



Los Vaqueros Reservoir Agreements Update

Planning Committee

October 10, 2023

Agenda

- Water supply sources
- Project agreements updates
- Next steps



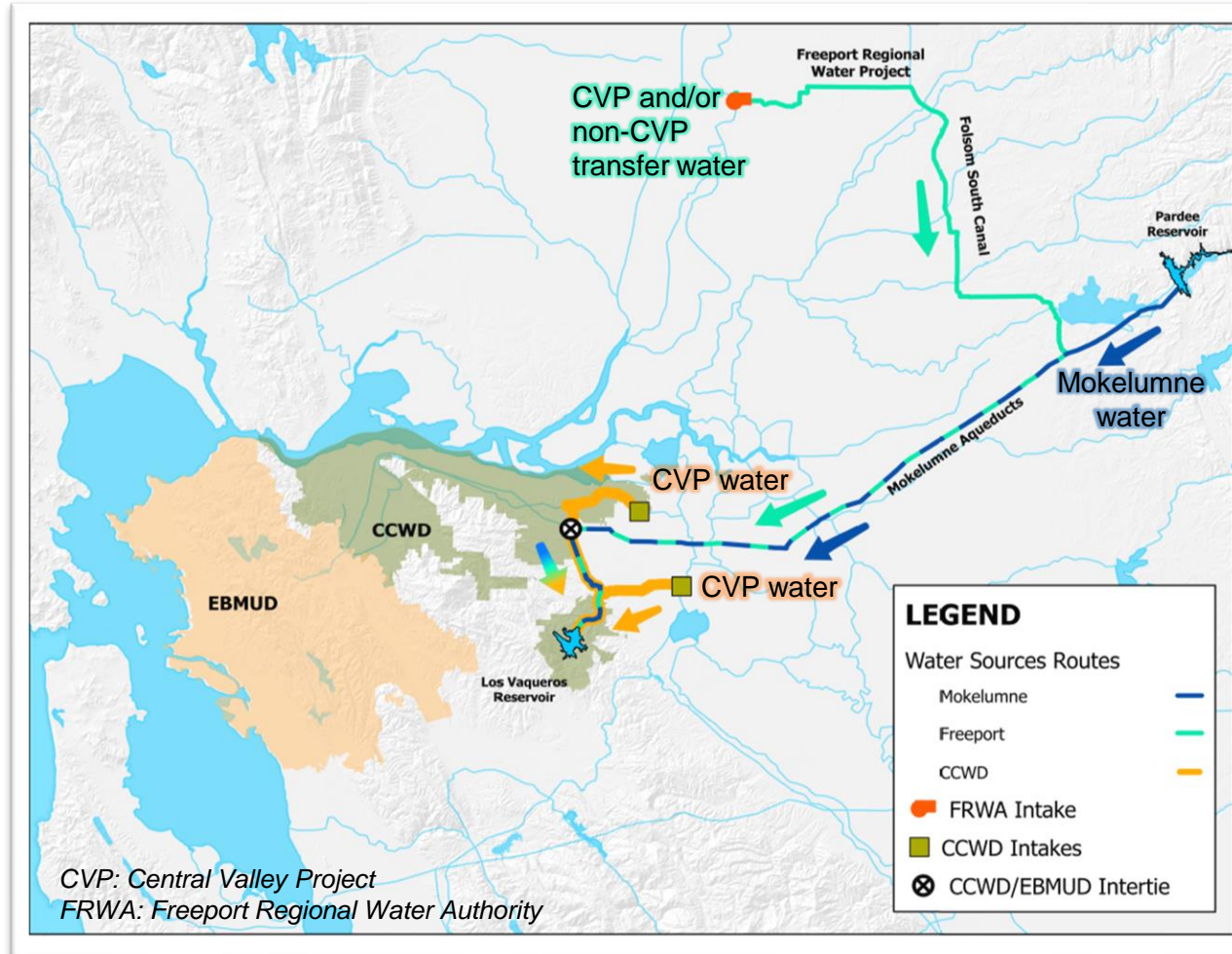
Los Vaqueros Reservoir

Water Supply Sources



Potential Water Sources

EBMUD's Potential Water Sources and Routes



Potential Water Sources

- EBMUD Mokelumne Water
- CVP Water
- Non-CVP transfer water

Potential Routes

- Pardee Reservoir to LVR
- FRWA intake to LVR
- CCWD intakes to LVR

Proposed SMUD CVP Contract Assignment

- Ongoing negotiations with SMUD and Reclamation for a 10,000 AF “temporary” assignment of SMUD’s CVP contract
 - Enough to fully utilize 30 TAF of storage in LVE based on historic hydrologic modeling and CVP allocations
- 15-year agreement (ex. 2024 – 2039)
- Able to divert at CCWD’s intakes or Freeport
- EBMUD receives exclusive right to renew contract after 2039
- Letter of Intent executed between EBMUD and SMUD on July 27, 2023 for one-year exclusive negotiation period
- Key approvals targeted to be secured by early March 2024

