaned of litter and graffiti.	60 creek cleanup events. Response time to remove litter and graffiti of less than 5 working days. Additional safety fence around creeks is installed or repaired as needed.	$15,000
• Partnership with the county on general surface water quality protection program/outreach	Assist county or other cities in reduction of pollutants in surface water.	$5,850
	Subtotal	**$37,800**
3. Healthy creek and bay ecosystems are protected, enhanced or restored as determined appropriate by the Board.		
• Vegetation management to protect healthy creek and bay ecosystems, and preserve existing floodwater conveyance capacity in creeks	Creeks that are clear of plant growth that can impede water flow and reduce the flood protection capacity. Vegetation at mitigation sites properly monitored and managed to assure healthy habitat. (Equivalent of 22,000 acres of vegetation removed and maintained).	$19,050
• Community partnership to identify and implement restoration of fisheries, riparian habitat or wetlands.	Creation of additional wetlands, riparian habitat and favorable stream conditions for fisheries and wildlife. (Equivalent of 100 acres of tidal or riparian habitat created or restored).	$31,350
	Subtotal	**$50,400**
4. There are additional open spaces, trails and parks along creeks and in the watersheds when reasonable and appropriate.		
• Provide additional trails and open space along creeks and in watersheds.	Community partnership to identify and provide public access to 70 miles of open space or trails along creeks	$13,800
	Subtotal	**$13,800**
	15 Year Total for Plan (1999 dollars)	**$356,200**

Special tax outcomes rev.xls



Special tax rate structure

How the special tax is calculated: land-use and runoff

The rate structure for the proposed special tax is intended to reflect the relative amount of storm water runoff that each parcel would contribute to the receiving flood protection facilities. Rates are based on the land use (which is directly related to an assigned storm water runoff factor or can be thought of as the estimated percent of hardscape area on a parcel) and size of each land parcel.

Land-use category and estimated storm water runoff factors

The following six land-use categories and estimated storm water runoff factors are used to determine the proposed special tax:

- **Category A: commercial and industrial parcels**

  1. Land used for industrial and commercial purposes. This land use is assigned an estimated storm water runoff factor of 0.8.

  2. The minimum tax for this category is applied to parcels of 1/4 acre or less.

- **Category B: high density residential parcels, schools, churches, and institutions**

  1. Land used for apartment complexes, mobile home parks, condominiums, townhouses, or institutional purposes such as schools and churches. This land use is assigned an estimated storm water runoff factor of 0.6.

  2. With the exception of condominiums and townhouses, the minimum tax for this category is applied to parcels of 1/4 acre or less.

  3. For condominiums and townhouses, an average lot size of 0.08 acre for each condominium or townhouse is used to calculate the annual special tax rate.

- **Category C: single family residences and multiple family units up to 4 units**

  1. Land used for single family residences and multiple family units up to four units. This land use is assigned an estimated storm water runoff factor of 0.4.

  2. The minimum tax for this category is applied to parcels of 1/4 acre or less. Incremental residential land in excess of 1/4 acre is assessed at the Category D rate.

Category D: agricultural parcels

1. Disturbed agricultural land, including irrigated land, orchards, dairies, field crops, golf courses, and similar uses. This land use is assigned an estimated storm water runoff factor of 0.005.

2. The minimum tax for this category is applied to parcels of 10 acres or less.

3. The per acre rate for this category is used for any portion of land in Category C that is in excess of 1/4 acre of a parcel used for single family residential purposes.

Category E: non-utilized agricultural parcels

1. Urban: Nonutilized agricultural lands, grazing land, salt ponds, undisturbed vacant lands, and parcels used exclusively as well sites for commercial purposes that are located in urban areas.

2. Rural: Nonutilized agricultural land, grazing land, undisturbed vacant land, and parcels used exclusively as well sites for commercial purposes that are located in rural areas.

3. This land use is assigned an estimated storm water runoff factor of 0.0015. The minimum tax for this category is applied to parcels of 10 acres or less. The minimum tax is the same for E-Urban and E-Rural categories. However, for the E-Rural category, incremental lands in excess of 10 acres will be assessed at one-eighth the E-Urban rate.

The one-eighth factor is used because most rangelands in rural areas are either under the Williamson Act contracts, which limit their development potential or they are located upstream of a water district reservoir and impose less potential for flooding downstream. Additionally, the County Assessor's Office has advised that taxes on rangelands are on the average 1/8 of what they would be without Williamson Act provisions.

Category F: well parcels for residential uses

Parcels used exclusively as well sites for residential uses are exempt from the special tax.

Land-use codes assigned to parcels by the County Assessor's Office are grouped into the above six land-use categories for determining the annual special tax for each parcel.

Special tax rate calculation formula

To calculate the special tax for each land use category, the following procedure is used:

1. Set the minimum special tax (i.e., less than 1/4 acre) for Category C Residential.

2. Calculate the rate for each of the remaining five (5) land use categories by using the Category C Residential rate and the respective ratio of runoff factor of each land use category to the runoff factor of Category C Residential (see example below.)

3. Verify that the special tax rates would generate approximately $24.7 million per year to implement the proposed CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan. This is accomplished by applying the proposed rates on the County Assessor's Tax Rolls.

4. If an annual revenue of $24.7 million can be obtained, present the rates are to the Board for adoption.

5. If the calculated annual revenue is not approximately $24.7 million, increase or decrease the minimum special tax for Category C Residential and repeat steps 2 to 4 until that amount is obtained.

Example Calculation

If the minimum special tax (for parcels less than 1/4 acre) is set at $39/year for Category C Single Family Residences, the special tax (for an one-acre parcel) in Category A Commercial and Industrial Parcels can be calculated using the storm water runoff factors for Category C Residential and Category A Commercial/Industrial as follows:

$39/year for each 1/4 acre x (0.8 / 0.4) = $312/year per acre

Other Factors Affecting Rates

Consumer price index (CPI) adjustment

To account for the effects of inflation, special tax rates will be adjusted annually using the San Francisco-Oakland-San Jose Consumer Price Index for all Urban Consumers (CPI-U). Special tax rates shall be adjusted annually by the percentage increase in the year or years since April 30, 2001. However, in the event that the annual CPI-U increase is less than 3 percent, the annual increase for special tax rates shall be set at 3 percent.

Recovery of flood damage repair costs

Unanticipated disasters can cause significant damage to flood protection facilities and result in significant repair costs. For the purposes of the 15-year plan, unanticipated disasters are those that are declared disasters by the Governor of California or the President of the United States due to flooding or other natural disasters. Since these events do not occur frequently, the 15-year plan does not include funding to repair facility damage resulting from these events. As a result, in the event of an unanticipated disaster the special tax rates shall be increased to the extent necessary to cover facility repair costs. Special tax rates can only be raised to cover repair costs within a period of three years after an unanticipated disaster has occurred.

Exemption for low income senior citizens

The water district is seeking legislation that will enable them to provide an exemption from the special tax for residential properties owned by one or more persons over 65 years of age who occupy that property as their principal residence. In order to qualify, the applicant must be low-income, own at least 50 percent of the property, and have attained age 65 before the end of the fiscal year in which the tax is due. The applicant must apply for the exemption each year. Low income is defined as 75 percent of the state median income. Available data from last year indicates that the state median income level was $44,620; "low income" would then be $33,456.

Special Tax Revenue

The following table shows the results of applying the above rates to the appropriate land parcels in the Santa Clara County tax roll; revenue is rounded off to the nearest thousand dollars. The table also shows the breakdown of the total proposed assessment by watershed.

Land Use	Acres	Amount Assessed	Parcel Count
Commercial and Industrial	26,419.6	$ 8,482,000	17,995
Institutions and Apartments	8,124.2	$ 1,545,000	5,627
Single Family and Small Multi-Family Residence	99,465.5	$ 14,312,000	393,224
Disturbed Rural, Vacant, Agriculture	55,961.8	$ 301,000	11,075
Undisturbed Agriculture, Marsh, Ponds	81,995.4	$ 50,000	1,336
Assessment Over-ride*	10,276.2	$ 251,000	155
Rural Undisturbed Agriculture, Brush, Forest	315,103.3	$ 33,000	2,647
Well Site	1.7	$ —	116
Exempt	6,215.4	$ —	9,296
S.C County Collection Fee		$ (250,000)	
TOTAL	**603,563**	**$ 24,724,000**	**441,471**
Watershed			
Central	62,694.22	$ 7,395,000	135,936
East	152,093.65	$ 6,264,000	116,338
North Central	35,289.49	$ 6,017,000	102,484
Northwest	35,828.34	$ 3,573,000	60,271
South	194,094.61	$ 1,475,000	25,850
No Zone	123,562.76	$ -	592
TOTAL	**603,563.07**	**$ 24,724,000**	**441,471**

** Assessment over-ride values are corrections for parcels where actual land-use differs from zoned land-use.*

Note: Condominium and townhouse rates are included in high density residential.
Mobile homes are assessed with high density residential.
The county collection fee is 1 percent of total collected from assessment.

SPECIAL TAX RATE SUMMARY [a]

Land Use Category by Watershed *(Zone)*	Benefit Assessment [b] Post Sunset FY 00-01 [d]	County-wide Program Rates FY 00-01 Special Tax $39/Year [c]	Total Rate
Residential (Single family to 4 Units)			
Lower Peninsula *(Northwest)*	$48		$87
West Valley *(North Central)*	$18		$57
Guadalupe *(Central)*	$31	$39	$70
Coyote *(East)*	$28		$67
Uvas/Llagas *(South)*	$19		$58
Condominiums & Townhouses			
Lower Peninsula *(Northwest)*	$48		$67
West Valley *(North Central)*	$18		$37
Guadalupe *(Central)*	$31	$19	$50
Coyote *(East)*	$28		$47
Uvas/Llagas *(South)*	$19		$38
Commercial/Industrial Minimum (1/4 Acre or Less)			
Lower Peninsula	$96		$174
West Valley	$35		$113
Guadalupe	$62	$78	$140
Coyote	$56		$134
Uvas/Llagas	$38		$116
Commercial/Industrial (Per Acre)			
Lower Peninsula	$384		$696
West Valley	$141		$453
Guadalupe	$246	$312	$558
Coyote	$224		$536
Uvas/Llagas	$152		$464
Apartments, Mobile Homes [e], Churches Minimum (1/4 Acre or less)			
Lower Peninsula	$72		$131
West Valley	$26		$85
Guadalupe	$46		$105
Coyote	$42		$101
Uvas/Llagas	$29		$88
Mobile Homes [e]		$59	
Lower Peninsula	$96		$155
West Valley	$35		$94
Guadalupe	$62		$121
Coyote	$56		$115
Uvas/Llagas	$38		$97
Apartments, Mobile Homes [e], Churches (Per Acre)			
Lower Peninsula	$288		$522
West Valley	$105		$339
Guadalupe	$185		$419
Coyote	$168		$402
Uvas/Llagas	$114		$348
Mobile Homes [e]		$234	
Lower Peninsula	$384		$618
West Valley	$141		$375
Guadalupe	$246		$480
Coyote	$224		$458
Uvas/Llagas	$152		$386

Special Tax.cdr 7-23-00 - (final tax rates xfer.xls)

SPECIAL TAX RATE SUMMARY [a]

Land Use Category by Watershed *(Zone)*	Benefit Assessment [b] Post Sunset FY 00-01 [d]	County-wide Program Rates FY 00-01 Special Tax $39/Year [c]	Total Rate
Utilized Agricultural (Minimum rate for parcels of 10 acres or less for both Urban and Rural)			
Lower Peninsula	$24		$44
West Valley	$9		$29
Guadalupe	$15	$20	$35
Coyote	$14		$34
Uvas/Llagas	$10		$30
Utilized Agricultural (Per acre)			
Lower Peninsula	$2		$4
West Valley	$1		$3
Guadalupe	$2	$2	$4
Coyote	$1		$3
Uvas/Llagas	$1		$3
Non-Utilized Agricultural (Minimum rate for parcels of 10 acres or less for both Urban and Rural)			
Lower Peninsula	$7		$13
West Valley	$3		$9
Guadalupe	$5	$6	$11
Coyote	$4		$10
Uvas/Llagas	$3		$9
Non-Utilized Urban Agricultural (Per acre)			
Lower Peninsula	$0.72		$1.31
West Valley	$0.26		$0.85
Guadalupe	$0.46	$0.59	$1.05
Coyote	$0.42		$1.01
Uvas/Llagas	$0.29		$0.88
Non-Utilized Rural Agricultural (Per acre)			
Lower Peninsula	$0.10		$0.18
West Valley	$0.04		$0.12
Guadalupe	$0.06	$0.08	$0.14
Coyote	$0.06		$0.14
Uvas/Llagas	$0.04		$0.12

Special Tax.cdr 7-23-00 - (final tax rates xfer.xls)

Notes:

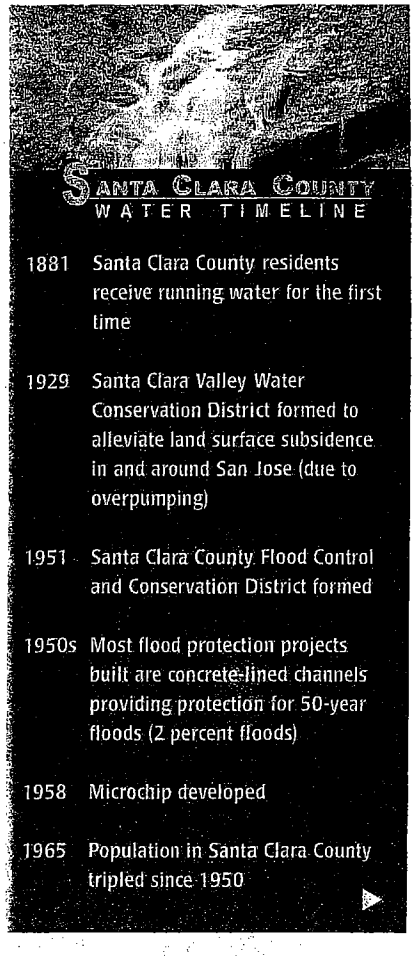
a. Rates for each parcel are based on estimated amount of runoff depending on land use category and are shown in dollars rounded to the nearest $1.

b. Benefit Assessments approved by voters in 1986 in the Lower Peninsula, Guadalupe, Coyote and Uvas/Llagas watersheds; approved in 1990 in the West Valley watershed.

c. Residential parcels larger than 1/4-acre pay the minimum assessment for the first 1/4-acre and $2 per acre for the remaining acreage.

d. Post sunset benefit assessment rates are estimated based on land use data provided by the County in April 2000. Actual rates will be set based on final land use data which will be available in July 2000.

e. Mobile Home Total Rates are based on Post-Sunset Commercial/Industrial Benefit Assessment rates plus Special Tax rate for apartments, churches, etc. (Mobile Home parcels were classified as Commercial/Industrial under Benefit Assessment, but will receive the High Density Residential Rate under the new Special Tax).



Overview

Why we need a new plan

We've seen great changes since the creation of the Santa Clara Flood Control and Water Conservation District in 1951. What used to be largely an agricultural valley is now Silicon Valley—the nation's leader in high technology output. Santa Clara County is now home to 1.7 million people and supports a workforce of nearly one million. As the valley changes, so must the role of the water district if we are to continue managing the county's water resources effectively. Today, besides protecting homes, businesses and farms from devastating floods, we now act as stewards for the county's creeks and rivers, and ensure that there is enough clean, safe water for homes and businesses.

Goals must reflect changing community values

■ While straightening rivers into concrete channels was the norm 30 years ago, the environmental movement of the 1970s raised national awareness to preserve natural systems and wildlife habitat. Since then, the water district has changed the design and operation of flood protection projects to have the least environmental impact possible. When it has been impossible to avoid major impact, mitigation programs have restored riparian habitat and wetlands to offset adverse effects.

As urban growth continues, so does the need to preserve and restore dwindling habitat. To meet this goal, the district must expand the uses and purposes of flood protection projects, increase the number of restoration projects and broaden mitigation programs to offset environmental impacts.

■ Many of Santa Clara County's most popular creekside public trails and parkways were created during the 1970s and '80s. As population continues to increase, so does usage of these areas and the demand for more public access. Uncrowded natural areas have become more prized than ever as people seek places to reconnect with nature. To fill this need, the district must incorporate public access into flood protection design and we must develop new community partnership programs to identify and establish other trail and park sites.

■ Along with local communities and resource agencies, the water district is playing a more active role in protecting water quality in local creeks and in the San Francisco and Monterey bays. To do this, we must expand existing pollution prevention programs, create new partnerships with local government, address

upcoming total maximum daily load (TMDL) regulations for pollutants in waterways, and provide additional trash removal from waterways.

Costs are increasing

■ While clean water, open space and habitat preservation are community priorities, people still demand and the region has need for additional flood protection. Current plans for construction projects incorporate all these goals with multipurpose design strategies. For example, the Upper Guadalupe River project would remove barriers to fish migration, reestablish continuous streambank vegetation, and create six miles of public access at the same time it protects homes. Although more expensive and time-consuming to produce, these projects preserve both the natural system and well-being of residents.

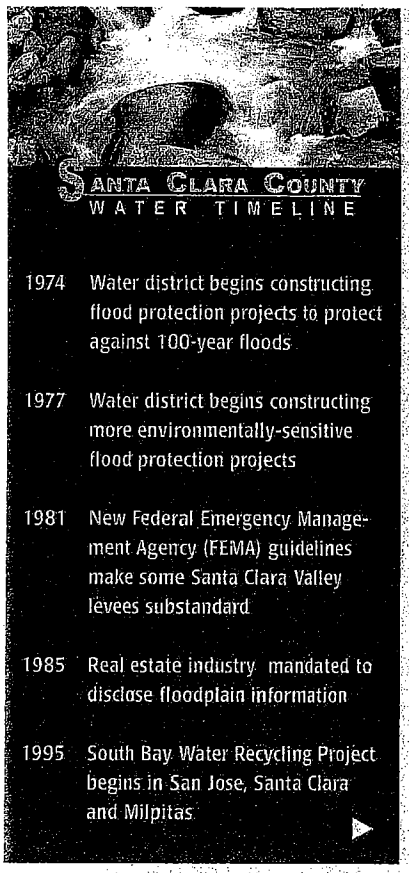
■ Flood protection projects must pass through an intense process of scrutiny by numerous resource and regulatory agencies. Increases in regulatory oversight, the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), the Clean Water Act (CWA), required mitigation to offset environmental impact—all these factors extend the timeline for projects, increase labor hours and raise costs. As a result, some previously planned flood protection projects have not yet been constructed.

■ Increasingly stringent environmental requirements have raised basic operating costs significantly. In 1997, the cost of performing basic maintenance activities (sediment removal, erosion repair, vegetation removal) had increased 350-550 percent over previous years.

■ As new flood protection projects are completed, each requires ongoing maintenance and operation to work efficiently and within environmental guidelines. As Santa Clara County prospers and grows, its water management system also becomes more complex, requiring increased upkeep, staff and funding.

