

From: [Barbara Ballenger](#)
To: [Todd Sexauer](#)
Subject: Against Pacheco Dam Project
Date: Friday, July 12, 2024 6:01:05 PM

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July 12, 2024

Tsexauer@valleywater.org
Santa Clara Valley Water District
Attention: Todd Sexauer
5750 Almaden Expressway
San Jose, CA 95118

**RE: Draft Initial Study and Mitigated Negative Declaration for the
Design Level Geotechnical Investigations for the Pacheco Dam
Project**

Dear Mr. Sexauer:

I am writing to share my concerns regarding the Draft Initial Study and Mitigated Negative Declaration ("MND") prepared by the Santa Clara Valley Water District ("Valley Water") for the Design Level Geotechnical Investigations for the Pacheco Dam Project.

I (we) do not support the Pacheco Dam project that the investigations are intended to support. This controversial new dam project is would be environmentally damaging and is also not affordable for Valley Water ratepayers. Instead, Valley Water should be working to secure water supplies by doing more groundwater recharge, recycling and reusing wastewater, capturing and treating stormwater, and undertaking other water conservation measures. In addition, Valley Water's existing reservoirs need to be maintained and improved to meet current standards. To the extent additional water storage is needed, reservoir expansion projects already underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to occur and are a better investment and would be more likely to provide a measure of climate resilience for Valley Water.

Pacheco Pass is an unsuitable location for a new dam, which is exhibited by the fact that plans for a new dam in this area have never progressed. This area designated for the new Pacheco Dam is geotechnically unstable, which is one reason the existing small dam operated by the Pacheco Pass Water District has been declared unsafe by the Division of Dam Safety. Building another

larger dam in this same area would be terribly expensive and risky, with potentially catastrophic consequences in the event of an earthquake.

With respect to the geotechnical investigations proposed to begin this summer, I have the following comments:

- The MND fails to disclose the full range of likely impacts from drilling 149 borings, digging 27 test pits and conducting other invasive tests in this rural wildlife-rich area. The project area includes important habitat for Bald eagles, Golden eagles, Monarch butterflies, California condors and other animals.
- The MND fails to account for the full extent of disturbance caused by use of trucks and helicopters to conduct hundreds of "rig days" over the course of 1-2 years. The project area serves as an important wildlife corridor that would be disturbed by the project's noisy activities.
- The mitigation and other measures provided in the MND are inadequate to mitigate the identified impacts to less than significant levels. As a result, a full environmental analysis would be necessary for the geotechnical investigations to proceed.

For these reasons, I urge you not to adopt the MND and approve the geotechnical investigation project. Please add my name to the notice list for this project.

Thank you for considering my comments.

Barbara A Ballenger


thousand Oaks, CA

From: [tanbir_minhas](#)
To: [Todd Sexauer](#)
Subject: Comments on the Draft IS/MND
Date: Thursday, July 18, 2024 2:02:10 PM

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Dear Mr. Sexauer:

I am writing to share my concerns regarding the Draft Initial Study and Mitigated Negative Declaration (“MND”) prepared by the Santa Clara Valley Water District (“Valley Water”) for the Design Level Geotechnical Investigations for the Pacheco Dam Project.

I (we) do not support the Pacheco Dam project that the investigations are intended to support. This controversial new dam project is would be environmentally damaging and is also not affordable for Valley Water ratepayers. Instead, Valley Water should be working to secure water supplies by doing more groundwater recharge, recycling and reusing wastewater, capturing and treating stormwater, and undertaking other water conservation measures. In addition, Valley Water’s existing reservoirs need to be maintained and improved to meet current standards. To the extent additional water storage is needed, reservoir expansion projects already underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to occur and are a better investment and would be more likely to provide a measure of climate resilience for Valley Water.

Pacheco Pass is an unsuitable location for a new dam, which is exhibited by the fact that plans for a new dam in this area have never progressed. This area designated for the new Pacheco Dam is geotechnically unstable, which is one reason the existing small dam operated by the Pacheco Pass Water District has been declared unsafe by the Division of Dam Safety. Building another larger dam in this same area would be terribly expensive and risky, with potentially catastrophic consequences in the event of an earthquake.

With respect to the geotechnical investigations proposed to begin this summer, I have the following comments:

The MND fails to disclose the full range of likely impacts from drilling 149

borings, digging 27 test pits and conducting other invasive tests in this rural wildlife-rich area. The project area includes important habitat for Bald eagles, Golden eagles, Monarch butterflies, California condors and other animals.

