



P.O. Box 5374
San Jose, CA 95150
lwvsjsc.org
Sept 9, 2019

Honorable Mayor Sam Liccardo, Vice Mayor Charles Jones and Council members, Sergio Jimenez, Raul Peralez, Lan Diep, Magdalena Carrasco, Dev Davis, Maya Esparza, Sylvia Arenas, Pam Foley, Johnny Khamis

Environmental Services Department
San José City Hall, 200 E. Santa Clara St., San José, CA 95113

RE: Comments on San Jose Green Stormwater Infrastructure City Council Meeting of Sept 10, 2019, Item # 7.1

Dear Mayor, Council Members, and staff,

On behalf of the League of Women Voters of San Jose/Santa Clara (LWV SJ/SC) we are pleased to comment and urge approval of the Green Stormwater Infrastructure Plan.

LWV SJ/SC's comments contained below are consistent with our adopted positions that support Climate Change mitigation, related natural resource protection, and other associated positions. Our letter today follows on our earlier letter in May 2019 urging both a comprehensive approach and community engagement.

We support the follow-up and cover recommendations of Mayor Liccardo, Councilmember Perez and Councilmember Davis in providing a road map for next steps.

Regarding the direction for an inclusive communication strategy, the LWV fully supports this recommendation and is willing to assist in ways that fit with our programs and positions.

The 88-page Plan is to be applauded for its long-term 30-year vision: to move the city from a purely gray stormwater collection system to an integrated green plan that not only focuses on reducing the impact of stormwater flows on the health of downstream water system, but also addresses the need to integrate itself into the General Plan, address climate change, and make our water supply more resilient. We note that while the GSI includes references to Climate Change, in our reading, we are uncertain how it fully addresses impacts of sea level rise and recommend this topic be more robust in the next iterations.

We recommend that Environmental Services continue to engage Parks, Recreation and Neighborhood Services and other departments with a focus on strategies that include multiple ways to address "critical bacteria storm" and achieve water quality goals. We understand these projects will require future funding upwards of \$100 million calling upon the City to address this need by finding funding partners.

We urge inclusion of GSI strategies, especially Green Streets and LID retrofit for all public works projects and urge the City to require private development projects to incorporate those same strategies when possible. Also we suggest Public Works consider doing "trial uses" of innovative new technologies as part of a strategy to identify new approaches. The initial costs may be high but we need to consider multiple benefits and mitigation/prevention as cost factors.

We thank the City of San Jose and your consultant for the significant thought that went into the development of San Jose's Green Stormwater Plan. The new GSI will be a significant next step to turn the vision of the Climate Smart San Jose plan into reality.

Sincerely,

A handwritten signature in black ink that reads "Carol M. Watts". The signature is written in a cursive style with a large initial 'C' and 'W'.

Carol Watts
President, League of Women Voters of San Jose/Santa Clara
president@lwvsjsc.org

Rita Norton
League of Women Voters of San Jose/Santa Clara
Chair of Climate Change/Natural Resources Committee
rita.norton@lwvsjsc.org

Green Stormwater Infrastructure Plan

City of San José

200 E. Santa Clara St.

San José, CA 95113

sent May 15, 2019 via email to GSI@sanjoseca.gov

re: public comment on the Draft SJ GSI Plan

Dear Sir/Madam,

I am writing as an individual who attended the public Green Stormwater Infrastructure (GSI) workshop at the Roosevelt Community Center last November and also attended a presentation on the topic at SPUR this April; I have also studied portions of the 292 page document that is online at <http://www.sanjoseca.gov/DocumentCenter/View/84047>. I write to express my personal thoughts and concerns on the Draft GSI Plan.