CD 4880-60

Water district goals must keep pace with changing community values. New multipurpose flood protection projects such as this one on the Guadalupe River in downtown San Jose protect property while at the same time they preserve habitat, improve water quality and provide creekside trails.



Funding is needed

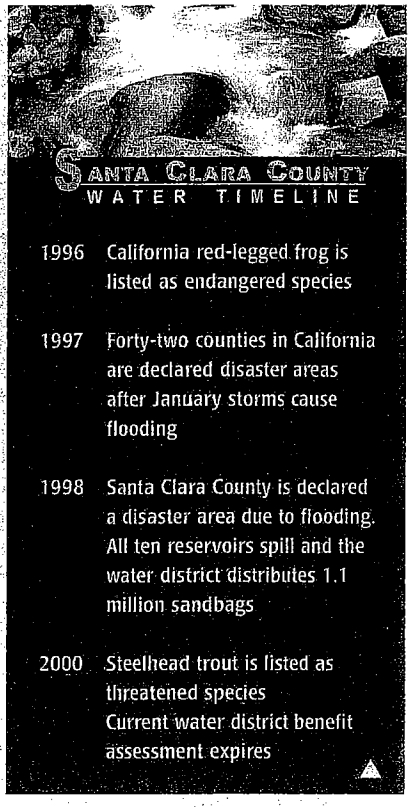
■ To receive federal and state funding for new construction projects, the community must provide matching funds. After the June 2000 sunset of the benefit assessments we will be ineligible for this outside help unless another local funding source is approved. In previous years, state and federal funding has contributed approximately 50-75 percent of the total cost for large-scale flood protection projects.

■ With the sunset of the benefit assessment revenue, securing funding for the flood protection and stream stewardship program is critical. Without additional funding past the sunset date, the water district will not be able to maintain existing levels of service, and the increased habitat protection, open space and other services requested by communities will not be possible.

Ensuring Clean Safe Creeks and Natural Flood Protection for the next 15 years Where we are in the planning process

CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION—the 15-year plan you are now holding—is the result of more than two years of cooperative effort between the water district and the community to identify the most pressing needs for Santa Clara County, as well as the wishes of homeowners, businesses, farmers, schools, commuters, environmental groups, government agencies and many other interests.

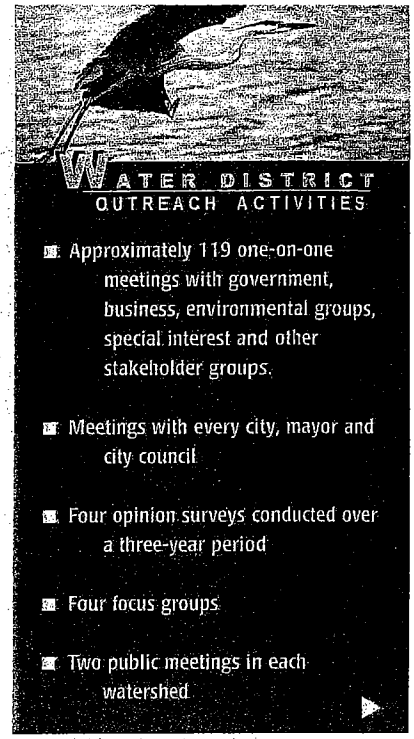
Work began on the plan in February 1997 when the water district initiated research to develop a "baseline program"—a future budget which assumed no new revenue sources after the current benefit assessments sunset in June 2000. In March 1998, we released our findings in the *Phase I Report on Development of Baseline Programs and Alternative Funding Mechanisms.* The reduced level of service and loss of future flood protection projects shown in the report was unacceptable to all of the water district's Zone Advisory Committees, which include representatives of cities and resource agencies



throughout the county. As a result, water district staff moved on to Phase II: the development of a viable flood protection and stream stewardship program to meet community needs beyond the year 2000.

After two years of community input and refinement, the comprehensive CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan is ready for consideration by the public. They will have an opportunity to support this plan by voting to approve a special parcel tax in November 2000. The tax will cost residents approximately $39 per household per year, and will raise $24.7 million for the new plan annually.

Funding mechanisms available to the water district to generate this revenue include fees, special charges or a voter-approved special parcel tax. Of these options, the special tax was chosen over other methods because it can fund a wide range of countywide services, it is easier and less expensive to implement, and it is tied to the public through the election process.



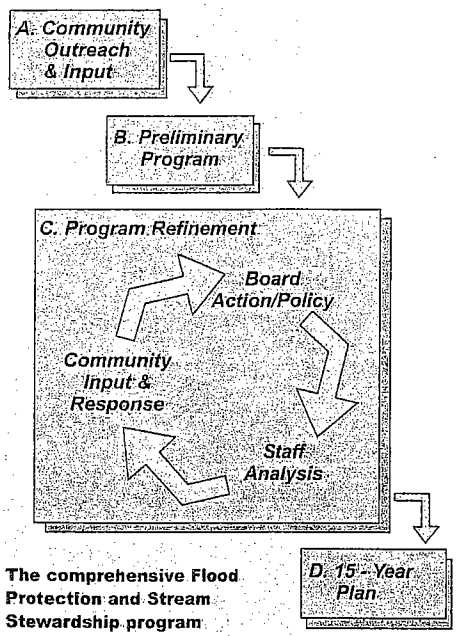
Community outreach

Finding out what the community wants: the outreach process

Throughout the two-year process of developing the CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan, the water district continually sought input to assess the needs, priorities and expectations of all communities in Santa Clara County.

The goal was to build consensus and formulate a 15-year plan that the vast majority of the community could support; the plan also had to meet board objectives. To earn support, the design of the new 15-year plan had to spring from the community's values and priorities, and it had to balance diverse and sometimes conflicting needs. To reach this goal, the water district developed a detailed outreach plan and implementation strategy to obtain input from stakeholders in all areas of Santa Clara County.

The comprehensive Flood Protection and Stream Stewardship program contained in this report evolved through a dynamic, ongoing, interactive process involving community input on the program, water district analysis/ refinement of the program, and district board actions; this was followed by further community input on refinements and further water district analysis and refinement. The culmination of this process is a 15-year plan that addresses community desires while providing excellent value for the region.



The comprehensive Flood Protection and Stream Stewardship program evolved through a dynamic, ongoing, interactive process involving community input on the program, water district analysis/refinement of the program, and district board actions.

Outreach tools and tactics

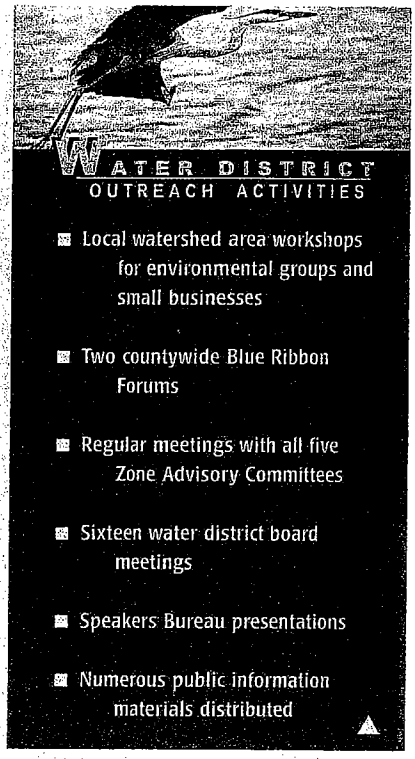
The water district created many venues to make it easy for all stakeholders to voice concerns throughout the planning process:

- **Opinion surveys and focus groups**

The water district employed Evans/McDonough Inc. to conduct impartial, public-awareness research using phone surveys and focus groups at strategic points during the outreach process.

The respondents were asked to rate the importance of different future stream stewardship programs and components, as well as the degree to which they see flooding as a problem. Interviewees were also asked to prioritize services and indicate how much they were willing to spend on these services.

Early surveys assessed the needs, wants and perceptions of the general public and helped the water district develop a draft plan to lay a foundation for further public input. Survey results also helped the district design upcoming



public workshops on the proposed plan. Results of later surveys helped the water district refine the details and benefits of requested programs, test effectiveness of education efforts, and assess various program elements and funding levels.

■ One-on-one outreach interviews

The district conducted more than 100 face-to-face meetings with individuals representing virtually all interests in all areas of Santa Clara County: city, county and state officials; community, neighborhood and homeowner groups; large and small businesses; environmental groups; and numerous other special interests groups.

■ Public workshops

In addition to the extensive public surveys and focus groups, the water district conducted advertised workshops three times in each of the five watershed areas to introduce the draft plan and obtain input on priorities.

■ Blue Ribbon Forums

In October 1998 and February 2000, the water district hosted large, countywide task force meetings, or "Blue Ribbon forums," for community leaders and stakeholders from all watersheds in Santa Clara County. The district offered two sessions in February to accommodate attendees' schedules.

At the earlier forum, the water district outlined the baseline program without additional funding, identified major issues and needs, and gauged support for a new, expanded program. Forum participants agreed that the baseline program would not meet the communities' needs and that the water district should develop an expanded future program. Sixteen months later at the February 2000 forum, the district introduced the board-approved CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan, which incorporated input obtained individually from attendees during one-on-one meetings and watershed area workshops held over the previous year. This forum offered stakeholders an additional chance to suggest refinements on funding and fair implementation of the program.

■ Watershed workgroups

The water district held local workshops in each watershed area during February and March of 1999. Invitations were sent to Blue Ribbon forum attendees and local government officials, environmental groups, neighborhood

groups, businesses and other special interest groups.

At these workshops the water district encouraged more detailed input on program services and funding by forming smaller workgroups of stakeholders that addressed specific projects and issues.

Public information outreach

Throughout the development of the CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan, the district used many educational tools to encourage input to the planning process, describe the draft plan and inform the public about the valley's flood protection and stream stewardship challenges:

- CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan brochure
- Speaker's bureau presentations to clubs, organizations and agencies such as environmental groups, senior groups, service groups and neighborhood associations
- StreamSense newsletter
- Video introducing new plan to the public
- Video introducing new plan to businesses
- "Even when the rain stops" flood education brochure
- "Tour-your-watershed" interactive web program: www.heynoah.com
- New streams and floods web page highlighting the new 15-year plan (located within the water district's home page)
- Hey Noah! Flood Awareness Campaign
- Media outreach packets on the new plan

Who we met with

Local city, county, state and federal officials

The water district met with representatives from every city in Santa Clara County, conducting personal presentations and interviews with mayors, city managers, city engineers, community development directors, public works directors, city council members and project managers. For each meeting, the district created a personalized presentation with handouts and maps detailing facilities located within that city's boundaries.

Meetings helped clarify priorities, problems and community perceptions within each city's boundaries. City representatives helped water district

CLEAN, SAFE CREEKS & NATURAL FLOOD PROTECTION

Water District Board Decisions Timeline

April 27, 1998
- Endorse development of a future flood protection plan using a watershed stewardship approach

May 26, 1998
- Will not pursue a November '98 election
- Will pursue special tax needing two-thirds vote
- Approve sunset date

June 30, 1998
- Approve the community outreach plan

May 4, 1999
- Reaffirm countywide rate and sunset date
- Will not pursue a March 2000 election

Oct. 5, 1999
- Support the new plan's four outcome statements
- Affirm that additional funding is needed
- Reaffirm countywide program concept
- Identify levels of service to fulfill four outcomes
- Direct staff to assume federal cost-sharing for Upper Llagas Creek, Upper Guadalupe River and Berryessa Creek flood protection projects
- Direct staff to evaluate reallocation of property taxes from the Water Utility Enterprise

staff build lists of key individuals and groups to contact directly for input throughout the process.

■ Environmental organizations and advocates

The water district met with representatives of environmental groups such as the Sierra Club, Clean South Bay, Silicon Valley Pollution Prevention Center, Streams for Tomorrow, Silicon Valley Audubon Society, the Silicon Valley Toxics Coalition, the Greenbelt Alliance, and the Committee for Green Foothills.

Two workshops were held specifically for environmental groups so they could provide direction on the specific types of projects to include, and the levels of funding appropriate to support them. Attendees were able to give detailed input on how habitat preservation and restoration could be implemented within the larger stream management plan.

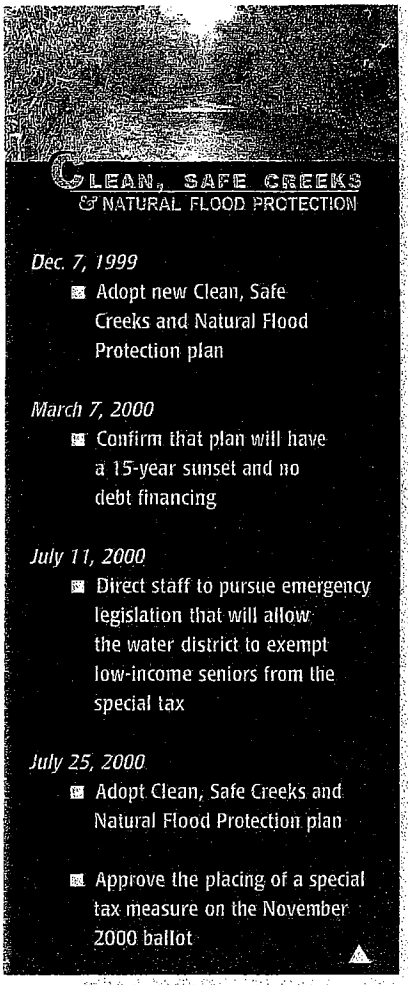
In addition, representatives from the environmental community addressed the water district board of directors on several occasions during the new plan's development process. The board agreed to create an environmental advisory committee to advise the water district on the implementation of environmental programs.

In addition, the water district and many other stakeholders meet monthly as part of the Watershed Management Initiative (WMI)—a collaborative effort to develop a community-supported watershed management plan that balances water supply, habitat protection and land-use while protecting and enhancing water quality. The 30-plus signatories to the WMI Charter include stakeholders representing business, industry, environmental groups, resource conservation groups, agriculture, the general public, and federal, state and local public agencies.

The WMI provided significant input for the shaping of the new CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan, and will continue to serve as a forum for the plan's implementation.

■ Open space/recreational groups

The water district met with the Friends of Stevens Creek, Friends of Los Alamitos Trail, Midpeninsula Regional Open Space District, and Santa Clara County Open Space Authority to identify issues and concerns. Organizations reviewed the new plan and shared the priorities of their constituents.



- Labor and trade organizations

The water district made presentations to, and solicited input from: South Bay Labor Council; Santa Clara Chapter of Consulting Engineers and Land Surveyors of California; the Associated General Contractors of California, Santa Clara District; and representatives of the building and construction trades.

- **Business**

The water district met one-on-one with numerous businesses and business organizations, and conducted a workshop specifically for the small business community. The water district also met with the Silicon Valley Manufacturing Group, Joint Venture Silicon Valley and most of the county's chambers of commerce to obtain input on the needs of the business community so that these concerns could be addressed in the 15-year plan.

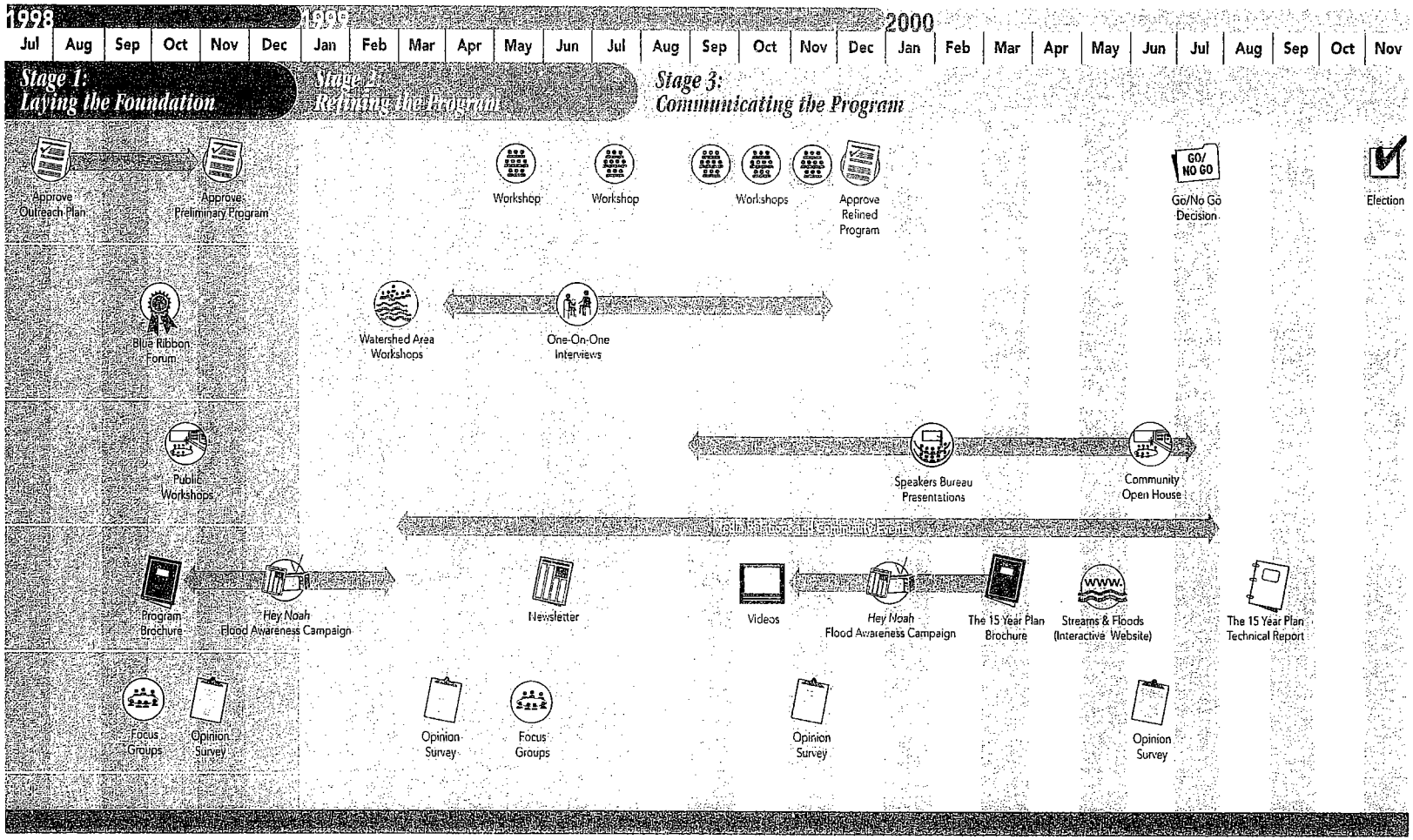
- **Neighborhood residents, homeowners, general public and other interest groups**

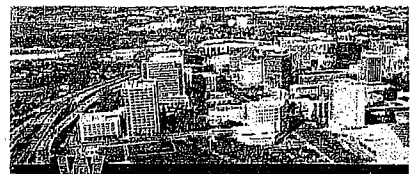
The water district gave presentations on the new plan to local homeowner associations, neighborhood groups and special interest groups; and coordinated one-on-one meetings with group leaders. The water district has also been working closely with the five chapters of the League of Women Voters of Santa Clara Valley, who have prepared a local study on flood prevention as well as evaluated the proposed ballot measure for the CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan. Other clubs and groups contacted by the district include taxpayer organizations, service clubs, churches, schools, senior organizations, and many others.