The MND fails to account for the full extent of disturbance caused by use of trucks and helicopters to conduct hundreds of "rig days" over the course of 1-2 years. The project area serves as an important wildlife corridor that would be disturbed by the project's noisy activities.

The mitigation and other measures provided in the MND are inadequate to mitigate the identified impacts to less than significant levels. As a result, a full environmental analysis would be necessary for the geotechnical investigations to proceed.

For these reasons, I urge you not to adopt the MND or approve the geotechnical investigation project. Please add my name and my family to the notice list for this project. We live in Milpitas and this is especially concerning regarding the cost.

Thank you for considering my comments.

Barjinder Minhas

Sent from my iPhone

From: [Brad Lawler](#)
To: [Todd Sexauer](#)
Subject: Pacheco Dam Project
Date: Friday, July 12, 2024 6:17:02 PM

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Dear Mr. Sexauer:

I am writing to share my concerns regarding the Pacheco Dam Project.

I (we) do not support the Pacheco Dam project that the investigations are intended to support. This controversial new dam project would be environmentally damaging and is also not affordable for Valley Water ratepayers. Instead, Valley Water should be working to secure water supplies by doing more groundwater recharge, recycling and reusing wastewater, capturing and treating stormwater, and undertaking other water conservation measures. In addition, Valley Water's existing reservoirs need to be maintained and improved to meet current standards. To the extent additional water storage is needed, reservoir expansion projects already underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to occur and are a better investment and would be more likely to provide a measure of climate resilience for Valley Water.

Pacheco Pass is an unsuitable location for a new dam, which is exhibited by the fact that plans for a new dam in this area have never progressed. This area designated for the new Pacheco Dam is geotechnically unstable, which is one reason the existing small dam operated by the Pacheco Pass Water District has been declared unsafe by the Division of Dam Safety. Building another larger dam in this same area would be terribly expensive and risky, with potentially catastrophic consequences in the event of an earthquake.

With respect to the geotechnical investigations proposed to begin this summer, I have the following comments:

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- The MND fails to account for the full extent of disturbance caused by use of trucks and helicopters to conduct hundreds of "rig days" over the course of 1-2 years. The project area serves as an important wildlife corridor that would be disturbed by the project's noisy activities.

- The mitigation and other measures provided in the MND are inadequate to mitigate the identified impacts to less than significant levels. As a result, a full environmental analysis would be necessary for the geotechnical investigations to proceed.

For these reasons, I urge you not to adopt the MND or approve the geotechnical investigation project. Please add my name to the notice list for this project.

Thank you for considering my comments.

--

Brad Lawler

[REDACTED]

[LinkedIn](#)

From: [david.kennedy](#)
To: [Todd Sexauer](#)
Subject: A San Jose citizens reaction to the Draft Initial Study and Mitigated Negative Declaration
Date: Wednesday, July 17, 2024 12:44:32 PM

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

July 17, 2024

Santa Clara Valley Water District
Attention: Todd Sexauer
5750 Almaden Expressway
San Jose, CA 95118

RE: Draft Initial Study and Mitigated Negative Declaration for the Design Level Geotechnical Investigations for the Pacheco Dam Project

Dear Mr. Sexauer:

I have been against this project since the beginning!

I am writing to share my concerns regarding the Draft Initial Study and Mitigated Negative Declaration (“MND”) prepared by the Santa Clara Valley Water District (“Valley Water”) for the Design Level Geotechnical Investigations for the Pacheco Dam Project.

I (we) do not support the Pacheco Dam project that the investigations are intended to support. This controversial new dam project would be environmentally damaging and is also not affordable for Valley Water ratepayers. Instead, Valley Water should be working to secure water supplies by doing more groundwater recharge, recycling and reusing wastewater, capturing and treating stormwater, and undertaking other water conservation measures. In addition, Valley Water’s existing reservoirs need to be maintained and improved to meet current standards. To the extent additional water storage is needed, reservoir expansion projects already underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to occur and are a better investment and would be more likely to provide a measure of climate resilience for Valley Water.

Pacheco Pass is an unsuitable location for a new dam, which is exhibited by the fact that plans for a new dam in this area have never progressed. This area designated for the new Pacheco Dam is geotechnically unstable, which is one reason the existing small dam operated by the Pacheco Pass Water District has been declared unsafe by the Division of Dam Safety. Building another larger dam in this same area would be terribly expensive and risky, with potentially catastrophic consequences in the event of an earthquake.