EBMUD Mokelumne Water

- Pursuing using recycled water credits to transfer surplus water
- Seeking long-term change petition to transfer up to 20 MGD or 22 TAF
- Use for both San Joaquin County groundwater banking and LVE
- Project description under development

Project Agreements Updates



Project Agreements

- Agreements being negotiated in parallel
 - EBMUD Facilities Usage Agreement
 - CCWD Agreements
 - Contracts for Administration of Public Benefits
 - Backstop Conveyance Agreement
 - Service Agreement
- JPA schedule to execute agreements in spring 2024 likely to change

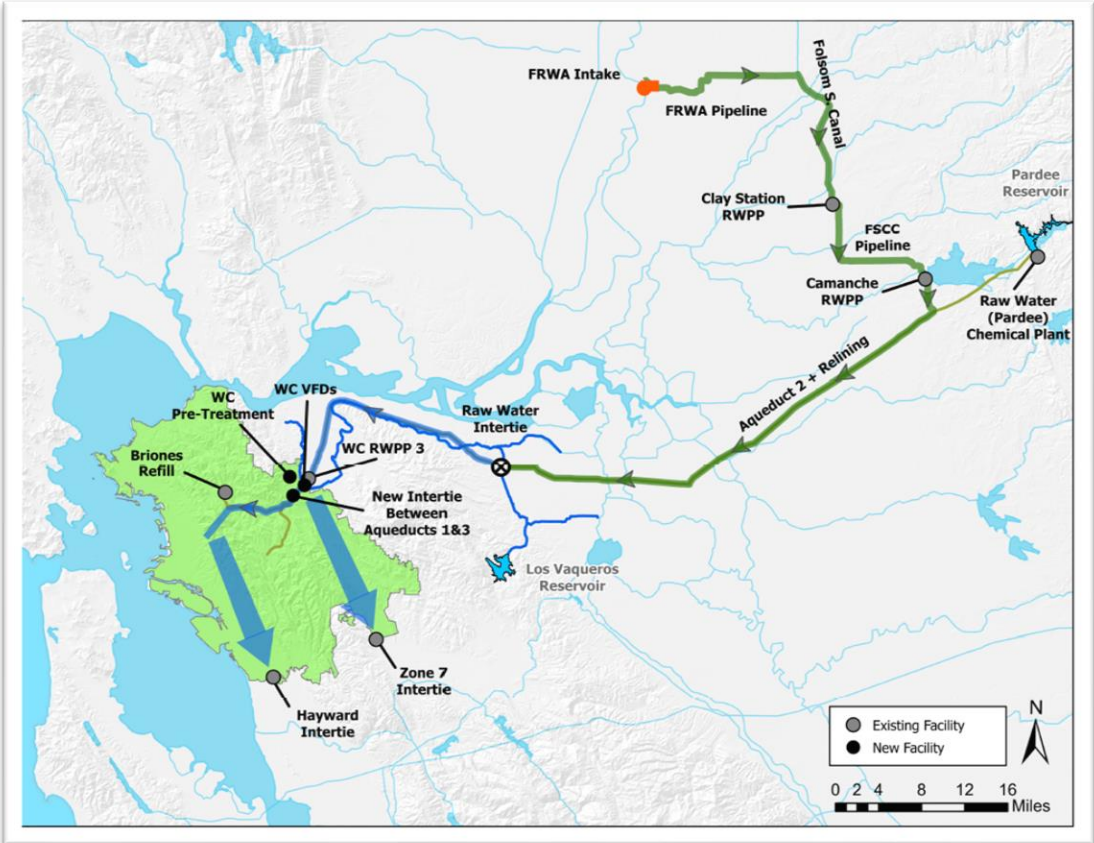
Key Outstanding Issues

- Need to resolve points on agreements
 - Operational priorities
 - Storage, cost, and usage rights allocations
 - Public benefits
 - Backstop water conveyance
 - Need for JPA authority on CCWD construction tasks
- Complete updated cost evaluation
- Secure key approvals for water supply source

EBMUD Facilities Usage Agreement

Purpose	Status	Outstanding Issues
Conditions under which JPA can use EBMUD's facilities and associated usage fees.	Draft termsheet prepared by EBMUD under review by JPA and member agencies.	To be determined.

