

**EBMUD/EBRPD
LIAISON COMMITTEE MEETING
Thursday, October 29, 2009
2:00 p.m.**

EBMUD Headquarters Building
375 11th Street
Oakland, CA

Agenda

<u>Topic</u>	<u>Status</u>
1. San Pablo Dam/Kennedy Grove	(EBMUD/EBRPD) I
2. Summit Reservoir	(EBMUD) I
3. Long Term Water Supply Update	(EBMUD) I
4. Invasive Mussel Prevention Program	(EBMUD/EBRPD) I
5. Pinole Valley Mitigation Bank	(EBMUD) I
6. Public Comment	
7. Confirm Next Meeting	
(I) Information	
(D) Discussion	
(R) Recommendation	

Distribution List

Packets:

Directors: John Sutter, Doug Siden
Pat O'Brien, General Manager
Rosemary Cameron, AGM, Public Affairs
Allen Pulido, Clerk of the Board
Jack Kenny, Chief, Park Operations

Agenda Only:

AGM's
Dave Kalahela, President, Local 2428
Yolande Barial, Clerk of the Board's Office

AGENDA
REGULAR MEETING
BOARD OF BOARD MEMBERS

EAST BAY REGIONAL PARK DISTRICT

January 12, 2010

D. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

- a. EBMUD/EBRPD Liaison Committee (10/29/09) (Siden)

Attendees:

EBMUD

Board Members: Andy Katz, Bill Patterson

Staff:

Alex Coate, Director Water & Natural Resources; Dennis M. Diemer, General Manager; Cheryl A. Farr, Special Assistant to the General Manager; Elizabeth Bialek, Manager of Engineering Services; Xavier Irias, Director of Engineering; Richard Sykes, Manager of Natural Resources
Bill Maggiore, Project Manager; Bill Kirkpatrick, Senior Civil Engineer

Park District:

Board Members: Doug Siden

Staff:

Rosemary Cameron, AGM, Public Affairs; Jack Kenny, Chief of Parks; Sue Rogers, Confidential Secretary

Guests:

None

EBMUD Board Member Bill Patterson called the meeting to order at 2:05 p.m. at the East Bay Municipal Utility District (EBMUD) Headquarters Bldg., Training Room, 375 11th Street, Oakland.

Public Comments: None

I. San Pablo Dam Seismic Upgrades Project

EBMUD Engineering Manager, Elizabeth Bialek provided an update and current photos of the San Pablo Dam Seismic Upgrade project. The bulk of the project will be completed in mid-November and work will continue through spring 2010 to do miscellaneous instrumentation and other small trenches. The 24-hour per day Monday through Friday and 20 hour Saturday schedule led to the timely completion of the cement deep soil mixing work. Current work hours are Monday through Friday, 7:00 a.m. to 7:00 p.m.

EBRPD staff continues to work closely with EBMUD contractors and community relations staff. Park access road closures/detours continue to work successfully as planned with San Pablo Dam access road open on weekends and major holidays. EBRPD Chief of Parks Jack Kenny agreed the coordination and cooperation between EBMUD and EBRPD has worked out very well and the impact on park visitors has been minimal.

EBMUD continues to do community outreach throughout this project which is scheduled to complete in May of 2010.

In September 2009, EBMUD completed the design of environmental mitigations for the project which will be awarded in December. Red-Legged Frog and Alameda Whipsnake as well as general wetland habitats are to be constructed at the Pavon Creeks area of Pinole Valley and at the Scow Canyon borrow area sites in accordance with environmental permits. EBMUD will also be working with local cities to arrange for plantings in the San Pablo Creek Watershed and with a local conservation group, SPAWNERS, to restore and enhance select areas in the San Pablo Creek watershed.

EBRPD AGM Public Affairs Rosemary Cameron congratulated the EBMUD staff for this successful project being completed on time and on budget. EBMUD Special Assistant to the General Manager Cheryl Farr stated that EBMUD had recently won the ASCE Geotech Project of the Year Award based on minimizing environmental impact and cost effectiveness.

Mr. Kenny asked when EBMUD would raise the level of the reservoir. EBMUD Director of Engineering Xavier Irias responded that they did not know at this time. They need to analyze strength data and they expect the DSOD will agree that early strength was achieved far beyond what was needed in the design.

2. Summit Reservoir Replacement Project

EBMUD Project Manager, Bill Magiori briefed the group on the new Summit Reservoir Replacement Project and its location. Summit Reservoir is located in the cities of Berkeley and Kensington, near the intersection of Spruce Street and Grizzly Peak Boulevard near an entrance to Tilden Regional Park. Originally built in the 1890s as an uncovered reservoir, Summit Reservoir, with a capacity of 37 million gallons, has gone through several transitions, including the addition of a roof, over the last century. Major maintenance work is required to remove non-soluble contaminants in the existing reservoir liner caulking materials by about 2015 per an agreement with the Alameda County District Attorney's Office. Additionally, Summit Reservoir is larger than necessary for the area it serves. These factors, combined with its age, create operational, water quality, and maintenance challenges. EBMUD engineering studies are complete and conclude that the most cost-effective solution is to replace the existing reservoir with one or two new concrete tanks with a total storage capacity of up to 5 million gallons. Two on-site pumping plants to the west of the existing reservoir have reached the end of their useful lives and will also be replaced as part of the project.