SANTA CLARA VALLEY WATER DISTRICT
THE PEOPLE BEHIND YOUR WATER

Community Outreach Activities

Flood Protection & Stream Stewardship Program





WATER DISTRICT
OUTREACH RESULTS

10 Community Themes

1. Water quality is a top priority.
2. "Clean" creeks mean clean from trash, not just so floodwaters will pass.
3. Don't forget that your core business is flood protection.
4. Dedicate more funding for the environment.
5. Protect fisheries and endangered species.
6. Add trails and open space.
7. Evaluate the water district's efficiencies.
8. Develop a countywide program.
9. Reduce the proposed special tax rate.
10. Leverage all opportunities for state and federal funding.

What communities said: water management priorities in Santa Clara County

Early on in the outreach process, the scaled-back, baseline program which required no additional funding was overwhelmingly rejected by attendees at all forums in which it was presented. The proposed CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan was developed because the scaled-back program did not meet the needs of communities. Representatives from communities in all areas of Santa Clara County wanted the water district to maintain or increase existing levels of services, as well as add new services.

The water district received substantial input on which services and projects should have priority, and what communities were willing to pay for these services. In the process, stakeholders shared many ideas on fair implementation of the program, possible funding strategies and public involvement after program acceptance.

What stakeholders said: results of water district outreach

In general, input from the water district's two years of outreach activities (one-on-one meetings, watershed workshops, Blue Ribbon forums, etc.) supported the findings of the opinion surveys, while offering more detailed input on program refinement and implementation from cities and special interest groups.

As in the public opinion surveys, major recurrent themes appeared early on and were reinforced throughout the outreach process.

"I strongly support using more progressive flood control whenever possible. An ongoing environmental advisory committee is an excellent idea."
–water district Blue Ribbon Forum, Feb. 2, 2000*

** Note: To expedite this report and reduce production costs, quotes are not attributed by person, which would require numerous phone contacts and written consent forms. Detailed transcripts and captured input are available for review at the water district office.*

Overall results of outreach: 10 Community Themes

(Note: themes appear in no particular order—numbers are for reference only.)

1. Water quality is very important to our communities
2. "Clean" creeks mean clean from trash, shopping carts and hubcaps; not just so that floodwaters can pass
3. Don't forget that your core business is flood protection
4. Dedicate more funding for the environment
5. Protect fisheries and endangered species
6. Add trails and open space
7. Evaluate the water district's efficiencies

8. Develop a countywide program
9. Reduce the proposed special tax rate
10. Leverage all opportunities for state and federal funding

"Drinking water must be kept safe for our families and future generations."
—water district Blue Ribbon Forum, Feb. 2, 2000

How we captured and tracked input

The district recorded input in various ways depending on when and how it was received, and the resources available at different sites. Some meetings were tape recorded with portions transcribed or summarized later for review by attendees and district staff. At other times, meeting facilitators captured and categorized comments on flipcharts. Comment cards encouraged meeting participants to address specific issues in detail. E-mails, written recommendations and board meeting minutes were also captured for review.

The same district outreach staff who facilitated meetings and heard comments also prepared reports which summarized and analyzed the trends, issues and priorities of stakeholders across Santa Clara Valley. Highlights from these reports are summarized in the next section, along with the detailed results and analysis from outside opinion surveys. Complete survey reports can be requested through the water district's library.

"It is important to include habitat restoration and recreational trails; these are the items of interest to the public."
—water district February 2000 Blue Ribbon Forum, Feb. 2, 2000

"We know some high tech companies that had lost as much as $600,000 an hour due to flooding of roadways."
—meeting with city of Campbell, Oct. 6, 1998

Responding to input

A program reflecting community desires

The new CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan is designed to fulfill the 10 Community Themes (see sidebar) identified during the community outreach process. The four general "outcomes" or benefits of the new 15-year plan are built upon the first six themes provided by stakeholders. The new plan also incorporates the remaining four community concerns on water district efficiency, program structure, payment rates and funding mechanisms.

Community Themes #1 through 6

The CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan is organized by the following four outcomes which fulfill Community Themes one through six:

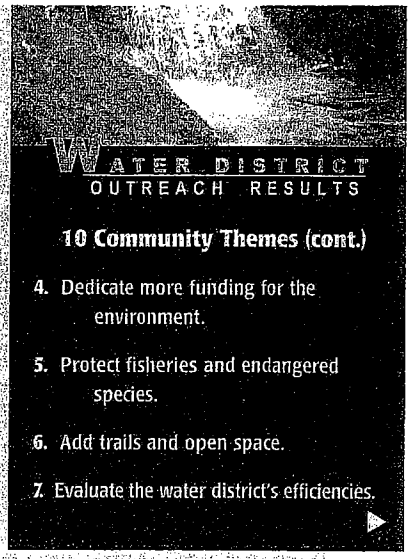
- **There is clean, safe water in our creeks and bays.**

In all outreach forums, participants consistently rated water quality and clean creeks as high priorities. This outcome fulfills the first two Community Themes by expanding existing programs that reduce runoff pollution, and partnering with the county and others on pollution prevention programs. This outcome also improves emergency response to hazardous materials incidents and provides expanded services for trash and graffiti removal to improve the aesthetic appearance of creeks.

- **Homes, schools, businesses and transportation networks are protected from flooding and erosion.**

This outcome encompasses all of the Community Themes obtained during the outreach process. By using a multiobjective approach to flood protection, the water district can incorporate as many community priorities as possible into the design of capital improvement projects. Environmentally-sensitive methods help us improve water quality, solve erosion problems, reduce sedimentation, provide trails and open space, protect fisheries and create riparian corridors for wildlife habitat at the same time we protect property and transportation networks.

"The community wants nice-looking creeks and a high level of service that incorporates a graffiti cleanup program."
—meeting with city of Campbell, Oct. 6, 1998



■ **Healthy creek and bay ecosystems are protected, enhanced or restored as determined appropriate by the water district board.**

Opinion surveys show that approximately half of the respondents rated projects which encourage the return of endangered species as very important. This outcome fulfills themes four and five by expanding programs to revegetate streambanks, remove barriers to fish passage, and reestablish habitat for many species along the riparian corridor. New programs will repair and prevent streambank erosion, and will create community partnerships to construct and restore acres of habitat on an annual basis.

■ **There are additional open spaces, trails and parks along creeks and in the watersheds when reasonable and appropriate.**

This outcome fulfills theme six with a new element to identify and construct trails and recreational areas in partnership with cities and the county. Outreach results show that nearly all stakeholders cited open space, trails and parks as a priority to enhance quality of life in Santa Clara County. Trails were especially important as an alternative transportation system. City representatives, businesses and neighborhood groups related that recreational use of flood protection facilities was a key component in passing a flood protection measure, as did opinion survey results.

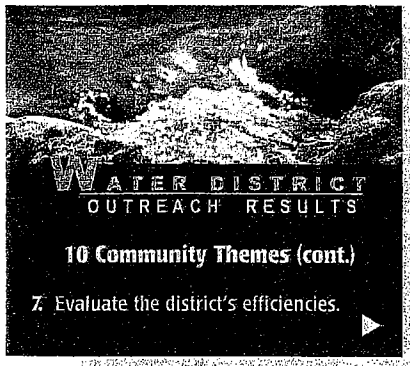
Community Theme #7: Evaluate the water district's efficiencies

The water district has taken numerous steps to ensure efficient operation and maximum benefit from budget dollars:

■ **Efficiency audits**

In addition to traditional flood protection and water supply goals, water district goals now include expanded stream management, habitat preservation and restoration, trails and open space, and numerous other projects to improve and preserve quality of life.

Both of the water district's business divisions—flood management and the water utility enterprise—recently underwent performance audits to determine if they were operating in an effective manner to meet the goals of the district and the needs of the community. Results of these studies helped streamline operations, reduced overhead rates, maximized efficiency and improved customer service.



■ Reorganization to streamline operations/administration

To fulfill the expanded goals and new board policies focusing on accountability, the water district has restructured its organization to work more efficiently. The restructuring includes a new watershed management division. Managers now oversee projects in an assigned watershed, instead of departments of employees who perform separate tasks. Instead of organizing jobs by functions, they are now organized by project from one central location; this way employees can work across functional lines with less duplication of tasks. This structure change also streamlines the environmental compliance process since only one division needs to communicate with regulatory agencies.

■ Multi-year permits to reduce costs

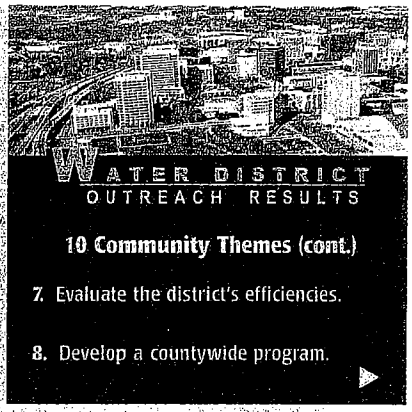
Streamlining the current processes that regulate maintenance work will trim costs by reducing staff time on repetitive work. A program level Environmental Impact Report (EIR) is being prepared that comprehensively addresses the impacts of stream maintenance activities and identifies mitigation for the impacts. This EIR will replace the numerous individual California Environmental Quality Act (CEQA) documents which currently have to be prepared for each maintenance job such as erosion repair and sediment removal. This will eliminate the repetitive and time-consuming job of preparing the individual CEQA documents for routine activities.

The program level EIR will be used to seek multi-year permits and regulatory clearances from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, the San Francisco Bay Conservation and Development Commission, and the California Department of Fish and Game. Again, this is expected to eliminate the need to acquire individual permits and clearances for each stream maintenance activity, which will directly benefit not only the water district, but also the federal and state agencies involved.

"I'd like to see an emphasis on the integration of recreational use, clean water and flood control. Currently they feel like independent, parallel projects."
–water district Blue Ribbon Forum, Feb. 2, 2000

■ Educating land-use planners to avoid future costly problems

The water district will facilitate training programs for city and county land-use planners on how land-use decisions impact water quality, habitat preservation, flood flows, options for future mitigation projects and flood management in general. The goal is to promote wise land-use practices near creeks so that the water district and taxpayers can avoid future costly problems.



■ **Aggressively pursue supplemental funding**

As of April 2000, the water district has implemented an ongoing supplemental fund development program to support projects promoting safe water supply, environmentally-sensitive flood management and natural resource protection. The fund development program will match projects with available grants and identify low-cost loan opportunities.

Community Theme #8: Develop a countywide program

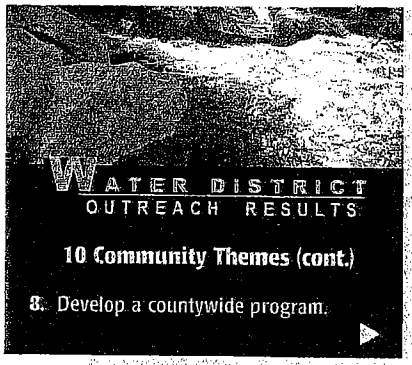
Stakeholders and survey results overwhelmingly supported a countywide program—a fundamental change from the current flood protection program (approved by voters in 1982, 1986 and 1990) in which benefit assessment fees are different for each flood zone.

The new plan uses a countywide funding structure that provides equitable services across the valley while still ensuring local benefits in the communities where funds were collected. There are many reasons why this new structure makes sense for the new plan:

"Dedicate land for habitat and provide training and education on impacts to creeks. Pursue state grants for environmental issues."
—water district Blue Ribbon Forum, Feb. 2, 2000

■ **Flooding is a regional issue**

Flooding is a regional problem that affects everyone. With the increase in commuting over the last ten years, people are much more likely to drive across multiple watersheds when they go to work, school, the shopping center, etc. Flood protection benefits many people indirectly by protecting highways, schools, churches, businesses, public buildings, recreational areas, sports arenas, centers for the arts, etc. that are used by all.



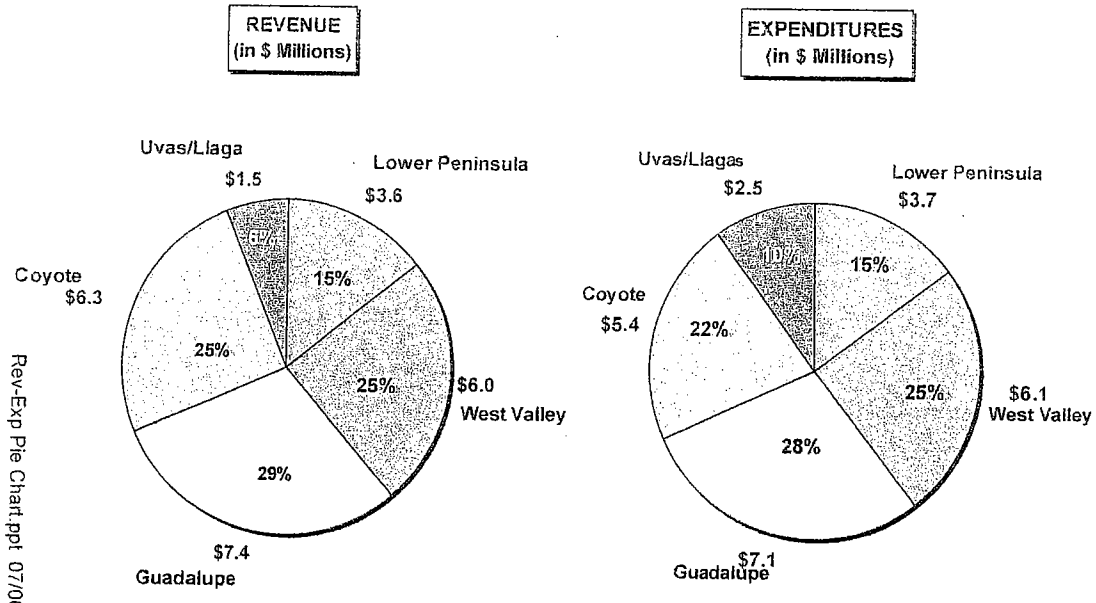
■ The new 15-year plan benefits the valley as a whole

The CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan expands stream stewardship activities and includes many new projects that enhance the quality of life for everyone in the county. Increased pollution prevention projects help ensure that all have safe drinking water and protection from toxic chemicals. Preserving and restoring creek and bay ecosystems creates a healthier and more aesthetically-pleasing environment for everyone. Emergency response to floods and hazardous material spills provides peace of mind for residents throughout the valley. In addition to recreational benefits, the new trails, park and open space component of the plan includes alternative transportation routes that will help reduce traffic congestion and air pollution.

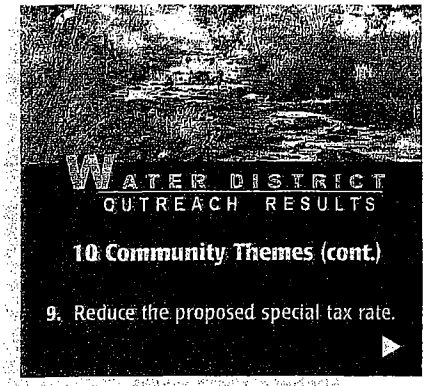
Since everyone in the valley benefits from flood protection and stream stewardship regardless of specific watershed, a countywide funding mechanism makes sense.

"Constituents do not want to write a blank check. They need to be shown specifically what they will get for their requested dollars."
—meeting with city of Los Gatos, Oct. 6, 1998

Estimated Annual Special Tax Allocations
Revenue and Expenditures by Watershed



Rev-Exp Pie Chart.ppt 07/06/00



Funding the plan

Funding the new program

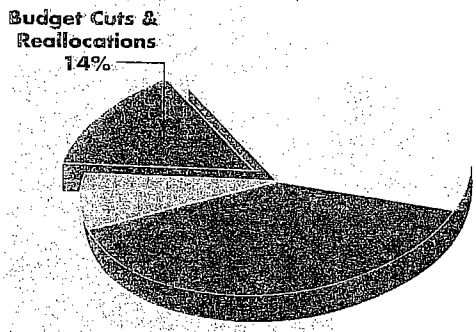
Community Theme #9: Reduce the proposed rate

The initial program that was developed in response to community input resulted in a revenue shortfall of approximately $34 million countywide, or $53 per household. Community input indicated that this rate level was higher than what the community would support.

The water district concluded that the optimum fee for the new stream management plan could not exceed $39 if it was to have a good chance of being approved by voters. Water district staff then created an alternative plan based on the $39 rate. To stay within the $39 budget, many of the elements and services in the original plan had to be scaled back or eliminated.

Not surprisingly, when community leaders and stakeholders saw the $53 and $39 programs side by side, the majority wanted the higher level of service for the lower cost. In short, the water district was asked to do more with less resources (Community Theme #9). In October 1999, the water district board challenged the staff to identify supplemental funding that would provide the $53 level of service to communities at a $39 cost.

Funding sources for the overall program



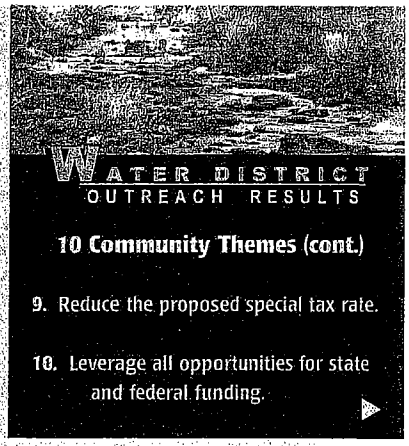
By reallocating water utility ad valorem taxes and cutting the budget, the water district was able to reduce the $53 household fee to $46.

How to provide $53 worth of services for $39

- **Reallocate taxes from Water Utility Enterprise/implement budget cuts**

In past years, the water district board has allocated a portion of the ad valorem taxes they receive to the Water Utility Enterprise (WUE)—a separate entity of the water district which supplies Santa Clara County with safe drinking water. These funds pay for water utility activities, including those that involved watershed management: creek maintenance, land development review, the urban runoff program, and collaborative efforts with other agencies to preserve fisheries and habitat.

Since many of the water utility stream stewardship activities will be covered by the expanded Flood Protection & Stream Stewardship Progam, it was decided to combine the WUE watershed management activities with the stream stewardship already in the new plan. This produces the double benefit of providing a more complete program and consolidates efforts for a more efficient operation. This plan thus serves both water utility and flood management goals within a watershed context.

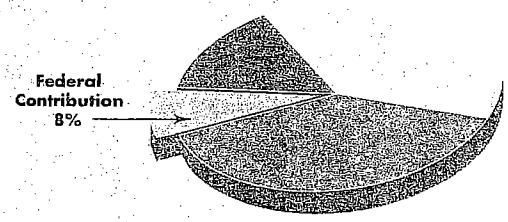


Staff analysis showed that $8.7 million of the projected $10.9 WUE tax allocation for fiscal year 2001 could be moved to the flood protection and stream stewardship program. After subtracting the funds needed to cover the program's increased responsibilities and adding funds saved through budget cuts, this shift provided a net benefit of $4.8 million to the program.