With respect to the geotechnical investigations proposed to begin this summer, I have the following comments:

- The MND fails to disclose the full range of likely impacts from drilling 149 borings, digging 27 test pits and conducting other invasive tests in this rural wildlife-rich area. The project area includes important habitat for Bald eagles, Golden eagles, Monarch butterflies, California condors and other animals.
- The MND fails to account for the full extent of disturbance caused by use of trucks and helicopters to conduct hundreds of “rig days” over the course of 1-2 years. The project area serves as an important wildlife corridor that would be disturbed by the project’s noisy activities.
- The mitigation and other measures provided in the MND are inadequate to mitigate the identified impacts to less than significant levels. As a result, a full environmental analysis would be necessary for the geotechnical investigations to proceed.

For these reasons, I urge you not to adopt the MND or approve the geotechnical investigation project. Please add my name to the notice list for this project.

Thank you for considering my comments.

David Kennedy



From: [RingCentral](#)
To: [Todd Sexauer](#)
Subject: New Voice Message from DAVID MATTHEWS [REDACTED] on 07/17/2024 1:18 PM
Date: Wednesday, July 17, 2024 1:19:04 PM
Attachments: [REDACTED]-0717-131828.mp3

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Voice Message

Dear Todd Sexauer,

You have a new voice message:

From: DAVID MATTHEWS (408) 710-0857
Received: Wednesday, July 17, 2024 at 1:18 PM
Length: 00:59
To: (408) 630-3149 Todd Sexauer

Vocicemail Preview:

"Hi, Todd. My name is David Matthews and I live in Gilroy and it is I am someone who has a former district employee, but also somebody who is kind of tracking the progress of the reservoir expansion project. I am curious in the geotechnical M D that is out for review now. It says there is a hard copy at the Gilroy Public Library or it certainly intimates that there is, but there is not there is a you S B, which I am hard pressed to know why that would be an advantage to the version that is online anyway, if you have any thoughts on that or could tell me if there is indeed a hard copy somewhere in Gilroy. That would be great. I am at [REDACTED]. Thank you, bye."

Listen to this voicemail over your phone or by opening the attached sound file. You can also sign in to your [RingCentral account](#) with your main number, extension number, and password to manage and listen to voicemails.

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From: [Diana Henderson](#)
To: [Todd Sexauer](#)
Subject: Design Level Geotechnical Investigations for the Pacheco Reservoir Expansion Project
Date: Friday, July 19, 2024 1:55:52 PM

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Hello Mr Sexauer

This is my public comment for the subject above.

As I review the documents I notice that they paint a rosy picture of the investigative boring process and the ability to mitigate biological impacts. And throughout, all I could think was why. Why a dam, here and now?

In a day and age where we are truly beginning to understand the negative long-term effects to wildlife due to damming rivers, adding a dam appears to fly in the face of reason. Dams are currently being removed due to their detrimental effects.

I am not sure that any amount of justification to study the impacts of building a dam makes any sense if the dam isn't providing some overwhelming benefit or fulfilling a need for the region. Especially if the cost of the dam

I do not support the Pacheco Dam project that the investigations are intended to support. This controversial new dam project would be environmentally damaging and is also not affordable for Valley Water ratepayers. Instead, Valley Water should be working to secure water supplies by doing more groundwater recharge, recycling and reusing wastewater, capturing and treating stormwater, and undertaking other water conservation measures. In addition, Valley Water's existing reservoirs need to be maintained and improved to meet current standards. To the extent additional water storage is needed, reservoir expansion projects already underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to occur and are a better investment and would be more likely to provide a measure of climate resilience for Valley Water.

Pacheco Pass is an unsuitable location for a new dam, which is exhibited by the fact that plans for a new dam in this area have never progressed. This area designated for the new Pacheco Dam is geotechnically unstable, which is one reason the existing small dam operated by the Pacheco Pass Water District has been declared unsafe by the Division of Dam Safety. Building another larger dam in this same area would be terribly expensive and risky, with potentially catastrophic consequences in the event of an earthquake.