As I've said to Sharon Newton, City of SJ Deputy Director -- Watershed Protection, I am supportive of the overall GSI goals, and was even Project Manager myself for a small stormwater runoff mitigation project some 25 years ago.¹ I applaud the city's efforts to control rainwater runoff, and admire such projects as the recent upgrade to Park Ave. and the new segment of Cherry Ave. near Fwy. 85. (But please be sure to design all projects with public safety in mind: don't, for example, have drainage curb-cuts with sharp corners like those shown on p. 51 and 71 of the report: they can be hazardous to bicyclists and motorists alike.) And at various creek-trail planning meetings, I've promoted the possibility of "daylighting" culverts and the ends of some storm drains: digging them out for the last 50' or so and creating open-air channels with natural habitat and water-filtering vegetation, thereby replacing the creek's currently straight engineered walls with a more interesting streambank "shoreline" with tributary "glens".

However, I am quite concerned by the proposals in the Draft GSI to use City Park land as part of the stormwater treatment plan. The proposals are not for basins or floodplains to help catch the infrequent flood-event waters, but instead these are meant to catch and filter all the water that flows year-round from the storm drains. I myself have observed that there is frequently at least a modest water flow in some storm drains year-round from malfunctioning irrigation systems or people washing their cars, and thus any area that intercepts such flows would likely be damp/muddy/marshy at least much of the time and not suited for park use. For example, the Draft GSI shows plans for a lovely grassy basin at the River Oaks Pump Station, but I've seen a photo of a similar project (at the Water District's demonstration site in Morgan Hill) that appears to be a mosquito-breeding swamp. Indeed, the Draft GSI admits "The basins may include some engineered low areas to accommodate sustained wet conditions due to the presence of dry-weather flows" -- but just adding that "The basins can be aesthetically enhanced with new well-suited grasses, trees, and shrubs" doesn't address the mosquito concern. Also, the filtering process will tend to concentrate any debris in the runoff, including any animal waste that wasn't picked up by the owners: would there be odors from this collected waste? Who maintains the site to minimize mosquitos and odors?

¹ Please see our technical report, <http://wgbackfence.net/LosGatosCreekUrbanStreamRestorationProject.pdf>

The Draft GSI shows plans to use the 7.8 acre disc golf area in Kelley Park, saying that “basins and floodable spaces are anticipated to occupy about half of the disc golf course area.” I’d like to raise a number of questions and concerns:

- Would the basins and floodable spaces be fenced off for safety to keep the public from entering when flooded?
- Would the basins and floodable spaces be useable when not flooded, or would the soil be too damp and marshy, or covered with silt and debris? Would public access damage the drainage infrastructure and disturb the plantings? Who would be responsible for removing any fencing and cleaning up the site for public access?
- How could the disc golf course function if half the course is “off-limits” some or all of the time? How would errant discs be retrieved? Would staff be available on-call to assist in their retrieval, or would the discs just accumulate in the drainage areas?
- I believe that disc golf is just an “interim” use of the area, and it might move if/when a better golfing site is found and/or when a better and higher use of this area arises. How would the roughly 4 acres of drainage basins impact the future use of this public park land?
- I recall from past elections that the “taking” of dedicated public parkland for any non-park purpose, even for a city-sanctioned purpose like a fire station, required approval by the voters of San José. These 4 acres of park land are not “free”: at the very least, it involves the cost of a citywide election, and I think it also requires that PRNS receive either a fair-market reimbursement or a suitable in-kind land swap.
- This site is quite near the planned Vietnamese Community Center: would that be impacted by any insects or odors from the drainage basins?

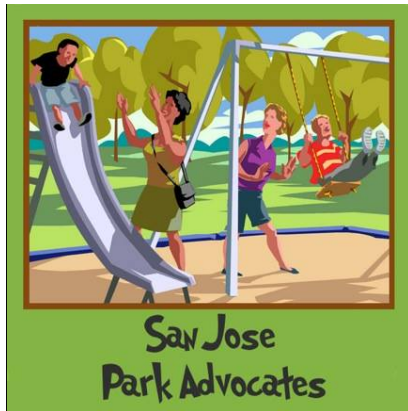
The Draft GSI also discusses using the Roy M Butcher Park. This park has a single ballfield, and the plan is to bury storage or drainage structures beneath the outfield. The Draft GSI says “Installation of the storage tanks could be phased to preserve at least one recreational field area throughout construction”, but how can that be when there is just the one field, and it isn’t operational without its outfield?