While the water district board has approved the water utility transfer, they have also made the commitment that it will not cause an increase in water rates. As the first step in implementation, the shift in both funds and responsibility is included in the fiscal year 2000-2001 budget.

The reallocation of water utility property taxes and the savings from budget cuts and reorganization provide $4.8 million annually for the new Flood Protection & Stream Stewardsip Progam. This reduces the originally proposed $53 annual residential rate to $46.

Funding sources for the overall program



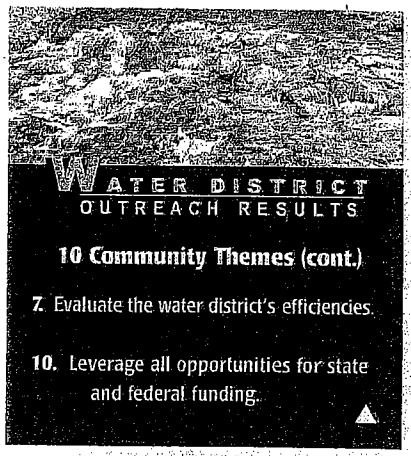
The combination of the water utility tax reallocation, budget cuts, and federal and state participation allowed the water district to reduce the $53 household fee to $39.

Community Theme #10: Leverage all opportunities for state and federal funding

■ Federal and state matching funds

When the benefit assessment program was developed in the 1980s, the water district assumed that state and federal funds would be available for all projects. However, these funding sources were not very reliable in the 1990s after the 1992 recession and, as a result, some of the proposed projects were not completed. (As of June 1, 2000 the state owes the water district appproximately $40 million in unpaid subventions claims.)

Since the current robust economy makes it more likely that state and federal funds will be available, the water district has made conservative estimates to include these funding sources in some new flood protection projects. Only funds which have already been authorized by Congress or the state legislature are included. While these funds cannot be guaranteed, their approved status makes it more likely they will be budgeted and delivered as promised.



The water district will continue to aggressively pursue all state and federal funding available for all projects. In the event that the water district acquires more outside funding than is figured into the new plan budget, this revenue will be used to construct those projects that presently are only budgeted through the design stage.

Federal and state matching funds are expected to provide $5.7 million annually on average for the new CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan budget.

The combination of the water utility tax reallocation, savings from budget cuts and federal and state funding provides $10.5 million annually for the new Flood Protection & Stream Stewardsip Progam budget. This reduces the original $53 residential rate to $39, without reducing program servcies or raising water rates.

Existing revenue sources

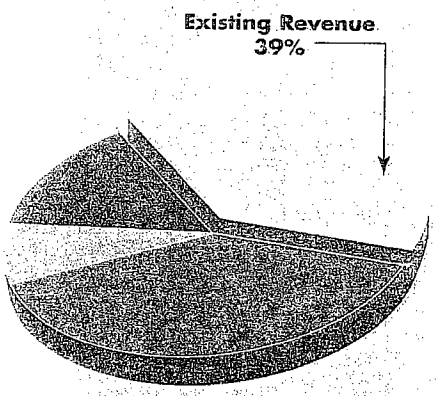
■ The post-sunset benefit assessment and COPs

When the benefit assessments were passed in 1982, 1986 and 1990, many vital flood protection projects were not yet constructed, so flooding was a much bigger threat for homeowners, business operators and other stakeholders. Because of this, voters authorized the water district to issue debt so flood protection projects could be built as quickly as possible, before actual funds were collected. This allowed the issuance of Certificates of Participation (COPs), which made benefit assessment funds available immediately, without waiting for funds to accrue. Debt is paid off over a 30-year period from the date of issuance, similar to a mortgage payment.

However, in exchange for having flood protection more quickly, each watershed area must now pay off these COPs, using the benefit assessment fees that will be collected after sunset on June 30, 2000. Since each watershed is responsible for paying off its own debt, these funds will be kept separate from the new plan.

Because the benefit assessments were approved and collected by separate flood zones, there were a wide range of rates imposed, depending on the projects being built in each watershed. The post-sunset benefit assessment

Funding sources for the overall program



Existing revenue includes four sources: the post-sunset benefit assessment rate, ad valorem taxes, Certificates of Participation (COPs) and existing reserves.

rates for residential households will range from $17 to $49 per year (depending on location in the county), while per acre costs for commercial/industrial land will range from $139 to $395 per year. The monies collected to pay previously voter-authorized debt will not provide for the actual program of flood protection and watershed management. The new tax for the CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan will be added to the post-sunset benefit assessment rate.

Why maintenance of existing facilities is so important for property owners

If existing flood protection structures are not maintained they will eventually lose their ability to prevent flooding. When this happens previously protected parcels will once again become subject to flooding. Parcels located within floodplains may be required to purchase flood insurance.

Households within a 1 percent flood zone may pay as much as $1,200 per year in flood insurance costs–much more than current flood protection and stream stewardship fees.

■ Ad valorem property taxes

Besides the post-sunset benefit assessment fees, the water district currently receives funds from ad valorem property taxes. Interest on reserves and cost sharing agreements with state and federal government provide some additional revenue.

Existing revenue provides ongoing maintenance and operation of existing flood protection facilities so that they continue to protect property. Without proper maintenance, facilities would eventually fall below Federal Emergency Management Agency (FEMA) standards. If this happenes, flood insurance rates for property owners would increase by hundreds of dollars annually (see sidebar).

Existing revenue also funds the baseline levels of service outlined in the water district's *Phase I Report on Development of Baseline Programs and Alternative Funding Mechanisms.* For a breakdown of service levels funded by baseline versus the new tax, see the CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION fold-out master chart in Appendix L.

The bottom line: who pays what

Unlike the old benefit assessment program in which each watershed had a different fee scale, the new plan has a single, countywide tax rate that provides benefits for all. The rate is determined based on land-use and estimated amount of storm runoff, just as it was in the benefit assessment program (the runoff coefficient for each land-use category can be found in section 4 of this report, pages 4.6 and 4.7).

New annual countywide rate by land-use category

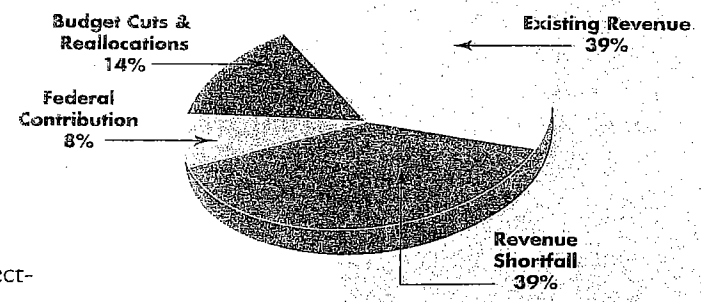
Residential (single family to four units),	$ 39
Condominiums and townhouses	$ 19
Commercial/industrial (1/4 acre or less)	$ 78
Commercial/industrial (per acre)	$ 312
Apartments, churches and mobile home parks (1/4 acre or less)	$ 59
Apartments, churches and mobile home parks (per acre)	$ 234
Utilized agricultural land minimum (10 acres or less)	$ 20
Utilized agricultural land (per acre)	$ 2
Nonutilized agricultural land minimum (10 acres or less)	$ 6
Nonutilized urban agricultural land (per acre)	$ 0.59
Nonutilized rural agricultural land (per acre)	$ 0.08

(Note: A complete rate table is located in the front section on pages 4.6 and 4.7. For a detailed explanation of how rate structure and runoff factor are calculated, see section 4.)

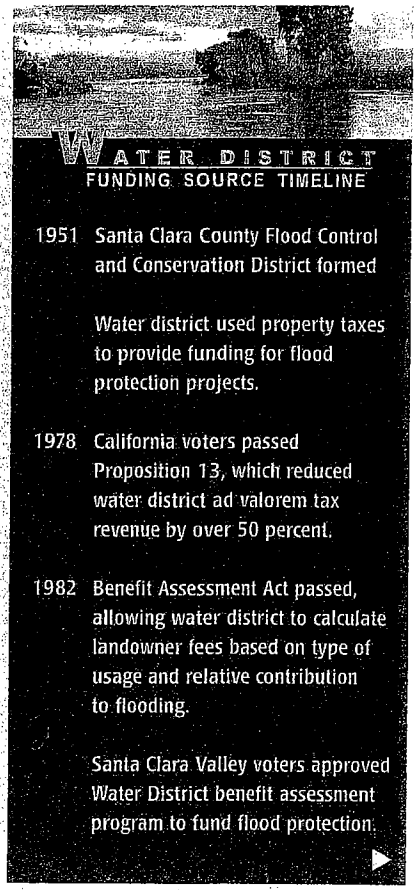
These fees are added to the post-sunset benefit assessment to produce the total rate (see chart on pages 4.6 and 4.7).

While the new tax revenues will build and maintain new flood protection and provide higher levels of service requested by communities, the existing post-sunset benefit assessment funds collected will pay off the debt incurred in building the existing flood protection infrastructure, and provide a nominal amount to maintain it. Since the old benefit assessments were approved and collected by flood zone, the sunset rate varies depending on the watershed in which parcels are located.

Funding sources for the overall program



The new tax would cover the revenue shortfall for the new, preferred plan, which is $24.7 million annually, or $39 per household.



Funding highlights of the new plan

■ New pay-as-you-go funding structure

Based on input that most stakeholders support a pay-as-you-go structure, the new CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan does not accumulate debt to build capital campaign projects. Instead, projects are prioritized and constructed as money becomes available.

Cash flow projections and corresponding construction schedules show that under this pay-as-you-go system, all projects in the new plan should be completed in 15 years. While projects will not be completed as quickly as in the past, at the end of these 15 years the water district and taxpayers will have no continuing debt payments.

■ Built-in sunset clause

The first revenue from the special tax will be received by the water district in January 2002. Like the old benefit assessment program, the new funding structure has a built-in sunset date: the tax will automatically end after 15 years. The sunset allows for evaluation of program effectiveness, reassessment of community needs, and the addition of new projects for the future. If the community still feels there is a need for additional services that cannot be supported by the existing revenue at that time, they will be able to reauthorize a special tax.

Other funding alternatives and why they were not used

■ Special assessments

Proposition 218 requirements to establish a new special assessment are extremely expensive, involving an entire redesign of the fee structure. In addition, a special assessment could not be used to fund projects that provide general countywide benefits—in other words, most of the projects requested by communities in the new plan.

■ User fees

Another mechanism the water district researched was the possibility of establishing a storm water conveyance utility enterprise which would charge user fees based on the amount of runoff from each parcel. However, user fees cannot be used for emergency services—one of the three highest

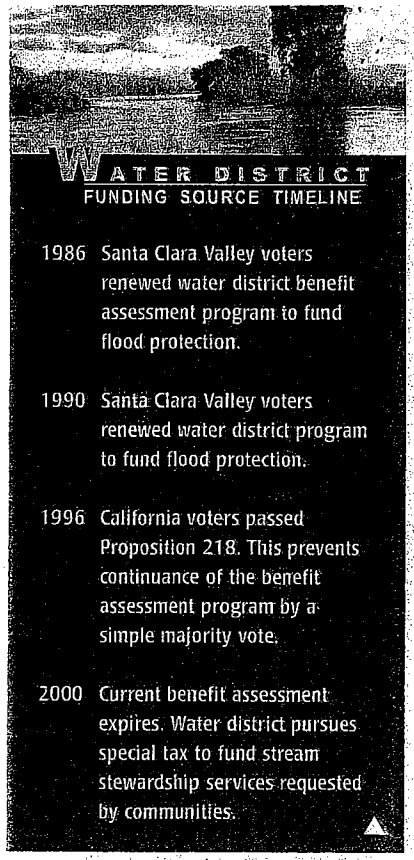
priorities in the community. Also, since fee levels are restricted to reasonable cost of service provided, many of the new programs requested by communities (water quality, environmental restoration, trails and open space) are problematic or impossible with respect to determining "cost of service' by parcel.

Special tax—the preferred mechanism

In contrast to other strategies, a special tax allows the water district to use the existing assessment formula to calculate tax amounts, and to use the existing database of property owners of record for collection—both resulting in tremendous cost savings. In addition, revenue can be used for any purpose approved by voters, including capital projects, maintenance, and services that benefit the county as a whole—in other words, the entire CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan.

Even though the special tax requires an outlay of funds and resources for election procedures, these costs are still significantly less than would be needed to fulfill requirements of other funding options. And although the two-thirds vote required for passage of a special tax is a challenge, the anticipated legal challenges and court costs in pursing other funding mechanisms carry potentially more risk and cost.

The water district and community stakeholders also analyzed numerous supplemental funding alternatives in the process of building the new plan. A detailed discussion of advantages and disadvantages of all alternatives can be found in chapter seven of the water district's *Phase I Report on Development of Baseline Programs and Alternative Funding Mechanisms.*



WATER DISTRICT
FUNDING SOURCE TIMELINE

1986 Santa Clara Valley voters renewed water district benefit assessment program to fund flood protection.

1990 Santa Clara Valley voters renewed water district program to fund flood protection.

1996 California voters passed Proposition 218. This prevents continuance of the benefit assessment program by a simple majority vote.

2000 Current benefit assessment expires. Water district pursues special tax to fund stream stewardship services requested by communities.

Comparison of Existing and Potential Funding Mechanisms

	Ad Valorem Property Tax	Property-Related Special Tax	Property-Related Special Assessment	Property-Related Fees & Charges	Non-Property -Related Other Fees
Capital Projects	Y	Y	Y	Y	Y
Emergency Response	Y	Y	N	N	N
Maintenance	Y	Y	Y	Y	Y
Operations	Y	Y	Y	Y	Y
Habitat Protection, Conservation, Recreation	Y	Y	N	N	Y
Land Development Review Ordinance Enforcement	Y	Y	N	N	Y
Education	Y	Y	N	N	N
Water Quality	Y	Y	N	Y	Y
Voting Requirement	Cannot increase this revenue. Percentage share of County tax fixed by legislation.	2/3 Electorate in Affected Area	50% + 1 Affected Property Owners by Weighted Ballot	50% + 1 Affected Property Owners or 2/3 Electorate in Affected Area	None
Rationale	Nearly Unrestricted Revenue	Nearly Unrestricted Revenue. May be placed on Property Tax bill. Can use existing formula to determine rate.	Assessment Limited to Value of Special Benefit Conferred on Each Parcel. May be placed on Property Tax bill	Fee Limited to Cost of Providing Service and Proportional to Use. May be placed on Property Tax bill. Can use existing formula to determine rate.	Board Adopted Resolution. Direct Billing Required.

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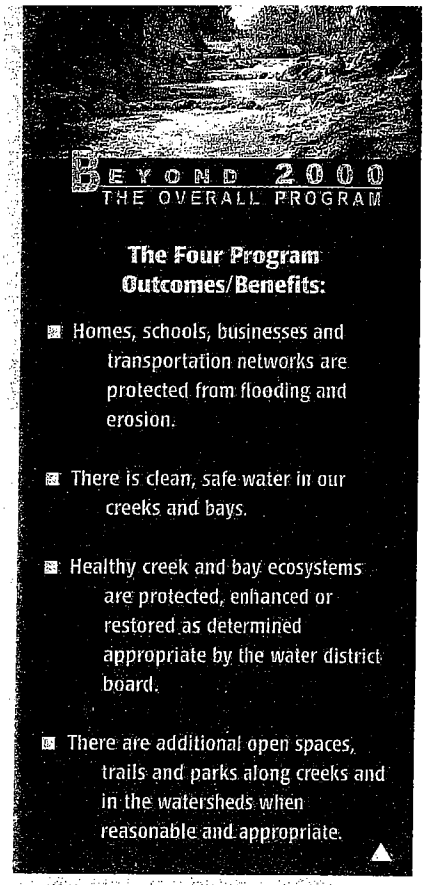
Y = May be used for this purpose

N = May not be used for this purpose



The overall program

The flood protection and stream stewardship program

Overview

The new CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION 15-year plan is an integral part of the water district's flood protection and stream stewardship program, which emphasizes working with rivers and floods rather than against them.

Elements of the 15-year plan help reduce property damage and disruption to business, and ensure that people can travel to jobs and schools during even the wettest winters. At the same time, the new plan improves water quality, restores habitat for wildlife, enhances creek aesthetics and provides new recreational opportunities—all while ensuring a cost-effective investment of taxpayer dollars. In addition, the plan helps improve the quality of life in Santa Clara County by incorporating new and increased services requested by residents and other stakeholders.

The new 15-year plan and the overall program are integrated to fulfill four outcomes which satisfy the needs and wants requested by communities and stakeholders:

The four outcomes

1. Homes, schools, businesses and highways protected from flooding and erosion

The program includes six ongoing and nine new capital projects to protect homes, schools, businesses and roadways from flooding. These projects are targeted to solve problems in areas which have experienced flooding at least once over the last 20 years. Flood protection projects also include stream habitat restoration, removal of invasive plants, replanting of native species, improvement in water quality, and new recreational opportunities. Under the program, Santa Clara County will also have a higher level of service for emergency response, land development review and creek maintenance which preserves the flood water carrying-capacity of creeks.

2. Clean, safe water in our creeks and bays

The program focuses on reducing pollutants such as mercury and diazinon from local waterways. "No Dumping Flows to Bay" programs will increase,

and creeks will be cleaned of illegally dumped chemicals. The Good Neighbor Maintenance program provides staff to clean up trash and graffiti and patrol creeks for illegal dumping. New pollution prevention programs as a part of the plan, will detect and manage toxic materials and sediments that pollute creeks and San Francisco and Monterey bays.

3. Creek and bay ecosystems protected, enhanced or restored

The program mandates restroation or construction of 100 acres of tidal and/or riparian habitat. Nonnative, invasive plants will be removed from waterways, and riparian areas will be revegetated with native plant species. The water district will remove fish migration barriers and install fish ladders. Outcome three also includes the repair of streambank erosion to decrease sedimentation and turbidity and enhance water quality. These and other programs provide protection for endangered species such as Chinook salmon, steelhead trout, salt marsh harvest mouse, California clapper rail, and California red-legged frog.

4. Additional open spaces, trails and parks along creeks and in the watersheds

The water district will partner with cities and the county to provide access to creekside trails and parks, such as those identified by the County Trail Master Plan: Upper Llagas Creek, Sunnyvale Channels, Upper Guadalupe River, Berryessa Creek, and Permanente Creek. Outcome four provides access to bicycle paths for alternative transportation and increases community recreational opportunities countywide.

Note: The following pages describe the Flood Protection and Stream Stewardship program in detail, using portions of the program's master chart as a guide (to view the entire chart, turn to Appendix L). For each of the four outcomes, programs are described in order as they appear in the chart. Bold type refers to specific program activities listed in each outcome chart.

"The water district should strike a more proactive posture with regard to land use, pollution prevention and habitat protection. It is widely understood that "heading off the problem" is more effective and cheaper in the long run than "cleaning up the mess."
–water district Blue Ribbon Forum, Feb. 2, 2000

BEYOND 2000
FLOOD PROTECTION

Outcome one: Homes, schools, businesses and transportation networks are protected from flooding and erosion.