With respect to the geotechnical investigations proposed to begin this summer, I have the following comments:

- The MND fails to disclose the full range of likely impacts from drilling 149 borings, digging 27 test pits and conducting other invasive tests in this rural wildlife-rich area. The project area includes important habitat for Bald eagles, Golden eagles, Monarch butterflies, California condors and other animals.
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- The mitigation and other measures provided in the MND are inadequate to mitigate the identified impacts to less than significant levels. As a result, a full environmental analysis would be necessary for the geotechnical investigations to proceed.

For these reasons, I urge you not to adopt the MND or approve the geotechnical investigation project. Please add my name to the notice list for this project.

Thank you for considering my comments.

Diana Henderson



From: [james.rogers](#)
To: [Todd Sexauer](#)
Subject: Pacheco Dam comments
Date: Thursday, July 18, 2024 12:54:11 PM

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

July 18, 2024

Tsexauer@valleywater.org

Santa Clara Valley Water District
Attention: Todd Sexauer
5750 Almaden Expressway
San Jose, CA 95118

**RE: Draft Initial Study and Mitigated Negative Declaration for the
Design Level Geotechnical Investigations for the Pacheco Dam
Project**

Dear Mr. Sexauer:

We are writing to share our concerns regarding the Draft Initial Study and Mitigated Negative Declaration (“MND”) prepared by the Santa Clara Valley Water District (“Valley Water”) for the Design Level Geotechnical Investigations for the Pacheco Dam Project.

We do not support the Pacheco Dam project that the investigations are intended to support. This controversial new dam project is would be environmentally damaging and is also not affordable for Valley Water ratepayers. Instead, Valley Water should be working to secure water supplies by doing more groundwater recharge, recycling and reusing wastewater, capturing and treating stormwater, and undertaking other water conservation measures. In addition, Valley Water’s existing reservoirs need to be maintained and improved to meet current standards. To the extent additional water storage is needed, reservoir expansion projects already underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to occur and are a better investment and would be

more likely to provide a measure of climate resilience for Valley Water.

Pacheco Pass is an unsuitable location for a new dam, which is exhibited by the fact that plans for a new dam in this area have never progressed. This area designated for the new Pacheco Dam is geotechnically unstable, which is one reason the existing small dam operated by the Pacheco Pass Water District has been declared unsafe by the Division of Dam Safety. Building another larger dam in this same area would be terribly expensive and risky, with potentially catastrophic consequences in the event of an earthquake. We live in Gilroy and are very familiar with the Pacheco Pass area having visited Pacheco State Park many times. The traffic burden on Hwy. 152 between Gilroy and Casa DeFruta is already severe and dangerous.

With respect to the geotechnical investigations proposed to begin this summer, I have the following comments:

- The MND fails to disclose the full range of likely impacts from drilling 149 borings, digging 27 test pits and conducting other invasive tests in this rural wildlife-rich area. The project area includes important habitat for Bald eagles, Golden eagles, Monarch butterflies, California condors and other animals.
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- The mitigation and other measures provided in the MND are inadequate to mitigate the identified impacts to less than significant levels. As a result, a full environmental analysis would be necessary for the geotechnical investigations to proceed.

For these reasons, we urge you not to adopt the MND or approve the

geotechnical investigation project. Please add our names to the notice list for this project.

Thank you for considering our comments.

Jim and Connie Rogers

[REDACTED]

Gilroy, CA 95020

[REDACTED]

From: [Karen Phillips](#)
To: [Todd Sexauer](#)
Subject: Public comment on the Design Level Geotechnical Investigations for the Pacheco Dam Project
Date: Friday, July 12, 2024 4:51:59 PM

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July ___, 2024

Tsexauer@valleywater.org
Santa Clara Valley Water District
Attention: Todd Sexauer
5750 Almaden Expressway
San Jose, CA 95118

RE: Draft Initial Study and Mitigated Negative Declaration for the
Design Level Geotechnical Investigations for the Pacheco Dam Project

Dear Mr. Sexauer:

I am writing to share my concerns regarding the Draft Initial Study and Mitigated Negative Declaration (“MND”) prepared by the Santa Clara Valley Water District (“Valley Water”) for the Design Level Geotechnical Investigations for the Pacheco Dam Project.

I do not support the Pacheco Dam project that the investigations are intended to support. This controversial new dam project is would be environmentally damaging and is also not affordable for Valley Water ratepayers. Instead, Valley Water should be working to secure water supplies by doing more groundwater recharge, recycling and reusing wastewater, capturing and treating stormwater, and undertaking other water conservation measures. In addition, Valley Water’s existing reservoirs need to be maintained and improved to meet current standards. To the extent additional water storage is needed, reservoir expansion projects already underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to occur and are a better investment and would be more likely to provide a measure of climate resilience for Valley Water.