Potential Conveyance Routes and Facilities



- Use of Freeport Project to convey water for partners
- \$23.7 million for EBMUD for facility upgrades using CWC funding

FSCC: Folsom South Canal Connection
RWPP: Raw Water Pumping Plant
WC: Walnut Creek
VFDs: Variable Frequency Drives

Contracts for Administration of Public Benefits

Purpose	Status	Outstanding Issues
<ul style="list-style-type: none">Ensures project public benefits will meet State funding requirements	<ul style="list-style-type: none">Kickoff meeting with the JPA, Department of Water Resources, and California Department of Fish and Wildlife occurred in August 2023JPA developed a negotiations scheduleJPA to facilitate a subgroup consisting of member agency staff to discuss public benefit terms	<ul style="list-style-type: none">Terms to be negotiated and then incorporated into the Service Agreement

Backstop Conveyance Agreement

Purpose	Status	Outstanding Issues
<ul style="list-style-type: none">Conditions under which EBMUD can provide backstop conveyance to CCWD while the dam is under construction and being refilled	<ul style="list-style-type: none">EBMUD is preparing the draft agreement and is expected to be completed in October.	<ul style="list-style-type: none">CCWD requested full backstop under all scenarios. EBMUD cannot provide 100% guaranteed backstop due to planned critical capital projects and uncertain future conditions.CCWD will discuss with their board in October 2023

CCWD Agreements

Agreement	Purpose	Status	Outstanding Issues
CCWD Design & Construction (D&C)	D&C services to be provided to JPA by CCWD, payment terms, reporting, and construction approval and authorities.	JPA responded to CCWD on termsheet version 2 based on input by member agencies, and CCWD has declared an impasse on the negotiations. General Managers from several agencies including CCWD and EBMUD are working to resolve the outstanding issue.	CCWD wants overall authority on decisions impacting costs while the JPA member agencies take on most of the financial risk. EBMUD and others have said this is not acceptable and proposed alternative terms.
CCWD Facilities Usage	Conditions under which the JPA can use CCWD's facilities and associated usage fees.	Draft termsheet is under review by the member agencies and will be discussed with the JPA Board Ad Hoc Committee in October 2023.	Usage fees methodology still under negotiations. Proposed CCWD methodology not accepted by the member agencies.
CCWD Operations and Maintenance Agreement	Allows JPA to pay CCWD for operating their facilities after construction.	Under development by CCWD.	TBD

CCWD D&C Agreement Issue

- GMs working to explore alternative framework to the CCWD D&C agreement approach
- Need to consider a fair partnership to share the project rewards and risks
- Need to consider incentives for project cost control

Service Agreement

Purpose	Status	Outstanding Issues
<ul style="list-style-type: none">JPA provides storage, conveyance, public benefits, design, construction, and other services to the members who make payments for them	<ul style="list-style-type: none">Comments on version 3 of the termsheet provided to JPADraft agreement to be completed by end of SeptemberOngoing subgroup meetings to discuss and resolve operational priorities and storage and conveyance allocations	<ol style="list-style-type: none">Storage capacity allocations. Storage is currently oversubscribed by 50 TAF. EBMUD needs at least 30 TAF of storageOperational priorities among member agenciesPublic benefits terms have not been negotiated, including operational priority of the refugesFor release of stored water, the priority of an exchange between CCWD and EBMUDCost and usage rights allocations

TAF: thousand acre-feet

Storage and Conveyance Capacity Allocations

- Current Los Vaqueros storage requests are 165 TAF, exceeding available 115 TAF
- JPA asking member agencies to update capacity request by October 20
- JPA workshop later this month to review updates
- If capacity is oversubscribed, JPA to facilitate sessions in November to negotiate resolution
- EBMUD's storage request has always been 30 TAF based on our projected need
- EBMUD not seeking capacity allocation in Transfer-Bethany Pipeline

Next Steps

- Update EBMUD unit cost evaluation with detailed 2023 project cost estimates
- Continue to negotiate Project agreements and resolve key issues necessary to determine participation
- Continue to advance discussions with SMUD and Reclamation on SMUD CVP Assignment

Questions?