San José does not have a surplus of parkland, and the land we do have available should not be given over to non-park uses. I highly recommend that the concepts and plans in this Draft GSI for the use of public parkland be brought before the SJ Parks & Rec. Commission (PRC) for discussion and comment prior to the finalization of this GSI Plan. I also urge you to reach out to the park advocacy community and other community activists: I believe the plan could benefit from input from these advocates as well.

Good luck! I look forward to hearing the discussions and comments at the future public outreach meetings.

~Larry Ames,
longtime stream and park advocate.

cc: San Jose PRNS: Jon Cicirelli, Acting Director; Nicolle Burnham, Deputy Director
San Jose Parks & Rec Cmsn: Rudy Flores, Chair; Melrose Hurley, staff
San Jose Parks Advocates: Jean Dresden, Founder/Lead
Committee for Green Foothills: Megan Fluke, Exec. Dir.; Alice Kaufman, Advocate



San Jose Parks Advocates

RE: Council Agenda Item September 9, 2019 Item 7.1

Honorable Mayor and Council Members

San Jose Parks Advocates has serious concerns about the Stormwater Management Plan that is being submitted to the Regional Water Quality Board. We understand clearly that the City must comply with state regulations and the Baykeeper consent decree, referred to in the report as the Comprehensive Load Reduction Program.

We agree that climate change is here and that the city must act aggressively. Parks and open space are an important component. Parks and their trees serve to cool heat islands and sequester greenhouse gas. While stormwater ponds can also be beneficial, placing them in parks eliminates trees and their benefits as well as the recreational value of the parks. Projects that take away the recreational value of the parks begs the question, where are the replacement parks going to be built?

The memo from the Mayor and Councilmembers Davis and Peralez reference Diridon Station Area and the “revitalization” of Guadalupe River Park. The staff memo and report do not mention either site. What private conversations have been made suggesting these sites? How will this affect the parkland and community benefit requirements of the Google deal? What promises have been made? Is this why the Google project conceptual framework is entirely linear with no active recreation so that it can accommodate stormwater? How does the Station Area Advisory Group (SAAG) feel about this? Shouldn’t they be consulted prior to the council making a decision? Has the Guadalupe River Park Conservancy and the parks’ stakeholders been consultant on the proposals that are mentioned in the blue memo? When will the general public be allowed to know the fullness of the plans? We see a giant problem with transparency which casts a long shadow over this entire project.

The current report to the State includes a decision matrix that prioritizes urban parks and parks in poor neighborhoods as locations for the largest regional projects. Placing these structures

into parks permanently reduces the recreation value and the flexibility of redesigning the parks for future needs. Underground structures also preclude using large shade trees as a strategy to sequester carbon dioxide because they require more room for their route. Other jurisdictions have prioritized constructing stormwater facilities under parking lots rather than using parks. San Jose's scoring system makes certain that parks will be first chosen. Why is the City not considering an underground system at one of the proposed Senter Ave Fire Station Training Center sites? Or under the Kelley parking lot? We are troubled that one of the first six proposed regional sites takes 4.5 acres of Kelley Park land away from recreation in order to build a pond that prevents play. Removing land from park purposes to stormwater management violates the city's General Plan goal for parkland. Parks should not be treated as a land bank unless there is a plan to replace..

We are also concerned about the size of the project—over \$1.5 BILLION in 30 years. More than \$50 Million per year. Does the City think that citizens will repeatedly vote for bond issues to pay for this project? Does submitting the report commit the City to complete everything promised?

