



SIERRA CLUB

LOMA PRIETA CHAPTER

SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

March 15, 2022

Valley Water Board of Directors
5750 Almaden Expressway
San Jose, CA 95118

Via email to: board@valleywater.org; clerkoftheboard@valleywater.org

Re: March 16, 2022 Special Board Meeting Agenda Item 2.5, Board Chairperson Gary Kremen's March 2, 2022 Statement

Dear Board Members,

We understand that the Valley Water Board will consider the appropriate scope of investigation(s) (if any) related to Chairperson Kremen's March 2, 2022, statement at its March 16, 2022 Special Meeting. These comments are intended to assist the Board in making a determination as to the appropriate scope of the investigation.

Over the past several years, the Sierra Club and other environmental organizations have experienced and witnessed disrespectful treatment from Director Gary Kremen towards environmental advocates. We feel the need to bring forward our concerns resulting from these negative experiences in relation to the subject agenda item. As a result, we believe that the investigation should also include Chairperson Kremen's failure to treat members of the public with respect, which has stifled public participation and debate at District meetings.

In our experience, it is highly unusual and improper for an elected Board member to provide negative retorts to public comments made in good faith according to the posted agenda. Chairperson Kremen, however, has repeatedly made negative comments in response to our participation in District meetings, including making personal attacks. As a result of Chairperson Kremen's actions on the dais, some advocates are now reluctant to make public comments at Valley Water Board meetings at all for fear of public reprisal.

Environmental stakeholders are the primary NGOs providing input for Valley Water studies, policies and programs and should be treated with respect, as is generally the case with Valley Water's other Board members. Constituents and stakeholders expect their representatives in power to treat people graciously and to encourage public participation, not intimidate staff or members of the public. Something needs to be done to improve the tone and attitude Director Kremen has exhibited towards those with whom he disagrees. For example, Restore the Delta has worked successfully with other

Valley Board members, despite disagreeing on the tunnel project, because we all treat each other with respect and good will. Sadly, we no longer interact with the Board due to Director Kremen's direct attacks on Restore the Delta staff.

We note that at the Board's March 22, 2022 meeting, item 3.1 will consider the adoption of an Ordinance of Santa Clara Valley Water District Specifying Rules of Decorum in the Participation of Board and Committee Meetings. The purpose of the Ordinance includes "enhancing civility and decorum" and avoiding "an atmosphere in Meetings that: is uncivil, threatening, and disrespectful; stifles public participation and debate; threatens the quality of decision making; or otherwise undermines the democratic process." We believe these principles should be equally applicable to the Board as to participating members of the public.

We are prepared to provide information about specific instances when environmental advocates were not treated with respect, thereby stifling public participation and debate at Valley Water Board meetings, as well as to make suggestions for how to improve the decorum on the dais in the future.

Sincerely,



Katja Irvin
Water Committee Chair
Sierra Club Loma Prieta Chapter



Brandon Dawson
Director
Sierra Club California



Barbara Barrigan-Parrilla
Executive Director
Restore the Delta