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The mitigation and other measures provided in the MND are inadequate to mitigate the identified impacts to less than significant levels. As a result, a full environmental analysis would be necessary for the geotechnical investigations to proceed.

For these reasons, I urge you not to adopt the MND and approve the geotechnical investigation project. Please add my name to the notice list for this project.

Thank you for considering my comments.

Karen A. Phillips



From: lisa.cordray
To: [Todd Sexauer](mailto:Tsexauer@valleywater.org)
Subject: Draft Initial Study and Mitigated Negative Declaration for the Design Level Geotechnical Investigations for the Pacheco Dam Project
Date: Saturday, July 13, 2024 10:39:54 AM

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July 13, 2024

Tsexauer@valleywater.org
Santa Clara Valley Water District
Attention: Todd Sexauer
5750 Almaden Expressway
San Jose, CA 95118

RE: Draft Initial Study and Mitigated Negative Declaration for the Design Level Geotechnical Investigations for the Pacheco Dam Project

Dear Mr. Sexauer:

I am writing to share my concerns regarding the Draft Initial Study and Mitigated Negative Declaration (“MND”) prepared by the Santa Clara Valley Water District (“Valley Water”) for the Design Level Geotechnical Investigations for the Pacheco Dam Project.

I do not support the Pacheco Dam project that the investigations are intended to support. This controversial new dam project is would be environmentally damaging and is also not affordable for Valley Water ratepayers. Instead, Valley Water should be working to secure water supplies by doing more groundwater recharge, recycling and reusing wastewater, capturing and treating stormwater, and undertaking other water conservation measures. In addition, Valley Water’s existing reservoirs need to be maintained and improved to meet current standards. To the extent additional water storage is needed, reservoir expansion projects already underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to occur and are a better investment and would be more likely to provide a measure of climate resilience for Valley Water.

Pacheco Pass is an unsuitable location for a new dam, which is exhibited by the fact that plans for a new dam in this area have never progressed. This area designated for the new Pacheco Dam is geotechnically unstable, which is one reason the existing small dam operated by the Pacheco Pass Water District has been declared unsafe by the Division of Dam Safety. Building another larger dam in this same area would be terribly expensive and risky, with potentially catastrophic consequences in the event of an earthquake.

With respect to the geotechnical investigations proposed to begin this summer, I have the following comments:

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- The mitigation and other measures provided in the MND are inadequate to mitigate the identified impacts to less than significant levels. As a result, a full environmental analysis would be necessary for the geotechnical investigations to proceed.

For these reasons, I urge you not to adopt the MND or approve the geotechnical investigation project. Please add my name to the notice list for this project.

Thank you for considering my comments.

Lisa Cordray



From: [Michelle MacKenzie](#)
To: [Todd Sexauer](#)
Subject: Draft Initial Study and Mitigated Negative Declaration for the Design Level Geotechnical Investigations for the Pacheco Dam
Date: Wednesday, July 17, 2024 10:52:55 PM

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

I write regarding the referenced Declaration (“MND”), which is for the Pacheco Dam Project. I oppose the Project.

I am very concerned about this proposed project as it would cause great environmental damage. Oak and sycamore woodlands such as the one which would be flooded are more and more rare in California. These lands provide important habitat to Bay Area wildlife, including eagles, condor, Tule Elk and much much more. This habitat would be lost to flooding if the dam is built and the MND does not fully disclose the likely impacts of drilling, digging and other invasive tests. The MND does not fully disclose the full impact of the disturbance by helicopters and trucks during construction on this important wildlife corridor. The measures proposed to mitigate impacts are not sufficient.

Instead of wasting the Valley Water ratepayers money on this unaffordable project, Valley Water should work, instead, on other conservation measures, recharging groundwater, capturing stormwater, and recycling wastewater. Moreover, existing reservoirs need to be maintained and improved to meet current standards. If more water storage is actually needed, reservoir expansion projects already underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to occur and are a better investment and would be more likely to provide a measure of climate resilience for Valley Water.

For the foregoing reasons, I oppose the Project. Please add my name to the notice list for this project.