- Nine new and six baseline flood protection projects that safeguard thousands of homes, schools and businesses; and hundreds of miles of streets and highways
- Natural flood protection that includes stream habitat restoration, removal of invasive plants, revegetation of native species and the incorporation of trails and open space
- Land development review to educate planners on land-use decisions that impact flooding and environmental quality

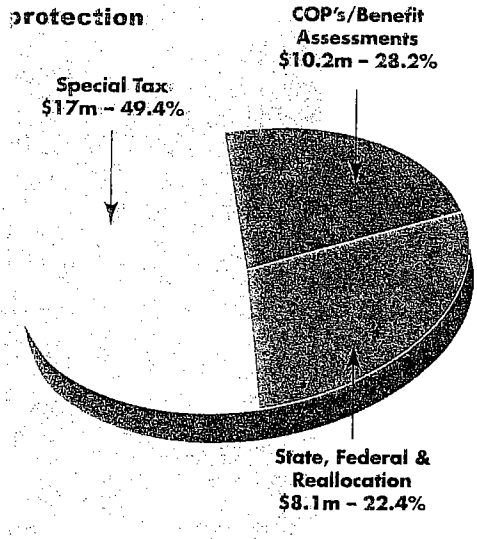
Outcome one: Homes, schools, businesses and transportation networks are protected from flooding.

Outcome one provides flood protection services which safeguard all who live, work and travel in Santa Clara County. In keeping with changing values of the community, capital projects incorporate flood protection goals into a larger stream stewardship program. Projects were designed to provide as many benefits as possible beyond flood control, including ecoysystem restoration, water quality improvement and recreational opportunities.

Fifteen flood protection projects (nine new and six baseline projects) will protect homes, businesses and highways in all watersheds. All projects will protect against a 100-year flood event. This will reduce insurance premiums and emergency flood services costs greatly. Projects were carefully chosen to protect areas with frequent and costly flood damage, while ensuring that areas throughout the county would benefit from the program. New construction projects are covered in detail starting on page 2.4.

In addition to project construction, outcome one includes vital emergency response and flood monitoring services, as well as flood safety awareness programs. Other services protect the environment, ensure fiscal responsibility and maintain existing facilities to ensure a consistently high level of flood protection.

Outcome one: sources of annual funding for flood protection



■ Land development review

The water district will coordinate with cities, the county, regional and state agencies, and private landowners to provide guidance for land-use and development decisions so they do not reduce existing flood protection levels or exacerbate existing flood problems. Under this program element, the water district will review and comment on Environmental Impact Reports and General Plans, as well as individual site development proposals and plans.

In addition, the water district will develop guidelines to be included in city building permit packages, and conduct seminars to educate planners on how land-use decisions can impact flooding and environmental quality.

■ Creek maintenance to preserve flood water conveyance capacity and protect creek and bay ecosystems

Levee maintenance and safety is an ongoing program that includes periodic inspections of levees, evaluation of structural stability after earth-

Elements in Outcome 1

Flood Protection & Stream Stewardship Program

General Outcomes and Activities	Level of Service
1. Homes, schools, businesses and transportation networks are protected from flooding and erosion.	
• Flood protection projects constructed	• Complete construction to provide one-percent flood protection.
Matadero/Barron Creek *(Hwy 101 to El Camino Real)*	Protection for 1,500 Parcels
Adobe Creek *(El Camino Real to Moody Rd)*	Protection for 328 Parcels
Permanente Creek *(Planning & Design: SF Bay - Foothill Expwy)*	Protection for 2,651 Parcels
San Francisquito Creek *(Planning & Design: SF Bay - Searsville Dam)*	Protection for 3,000 Parcels
Downtown Guadalupe River *(I-880 to I-280)*	Protection for 3,292 Parcels
Lower Guadalupe River *(Alviso to I-880)*	Protection for 1,602 Parcels
Lower Silver Creek *(Coyote Creek to Lake Cunningham)*	Protection for 4,415 Parcels
Upper Penitencia Creek *(Coyote Creek to Dorel Drive)*	Protection for 4,629 Parcels
Berryessa Creek *(Levee work - Lower Penitencia Creek to Calaveras Rd)*	Reduced frequency of flooding, with full protection for 1,814 parcels to come from the new project funded by the special tax
New Capital Projects - Permanente Cr, San Francisquito Cr, Sunnyvale East and West Channels, Calabazas Cr, Upper Guadalupe Cr, Berryessa Cr, Upper Llagas Cr, Coyote Cr.	Protection for approx. 16,000 Parcels
• Land development review, to promote stream stewardship & preserve level of protection	• Respond to each review request within 30 days.
• Creek maintenance to preserve existing flood water conveyance capacity in creeks and protect healthy creek & bay ecosystems.	
Levee maintenance & safety activities	114 miles
Sediment removal	1.2 million cubic yards
Mitigation for sediment removal	Proportioned to quantity of sediment removed
Debris & obstruction removal, capacity support & engineering activities	
• Maintenance of newly improved creeks	• 40 miles of newly improved creeks maintained
• Corrective maintenance	• Funding for preventive maintenance and repair
• Property preacquisition hazmat investigation	• Perform investigation for all new right of way
• Emergency operations, response Activate flood teams Maintenance flood emergency response Sand bag distribution	• Comply with state standards and conduct drills, flood team preparation and response during winter season, maintenance preparation and response during winter season, & provide sandbags.
• Program support activities	• Risk management, auditing, benefit assessment, cross valley level & bench mark, hydrologic data management
• Flood awareness	• Provide public and school education/outreach

Notes: Baseline outcomes/activities are supported by existing property taxes, reserves, and Certificates of Participation (COPs).
Activities shown in green & bold are partially or fully funded by the Special Tax.

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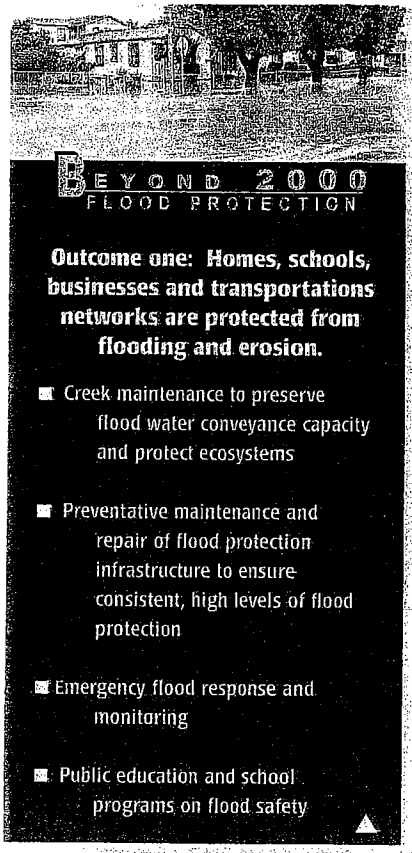


quake or flood events, and preparation and implementation of corrective designs and action plans for levee upgrades. Worn or damaged levees are restored to their design elevation or repaired. An estimated 114 miles of levees are restored or repaired over a 15-year period.

To maintain the water carrying capacity of flood channels, the water district must regularly **remove sediment**. An estimated 1,200,000 cubic yards of sediment will be removed from creeks and channels over a 15-year period. Ninety percent of this work will take place in improved creeks and is funded by the program. The remaining 10 percent will be funded by the special tax and will be used to remove sediment from unimproved channels. The water district also provides **debris and obstructions removal** to keep creeks flowing and prevent erosion and sediment deposit downstream.

Capacity support and engineering activities include the surveying, planning and designing of maintenance projects to ensure their effectiveness, as well as administrative support for efficient coordination of staff and equipment. This program ensures that maintenance is performed using "best management practices" that employ environmental safeguards such as containment methods to prevent toxic spills, temporary draining of work areas to prevent turbidity, bypasses around work sites to allow continued fish passage, fish rescues prior to maintenance activities, and work scheduling to avoid nesting birds.

■ Maintenance of newly-improved creeks

This program element provides for the continued maintenance of newly-improved creeks. It includes activities such as levee maintenance, sediment removal and vegetation management to ensure that new projects operate at their design capacity. Revenue from the special tax will fund 70 percent of the maintenance necessary for newly-improved creeks.

■ Corrective maintenance

This program covers the ongoing cost of small construction projects, repairs and preventative maintenance needed to maintain flood protection infrastructure such as bridges, flood walls, box culverts, channels, etc. These maintenance activities ensure that existing facilities continue to provide the level of protection for which they were built.

"Without proper maintenance, the capital projects will lose effectiveness over time. Maintenance of existing facilities may not be as sexy versus new projects, but maintenance is critical to the success of flood control."
—city of Sunnyvale, water district Blue Ribbon Forum, Feb. 2, 2000

Outcome one: what your $39 buys

Without the special tax, the water district will not have funding to provide these additional flood protection services:

- 16,000 parcels protected from flooding: 13,600 homes, 2,400 businesses and 43 schools and public buildings
- 220 miles of streets and highways protected from flooding
- Sediment removal in unimproved channels (8,000 cubic yards)
- Flood protection maintenance for 32 miles of newly constructed projects

■ Property preacquisition hazmat investigation

This program ensures that creekside property which the water district must purchase to build flood protection projects is first inspected and tested for contamination of toxic materials. These hazardous materials investigations protect worker health and safety during construction, as well as water quality and habitat. The investigations ensure that the water district is fully aware of hazardous materials present and that clean-up costs are considered when negotiating purchase price.

■ Emergency operations and response

Emergency services provide funds to ensure that full-scale emergency flood services can be provided countywide without reducing any of the water district's other vital, ongoing services. **Flood emergency readiness** is accomplished through updating of interagency contact lists, periodic interagency drills, compliance with state standards, monthly meetings with city and county emergency managers and comprehensive emergency management by an on-staff Emergency Preparedness Coordinator. These activities keep the operation center and flood teams in a state of readiness to meet emergency needs.

Flood teams collect data, meet with other agencies and monitor creeks and potential flood sites to ensure they are functioning properly. Emergency response activities include around-the-clock monitoring of rainfall and streamflow real-time data to anticipate the time and severity of flooding, and verification and relay of information to other agencies and the public.

Maintenance flood emergency response teams remove flow-blocking trees and other obstructions, distribute and place sandbags, and perform emergency repair to levees, creekbanks and other facilities.

■ Program support activities

This program element provides the administration, quality control and other foundation services that allow the water district to perform the activities needed to fulfill the outcomes of the new plan. **Risk management** helps ensure the safety of the public and water district employees and protects against liability. Regularly scheduled, impartial **auditing** of water district programs helps maintain a high standard of job performance, customer service and cost-effectiveness.

A system of **cross valley level and bench marks** is a vital reference

which surveyors use to monitor subsidence of the valley floor and determine locations and elevations for construction and maintenance projects. **Hydrologic data management** covers the operation and maintenance of high-tech reservoir elevation and streamflow gauges that measure rainfall and provide information on streamflow, reservoir levels and other data. The water district continuously collects and analyzes data from more than 100 sites in the county, and expansion under the new plan will add new sites to further enhance emergency response and flood preparedness services.

Flood awareness

Through media, website, presentations and publications, the water district's HeyNoah! FloodSAFE program provides public outreach and education in the schools to raise awareness on safety procedures before, during and after a flood. Water district programs include vital information on preparedness checklists, emergency supply kits, escape plans and proper use of sandbags to protect homes, as well as facts on flood-prone areas and flood insurance options.

"The Palo Alto flood a couple years ago and the 1995 flood in San Jose were wake-up calls. When intersections are flooded workers can't get there. We need to continue to enhance flood protection here for the benefit of all."
—water district Blue Ribbon Forum, Feb. 2, 2000

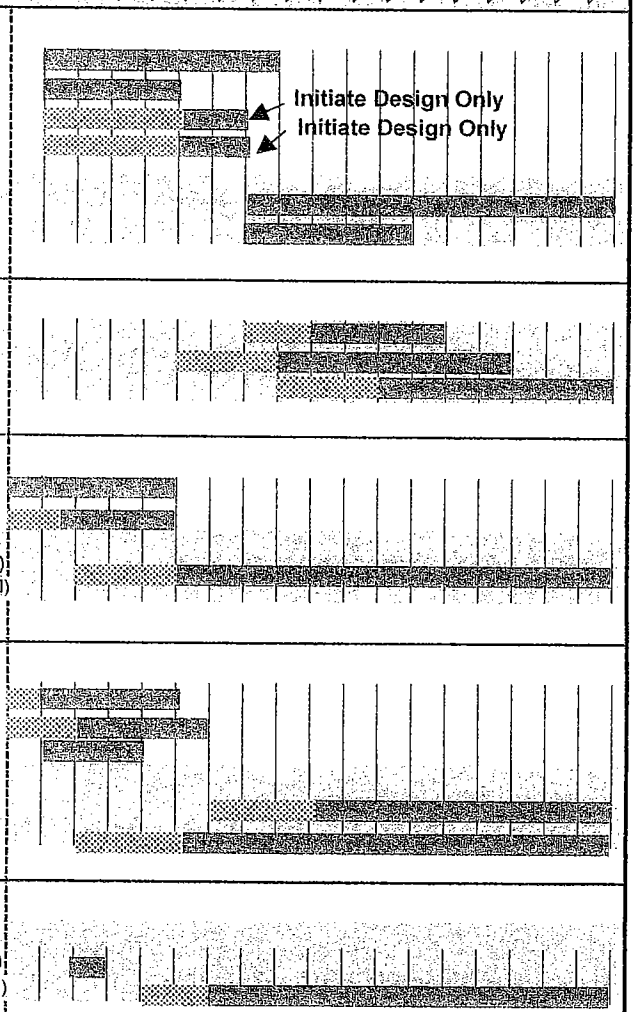
Capital Program Funding and Schedule
Flood Protection and Stream Stewardship Program

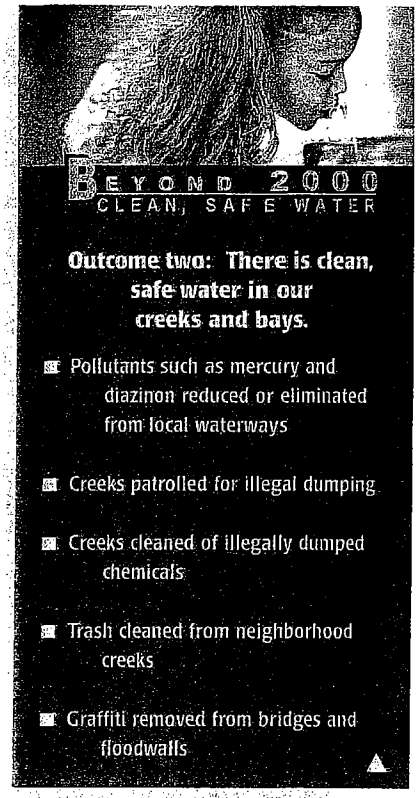
Proposed Capital Program	Project Schedule	1999 Cost (In Millions)	
LOWER PENINSULA WATERSHEDS			
Matadero Creek (Palo Alto Flood Basin to El Camino)	2000-07	$18.5	
Adobe Creek (El Camino to Moody Rd)	2000-04	$9.9	
Permanente Crk (Plan. & Initiate Design SF Bay - Foothill Expwy)	2000-06	$7.6	BASELINE
San Francisquito Crk (Plan & Design SF Bay - Searsville Dam)	2000-06	$8.0	
Permanente Creek *(SF Bay to El Camino)*	*2006-16*	*$27.4*	
San Francisquito Creek *(Design SF Bay to Searsville Dam)*	*2006-10*	*$8.0*	*PROPOSED*
	Subtotal	**$79.4**	
WEST VALLEY WATERSHEDS			
Sunnyvale West Channel *(Guadalupe Slough to Hwy 101)*	*2006-10*	*$5.1*	
Calabazas Creek *(Miller Avenue to Wardell Road)*	*2004-12*	*$35.1*	*PROPOSED*
Sunnyvale East Channel *(Guadalupe Slough to I-280)*	*2007-16*	*$24.1*	
	Subtotal	**$64.3**	
GUADALUPE WATERSHED			
Downtown Guadalupe River (I-880 to I-280)	1999-04	$24.2	
Lower Guadalupe River (Alviso to I-880)	1999-04	$35.3	
			PROPOSED
Upper Guadalupe River *(I-280 to Blossom Hill Rd.)*	*2001-16*	*$113.7*	(Local Share $70.8M)
			(Corps Share $42.9M)
	Subtotal	**$173.2**	
COYOTE WATERSHED			
Lower Silver Creek (Coyote Cr to Lake Cunningham)	1999-03	$59.4	
Upper Penitencia Creek (Coyote Ck to Dorel Dr)	1999-05	$43.2	BASELINE
Berryessa Creek (Levees - Lwr Penitencia Cr to Calaveras Rd)	2000-03	$9.3	
			PROPOSED
Berryessa Creek *(Calaveras Rd to Old Piedmont Rd)*	*2005-16*	*$38.0*	(Local Share $19M)
Coyote Creek *(Design & partial const. - Montague to Hwy 280)*	*2001-16*	*$32.0*	(Corps Share $19M)
	Subtotal	**$181.9**	
UVAS/LLAGAS WATERSHEDS			
			PROPOSED
Upper Llagas Creek *(West Little Llagas - Reach 7a)*	*2001-02*	*$3.8*	(Local Share $23.2M)
(Buena Vista to Wright Ave.)	*2003-16*	*$41.2*	(Corps Share $21.8M)
	Subtotal	**$45.0**	

Baseline projects (un-italicized) are funded by existing reserves & COP's.

Projects shaded blue are funded by the special tax.

TOTAL PROGRAM COSTS	
Baseline	$215.4
Proposed	$328.4
TOTAL	$543.8





Outcome two: There is clean, safe water in our creeks and bays.

Continued funding would increase activities to reduce and prevent pollution in Santa Clara County creeks and San Francisco and Monterey bays. Expanded services would further ensure the safety of drinking water, detect and monitor toxic materials and sediments, protect ecosystems, and increase hazardous material emergency response countywide. New services will also improve creek aesthetics by providing trash and graffiti removal.

Activities in outcome two include:

■ District urban runoff pollution prevention

This activity helps ensure water district compliance with Regional Water Quality Control Board regulations to reduce urban runoff pollution such as heavy metals, oils and grease, pesticides, herbicides and toxic substances that drain from water district facilities or work sites.

The water district will participate in special studies and watershed monitoring activities to identify pollution sources and evaluate the effectiveness of pollution control measures. The district will develop and ensure implementation of best management practices in the field for storm drain maintenance, channel maintenance, facility operations, water utility operations, capital project construction and well-drilling operations. The water district will also provide review of creekside development to minimize water quality impacts of land development within water district jurisdiction.

