

BRIONES BEAR CREEK WATERSHED MANAGEMENT PROGRAM

CURRENT STATUS

The Letter of Understanding between EBMUD and EBRPD for the Proposed Watershed Fencing Project at Briones Regional Park was signed in October 2006. The term of this agreement was for the two wet seasons (October 1 – March 31) of 2006-07 and 2007-08. The agreement was completed as of March 31, 2008.

In 2008, the Park District was able to build and improve five ponds within the Bear Creek watershed to provide alternative sources of water for livestock. In 2008, with the help of EBMUD, the Park District largely successful in excluding cattle from grazing within the Bear Creek riparian zone (including the Abrigo Creek fork). The riparian exclusion fencing was completed in Briones Regional Park in March of 2008. A limited amount of cattle have accessed Bear Creek from the south (Homestead/Valley Pastures) and the Park District will be limiting this access soon with additional fencing. Currently, the Park District is exploring a plan with the California Department of Fish and Game to build a solar system to pump water from a vigorous spring to a tank at the top of the watershed crest to also be used within the Bear Creek watershed.

In 2009 the Park District advertised a Request for Proposal to find a new tenant to manage livestock in the central portion of Briones Regional Park which includes the whole Bear Creek upper watershed. The new tenant, Ned Wood, grazed approximately 400 steers in the northern and central portion of the Bear Creek watershed in the winter-spring grazing period of 2009-10. The new tenant has also enhanced and repaired the fencing system within and outside the Bear Creek watershed to improve animal distribution as part of developing a comprehensive rotation grazing management plan.

NEXT STEPS

An important goal of this plan is to curtail and eliminate the spread of yellow starthistle, which has increased as a result of seasonal winter grazing practices. Advice from Rodney Tripp, EBMUD'S Ranger Supervisor and certified range manager, has been very helpful. With his help the Park District is hoping to implement an August goat grazing program within the other Bear Creek pastures as the first step to reduce yellow starthistle and excessive thatch. At the end of July, the remaining Bear Creek Pastures (Homestead, Valley and Alhambra Pastures) will be incorporated as a single coordinated grazing program and will include the whole upper portion of the Bear Creek watershed.

BRIONES WATERSHED WATER QUALITY MONITORING UPDATE

CURRENT STATUS

EBMUD began to have concerns regarding wet season grazing in drinking water reservoir watersheds several years ago. Of concern were pathogens, nutrients and sediment. Even though there are vegetative buffers between grazed lands and reservoirs and major watershed tributaries, research conducted by UC Davis clearly indicated that wet season grazing may contribute significant levels of pathogens if not effectively managed. Additionally, the US EPA was developing increasingly stringent regulations for removal of pathogens such as cryptosporidium, a protozoan which is present in the feces of cattle. This pushed EBMUD to create new Best Management Practices to eliminate wet season grazing on its properties in the Sierra Foothills and East Bay.