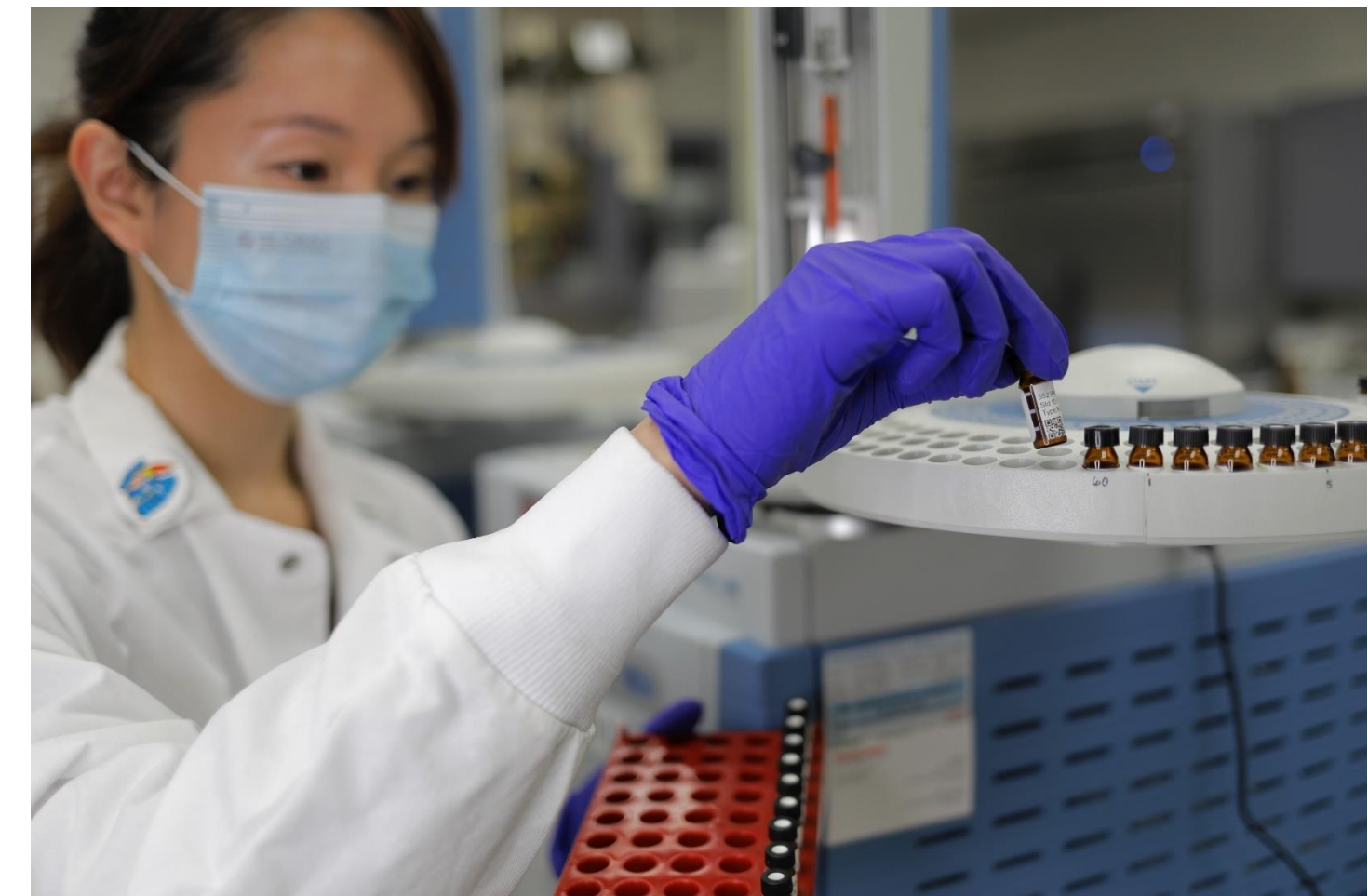
Water Quality Program Semi-Annual Update