The Summit Reservoir Replacement Project is currently in the early phases of planning and community and stakeholder outreach to develop a preferred design alternative for the site.

Stakeholder outreach will continue through the early spring of 2010, and the California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) process is scheduled to commence shortly thereafter.

Mindful that the project's proximity to Tilden may have issues and concerns for the Park District, EBMUD staff has been in communication with the EBRPD Parkland Unit Manager, Jeff Wilson. EBMUD staff has indicated that the project will not affect the park's water supply, fire flow protection, or create significant impacts to park visitor access. In addition, a drain on the site that runs to Canon Drive will be considered during the site planning and monitored during construction.

EBMUD staff plans to follow up with EBRPD staff once the site plan is developed and prior to starting the CEQA process, in March of 2010.

EBMUD will continue stakeholder and community outreach. The final EIR certification is planned for spring of 2011 with the completed design scheduled for summer of 2012 and construction to begin in fall of 2013. It is estimated the construction will take approximately three years.

EBRPD Director Doug Siden commented on the difference between the footprint of the existing reservoir and the smaller size of the projected water tank(s) in the plan and asked how EBMUD plans to utilize the land that is being vacated. Mr. Magiori answered that the open space could be used as berms or by putting fill against the tank(s) to partially bury them. A new storm water permit may require that some open space be available to deal with storm water. EBMUD Director Andy Katz added that at the recent public meeting they were encouraged to use some of the street-facing frontage to have a green tree-lined atmosphere. EBMUD General Manager, Dennis Diemer asked how large the site is and Mr. Magiori stated it is roughly 20 acres.

3. EBMUD Long-Term Water Supply Update

EBMUD Director of Water and Natural Resources Alex Coate updated the group on EBMUD's continued development of its long-term Water Supply Management Program through the year 2040 (WSMP 2040). The Final Programmatic Environmental Impact Report and Plan were published on October 1st and the EBMUD Board respectively certified and approved them on October 13th. The plan contains a preferred portfolio of projects which includes; a combination of conservation and recycling, rationing in dry years, as well as supplemental supply projects that will be pursued over the next 30 years to meet customer demands.

EBMUD expects to emphasize conservation while exploring water recycling, transfers, and regional partnerships involving desalination, groundwater and surface storage projects. During the next few years EBMUD will be doing planning work and it will be some time before additional CEQA documentation for design or construction will be required. This is the beginning of the next long planning project. EBRPD General Manager, Dennis Diemer added that each piece of the plan will require its own CEQA.

EBRPD Board Vice President Doug Siden commented that the meetings that EBMUD Board members Bill Patterson and Doug Linney held provided a helpful interpretation of this project. As the President of the Alameda County Special District Association he will work with EBMUD Senior Community Affairs Officer Greg Chan to have a presentation of this project at the January ACSDA meeting.

4. Invasive Mussel Prevention Program

EBMUD Manager of Natural Resources Richard Sykes summarized the Quagga Mussel Prevention Program project which has been ongoing since February 2008 to prevent the spread of these mussels to EBMUD's reservoirs. Controls prevent the launching of any vessel from areas of known or suspected infestation including anywhere out-of-state, Southern California, and selected other locations in the state. To date, about 35,000 boats have been inspected at EBMUD reservoirs with a failure rate of about 1%. EBMUD and EBRPD inspection programs are virtually identical.

This summer, EBMUD completed several reports that identify that all EBMUD reservoirs in the East Bay are potentially vulnerable to infestation by mussels; however, the reservoirs in the Sierra Nevada foothills (Pardee and Camanche Reservoirs) are not vulnerable because water quality conditions (low calcium and low pH) are not favorable for sustaining these species. The reports indicate that boats are the most likely pathway of introduction, but water transfers, fish stocking programs and introduction via live bait might be important too. In light of these reports, EBMUD modified its watershed rules and regulations in July 2009, prohibiting any violation of the boat inspection and mussel management programs. The new regulations also prohibit the use of any bait which is carried in water.

In early 2009, EBMUD and EBRPD, and other Bay Area reservoir owners and managers initiated a series of meetings to discuss the development of consistent practices to prevent the spread of invasive mussels into local reservoirs. The group recently completed a draft Coordinated Prevention Plan (Plan) that sets a standard for vector control, public education and outreach, and reservoir monitoring. A Memorandum of Understanding (MOU) is currently being circulated as a means for agencies to commit to the Plan. Signatories may be eligible for a portion of \$250,000 in state funds earmarked for a Bay Area regional prevention program if one is developed. The money would be allocated to the 5 counties and used for mussel prevention program implementation.