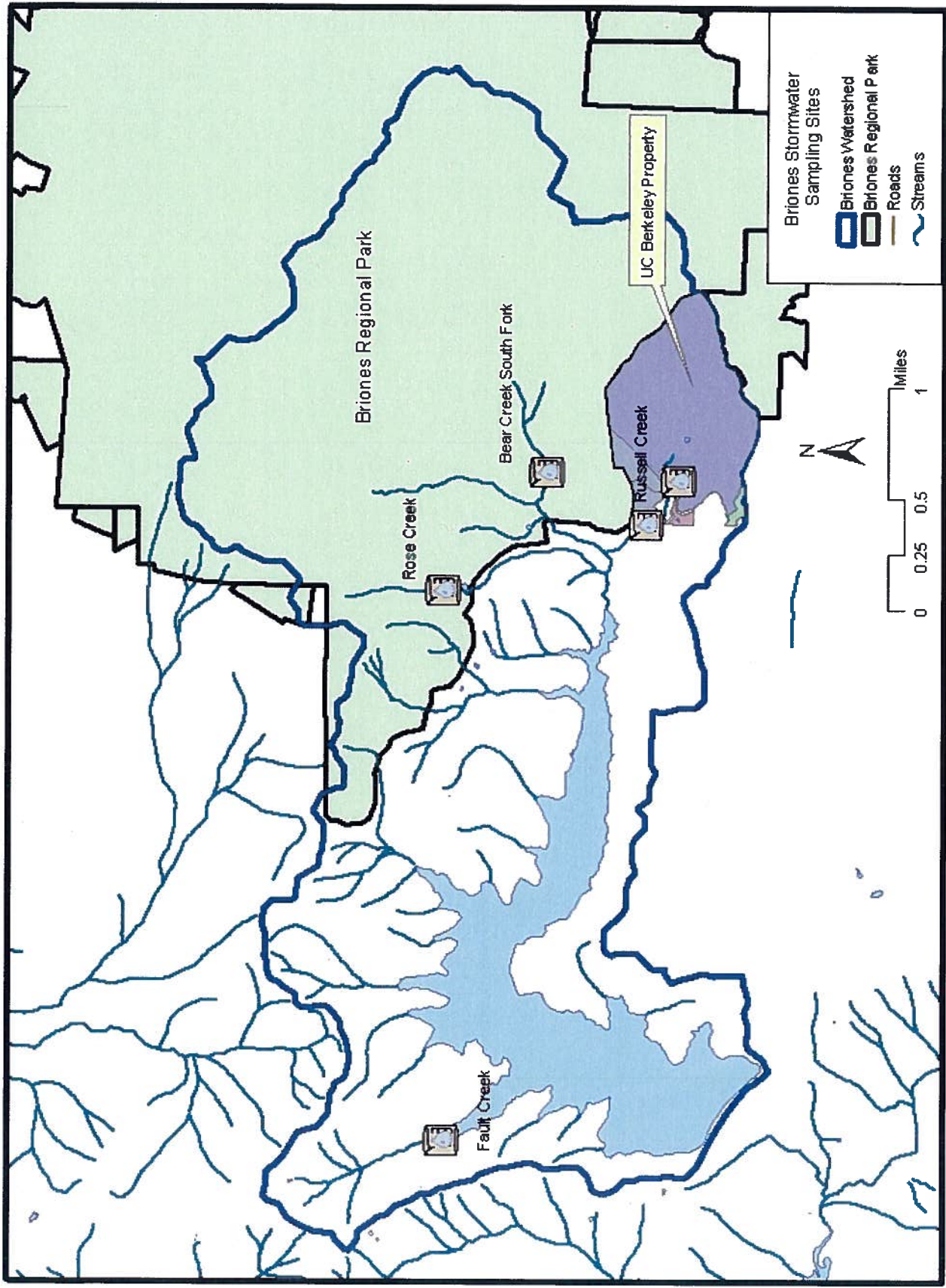
In 2006, EBMUD worked with EBRPD to temporarily suspend wet-season grazing in Briones watershed to be consistent with new EBMUD Best Management Practices. EBMUD reimbursed EBRPD for expenses to install fencing and watering facilities to facilitate this wintertime grazing exclusion zone. During the winter of 2006-2007, EBMUD initiated a Watershed Water Quality Monitoring Program at Briones Reservoir (and other watershed locations). The purpose of the monitoring plan was to evaluate the impacts of grazing and other land management actions on sediment, nutrient, and pathogen transport to the reservoir. The monitoring program, using a storm event-based monitoring approach, included six sampling locations covering the drainage basins of Bear Creek South Fork, Rose Creek, Russell Creek at two locations, and Fault Creek (see attached map).

Data collected to date has been somewhat less than originally planned because the first three winters were relatively dry. Nonetheless, several trends have become apparent:

- The initial (early season) storms yield higher concentrations of pathogens.
- After the initial flush, sites with wet season grazing showed higher pathogens than sites with wet season restrictions.
- Runoff concentrations of some nutrients such as phosphorus correlate with high levels of turbidity and suspended solids.
- Data collected to date is insufficient to correlate grazing practices with other nutrient concentrations in runoff.
- Additional information on grazing activity within a pasture is necessary to improve understanding of runoff impacts (e.g. end of season residual dry matter, percent ground cover, whether or not active creeks are fenced, etc.).

NEXT STEPS

- Continue Watershed Water Quality Monitoring Program to confirm trends and advise range management actions and Best Management Practices.
- Continue to coordinate with EBRPD regarding range management and water quality.