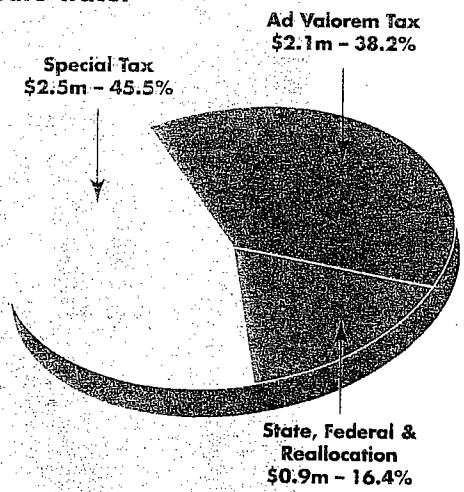
Ninety percent of the pollution prevention services are funded by the program, with the remaining 10 percent paid for by the special tax.

■ Santa Clara Valley urban runoff pollution prevention

The goal of this program element is to reduce runoff pollution from residential, commercial and industrial sites by promoting the use of less toxic chemicals, encouraging pollution prevention practices, and sponsoring public creek clean-up events. It allows the water district to increase cooperative efforts with the county and the area's 13 cities to prevent urban runoff pollution countywide.

This countywide effort will help protect San Francisco Bay and will expand pollution prevention to south county to safeguard Monterey Bay. The water district will expand efforts to prevent illegal dumping and will integrate pollutant detection into its existing water quality testing programs.

Outcome two: sources of annual funding for clean, safe water



Elements in Outcome 2

Flood Protection & Stream Stewardship Program

General Outcomes and Activities	Level of Service
2. There is clean, safe water in our creeks and bays	
• Urban runoff pollution prevention for district facilities	• Co-permittee with other local agencies and expand to Uvas/Llagas Watersheds
• Urban runoff pollution prevention for Santa Clara Valley	• Partner with cities & county to reduce runoff pollution
• Hazardous materials management and incident response including reservoirs	• Respond to each incident within 2 hours (600 incidents) and provide 60 hazardous material disposal events. Expand service to Uvas/Llagas Watersheds
• Water quality/stream stewardship awareness	• Provide public and school education/outreach
• Impaired water bodies improvement	• Reduce or prevent additional impaired waters, total mass daily loads, and south bay monitoring
• Good neighbor maintenance	• Proposed 60 events of trash removal, graffiti removal, fence repair, and 5-day response to graffiti/trash pickup complaints
• Water quality & reservoir watershed management	• Protect surface water quality. Reservoirs at or below State & Federal drinking water standards
• Environmental compliance support	• District operations & maintenance activities in compliance with water quality regulations
• Program support activities	• Risk management, auditing, benefit assessment, cross valley level & bench mark, hydrologic data management
• Pollution prevention programs	• Partnership with the county on general surface water quality protection program/outreach

Note: Baseline outcomes/activities are supported by existing property taxes, reserves, and Certificates of Participation (COPs).
Activities shown in green & bold are partially or fully funded by the Special Tax.

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The program also deters illegal dumping by identifying high risk areas and inspecting commercial and industrial facilities.

Hazardous materials management and incident response including reservoirs

This element provides staff to respond to hazardous material incidents within two hours of the report. Expanded services will also cover the Uvas/ Llagas watershed. The water district will advertise and conduct four hazardous material disposal events per year for creekside communities. Continued funding will provide 24-hour-a-day, 7-days-a-week emergency response to releases of hazardous materials along creeks, lakes and reservoirs throughout the county.

The special tax provides funds for 30 percent of these services, with the program funding the remaining 70%.

Water quality/stream stewardship awareness

This element provides public outreach to educate people on how activities such as gardening, car washing, boating and improper waste disposal can pollute our water and endanger the health of humans, wildlife and ecosystems. Public outreach activities include the distribution of messages through community events, the media and other agencies.

School programs teach stream management and pollution prevention principles to teachers and students through classroom presentations. By promoting environmentally-sensitive practices to all ages, this program element helps reduce urban runoff pollution.

Impaired water bodies improvement

Activities in this element help improve the water quality of our creeks, reservoirs and bays. The water district will develop a management plan to support Regional Water Quality Control Board and Environmental Protection Agency regulations in reducing pollutants (mercury, diazinon, copper, zinc, PCBs and selenium) in our waterways. It is anticipated that this work element will be carried out with participation of the community, local agencies and regulatory agencies.

The special tax funds this element entirely.

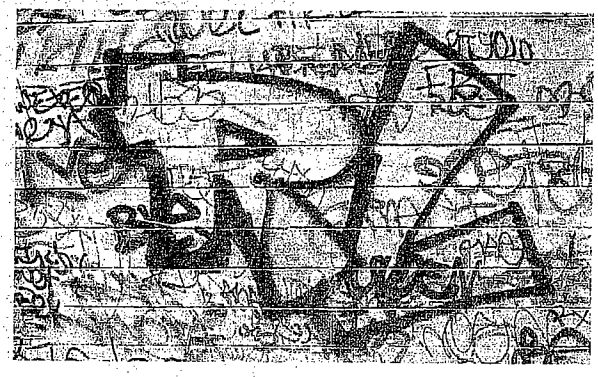
Good neighbor maintenance

This element greatly expands creekside trash removal services to improve the appearance of waterways and enhance quality of life in Santa

Outcome two: what your $39 buys

Without the special tax, the water district will not have funding to provide these additional flood protection services:

- Equitable hazardous material emergency services and urban runoff pollution prevention countywide
- Funding for a "Good neighbor" stream cleanup program including four creek cleanup events annually and improved response time for trash and graffiti complaints
- Identification and management of pollutants in streams, and reduction of total mass daily load (TMDL) of pollutants, including: mercury in Calero Reservoir, Guadalupe Reservoir, Alamitos Creek and Guadalupe River; diazinon in Guadalupe River and San Francisquito Creek; and sediments in San Francisquito Creek, Coyote Creek, Upper Penitencia Creek, Guadalupe River and Stevens Creek.
- A partnership with the county for a general surface water quality protection program and a public education program



Removal of graffiti from flood walls and bridges is a service in the Clean, Safe Creeks and Natural Flood Protection plan.

Clara County. The water district will dedicate staff for cleanup of illegally dumped items such as shopping carts, mattresses, cans, bottles and general litter.

New services include inspection of creeks for illegal dumping, four trash removal events annually, removal of graffiti from flood walls and bridges, repair of fences for aesthetic purposes, and a five-day response time for trash and graffiti complaints. This also expands the Adopt-a-Creek cleanup element, and allows the water district to increase support for participating neighborhood volunteers.

The program funds 40 percent of these services; the remaining 60 percent is funded by the special tax.

■ Water quality and reservoir watershed management

This program element protects the quality of water in our reservoirs and aquifers, promotes healthy creek ecosystem, and helps ensure that the water district meets or exceeds state and federal drinking water standards.

■ Environmental compliance support

The program element helps ensure that all water district facilities and operations comply with hazardous material, air quality and water quality regulations. The water district will develop, evaluate and implement a compliance audit process that will provide a systematic approach to identify, track and correct areas of noncompliance with regulations. Existing procedures will be reviewed and revised, and new procedures will be developed as necessary to protect health and safety of employees, the community and the environment. Water district employees will also be trained in environmental compliance regulations and procedures to ensure a safe work space.

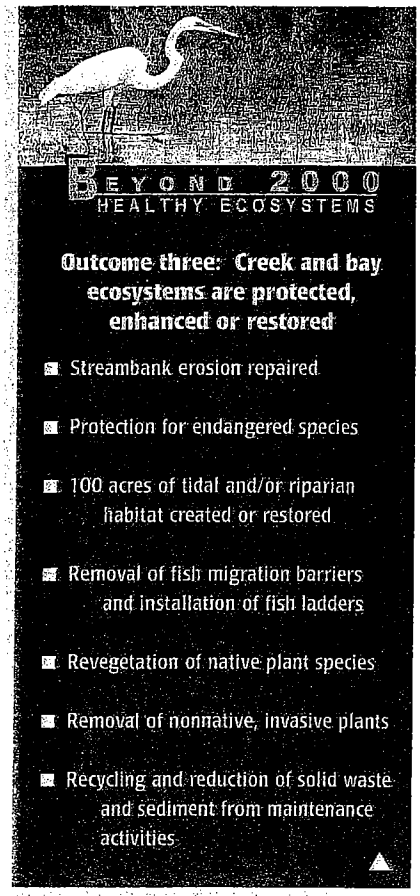
■ Program support activities

This program provides the administration, quality control and other foundation services that allow the water district to perform activities under outcome one (see this entry on page F.6 for a detailed explanation).

■ General pollution prevention activities

This new program element allows the water district to participate with other agencies and community organizations in various pollution prevention efforts that are not a part of existing programs.

The special tax funds 100 percent of this element.



Outcome three: Creek and bay ecosystems are protected, enhanced or restored

Outcome three provides for crucial environmental work to protect and restore habitats and encourage the return of endangered species such as the Chinook salmon, steelhead trout, salt marsh harvest mouse, California clapper rail and California red-legged frog. The new plan includes repair of streambank erosion which will improve water quality, increase riparian vegetation and protect property. New community partnerships allow for restoration of acres of riparian or tidal habitat annually.

Activities in outcome three include:

- **Creek maintenance to protect creek and bay ecosystems and preserve flood water conveyance capacity.**

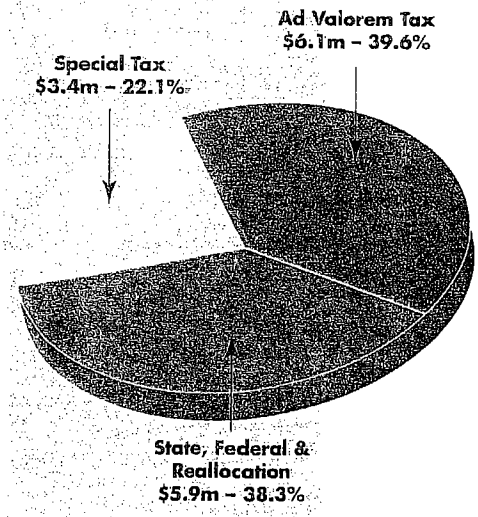
Vegetation management provides for regular removal of nonnative plants and other obstructing vegetation from channels to ensure adequate carrying capacity even at flood levels. It also includes planting and maintenance of native species to reestablish plant communities and wildlife habitat in areas disturbed by construction. The baseline program funds 60 percent of vegetations management; the remaining 40 percent is funded by the special tax.

This program element continues the existing erosion control program that would otherwise be lost under the baseline program. It provides **erosion control and repair** of an annual average of 4,800 feet of streambank to protect property and reduce sediment deposits downstream. Whenever possible, the water district employs environment-enhancing biotechnical methods which use natural materials such as rocks, logs and root wads along with riparian plants to help stabilize the bank and create habitat.

Debris and obstruction removal keeps creeks flowing freely by removing objects that can cause erosion and block flows around bridges and culverts. These activities are performed throughout the year as well as during emergency flood events.

Creek and bay ecosystem protection is provided by water district staff biologists and environmental planners who identify natural resources and help develop methods to protect those resources. Examples of water district "best management practices" include: using containment methods to safeguard against toxic spills; creating bypasses around work sites to prevent turbidity and allow continued fish passage; performing fish rescues prior to

Outcome three: Sources of annual funding for healthy creek and bay ecosystems



Elements in Outcome 3

Flood Protection & Stream Stewardship Program

General Outcomes and Activities	Level of Service
3. Healthy creek and bay ecosystems are protected, enhanced or restored as determined appropriate by the Board.	
• Creek maintenance to protect healthy creek and bay ecosystems, and preserve existing flood water conveyance capacity in creeks.	
Vegetation management	54,000 acres
Mitigation for vegetation management	Proportioned to quantity of vegetation removed
Erosion protection and repair	72,000 linear feet
Debris and obstruction removal, creek and bay ecosystem protection support and engineering activities	
• Stream protection support (including watershed planning/coordination, watershed management initiative, multi-species habitat conservation, environmental strategy, stream/maintenance ER/EIR)	• Develop and coordinate watershed/habitat planning activities, identify and implement fish passage, identify restoration opportunities, and implement multi-year maintenance permit
• Instream and Percolation pond recharge	• Open-water habitat protection and restoration
• Solid waste management study and recycling	• Develop and implement cost efficiencies through recycling material generated from creek maintenance activities
• Program support activities	• Risk management, auditing, benefit assessment, cross valley level and bench mark, hydrologic data management
• Community partnership to identify and implement environmental restoration, Fisheries management & restoration	• Construct or restore an equivalent of 100 acres of tidal or 116 acres of riparian habitat. Fish passage and habitat protection and restoration

Notes: Baseline outcomes/activities are supported by existing property taxes, reserves, and Certificates of Participation (COPs).
Activities shown in green & bold are partially or fully funded by the Special Tax.

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working in creeks; and scheduling work to avoid bird nesting. **Engineering activities** are performed by water district staff who design, inspect and plan maintenance projects so they are effective, environmentally-sensitive and cost-efficient.

■ Stream protection support

This program includes the development and implementation of countywide **watershed planning and coordination,** in cooperation with regulatory agencies, environmental groups and other stakeholders. The water district's ongoing work with the **Watershed Management Initiative** (WMI) is included here; the WMI is a collaborative effort of more than 30 community stakeholder groups who are working to create and implement a countywide Watershed Management Plan that balances objectives of water supply, habitat protection, land-use and water quality.

Water district environmental planners and biologists will implement **multi-species habitat conservation** by creating and carrying out a countywide and creek-by-creek plan to enhance survival of threatened and endangered species. The water district will identify and obtain scientific information regarding known populations of species and potential habitat sites. The **environmental strategy** will implement fish passage improvements. This program will also simplify procedures for obtaining permits by eliminating numerous individual submittals to the U.S Fish and Wildlife Service.

The stream maintenance report and environmental impact report will: identify best management practices; provide mitigation for unavoidable significant impacts; provide guidelines for silt removal, erosion repair and vegetation management; and be used as a basis to acquire long-term state and federal permits. The long-term permits will provide cost savings to the water district and to the regulatory agencies by: eliminating repetitive applications and permit processing for routine maintenance activities; providing consistent permit requirements; and by streamlining reporting requirements.

■ Instream and percolation pond recharge

As the agency that manages water resources for the county, the water district monitors and maintains groundwater levels to keep wells from running dry, avoid salt water intrusion, and prevent land from subsiding (decreasing in elevation due to groundwater depletion). To restore groundwater levels, the water district installs temporary dams on creeks during summer months, and

Outcome three: what your $39 buys

Without the special tax, the water district will not have funding to provide these additional flood protection services:

- Vegetation management for 1,400 acres of the 3,580 acres under water district jurisdiction. This includes planting of native species and removal of nonnative species and other plants which decrease streamflow capacity.
- Parnership with communities and regulatory agencies to provide fisheries management and environmental restoration. Funding will be set aside for habitat restoration projects.

operates recharge ponds which allow water to percolate down to recharge the aquifer. Permanently-maintained ponds also create open water habitats which support migrating birds and waterfowl.

■ Solid waste management study and recycling

This program element involves the development of a long-term strategic plan to identify the most environmentally-sound and cost-effective way to manage the sediment, sludge and solid waste that must be removed from creek channels during maintenance activities. The goal is to maximize alternatives to landfill disposal by reusing toxic-free sediment whenever possible. The water district will identify progressive ways to recycle waste, as well as educate the community to reduce waste at the source.

■ Program support activities

This program element provides the administration, quality control and other foundation services that allow the water district to perform the activities needed to manage the new plan (see this entry under outcome one, page F.6, for a detailed explanation).

■ Habitat restoration

This new program element uses existing water district right-of-way (when applicable) and additional purchased property for conservation purposes—an estimated total of 100 acres of tidal and/or riparian habitat can be restored or constructed. This activity is in addition to required stream mitigation. Working with partners such as Santa Clara County, the 13 cities within the county, the California Department of Fish and Game, the San Francisco Bay Regional Water Quality Control Board, community groups and environmental groups, the water district will identify and complete projects to preserve and restore creekside vegetation, remove barriers to fish migration and restore and protect habitat for fish and wildlife, especially endangered species.

This new element is funded entirely by the special tax.

"'Maintenance' needs a more visionary formulation: continuous environmental enhancements; community stewardship; ecosystem restoration; quality of life. Dedication of funds for environmentally preferred solution is needed."
.—water district Blue Ribbon Forum, Feb. 2, 2000

Outcome four: There are additional open spaces, trails and parks along creeks and in the watersheds

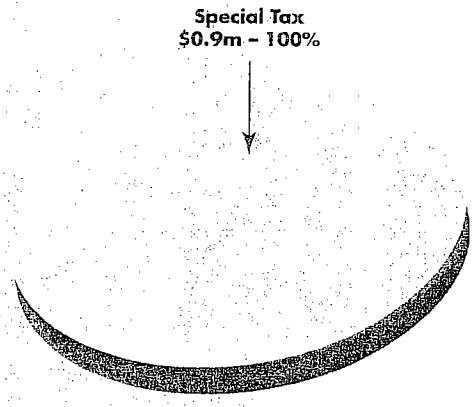
Additional funding will allow the water district to partner with cities and the county to provide access to creekside trails and parks for recreational opportunities. Natural floodplains will be preserved to serve as open space and places of urban respite, and bicycle trails will increase recreational opportunities and provide alternative transportation routes to relieve highway congestion and reduce air pollution.

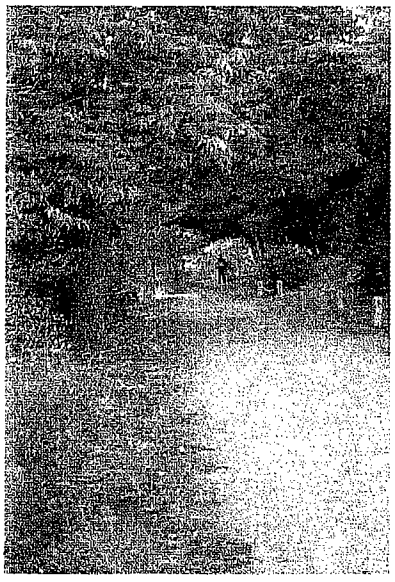
■ Community partnership to identify and construct trails and recreational uses

This new program will create community partnerships to identify and provide access to 70 miles of open space and/or trails. The water district will work with cities, the county, private landowners, community organizations, the Santa Clara County Open Space District, county parks and other agencies to purchase open space and construct projects in the County Trails Master Plan.

Projects identified in the master plan include completion of the upper Guadalupe trail, which will link Los Alamitos Trail with downtown

Outcome four: Sources of annual funding for trails, parks and open space





The new, 15-year plan will result in more creekside trails such as this one along Saratoga Creek.

San Jose, as well as creekside trails on portions of Upper Llagas Creek, Sunnyvale Channels, Upper Penitencia Creek, Berryessa Creek and Permanente Creek.

This program allows the water district to incorporate trails, parks and recreational values into existing or new flood protection projects. Existing examples of these multi-use flood protection projects include the very popular trails at Los Gatos Creek, Stevens Creek and Los Alamitos Creek, as well as the levee access on Coyote Creek in the Golden Triangle.