Planning Committee

October 10, 2023

Water Quality Update

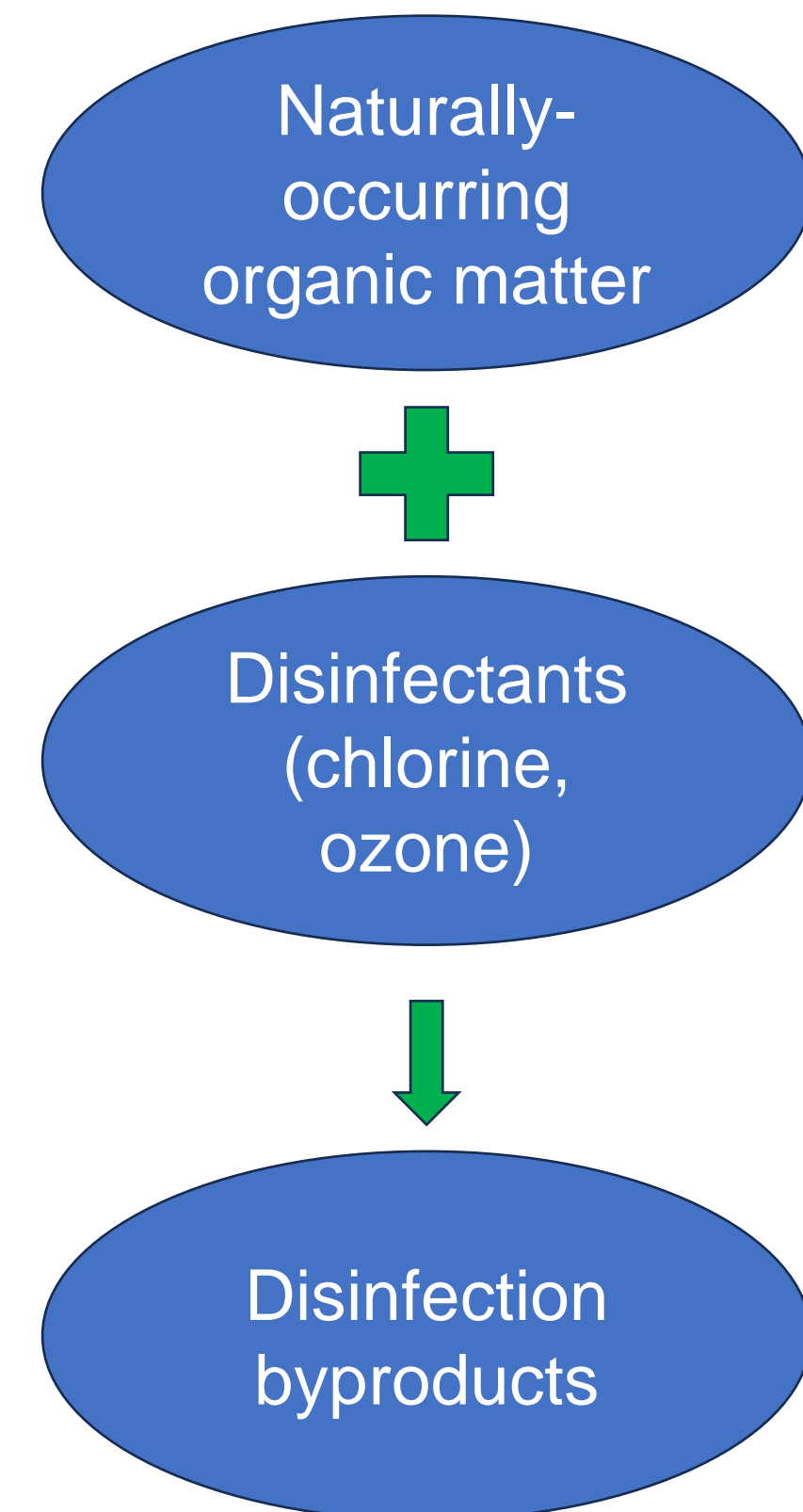
- First six months of 2023
- Met all state and federal drinking water regulations
- Met 97% of internal water quality goals
 - Significantly more stringent than regulatory requirements
 - 123 of 127 internal goals were met
 - Unmet goals associated with disinfection byproducts and corrosion control indices