The report acknowledges that the city Environmental Services Department cannot keep up with maintaining the trash collection devices it already has. Where will the city obtain maintenance dollars for stormwater facilities? Maintenance managers report that well maintained stormwater facilities such as the one maintained by the HOA next to Luna Park cost about four times as much labor as hedges and similar landscaping. Weeding must be done by hand to maintain the plants that biofiltrate the water? Is there a plan to take maintenance dollars from the rest of the park to manage the stormwater facility?

The proposed facility at Kelley Park Horse stables would be incompatible with the water district's plan to take the property for flood control? For what reason is the city going forward with this particular project given this conflict?

The city should go forward with the River Oaks Detention project and treat it as a pilot project. An interdepartmental team should be created where all partners are at the table. An interdisciplinary grant writing team should be formed. Methodology should be implemented for appropriate analysis and measurement of all components of the project including outreach, design, maintenance costs, loss or recreational value, tree cover, opportunity cost and aesthetics.

Specifically, the interdisciplinary team should revise the scoring matrix to include maintenance costs, loss of recreation and flexibility, carbon sequestration from increased tree cover, as well as measurements of community acceptance for the features staff calls beautification. No one we know will call beautiful this Valley Water demonstration project pond filled with algae in the middle of March 2019. An interdisciplinary team can do much to prevent inane assumptions such as disc golf players would be adequately served by levees to cross a 4.5 pond. Have you ever played disc golf? Thrown a Frisbee? They don't fly in a straight line.



Further, San Jose should not repeat the mistakes of prior stormwater management systems such as Raleigh Linear Park. It was promoted as a place that the community could play active recreation. Instead it is a swamp most of the year and unplayable the rest of the time.

We encourage the council to endorse the River Oaks detention project as a pilot and then stop. Establish an interdisciplinary team, develop metrics, revisit the decision matrix that includes recreation value and opportunity loss, considers equity, establishes a real measure of aesthetics and becomes transparent in the decisions about the Diridon Station Area/Google and the Guadalupe River Park.

Sincerely,

/s/

Jean Dresden
Executive Director

CC
Keri Romanow
Jon Cicirelli
Dave Sykes
Angel Rios
Board, San Jose Parks Advocates
Parks Commission

From: Shani Kleinhaus

Subject: Stormwater infrastructure (Item 7.1 on Sept 10 2019 Agenda)

Date: September 9, 2019 at 12:21:37 PM PDT

To: mayoremail@sanjoseca.gov, District1@sanjoseca.gov, District2@sanjoseca.gov, District3@sanjoseca.gov, District4@sanjoseca.gov, District5@sanjoseca.gov, District 6 <district6@sanjoseca.gov>, District7@sanjoseca.gov, District8 <district8@sanjoseca.gov>, District9 <District9@sanjoseca.gov>, District10@sanjoseca.gov

Cc: Kerrie Romanow <Kerrie.Romanow@sanjoseca.gov>, cityclerk@sanjoseca.gov

Dear Mayor Liccardo and San Jose Council Members,

The Santa Clara Valley Audubon Society appreciates the City of San Jose's intent and efforts to install Green Infrastructure to manage stormwater and improve the quality of water flowing into our creeks and the San Francisco Bay.

We are, however, concerned that the proposed infrastructure in City Parks could:

- Leave unresolved the most impactful source of fecal bacteria in creeks since the proposed investment does not address the primary cause of contamination, namely hopelessness.
- Cause substantial loss of parkland and recreation space, remove trees and prevent the planting of large trees or construction of park facilities on top of the underground infrastructure.
- Increase the cost of maintaining parks for City residents, and continue the ongoing lag in maintenance of existing facilities.

Please discuss these issues at the Council meeting, and ensure that tree canopy and recreation open space are not lost or degraded.

Thank you

Shani Kleinhaus, Ph.D.
Environmental Advocate
Santa Clara Valley Audubon Society