Sincerely

Michelle Mackenzie


From: [Rick Lanman](#)
To: [Todd Sexauer](#)
Cc: [Rebecca Eisenberg](#)
Subject: Comments on Draft Initial Study and Mitigated Negative Declaration (IS/MND) for new Pacheco Dam
Date: Wednesday, July 3, 2024 11:44:01 AM

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

I reviewed the Draft IS/MND and find it to be inaccurate and misleading.

First, to argue that the Pacheco Dam Expansion Project will "improve habitat for South Central Coast Steelhead" on page 2-1 is dishonest. The dam will block 12 miles of historical habitat for this federally threatened anadromous fish on the North Fork Pacheco Creek mainstem. Secondly the reservoir's releases of perennial flows will create deadly habitat below the dam as it will harbor predators of juvenile steelhead trout such as largemouth bass and American bullfrogs. Above the dam, the reservoir will create warmwater refugia that will harbor these non-native and others harmful not only to trout but to federally listed California red-legged frog, foothill yellow-legged frog and perhaps tiger salamanders. Reservoirs inevitably acquire non-native species over time, to the detriment of listed native fish and amphibians.

Second it is misleading to describe the danger to California sycamore woodland as a tiny 0.57 acre area inundated by the new Pacheco dam. There are over 135 acres downstream that would be destroyed by the dam, about 7% of all the Central California Sycamore Alluvial Woodland in the state off California. (Keeler-Wolf et al. 1998). Without large winter flooding events extensive sensitive natural sycamore woodland communities will be destroyed. In fact, the "One Water Upper Pajaro Watershed Plan" (OWUPWP) on page 20 highlights "Pacheco Creek has one of the largest and highest quality strands of remaining sycamore alluvial woodland in the state, a CDFW-designated sensitive natural community. SAW is characterized by open canopy woodlands dominated by California sycamore. SAW cannot persist without the associated natural hydrology and channel forming flows and scour that historically characterized many of the creeks in the foothills of the watershed." Sycamore woodlands need floods to survive. Downstream flooding could be most economically managed by a natural existing floodwater retention basin, San Felipe Lake. Sadly, that lake is now 50% of its historical size. Simply restoring its size would likely contain most floods, while preserving a critical waterfowl and other bird migratory area which also contains listed steelhead trout, occasional California Coastal Chinook salmon, and multiple listed amphibians.

North Fork Pacheco Creek, where a new Pacheco Dam is contemplated, will continue to damage steelhead trout, and a new reservoir will become a source of non-native species both within and below it. North Fork Pacheco Creek and the Pacheco Creek mainstem should be maintained as unimpeded, seasonal, natural streams.

Thank you for your consideration,

Rick

Rick Lanman MD
The Institute for Historical Ecology



Los Altos, California



[Bio](#) and [Pubs](#)

From: [Seth Adams](#)
To: [Rick Lanman](#)
Cc: [Todd Sexauer](#); [Rebecca Eisenberg](#)
Subject: Re: Comments on Draft Initial Study and Mitigated Negative Declaration (IS/MND) for new Pacheco Dam
Date: Wednesday, July 3, 2024 1:28:16 PM

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Thanks for the comment.

Juan Pablo, pls update me on the project/check in with the coalition.

Thanks,

Seth

Sent from my iPhone

On Jul 3, 2024, at 11:43 AM, Rick Lanman [REDACTED] > wrote:

I reviewed the Draft IS/MND and find it to be inaccurate and misleading.

First, to argue that the Pacheco Dam Expansion Project will "improve habitat for South Central Coast Steelhead" on page 2-1 is dishonest. The dam will block 12 miles of historical habitat for this federally threatened anadromous fish on the North Fork Pacheco Creek mainstem. Secondly the reservoir's releases of perennial flows will create deadly habitat below the dam as it will harbor predators of juvenile steelhead trout such as largemouth bass and American bullfrogs. Above the dam, the reservoir will create warmwater refugia that will harbor these non-native and others harmful not only to trout but to federally listed California red-legged frog, foothill yellow-legged frog and perhaps tiger salamanders. Reservoirs inevitably acquire non-native species over time, to the detriment of listed native fish and amphibians.