EAST BY REGIONAL PARK DISTRICT FUELS MANAGEMENT PROGRAM

CURRENT STATUS

The East Bay Regional Park District has a long history in managing its parkland vegetation for wildfire hazard reduction. In his 1936 "General Fire Plan – Proposed East Bay Regional Park," Forester Walker B. Tilley decried the "bad fire hazard" in the Oakland Hills created by fire and frost damaged stands of eucalyptus and pine and the dense thickets of heavy eucalyptus sprout growth. Numerous plans since then have repeated the alarm and warning, and generated some response, though intervening fluctuations in interest and funding have consistently prevented full implementation. Individual park land use plans and associated environmental analyses provided some fragmented direction and focus for fuels management over the years.

In 2004, voters in western Contra Costa and Alameda Counties approved the Measure CC parcel tax assessment for 15 years which provided funding to:

"Manage vegetation for fuels reduction in coordination with the protection and enhancement of wildlife habitat in fuel break areas to provide defensible space near structures and meet the Hills Emergency Forum 8' flame length standard. Manage exotic plant species and promote fire resistant natives to reduce the risk of wildfires."

After four years of planning and analysis by the Park District and its consultants, the EBRPD's Board of Directors, last April, approved the *Wildfire Hazard Reduction and Resource Management Plan* and accompanying CEQA document. It directs fuel reduction treatments on 3000 acres within nearly 20,000 acres encompassed by 13 hill and shoreline parks from Richmond to Castro Valley.

Additionally, the Park District manages more than 50 other parks throughout the two-county area. The boundaries of these rural parks are becoming increasingly urbanized, and best described as wildland-urban interface. Here, too, the direction provided by Measure CC, though not legally binding, sets the right stewardship standard.

NEXT STEPS

EBRPD's 2011 Fuels Management Program of Work was developed in collaboration between the Fire Department, the Planning and Stewardship Department, and other members of the Park District's Interdisciplinary Fuels Group, and includes all fuels management projects to be conducted during the year, as well as prescribed burns to meet resource objectives. It reflects the strong emphasis the Park District's Board of Directors has placed on ensuring that initial fuels treatments are maintained to perpetuate their effectiveness and prevent the historical lapses noted above. Next year EBRPD will reduce hazardous fuels on more than 900 acres, and conduct prescribed burns on over 250 acres to control invasive weeds and improve wildlife and sensitive plant habitat.

EBMUD VEGETATION MANAGEMENT PROGRAM

EBMUD's vegetation management program is primarily focused on reducing the potential for significantly destructive wildfires to protect human life, property, natural resources and water quality. EBMUD's approach aims to achieve this in a fiscally and environmentally sustainable manner.

The current vegetation management program was established with the 1996 East Bay Watershed Master Plan and its Environmental Impact Report. In 2000, the District completed its East Bay Watershed Fire Management Plan which provided more detail on vegetation management activities, procedures and protocols consistent with the Master Plan.

The vegetation management program utilizes a wide array of techniques to manage the potential fire fuel load. These techniques have been developed to be sensitive to environmental, water quality, aesthetic and neighbor impacts and include:

- Cattle, goat and horse grazing,
- Mowing,
- Plowing,
- Prescribed burning,
- Selective logging,
- Selective removal of brush and chaparral,
- Forest pruning and understory removal, and
- Very selective use of herbicides.

The various strategies are employed specific to the needs of the location. For example, in the most sensitive urban/wildland interface areas, EBMUD uses selective tree thinning, tree pruning with some understory removal to diminish the potential for an ignition to result in fire spread and to reduce fire intensity when ignitions do occur. These practices result in lower long-term costs, and reduced aesthetic and environmental impacts. To achieve this in a steady state requires long-term ongoing programs. A good example of this can be seen in the Grizzly Peak area where EBMUD is currently thinning and pruning forested areas.

EBMUD participates in the Hills Emergency Forum and Diablo Firesafe Council, and regularly meets with CalFire and local fire agencies to ensure a coordinated and relatively uniform approach to vegetation management.

No significant changes to the vegetation management program are projected in the near future.