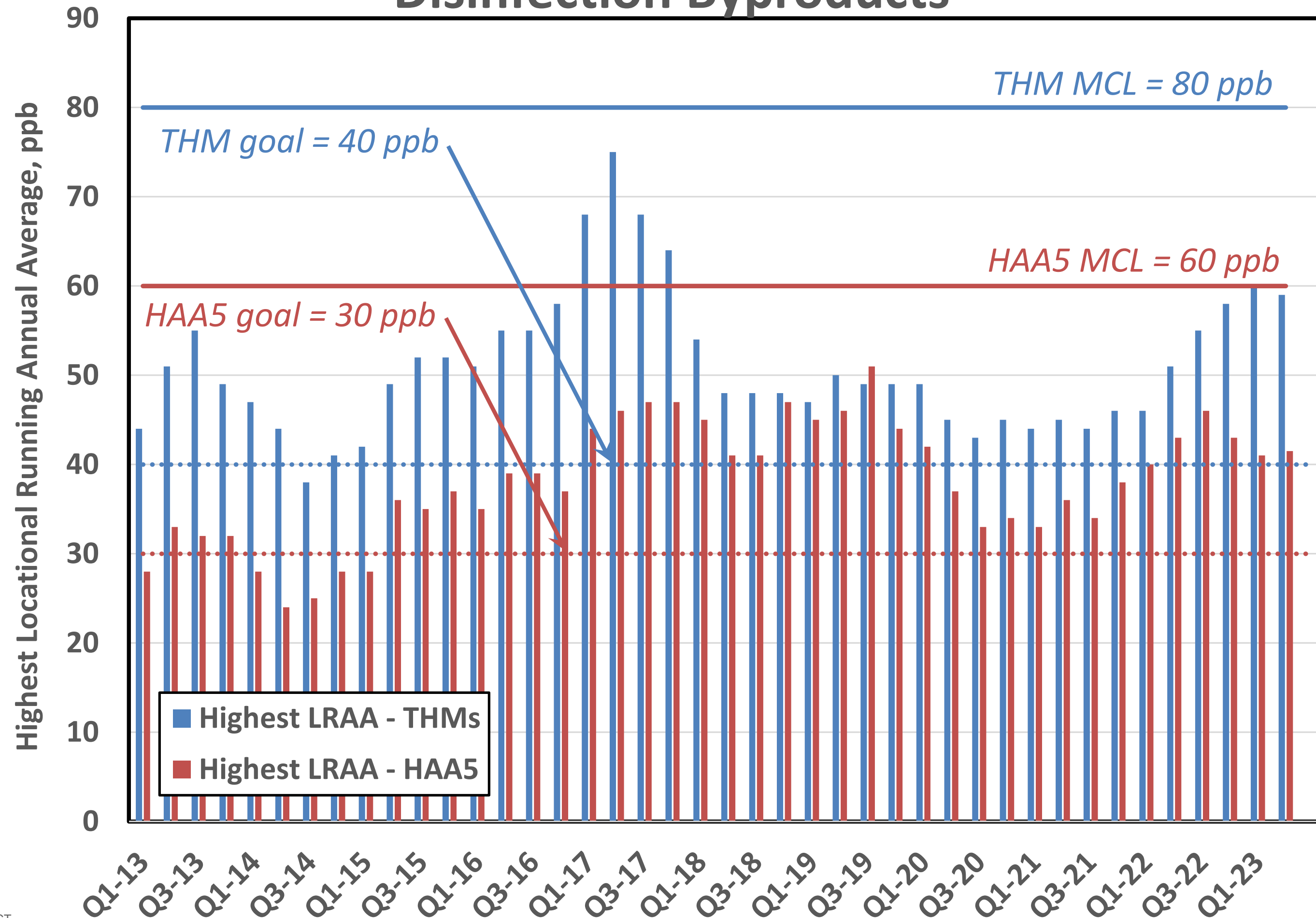
Kristin analyzing water samples

Disinfection Byproducts

- Trihalomethanes (THMs)
 - 53 of 64 samples exceeded goal
- Haloacetic Acids (HAAs)
 - 55 of 64 samples exceeded goal
- N-Nitrosodimethylamine (NDMA)
 - 3 of 10 samples exceeded goal
- Organic material in runoff from atmospheric rivers led to increased DBPs



Disinfection Byproducts



Corrosion Control Index

- Maintain water chemistry within control range to minimize corrosion in distribution system
- Minimizes lead from leaching into water
- Protects assets (iron, steel, copper, and cement materials)
- Operators measure and adjust each week at each WTP
- Goal not met at one plant due to relatively high mineral content in 3 of 12 samples.

Lead Programs – District and State Efforts

- Free customer voucher program
 - Over 3,300 customers have participated
- 90% of results are less than 1 ppb
- Continue to removed galvanized services with lead fittings
 - State requirement: 125 per year
 - Approximately 670 remaining
 - Completion by 2030, well ahead of 2040 deadline



Collection of water sample

Lead Programs – Federal Requirements

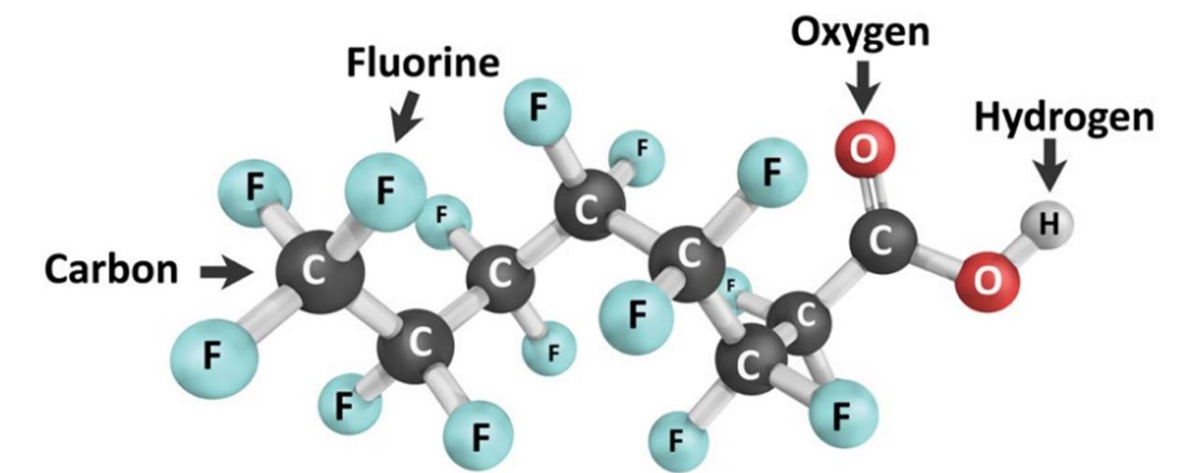
- Expand inventory to include customer-side
 - Identify galvanized service lines formerly connected to District-side lead service lines
- Contractor started in April 2023
- Outreach efforts to cities, counties, and local groups
- Will inspect approximately 10,000 services
 - 25% complete
- About half of customer side laterals are galvanized
 - 100 – 150 letters per week for the next year will be sent to notify these consumers
- Additional regulatory changes coming soon