Second it is misleading to describe the danger to California sycamore woodland as a tiny 0.57 acre area inundated by the new Pacheco dam. There are over 135 acres downstream that would be destroyed by the dam, about 7% of all the Central California Sycamore Alluvial Woodland in the state off California. (Keeler-Wolf et al. 1998). Without large winter flooding events extensive sensitive natural sycamore woodland communities will be destroyed. In fact, the "One Water Upper Pajaro Watershed Plan" (OWUPWP) on page 20 highlights "Pacheco Creek has one of the largest and highest quality strands of remaining sycamore alluvial woodland in the state, a CDFW-designated sensitive natural community. SAW is characterized by open canopy woodlands dominated by

California sycamore. SAW cannot persist without the associated natural hydrology and channel forming flows and scour that historically characterized many of the creeks in the foothills of the watershed." Sycamore woodlands need floods to survive. Downstream flooding could be most economically managed by a natural existing floodwater retention basin, San Felipe Lake. Sadly, that lake is now 50% of its historical size. Simply restoring its size would likely contain most floods, while preserving a critical waterfowl and other bird migratory area which also contains listed steelhead trout, occasional California Coastal Chinook salmon, and multiple listed amphibians.

North Fork Pacheco Creek, where a new Pacheco Dam is contemplated, will continue to damage steelhead trout, and a new reservoir will become a source of non-native species both within and below it. North Fork Pacheco Creek and the Pacheco Creek mainstem should be maintained as unimpeded, seasonal, natural streams.

Thank you for your consideration,

Rick

Rick Lanman MD
The Institute for Historical Ecology



Los Altos, California



[Bio](#) and [Pubs](#)

From: [Sofia Prado-Irwin](#)
To: [Todd Sexauer](#)
Cc: janndorman@friendsoftheriver.org; judy@fenerty.com
Subject: Design Level Geotechnical Investigations for the Pacheco Reservoir Expansion Project (SCH No. 2024060688)
Date: Friday, July 19, 2024 2:16:51 PM
Attachments: [Exhibit A - Intense heat has Lake Shasta water disappearing into thin air.pdf](#)
[24.07.19 CBD-FOR-CNPS Comments Pacheco Geotech MND.pdf](#)

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Good afternoon Mr. Sexauer,

Please accept these comments (attached) submitted on behalf of the Center for Biological Diversity, Friends of the River, and the Santa Clara Valley Chapter of the California Native Plant Society regarding the Draft Initial Study and Mitigated Negative Declaration for the Design Level Geotechnical Investigations for the Pacheco Reservoir Expansion Project (SCH No. 2024060688). Please confirm receipt of the attached letter and Exhibit A.

Thank you,

Sofia Prado-Irwin, PhD
[pronouns](#): she/her/hers
Staff Scientist
Urban Wildlands Program
Center for Biological Diversity
spradoirwin@biologicaldiversity.org
(510) 844-7100 x548



Santa Clara Valley Chapter
CALIFORNIA NATIVE PLANT SOCIETY



Via Email: Tsexauer@valleywater.org

Todd Sexauer
Santa Clara Valley Water District
Attention: Todd Sexauer
5750 Almaden Expressway
San Jose, CA 95118

RE: Draft Initial Study and Mitigated Negative Declaration for the Design Level Geotechnical Investigations for the Pacheco Dam Project

Dear Mr. Sexauer:

We are writing to share our concerns regarding the Draft Initial Study and Mitigated Negative Declaration (“MND”) prepared by the Santa Clara Valley Water District (“Valley Water”) for the Design Level Geotechnical Investigations for the Pacheco Dam Project (“Dam Project”). The following comments are submitted on behalf of the Center for Biological Diversity, Friends of the River, and Save Mount Diablo. The MND fails to adequately analyze and mitigate impacts related to wildlife connectivity, plant and animal species, oaks and oak woodlands, vegetation communities, greenhouse gas emissions, and wildfire among other impacts.

We do not support the controversial new Dam Project that the investigations are intended to support. Valley Water has already spent tens of millions of dollars, countless staff hours, and numerous board meetings pursuing the Dam Project. However, the time and resources spent so far has amounted to only an infeasible dam design with no other water agencies willing to financially participate in the project. We continue to be concerned that dams are not the best way to secure water supplies for the future. Evaporation rates from reservoirs, among other problems, show the Pacheco dam would lose a large portion of the water stored in it if it was ever built. Evaporation rates will only increase with warming temperatures. (See Record Searchlight article attached as Exhibit A.)