PROPOSED GATEWAY PARK

CURRENT STATUS

As part of the environmental permitting process for construction at the new eastern span of the Bay Bridge, CALTRANS was required to provide 15 acres of the old Army base land for a shoreline park. It should be noted that EBRPD board member John Sutter, who represents most of Oakland, initially urged EBRPD to pursue the public benefit conveyance of this spit of property on the south side of the toll plaza to the Park District to become a "Gateway Park" at the Bay Bridge's east anchorage.

Currently a formal planning process is taking place to explore the possibilities of a new park that could best utilize the natural setting, serve area workers in West Oakland, and enhance the Bay Trail experience. This Gateway Park Working Group is a consortium of the following nine agencies: Bay Area Toll Authority, CALTRANS, San Francisco Bay Conservation and Development Commission, California Transportation Commission, East Bay Regional Park District, City of Oakland, Port of Oakland, East Bay Municipal Utility District, and the Association of Bay Area Governments' Bay Trail Project. The planning process is also designed to engage the public through public workshops (two have been held to-date) as well as an on-line survey.

The Working Group, with consulting firm Perkins-Will, plans to spend from February 2010 to September 2010 agreeing on goals, targeting activities essential to the park, considering early design concepts, and setting forth the key steps toward design, engineering, funding, and construction. With the Bay Bridge completion targeted for 2013 this study report will lay out the ideas and coordinated steps to the realization of Gateway Park by that date.

At the second public workshop, held June 2, 2010, the consultants laid out three different approaches to designing the park. The "Relax and Restore" option emphasized the site's natural features while minimizing new structures and visitors' impacts. Habitat restoration would be the most important value through restoring the industrial area to its natural beauty and generating new wetlands areas. The second design concept, "Getting There" would place the highest value on getting visitors to and through the park and on to the eastern span bike/pedestrian pathway and provide amenities mainly appealing to walkers and bicyclists. This scheme would create trails linking all of Oakland to the park and the future Bay Bridge bike and pedestrian experience. The third design option, "Great Destinations" increases the level of activity and amenities calling for key attractions such as a Ferris wheel and aerial gondola to take visitors from one end of the park to the other, a transportation museum, and a destination restaurant and other eateries.

NEXT STEPS

The goal of the consortium planning process is to develop a direction for the park by late summer. Both EBRPD and EBMUD are participating in the planning process and will be present at the liaison committee to share their current thinking regarding the three design concepts currently under consideration.

EBMUD AND THE SACRAMENTO-SAN JOAQUIN DELTA

EBMUD supports the efforts of all water agencies to secure a more reliable water supply, as we all know how challenging it is in today's world to achieve a reliable water system. EBMUD was strongly supportive of the goals in the legislation to fix the Delta for improved water supply reliability for the export community and an enhanced Delta ecosystem. The key provisions in this comprehensive legislation include:

- Establishing a framework for approval of new Delta conveyance for export use;
- Codifying "co-equal goals" of providing water supply reliability and enhancing Delta ecosystem through implementing the "Delta Plan";
- Approving an \$11 billion water bond measure; and
- Imposing new requirements for urban water conservation and groundwater monitoring

EBMUD derives nearly all its water supply from the Mokelumne River in the Delta watershed, and brings it to the East Bay through aqueducts that traverse the Delta. On two occasions in the last thirty years, levee failures in the Delta have jeopardized the security of these aqueducts. In addition, EBMUD manages the Mokelumne salmonid fishery that migrates through the Delta. Therefore, EBMUD has a significant stake in the success of the state's plans for a sustainable Delta. Between the risks of earthquakes, flooding, and sea level rise, the urgency has never been greater.

In addition, the expected costs for the Delta Plan are huge – approaching \$40 billion – with no mechanism in place to raise such funds. The big ticket items include a new canal or tunnel for export water, ecosystem restoration, levee upgrades, and scientific and administrative programs. The water bond, also known as Proposition 18, would provide only the barest down payment of \$2.25 billion on these efforts. As a result, a water user fee is widely expected to be passed by the legislature, which would spread these costs widely across the state. EBMUD's primary concern is that any such system honor the "beneficiary pays" principle, in which any payments would be direct proportional to benefits received.