Meter box

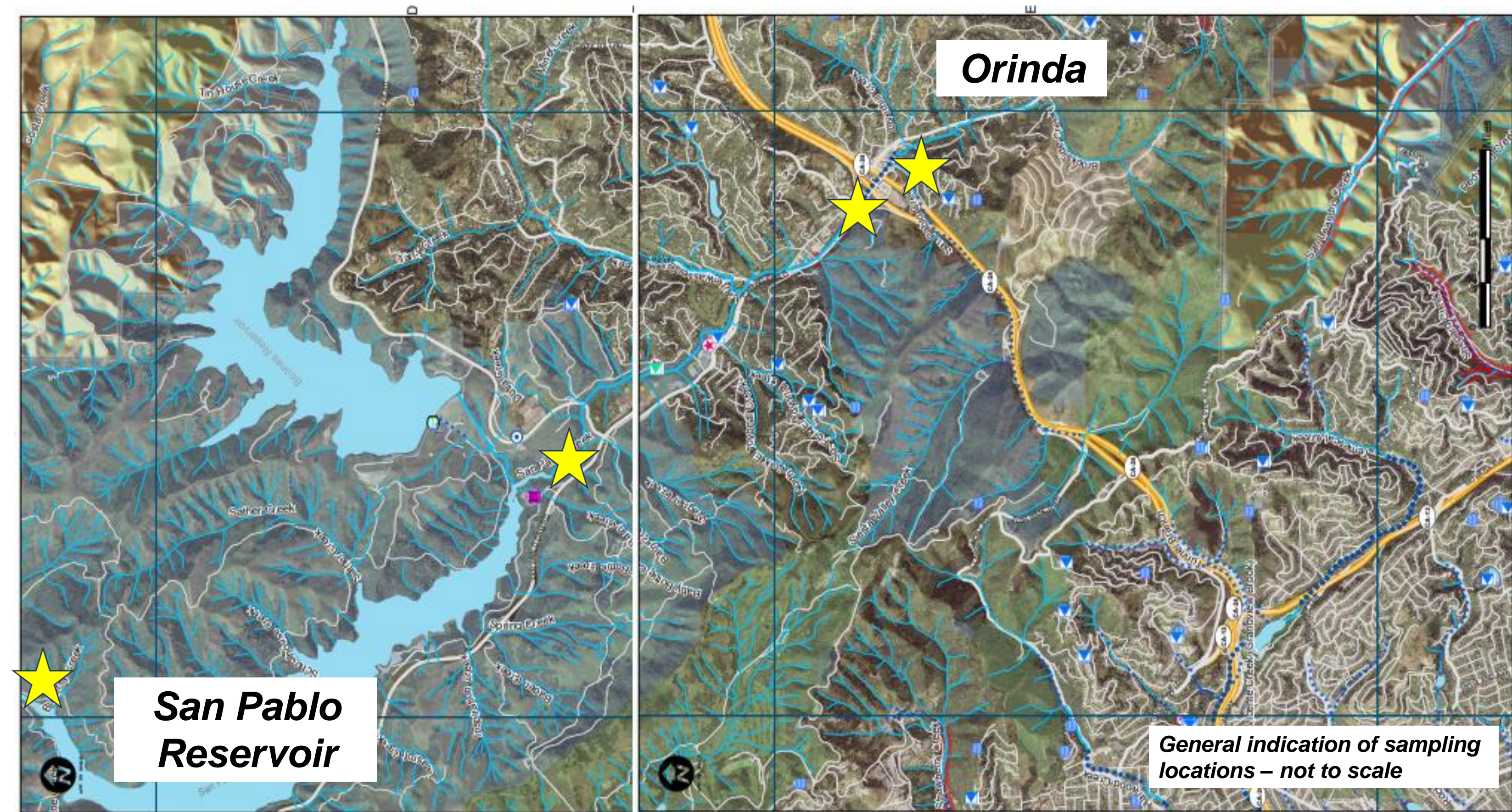
Per- and Polyfluoroalkyl Substances (PFAS)

- Federally required monitoring is underway
 - All treatment plants, quarterly, 2023 – 2025
 - Nearly all results are below federal reporting levels
- Focused survey monitoring of watersheds
 - Higher concentrations detected in stormwater
 - San Pablo Creek (from Orinda) and Moraga Creek (from Moraga)