Outcome four: what your $39 buys

Without the special tax, the water district will not have funding to provide any services in outcome four:

- Community partnership to identify and provide access to 70 miles of open space and/or trails
- Community partnership to increase recreational opportunities with trails, bike paths, parks and open space.

Elements in Outcome 4

Flood Protection & Stream Stewardship Program

General Outcomes and Activities	Level of Service
4. There are additional open spaces, trails and parks along creeks and in the watersheds when reasonable and appropriate.	
• Community partnership to identify recreational uses and construct trails	• Construct an equivalent of 71 miles of trails

Note: Baseline outcomes/activities are supported by existing property taxes, reserves, and Certificates of Participation (COPs). Activities shown in green & bold are partially or fully funded by the Special Tax.

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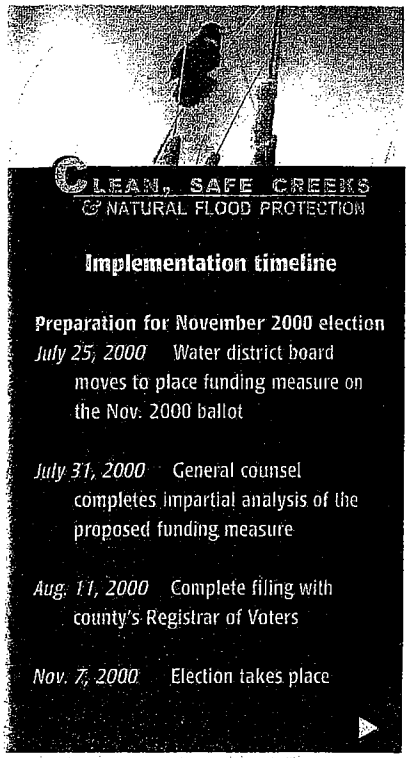
"Extending Stevens Creek Trail to the bay is important to residents. Residents respond to localizing benefits and preserving riparian corridors."
—meeting with city of Mountain View, Oct. 23, 1998



Implementing the new plan

Getting started: procedures and guidelines

After years of community input and refinement, the new CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan can be implemented, assuming voters support the November 7, 2000 ballot measure requesting the special tax. Once the measure passes, the water district will receive the first special tax revenue on January 31, 2002.

After passage, the water district can begin drafting the 15-year implementation plan; the final draft of this plan is scheduled for completion by June 29, 2001.

What follows is an overview of basic procedures and guidelines for the implementation phase of the new CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION plan. These guidelines will be evaluated, revised as necessary, and described in more detail in the final implementation plan. In general, steps in the implementation process will include:

1. Evaluation of resources

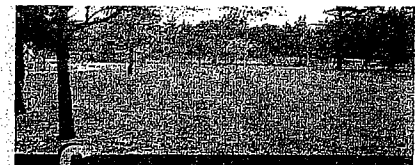
Depending on the outcome of the November 2000 election, the water district will evaluate resource needs associated with delivering the four outcomes of the proposed 15-year plan. This evaluation will include, but not be limited to: specific plan outcomes, available annual revenue and requirements for expertise and technical skills.

2. Monitoring performance

The following areas will be emphasized in the review:

- **Program performance**

  The water district is developing enhanced program performance measurement protocols. Performance measurement requires the development of quantifiable performance goals. These goals can be short-term (e.g., monthly, annual, or other frequency) or long-term goals (e.g., multi-year). These quantifiable goals will allow for monitoring and evaluation of performance trends in accomplishing the outcomes of the proposed plan. This frequent monitoring will allow the water district to adjust priorities and resources quickly to ensure that services meet the board's policies.



Implementation timeline

Preparation for special tax rolls

March 15, 2001 Request tax rolls from the county

Aug. 1, 2001 Submit special tax information to the county for inclusion in tax rolls

Jan. 2002 Water district receives first special tax revenue

March Each year, request tax rolls from the county

Aug. Each year, submit special tax information to the county for inclusion in tax rolls

Implementing the new 15-year plan

Jan. 15, 2001 Complete first draft implementation plan

Feb. 2001 Complete second draft implementation plan

June 2001 Complete final implementation plan

- **Community Input**

Interactive communication with the community is very important to ensure that the water district continues to provide services that reflect community values. Board Advisory Committees will continue to be used as a place for the community to provide input to the water district board.

In addition, the water district's bimonthly board meetings are open to the public so that community members can address agenda items or other issues.

- **Quality assurance/quality control (QA/QC) for engineering works**

The water district will continue to review and improve its QA/QC procedures to ensure that new engineering designs and structures continue to work as intended throughout their lifespan. The QA/QC program will be updated as necessary to ensure that designs and construction meet current regulatory codes, engineering specifications and industry standards.

- **Equity**

As proposed in the 15-year plan, outcomes and services provided by the water district are distributed throughout the county's watersheds. Additional procedures and criteria will be developed and implemented to ensure that the proposed countywide program is equitable and successful for each watershed.

3. Budget monitoring

Annual budgets will be prepared and reviewed to ensure that adequate resources are provided to deliver the outcomes of the proposed 15-year plan. Performance goals developed under the performance management system will be considered in proposing and reviewing annual budgets. Tying these goals to the budget will improve accountability in delivering services to the community and flexibility in managing workload priority and available resources.

4. Ensuring federal and state Participation

Federal and state participation is critical for the completion of the Upper Guadalupe River, Berryessa Creek, and Upper Llagas Creek projects under the proposed 15-year plan. Without the matching funds provided by these federal and state appropriations there is not enough funding to complete these flood protection projects. The water district's External Affairs Division will continue to facilitate communication between water district staff and staff of the federal and state agencies to ensure timely reimbursements.

In addition, the water district will continue to pursue all opportunities for federal and state assistance to help finance other projects and activities in the new 15-year plan. Additional funding from federal and state agencies will allow the water district to reallocate the limited special tax revenue to increase levels of service for water quality protection, habitat enhancement or recreational opportunities.

Common questions and answers

Clean, Safe Creeks and Natural Flood Protection: Q & A

1. March 2000 voters approved the State Water Bond Act—why is the water district still asking for a special tax?

The State Water Bond includes grant and loan programs for flood protection, stream restoration, water quality protection and recreation, all of which are components of the district's proposed program.

Of the $1.97 billion in the Act:

- The district will receive about $9 million for projects completed in the past for which state matching funds were promised.
- The district will benefit from $2 million earmarked for a hydrologic study of the Pajaro Watershed. The district is a member of a collaborative organization of counties and flood protection agencies required by state legislation to address flooding in the Pajaro River.
- The district is eligible to compete with other counties and cities for specific projects such as: watershed restoration, urban stream restoration, floodplain corridor protection, river protection and river parkway projects, coastal salmon habitat restoration and protection, and nonpoint source pollution control.

While the district will compete for these grants, there is no certainty regarding how much and for which projects the district will be successful in obtaining funds from the Act. Any grant funding received for these projects can either supplement the district future program or provide additional benefits to those described in the proposed program.

2. I don't live in an area that floods. Why should I pay for this program?

Flooding is a regional issue. The water district's flood facilities safely convey Valley floodwaters to the Bay—a benefit for everyone. The proposed projects will protect not only homes in flood areas, but also schools, churches, sports arenas, businesses and highways throughout Santa Clara County. You may work in a flood-prone area or need to commute through a flood-prone area on your way to work or an event.

In addition, this supplemental funding ensures clean, safe water drinking water for the entire valley, allows environmental restoration and pollution control efforts to continue, and enhances and protects the quality of life for everyone.

3. Can the scope of the proposed program be reduced?

In 1998, the district presented to the public and community leaders a program that could be supported without additional funding. The community did not accept that plan. After more than a year of working with the community and the board on different levels of service, the board adopted, in concept, the proposed *Beyond 2000 Flood Protection and Stream Stewardship Program.* We believe that the currently proposed plan reflects the desires of the community and the district's board policies on Flood Protection and Stream Stewardship.

4. Last year I only paid $19. Why is there a jump in my rate?

The current benefit assessments are specific to each flood control zone, each rate previously passed by the voters in that specific zone. That resulted in a wide range of rates between zones. Based on public input and concerns, the water district board decided that funding should be countywide. Flooding is a regional issue and this plan gives the board the greatest flexibility to address problems on a countywide priority basis and ensures adequate and consistent flood protection in all areas.

5. Why do businesses have to pay such a high rate?

Based on talks with business and community leaders, the water district board agreed that preventing flooding on vital transportation networks is critical to maintaining business and, therefore, quality of life in the valley. Employees need to get to work and businesses need shoppers and employees to be able to reach them. The amount paid is based on location and use of the property. Also commercial and industrial sites generate greater runoff because of larger amount of impervious surfaces, they are assessed a higher rate.

6. With this money, which flood protection projects will you be constructing first?

The water district will be pursuing many projects simultaneously. One critical project is along the Guadalupe River, which flooded Highway 87 last year and caused massive gridlock in the valley; this project cannot proceed without additional funding. Others include upper Llagas Creek, Permanente Creek, Sunnyvale East Channel, Sunnyvale West Channel, Calabazas Creek, and Berryessa Creek.

7. Beyond new projects, what else do you do?

Because the valley no longer has natural flooding to clear streams, the district has taken on nature's role. We continuously inspect, clean, and repair miles and miles of flood control facilities and unimproved creeks.

Some channels accumulate silt that needs to be removed. Others have banks with highly erosive soils that constantly need to be reinforced. Plant overgrowth can reduce a channel's capacity to carry flood flows and often needs to be removed. In dry years, plant growth can also pose a fire hazard. Levees need to be reinforced, creeks and culverts cleared, fences repaired, gates and barriers maintained, fallen trees removed and trash cleaned up.

8. What do you actually do when it's really raining?

We maintain a flood emergency "alert" during the rainy months, monitoring streamflow and reservoir conditions daily. When rains are heavy, our emergency operation center gears up, relaying information to fire and police departments and the media. We also repair damage 24-hours-a day, provide free sandbags and help ensure water flows as quickly as possible through to the bay.

9. Why are you spending so much money to protect frogs? Frogs are fine but flood protection for humans is more important.

Regulatory requirements from a half dozen agencies require that projects address environmental issues and protect wildlife. The water district is committed to offering *both* flood protection and environmental protection. In the past, projects straightened creeks and lined them with concrete. We now know that using methods such as setback earthen levees are not only more scenic, they foster natural habitats, provide equally effective flood protection *and* they're just as economical. It's a win-win situation for humans—and frogs.

10. How strong is your commitment to protecting the environment?

For the first time, we have allocated funds specifically for environmental protection and restoration, as well as creating trails and open spaces for everyone to enjoy. Those are above and beyond what we normally do in conjunction with a flood protection project. Additional funding would provide for the following projects:

- Erosion protection and repair to strengthen streambanks and improve creekside vegetation.
- Environmental restoration of fisheries and natural habitats, such as laying down gravel for spawning salmon and steelhead trout.

- Pollution prevention programs to detect and manage toxins and sediments that flow into the Bay.
- The construction trails along levees that are accessible to people of all ages, including those with disabilities.
- Partnership with cities and the county to increase open space watershed areas for community use.

11. Why isn't the State providing more money?

During the economic downturn of the early 1990s, the state reassessed priorities. Flood control became a second-tier priority. The State Legislature recently approved a Water Bond bill that contains $45 million for flood protection. We expect that about $9 million will come to our water district and we have taken requested that into account in reducing the amount of the funding.

12. Why does this program funding have a sunset?

The district board wants to ensure projects and policies reflect the values of our community. Voters overwhelmingly approved benefit assessments in 1982, 1986 and 1990 based on a critical need for flood protection. We've spent a lot of time with community and business leaders as well as policymakers countywide to determine what's important to the quality of life in the valley. For the proposed program, we're asking for the entire community to approve flood protection and stream stewardship projects that will take us to 2015. At that time, we'll determine a program to take us perhaps another 15 years and ask for your approval again.

13. So will you be back in 2015 asking for more money again?

The proposed program and funding was designed for a 15-year period. That's why it sunsets. The district board anticipates that most flood protection projects currently planned should be completed by 2015. Those projects do need to be maintained and we do need to continue nature's role by removing debris and sediment that builds up during the year. We also want to be sure that we maintain recreational use and open spaces, habitat restoration, as well as pollution and clean up programs. We can't say right now what will happen in 2015, but the proposed program will put us well on the way to a comprehensive stream stewardship program.

14. How does the district ensure that it is operating at maximum efficiency and all its resources to their best advantage?

The district takes numerous steps to ensure that funds are used prudently. These include:

- A two-year operating budget
- Annual financial audits by an outside firm
- Performance audits by outside consultants
- A Capital Improvement Plan that shows all proposed major capital improvement projects over the next five years, as well as funding sources
- Successful leveraging of state and federal funding

Election details and documents

RESOLUTION NO. 2000-45

CALLING A SPECIAL ELECTION
TO BE HELD IN THE COMBINED FLOOD CONTROL ZONES
OF SANTA CLARA VALLEY WATER DISTRICT
ON NOVEMBER 7, 2000
REQUESTING SERVICES OF REGISTRAR OF VOTERS,
REQUESTING CONSOLIDATION OF ELECTIONS,
AND SPECIFYING CERTAIN PROCEDURES
FOR THE CONSOLIDATION ELECTION

RESOLVED, by the Board of Directors of Santa Clara Valley Water District, (District) as follows:

FIRST: A special election is hereby called to be collectively held in the aggregate area of the five Flood Control Zones (Zone Numbers One, Two, Three, Four, Five), on a combined basis as established and existing within said District, which election is to be consolidated with the general election to be held on November 7, 2000, to submit to the qualified electors of said flood control zones the following question:

CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION: Shall the Santa Clara Valley Water District replace an expired program assessment with a special parcel tax, as provided in District Resolution No. 2000-44, to: protect homes, schools, businesses and roads from flooding and erosion; protect, enhance and restore healthy creek and bay ecosystems; provide additional open space trails and parks along creeks; and provide clean, safe water in our creeks and bays?

SECOND: The Registrar of Voters is requested to give notice of said election in accordance with law and to perform all other acts which are required for the holding and conducting of said election.

THIRD: The Board of Supervisors of the County of Santa Clara is hereby requested to order the consolidation of the special District election for the combined five Flood Control Zones with the other elections to be held on November 7, 2000, insofar as the five Flood Control Zones are concerned, and to provide that within the territory affected by said order of consolidation the election precincts, polling places, and voting booths shall in every case be the same, and that there shall be only one set of election officers in each of said precincts; and to further provide that the question set forth above shall be set forth in each form of ballot to be used at said election insofar as the same is held within said combined Flood Control Zones. Said Board of Supervisors is further requested to order the Registrar of Voters (a) to set forth on all sample ballots relating to said consolidation elections, to be mailed to the qualified electors of the five Flood Control Zones, the question set forth above and (b) to provide absentee voter ballots for said consolidation election for use by qualified electors of said Flood Control Zones who are entitled thereto, in the manner provided by law.

FOURTH: The Registrar of Voters is hereby authorized and requested to canvass, or cause to be canvassed, as provided by law, the returns of said special district election with respect to the total votes cast for and against said question and to certify such canvass of the votes cast to the Board of Directors of Santa Clara Valley Water District.

FIFTH: The Clerk of this Board is hereby authorized and directed to certify to the due adoption of this resolution and to transmit a copy hereof so certified with the Registrar of Voters of the County.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District on July 25, 2000, by the following vote:

AYES: Directors Zlotnick, Estremera, Gross, Judge, Kamei, Sanchez, Wilson

NOES: Directors—none

ABSENT: Directors—none

ABSTAIN: Directors—none

SANTA CLARA VALLEY WATER DISTRICT

By: _____

Gregory A. Zlotnick
Chairman of the Board of Directors

ATTEST: LAUREN KELLER

_____

Clerk of the Board of Directors

RESOLUTION NO. 2000-44

PROVIDING FOR THE ESTABLISHMENT AND LEVY OF SPECIAL TAX
TO PAY THE COST OF CLEAN, SAFE CREEKS
AND NATURAL FLOOD PROTECTION PLAN IN THE
COMBINED FLOOD CONTROL ZONE OF THE
SANTA CLARA VALLEY WATER DISTRICT
SUBJECT, NEVERTHELESS, TO SPECIFIED LIMITS AND CONDITIONS

WHEREAS, the Santa Clara Valley Water District (District) maintains a flood protection system of levees, channels, drains, debris basins and other improvements upon which the lives and property of District residents depend, which said improvements must be kept in a safe and effective condition; and

WHEREAS, the District policy is to ensure clean, safe water in Santa Clara County creeks, Monterey Bay, and San Francisco Bay; and

WHEREAS, the District policy is to protect, enhance and restore healthy Santa Clara County creeks, watersheds and baylands ecosystems; and

WHEREAS, the District policy is to engage in partnerships with the community to provide open spaces, trails and parks along Santa Clara County creeks and watersheds; and

WHEREAS, the California State Legislature has authorized the District to levy a special tax on each parcel of property within the District or any zone or zones thereof upon receiving the approving vote of a two-thirds majority of the electorate of the District or zones therein; and

WHEREAS, the purpose of the special tax is to supplement other available but limited revenues to keep said improvements in a safe and effective condition; to enable the District to respond to emergencies; to perform maintenance and repair; to acquire, restore and preserve habitat; to provide recreation; to conduct environmental education; to protect and improve water quality; and, to construct and operate flood protection and storm drainage facilities; now, therefore,

BE IT RESOLVED, by the Board of Directors of Santa Clara Valley Water District as follows:

FIRST: The Board hereby finds that since (a) the management of creeks, watersheds and baylands to ensure clean, safe water and to protect, enhance and restore healthy ecosystems; and the construction and management of flood protection services, are made necessary by stormwater runoff, and (b) the lands from which runoff derives are benefitted by provision of means of disposition which alleviates or ends the damage to other lands affected thereby, by direct protection of loss of property, and other indirect means which include improved aesthetics and quality of life, the basis on which to levy the special tax is at fixed and uniform rates per area and county-designated land use of each parcel taxed as such parcel is shown on the latest tax rolls.

SECOND: Pursuant to the authority of Section 3 of the District Act there is hereby established a Combined Zone consisting of the aggregate metes and bounds descriptions of Zones One, Two, Three, Four and Five presently existing.

THIRD: A special District Election will be collectively called in the combined Flood Control Zone consisting of Numbers One, Two, Three, Four and Five, as established and existing within said District, on the proposition of levy of an special tax.

FOURTH: Subject to approval by two-thirds of the electors in the area specified by the collective descriptions of the combined five Flood Control Zones of the District voting at such election and pursuant to the authority vested in the Board, there is hereby established a special tax as authorized by this resolution which shall be levied and the goals of the Clean Safe Creeks and Natural Flood Protection Plan as summarized in Table 1 and as described in the *Clean Safe Creeks & Natural Flood Protection: a 15-year Plan to Preserve & Protect our Quality of Life* report (hereafter "Report") shall be instituted with the following provisions:

A. The Chief Executive Officer/General Manager (CEO/GM) of the District is directed to cause a written report to be prepared for each fiscal year for which a special tax is to be levied and to file and record the same, all as required by governing law. Said report shall include the proposed special tax rates for the upcoming fiscal year at any rate up to the maximum rate approved by the voters.