Instead of a new dam, Valley Water should be working to secure water supplies by developing more groundwater recharge, recycling and reusing wastewater, capturing and treating stormwater, and undertaking other water conservation measures. In addition, Valley Water’s existing reservoirs also need to be maintained and improved to meet current standards. To the extent additional water storage is needed, expansion projects already

underway at San Luis Reservoir and Los Vaqueros Reservoir are more likely to be built and would be more likely to provide a measure of climate resilience for Valley Water.

The need for yet another round of geotechnical investigations is further evidence that Pacheco Pass is an unsuitable location for a new dam. This unsuitability is exhibited by the fact that plans for a new dam in this area, despite being discussed for decades, have never progressed. Building another larger dam in this same area would be terribly expensive and risky, with potentially catastrophic consequences, and has the potential to provide only minimal water supply benefits.

The Dam Project would inundate over 1,500 acres of privately owned land, as well as part of Henry Coe State Park, interfering with important habitat corridors. Additionally, the dam would not always be at full capacity, creating a bathtub ring effect, which ultimately kills vegetation in the inundated area and leaves the land barren when the water recedes, destroying the natural and scenic nature of the area. Greenhouse gas emissions from dams are also a major contributor to climate change, and scientists have found that dams and reservoirs contribute substantial amounts of GHGs into the atmosphere.

The drilling activities proposed in the MND should be evaluated together with the larger Dam Project, which is only referenced in passing in the MND. (MND, p. 2-1.) The attempt to isolate these geotechnical investigations from the overall Dam Project minimizes the impact the overall project would have on the environment in violation of the California Environmental Quality Act (CEQA). Valley Water cannot piecemeal the proposed geotechnical soil investigations from the Dam Project slated to be analyzed in a Revised Draft Environmental Impact Report/Draft Environmental Impact Statement released in 2025. Future actions related to the proposed project must be considered if those actions are a “reasonably foreseeable consequence of the initial project” and “the action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects.” (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 395.)

With respect to the specific geotechnical investigations described in the MND, we have the following specific comments:

- The MND fails to disclose the full range of likely impacts from drilling 149 borings, digging 27 test pits and conducting other invasive tests in this rural wildlife-rich area. The project area includes important habitat for Bald eagles, Golden eagles, Monarch butterflies, California condors and other animals, many of which have special status under the state and federal Endangered Species Acts. (MND, Table 4.4-3.)
- The MND fails to account for the full extent of disturbance caused by use of trucks and helicopters to conduct investigations during hundreds of “rig days”, among other

disturbances, over the course of 2 seasons. (MND, Table 2-5.) Important habitat and wildlife corridors would be disturbed by the project's noisy and intrusive activities.

- The mitigation and other measures provided in the MND are inadequate to mitigate the identified impacts to less than significant levels. In addition, the reliance on a combination of mitigation measures, best management practices (BMPs) and avoidance and minimization measures (AMMs) makes enforceability and tracking of project mitigation unclear; adequate justification for the MND's less than significant impact determinations is lacking.
- The MND fails to state which portions of the project area were inaccessible to botanists and fails to map all special-status plants. Even the plants that are identified lack the necessary information to assess the impacts of the project. Therefore, it is impossible for the public to understand which areas were not surveyed and how accurate the MND is in portraying the environmental setting.

For these and other reasons provided in public comments, we urge you not to adopt the MND or approve the geotechnical investigation project. Should the geotechnical investigations proceed, preparation of a full environmental impact report would be necessary. Please ensure that each of our organizations are included in the notice list for this project.

Thank you for considering our comments.

Very truly yours,

CENTER FOR BIOLOGICAL DIVERSITY



By:

Sofia Prado-Irwin, Ph.D.
Scientist

FRIENDS OF THE RIVER



By:

Jann Dorman
Executive Director

Santa Clara Valley Water District
July 19, 2024
Page 4 of 4

SANTA CLARA VALLEY CHAPTER
CALIFORNIA NATIVE PLANT SOCIETY

By: 
Judy Fenerty
Conservation Chair

Exhibit A Record Searchlight, Billions of gallons of water from Lake Shasta disappearing
into thin air, July 11, 2024

From: [Teddy Goodrich](#)
To: [Todd Sexauer](#)
Subject: Pacheco Dam
Date: Sunday, July 14, 2024 2:29:46 PM

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My reasons for opposing this ridiculous water storage are numerous, but since you probably only count numbers in favor or opposed, count me as opposed.

Environmentally destructive, dated and inefficient method of storing water, etc. etc. etc.

Teddy Goodrich