The Bay Delta Conservation Plan (BDCP) is approaching completion this fall, and will comprise a major element within the Delta Plan, providing for new Delta conveyance as well as major ecosystem programs. While the BDCP has been developed by a limited number of water agencies and other interest groups, it will affect most of the state and require public funding. EBMUD recognizes that an isolated conveyance facility is an important element of achieving a reliable water system for the export agencies. However, taking up to 6 million acre-feet out of the Sacramento River and moving it around the Delta, instead of through the Delta, means that at least this much water, plus additional water, will have to be found as replacement water to accomplish the new in stream flows that are required for the Delta fishery.

EBMUD will continue to participate in the development of the Delta Plan and support its goals. As the planning progresses, EBMUD will strongly advocate that any user fee system must be based on direct benefits received, and that flow contributions from Delta watershed users should be based on the best available science.

JPA POLICING STATUS UPDATE

CURRENT STATUS

The EBRPD/EBMUD Joint Exercise of Powers Agreement for Police Services has been in place since November 2, 1983 with the agencies sharing an excellent working relationship. EBMUD funds 4.35 FTE police officer positions each year (one sergeant and three officers on average). The cost of the contract for 2009 was \$988,308.

Coverage includes 24/7 policing services in both the recreation areas, as well as the vast watershed trail system. Services include overhead and support, such as Communications Dispatch, Investigations, Property and Evidence, Crime Scene Investigations, and Helicopter services (as requested).

The EBRPD police department works on a pro-active, preventative model to include officers contacting park visitors for a variety of actual or potential violations. There are no significant crime or public disorder issues facing the EBMUD properties or facilities.

- Police officers issued citations for 1,283 violations on EBMUD properties during 2009. These violations included trespassing, violations of California Fish and Game regulations, parking violations trail permit violations. Officers also made 24 arrests for offenses including assault, possession of stolen property, drugs, DUI, marijuana cultivation and sexual assault.
- EBRPD Police staff worked with EBMUD staff to increase parking violation fines, which had not been increased for a number of years and were substantially less than surrounding jurisdictions. The basic fine was increased from \$16 to \$35. Although this increase may result in increased revenue to EBMUD, it is also having a greater deterrent effect. For example, at Lafayette Reservoir, the number of citations for meter violations is down nearly 45% in the first half of 2010 when compared to the same time period in 2008.
- During 2009, three marijuana cultivation sites, consisting of approximately 3,639 marijuana plants, were eradicated with the assistance of EBMUD Watershed staff. These sites resulted in damage to the natural resources at each site as the growers dig up native vegetation, damage trees and often use pesticides to discourage animals from eating the plants. Police officers constantly check known grow sites for new cultivation activity to prevent the marijuana grows before they start.
- Police officers worked with EBMUD staff to plan for policing special events, such as the Persian Holiday at Lafayette Reservoir. Joint planning efforts continue to result in effective service delivery for the overflow crowds. Police officers also coordinate with San Pablo Reservoir staff and provide additional coverage for the Reservoir opening in February. Field staffs from both agencies have an excellent working relationship to handle these events.

- Police officers assigned to the JPA are housed in a modular building located in the upper parking lot of San Pablo Reservoir. During the past year, there have been a number of mechanical failures with the sewer and water supply systems for the building. EBMUD staff has been very responsive and addressed the issues as best they can. Staff from both agencies are monitoring the systems and the building for additional issues.
- EBRPD continues to maintain a fleet of vehicles for use by the JPA officers. This consists of one sedan, one dirt motorcycle and four 4x4 SUVs. In-car cameras were installed in the vehicles and are used to record traffic stops and other interactions with members of the public. Additionally, each officer was issued a wearable video recorder for use when they are away from the vehicle. These have become valuable tools as they provide a definitive record of events for use in criminal prosecutions and liability reduction. There is also a dirt motorcycle maintained for use by officers throughout the Watershed. It allows increased access with a reduced impact upon the lands.

NEXT STEPS

The current staffing model for the contract is working well and is appropriate to address the law enforcement needs of the EBMUD watershed properties. Staff recommends that it remain unchanged in the future, but continue to be monitored by staff from both agencies to ensure that it continues to fulfill the mission of both EBMUD and EBRPD.