EBRPD Chief of Parks Jack Kenny provided an overview of the Park District's program which began in early 2008 at the urging of EBMUD and other local water agencies and in order to comply with California state law that became effective in January 2008. EBRPD's inspection program is in place at Del Valle, Lake Chabot, Contra Loma, and Quarry Lakes Regional Parks. The inspection program is a cooperative funding arrangement between EBRPD and the affected water agencies at those four sites.

Since EBRPD took over the inspection program in March of 2008, over 1,000 car-top boats (canoes and kayaks) have been inspected through October 1, 2009. There has been a 1.2%

failure rate for watercraft at Lake Chabot, which is similar to the rate EBMUD has experienced at its other recreational lakes.

EBMUD Director Katz asked what the reasons a boat would fail are. Mr. Sykes responded that the first step is the survey to determine if the boat came from an area of known infestation. If it did not then you move on to the inspection phase which looks for presence of water or mussels. If there is water in ballast or motor then the boat can not return for 7 days. EBRPD Chief of Parks Jack Kenny stated that this is the same criteria used by the Park District. EBRPD has been trying to get the word out to boaters by means of handouts, the EBRPD website, and providing information to fishing tackle stores. Mr. Sykes added that the first few months were worse and now that the word is out in the boating communities more people know of the requirements.

EBRPD Board Vice President Siden asked which five counties are considering participating in the program. Mr. Sykes answered that they are Alameda, Contra Costa, Santa Clara, Monterey and San Benito. However, San Benito's contains San Justo Reservoir which is currently under quarantine due to the presence of Zebra mussels. In response to a question about the reciprocal banding process Mr. Sykes explained that when a boat comes to a reservoir and is surveyed and allowed to launch they can get a band which connects their boat to its trailer, when they leave the launch. Because the boat can not come off the trailer without breaking the band they are clear to go to a reciprocal lake and be allowed to launch without inspection. Currently EBMUD only reciprocates with EBRPD. Mr. Kenny brought a sample of the banding used by the Park District and the type used by EBMUD. Mr. Sykes stated that the banding has made it quicker to move boats through at the launch locations. There are discussions among the other Bay Area reservoir operators of expanding the reciprocal banding program.

Mr. Kenny concluded that the Park District wants to be part of a real-time database that the Consortium hopes to develop which will allow reservoir operators to track where a boat has been launched. San Mateo County has such a database and the Consortium would like to have everyone on something similar to have instant checks on boats as they come into any facility.

5. Pinole Valley Mitigation Bank

EBMUD Manager of Natural Resources Richard Sykes noted that EBMUD owns approximately 3,700 acres in the Pinole Valley which was originally intended for development of a water supply reservoir but is now considered surplus. At present, the land is leased for grazing and agriculture. The Pinole Valley Mitigation Bank (PVMB) will preserve approximately 3,300 acres of EBMUD's Pinole Valley property as open space while maximizing benefit to EBMUD by generating revenue through sales of mitigation credits to public or private entities.

It is anticipated that the bank will have credits for Alameda Whipsnake, California red-legged frog, wetlands, oak woodland, and steelhead. These credits can be used by EBMUD directly, or may be purchased by other public agencies or private entities to mitigate for environmental impacts of their projects within the bank service area.

Over the past 18 months, EBMUD has been working with a team of resource agencies charged with approving the bank. EBMUD is meeting next week with these resource agencies. The prospectus documents will establish the bank size, type and number of credits to be sold, service areas for credit sales, and a release schedule for credits. This would be the second largest mitigation bank in the United States and so the resource agencies are giving this a lot of scrutiny. The US Fish and Wildlife Service, US Army Corp of Engineers, US EPA, California Department of Fish and Game, and the California Regional Water Quality Control Board are currently reviewing EBMUD's most recent submittal regarding wetlands. EBMUD anticipates submitting the final prospectus for the project to the resource agencies in spring 2010.

EBMUD will submit the final PVMB Prospectus to the resource agencies in April 2010 while the complete Bank Enabling Agreement and conservation easement will be complete in March of 2011. Sales of migration credits should occur in spring of 2011.

Director Patterson asked for any final comments before close of the meeting.

Director Siden commented that the materials provided gives him a strong sense of the value of sharing. The San Pablo Dam project and Kennedy Grove are just one illustration of the cooperative relationship between EBMUD and EBRPD.

When asked by EBMUD Director Patterson about recent news of additional acreage acquired by the Park District, Mr. Siden responded that at the last EBRPD board meeting the board enthusiastically voted to purchase acreage that put the Park District over 100,000 acres. This is an impressive milestone in this, the EBRPD's 75th anniversary year. Mr. Patterson congratulated the Park District for this milestone and for the accomplishments through the history of the organization as well as the exemplary partnership that EBMUD and EBRPD have had since their beginnings in 1934.

6. Confirm Next Meeting

EBMUD Special Assistant Cheryl Farr stated that the date of the next meeting will be decided after board committees are formed at the end of the year. The date should be scheduled for early spring. Ms. Cameron asked for topics are forwarded for inclusion in the next meeting agenda.

Meeting was adjourned at 2:45 p.m. by EBMUD Director William Patterson.