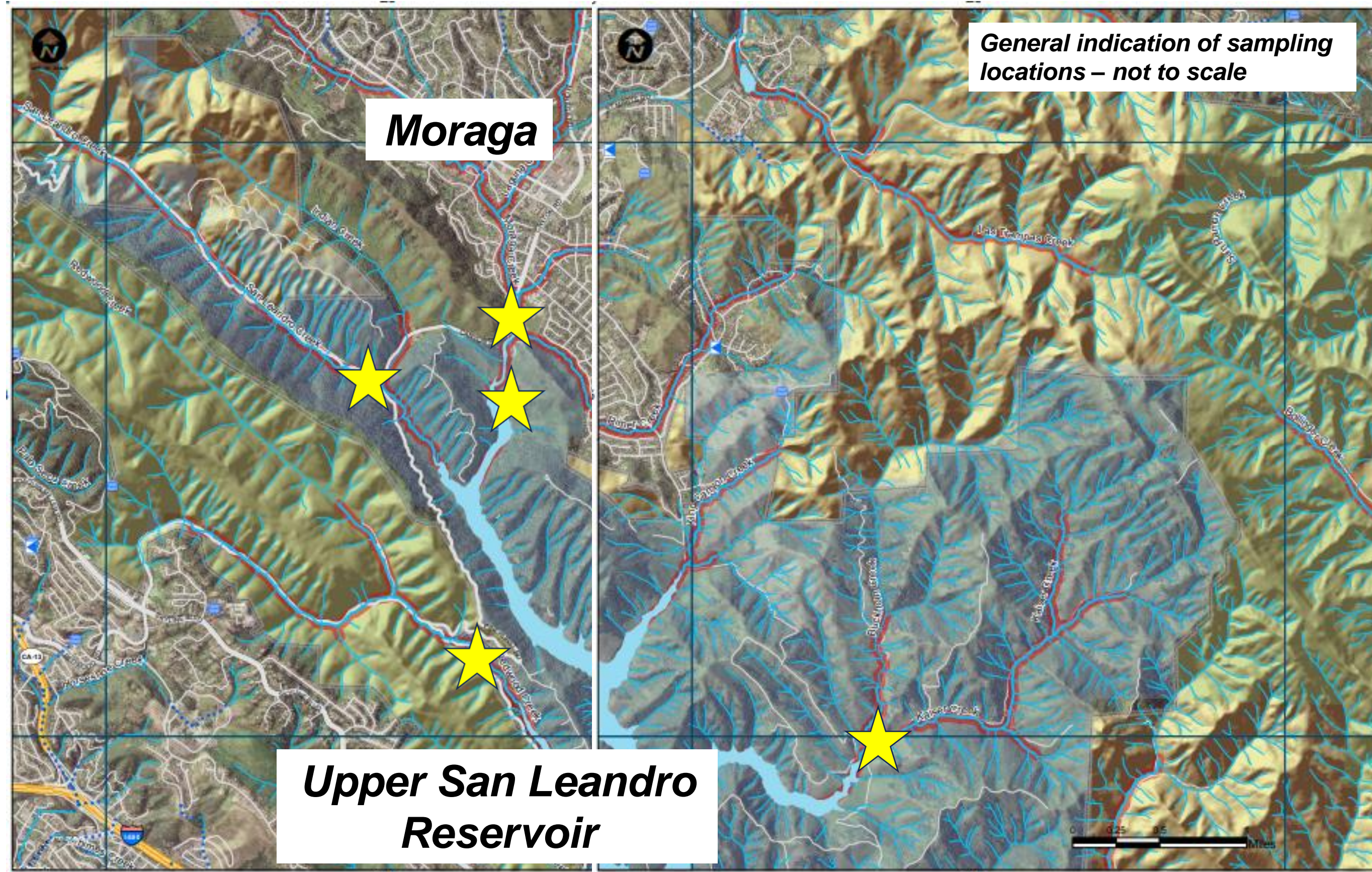


Courtesy of US Department of Energy

San Pablo Reservoir Watershed Sampling



Upper San Leandro Reservoir Watershed Sampling



EPA Proposed Regulation - March 2023

- Six PFAS to be regulated
- Two MCLs
 - Perfluorooctanoic acid (PFOA)
 - Perfluorooctane sulfonic acid (PFOS)
- Four PFAS to be regulated by a Hazard Index
 - PFNA, HFPO-DA, PFHxS, PFBS
 - Intended to account for combined effects of co-occurring PFAS
- Running Annual Average of quarterly samples
- Effective treatment technologies are available
 - Activated carbon, ion exchange, high-pressure membranes
- Compliance within 3 years, likely 2026 or 2027

Next Steps

- PFAS
 - Additional monitoring, particularly in East Bay reservoirs
 - Evaluate potential treatment options
 - Continue following regulatory developments
 - Continue following court cases
- Lead
 - Continue inventory development, outreach, and customer notifications
 - Track upcoming regulatory changes
 - Begin preparing for additional school sampling

Questions?