B. The CEO/GM of the District may cause the special tax to be corrected in the same manner as assessor's or assessee's errors may be corrected but based only upon any or all of the following:

1. changes or corrections in ownership of a parcel;
2. changes or corrections of address of an owner of a parcel;
3. subdivision of an existing parcel;
4. changes or corrections in the use of all or part of a parcel;
5. changes or corrections in the computation of the area of a parcel;
6. as to railroad, gas, water, telephone, cable television, electric utility right of way, electric line right of way or other utility right of way properties, changes or corrections with respect to the amount of benefit received from the stream management and flood protection services provided.

Changes and corrections are not valid unless and until approved by the Board.

C. The Clerk of the Board shall immediately file certified copies of the final determination of special taxes and confirming resolution with the Auditor-Controller of the County of Santa Clara and shall immediately record with the County Recorder of said County a certified copy of the resolution confirming the special tax.

D. The special tax for each parcel set forth in the final determination by the Board shall appear as a separate item on the tax bill and shall be levied and collected at the same time and in the same manner as the general tax levy for county purposes. Upon recording of the resolution confirming the special tax such special tax shall be a lien upon the real property affected thereby.

E. Failure to meet the time limits set forth in this resolution for whatever reason shall not invalidate any special tax levied hereunder.

F. No special tax for the Clean, Safe Creeks and Natural Flood Protection plan shall be imposed upon a federal or state or local governmental agency. With said exception, a Clean, Safe Creeks and Natural Flood Protection plan special tax is levied on each parcel of real property in the five Flood Control Zones of the District subject to this resolution for the purposes stated in the Report and in this Resolution. Except for the minimum special tax as hereinafter indicated, the special tax for each parcel of real property in each such zone is computed by determining its area (in acres or fractions thereof) and land use category (as hereinafter defined) and then multiplying the area by the special tax rate applicable to land in such land use category. A minimum special tax may be levied on each parcel of real property having a land area up to 0.25 acre for Groups A, B, and C, up to 10 acres for Groups D and E Urban and, for Group E Rural, the minimum special tax shall be that as calculated for the E Urban category.

G. Land use categories for each parcel of land in the District are defined and established as follows:

Group A: Land used for commercial or industrial purposes.

Group B: Land used for institutional purposes such as churches and schools or multiple dwellings in excess of four units, including apartment complexes, mobile home parks, recreational vehicle parks, condominiums, townhouses.

Group C: (1) Land used for single family residences and multiple family units up to four units. (2) The first 0.25 acre of a parcel of land used for single family residential purposes.

Group D: (1) Disturbed agricultural land, including irrigated land, orchards, dairies, field crops, golf courses and similar uses. (2) The portion of the land, if any, in excess of 0.25 acre of a parcel used for single family residential purposes.

Group E: Vacant undisturbed land (1) in urban areas and (2) in rural areas including dry farmed land, grazing and pasture land, forest and brush land, salt ponds and small parcels used exclusively as well sites for commercial purposes.

Group F: Parcels used exclusively as well sites for residential uses are exempt from the special tax.

H. The special tax rates applicable to parcels in the various land uses shall be as prescribed by the Board of Directors in each fiscal year (July 1 through June 30) beginning with fiscal year 2001-2002 all as stated above, in the *Clean Safe Creeks & Natural Flood Protection: a 15-year Plan to Preserve & Protect our Quality of Life* Report and as required by law; provided, that the annual basic special tax unit (single family residential parcel) shall not exceed a maximum limit of $39, as adjusted by the compounded percentage increases of the San Francisco-Oakland-San Jose Consumer Price Index for all Urban Consumers (CPI) (or an equivalent index published by a government agency) in the year or years since April 30, 2001; provided, however that each rate may be increased in any year by up to the larger of the percentage increase of the San Francisco-Oakland-San Jose Consumer Price Index for all Urban Consumers in the preceding year or three percent (3%); and provided, further, however that in any period, not exceeding three years, immediately following a year in which the Governor of the State of California or the President of the United States has declared an area of said zones to be a disaster area by reason of flooding or other natural disaster, then to the extent of the cost of repair of District facilities damaged by such flooding or other natural disaster, the maximum tax rate shall be the percentage increase in CPI plus 4.5 percent and provided, that special taxes for the Clean, Safe Creeks and Natural Flood Protection Plan shall be levied for a total of 15 years and, therefore, shall not be levied beyond June 30, 2016.

I. In the event that the county-designated land use for a parcel is different than the actual land use, the CEO/GM of the District may, pursuant to written policies and procedures, cause the special tax to be adjusted based upon any or all of the following:

1. The parcel owner shall provide the District a claim letter stating that the present actual land use is different than the county-designated land use, including an estimate of the portion of the parcel that is different than the designated land use. Such claim is subject to investigation by the District as to the accuracy of the claim. Parcel owner shall furnish information deemed necessary by the District to confirm the actual uses and areas in question which may include, but not be limited to, a survey by a licensed surveyor.

2. The parcel owner shall request the district to inspect the parcel and reevaluate the parcel tax.

3. The parcel owner shall notify the District after a substantial change in the actual land use occurs, including a new estimate of the portion of the parcel that is different than the designated land use.

4. The District may inspect and verify the actual land use for these parcels on a regular basis and will notify the appropriate parcel owners when it is determined that the actual land use has matched a county-designated land use. The District shall then correct the special tax rates for these parcels accordingly.

J. In the event that legislation is enacted that allows the District to provide for an exemption from the special tax for low income owner-occupied residential properties for taxpayer-owners who are 65 years of age or older, the following shall apply:

> Residential parcels where the total annual household income does not exceed 75 percent of the latest available figure for state median income at the time the annual tax is set, and such parcel is owned and occupied by at least one person who is aged 65 years or older shall be exempt from the applicable special tax.

K. An external, independent monitoring committee shall be appointed by the District Board of Directors to provide annual review of the implementation of the intended results of the Clean, Safe Creeks and Natural Flood Protection Program funded by the special tax.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District on July 25, 2000, by the following vote:

AYES: Directors Zlotnick, Estremera, Gross, Judge, Kamei, Sanchez, Wilson

NOES: Directors—none

ABSENT: Directors—none

ABSTAIN: Directors—none

SANTA CLARA VALLEY WATER DISTRICT

By: _____
Gregory A. Zlotnick
Chairman of the Board of Directors

ATTEST: LAUREN KELLER

_____
Clerk of the Board of Directors

Summary of Key Performance Indicators for the 15-year Plan

General Outcomes and Activities	Key performance indicators
1. Homes, schools, businesses and transportation networks are protected from flooding	
• Provide flood damage reduction by increasing the stream's ability to convey the 100-year flow.	
Permanente Creek *(SF Bay to El Camino Real)*	Flood damage reduction for 1,664 parcels that include: 1,378 homes, 160 businesses and 4 schools/institutions.
San Francisquito Creek *(Planning & Design SF Bay to Searsville Dam)*	Planning study and design of an engineering plan to provide flood damage reduction for 3,000 parcels.
Sunnyvale West Channel *(Guadalupe Slough to Hwy 101)*	Flood damage reduction for 11 parcels by increasing the creek's ability to convey the 100-year storm flow
Calabazas Creek *(Miller Avenue to Wardell Rd)*	Flood damage reduction for 2,483 parcels that include: 2,270 homes, 90 businesses, and 7 schools/institutions.
Sunnyvale East Channel *(Guadalupe Slough to I-280)*	Flood damage reduction for 1,618 parcels that include: 1,450 homes, 95 businesses, and 4 schools/institutions.
Upper Guadalupe River *(I-280 to Blossom Hill Rd.)*	Using only local funding, a reduced project would extend from Hwy 280 to Curtner Avenue. Frequency of flooding would be reduced, however parcels in the flood plain would still be subjected to flooding from upstream sources. Local and federal funding for flood damage reduction for 6,989 parcels that include: 6,280 homes, 320 businesses, and 10 schools/institutions.
Berryessa Creek *(Lower Penitencia Creek to Old Piedmont Rd)*	Using only local funds, a reduced project would extend from the confluence with Lower Penitencia upstream to Montague Expressway, modifying 3 miles of channel and protecting approximately 100 parcels. Local and federal funding for flood damage reduction for 1,814 parcels including 1,420 homes, 170 businesses, and 5 schools/institutions.
Coyote Creek *(Montague Expway to 280)*	Planning study, design, and partial construction (to the extent allowed by available funding) of an engineering plan to provide flood damage reduction.
Upper Llagas Creek *(Buena Vista Ave. to Wright Ave.and W. Little Llagas)*	Local funding only would include 3.25 miles of channel construction, including a 1-mile diversion. This would provide protection from a 10-year flood event for some agricultural land, leaving areas of Morgan Hill exposed to flooding. Local and federal funding for flood damage reduction combined would include: 1,397 parcels comprised of 820 homes, 200 businesses, 190 agricultural parcels, and 6 schools/institutions.
• Sediment removal to preserve flood protection capacity of creeks.	Remove approximately 120,000 cubic yards of sediment from unimproved creeks.
• Maintenance of newly improved creeks	Preserve flood protection capacity for 46 miles of newly improved creeks maintained (vegetation control and sediment removal)

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General Outcomes and Activities	Key performance indicators
2. There is clean, safe water in our creeks and bays	
• Continue to reduce pollutants from urban runoff as a co-permittee with other local agencies and expand the program to Uvas/Llagas Watersheds.	Reduce urban runoff pollutants in South County cities.
• Hazardous materials management and incident response including reservoirs for Uvas/Llagas Watersheds	Provide hazardous material response for Uvas/Llagas Watersheds. Respond to incidents within 2 hours of initial report. (Equivalent of approximately 180 incident responses).
• Impaired water bodies improvement	Reduce or prevent additional impairment of water.
• Neighborhood creeks frequently inspected and cleaned of litter and graffiti.	60 creek cleanup events. Responce time to remove litter and graffiti of less than 5 working days. Additional safety fence around creeks is installed or repaired as needed.
• Partner with the county on general surface water quality protection program/outreach	Assist county or other cities in reduction of pollutants in surface water.

3. Healthy creek and bay ecosystems are protected, enhanced or restored as determined appropriate by the Board.	
• Vegetation management to protect healthy creek and bay ecosystems, and preserve existing floodwater conveyance capacity in creeks	Creeks that are clear of plant growth that can impede water flow and reduce the flood protection capacity. Vegetation at mitigation sites properly monitored and managed to assure healthy habitat. (Equivalent of 22,000 acres removed and maintained).
• Community partnership to identify and implement restoration of fisheries, riparian habitat or wetlands.	Creation of additional wetlands, riparian habitat and favorable stream conditions for fisheries and wildlife. (Equivalent of 100 acres of tidal or riparian habitat created or restored).

4. There are additional open spaces, trails and parks along creeks and in the watersheds when reasonable and appropriate.	
• Provide additional trails and open space along creeks and in watersheds.	Community partnership to identify and provide public access to 70 miles of open space or trails along creeks

Glossary

Glossary of technical terms and abbreviations

Aquifer Geological formation that holds or conducts groundwater.

Baseline program The water district's flood protection and stream stewardship program, which consists of only those services which can be supported by revenue available in fiscal year 2000, after the sunset of the benefit assessment program.

Benefit assessment A means of collecting revenue when a direct benefit is provided to a property. This voter-approved method of collecting funds became popular after Prop. 13, but is no longer a viable option following the passage of Prop. 218 in 1997.

Box culvert A vertical-walled covered channel

Capacity The maximum amount of water that can flow through a channel, stream, or culvert before flooding of surrounding properties would result.

CEQA California Environmental Quality Act: California's most important environmental law, adopted in 1970. Requires state and local agencies to disclose and consider the environmental implications of their actions. It further requires agencies to avoid significant environmental impacts when such avoidance is feasible.

Channel A bed where a natural stream of water runs.

Culvert A pipeline or vertical, walled, covered channel at a road crossing.

Clean Water Act Also known as the Federal Water Pollution Prevention and Control Act, (33 United States Code 1251 et seq.) passed in 1948.

Drainage basin The geographical area within which all surface water flows into a single river, watercourse or stream; also called a watershed.

Easement A right held by a person or entity to make use of the land of another for a limited purpose. For example, the district may secure an easement from a property owner to allow access to creeks for flood control maintenance purposes only. The property owner still retains ownership of the property.

EIR Environmental Impact Report

Endangered species A species threatened with extinction.

EPA Environmental Protection Agency

Erosion The wearing down of a stream bank or land surface by flowing water.

FEMA Federal Emergency Management Act

Fish passage A generic term for several methods incorporated into flood protection projects which allow native fish species to travel upstream to spawn.

Flood A general and temporary condition of partial or complete inundation of normally dry land areas from inland or tidal waters.

Flood control zones Much of Santa Clara County is divided into five flood zones, each based on one or more watersheds. Each zone has a separate flood-control program and separate revenues and expenditures. They are the North West, North Central, Central, East and South Flood Control Zones.

Flood damage Damage resulting to public and private real and personal property from flood flow inundation.

Floodplain The low, flat, periodically flooded lands adjacent to creeks and rivers.

Floodwalls Walls used as levees in restricted areas to contain floodwaters.

Gabions Rock-filled wire baskets used to stabilize banks of channels.

JPA Joint Powers Authority

Levee Raised bank along a stream channel, constructed to protect the floodplain.

Local property tax A fixed percentage of the countywide ad valorem property tax which is allocated to the district financially.

MtBE Methyl tert-Butyl Ether: a gasoline additive.

NEPA National Environmental Protection Act: Federal law requiring disclosure of the environmental impacts of federal actions.

Nonpoint source pollutants Pollutants that are carried by storm water runoff into receiving waters; contrasted with "point" source pollutants such as effluent from wastewater treatment facilities.

Nonstructural solution Flood protection measures which do not involve channel construction or alteration such as acquiring floodplains, floodproofing individual structures and compatible land uses like parks.

1-percent flow The flow that has a 1-percent chance of occurring in any given year; also referred to as the 100-year flow.

100-year flow The flow that has a chance of occurring, on the average, once each hundred years; also referred to as the 1 percent flow.

Reach A portion of a creek or watercourse usually defined by both an upstream and a downstream unit.

Revegetate Re-establishing vegetation in areas which have been disturbed by project construction.

Riparian ecosystem Natural association of soil, plants and animals existing within the floodplain of a stream and dependent for their survival on high water tables and river flow.

SCVWD Santa Clara Valley Water District

Sedimentation Mineral or organic material that is deposited by moving water and settles at the bottom of a waterway.

Setback earthen levees Levee embankments constructed at a distance from the creek which help contain floodwaters without disturbing the creek.

Silt Fine sand that is carried by moving water and deposited as sediment.

Subsidence The often irreversible sinking of the land surface that occurs when underground water is depleted and clay aquifers are compressed. Subsidence has occurred primarily in the north Santa Clara Valley and has been most serious in Alviso and downtown San Jose.

TMDL Total Maximum Daily Load: The maximum pollutant load a waterbody can receive (loading capacity) without violating water quality standards.

Watershed A region or area bounded peripherally by a divide and draining immediately to a particular watercourse or body of water.

WUE Water Utility Enterprise

WMI Santa Clara Basin Watershed Management Initiative. The initiative established in 1996 by the EPA, the State Board and the San Fransisco Bay Regional Board as a pilot project for a statewide effort to manage water resources at the watershed scale.

Information from:

- *Watershed Characteristics Report, Watershed Management Plan, Volume 1,* May 2000, Santa Clara Valley Watershed Management Initiative.

- *Even when the rain stops, it doesn't mean we do,* October 1998, Santa Clara Valley Water District

Endorsements

Supporters of the new Clean, Safe Creeks and Natural Flood Protection plan

The following organizations, local governments and individuals endorsed placing the Clean, Safe Creeks and Natural Flood Protection plan on the November 2000 ballot, prior to the District Board of director's vote on July 25, 2000.

Organizations

American Federation of State, County and Municipal Employees, Local 101

Berryessa Citizens Advisory Committee

Cupertino Chamber of Commerce

Employees Association, Santa Clara Valley Water District Chapter, AFSCME Local 101

Engineer's Society, Santa Clara Valley Water District

Filipino-American Chamber of Commerce

Home Builders Association of Northern California

Joint Venture Silicon Valley, Tax and Fiscal Policy Committee

League of Women Voters of Los Gatos

League of Women Voters of Monte Sereno

League of Women Voters of Saratoga

League of Women Voters of Santa Clara County

Loma Prieta Resource Conservation District

Mid-Management Association, Santa Clara Valley Water District

Mountain View Chamber of Commerce

ROMP – Responsible Organized, Mountain Peddlers

San Jose Silicon Valley Chamber of Commerce

San Miguel Neighbors Association

Santa Clara County Black Chamber of Commerce

Santa Clara County Farm Bureau

Santa Clara County League of Conservation Voters

Santa Clara Valley Water District Engineer Society

Silicon Valley Bicycle Coalition

Silicon Valley Manufacturing Group

Sunnyvale Chamber of Commerce

Tri-County Apartment Association

Local governments

Campbell City Council

Cupertino City Council

Gilroy City Council

Los Gatos City Council

Milpitas City Council

Monte Sereno City Council

Morgan Hill City Council

Mountain View City Council

Palo Alto City Council

Santa Clara City Council

Santa Clara County Board of Supervisors

Saratoga City Council

Sunnyvale City Council

Individuals

Lawrence Ames, Santa Clara County Parks & Recreation

Craig Breon, Santa Clara Valley Audubon Society

Marjory Bunyard, League of Women Voters of Los Gatos, Saratoga and Monte Sereno

Don Burnett, Cupertino City Council

Tom Campbell, U.S. Congressman District 15

Cynthia Cook, Morgan Hill City Council

Jim Cuneen, California State Assemblyman District 24

Mark Dettle, City of Sunnyvale

Joan Doss, League of Women Voters

Pat Ferraro, Silicon Valley Pollution Prevention Center

Martin Gothberg, Global Environmental Safety & Health

Nancy Hobbs, League of Women Voters

Deborah Isham, Zerimar Corporation

Dave Johnson, MBIA Corporation

Ruth Lacey, League of Women Voters of Palo Alto

Louise Levy, League of Women Voters of Cupertino

Zoe Lofgren, U.S. Congresswoman District 16

Richard Lowenthal, Cupertino City Council

Burt Malech, Loma Prieta Resource Conservation District

Bob McGuire, Santa Clara County Open Space Authority

Mike McNeely, City of Milpitas

Bob Moss

Mary Nichols, League of Women Voters

Edmund Power, Palo Alto Resident

David von Rueden, CH2M Hill & CELSOC

Ruth Sethe, League of Women Voters of Cupertino

Michael Stanley Jones, Silicon Valley Toxics Coalition

Geri Stewart, League of Women Voters of Palo Alto

Larry Stone, Santa Clara County

Sue Swackhamer, League of Women Voters, San Jose/Santa Clara Chapter

Alex Torres, Hispanic Chamber of Commerce

Terry Trumball, Crescent Park Neighborhood Association

Appendix L
Foldout Charts & Maps