



**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

Notice of Time Change

**PLANNING COMMITTEE
Tuesday, November 12, 2024
9:30 a.m.
Boardroom
375 11th Street
Oakland, CA 94607**

Notice is hereby given that the Tuesday, November 12, 2024 Planning Committee meeting of the Board of Directors has been rescheduled from 9:15 a.m. to 9:30 a.m. The meeting will be held in the Administration Building Boardroom at 375 11th Street, Oakland, California.

Dated: November 7, 2024

A handwritten signature in blue ink that reads "Rischa S. Cole".

Rischa S. Cole
Secretary of the District

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**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

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Office of the Secretary: (510) 287-0440

**AGENDA
Planning Committee
Tuesday, November 12, 2024
9:30 a.m.
Boardroom
375 11th Street
Oakland, CA 94607**

***** Please see appendix for public participation instructions*****

Committee Members: Directors Marguerite Young {Chair}, April Chan and Doug A. Linney

ROLL CALL:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

DETERMINATION AND DISCUSSION:

1. Fiscal Year 2024 Annual Readiness Report (Briggs)
2. Update on the GreenGen Pumped Storage Project (Tognolini)
3. Proposed Revisions to Watershed and Recreation Rules and Regulations and Camanche Recreation Area Seasonal Alcohol Prohibition (Tognolini)

ADJOURNMENT:

Disability Notice

If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.

Document Availability

Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.



APPENDIX

Planning Committee Meeting

*EBMUD Board committee meetings will be conducted in person and via Zoom.
These meetings are recorded and live-streamed.*

Online*

<https://ebmud.zoom.us/j/94576194030?pwd=dWZlc3hNU3JNUVBQYmNKWjJSNVZQdz09>

Webinar ID: 945 7619 4030

Passcode: 925293

By Phone

Telephone: 1 669 900 6833

Webinar ID: 945 7619 4030

Passcode: 925293

International numbers available: <https://ebmud.zoom.us/u/kdmpbwlg2>

*To familiarize yourself with Zoom, please visit <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

Providing public comment - *The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.*

- Each speaker is allotted 3 minutes to speak; the Committee Chair has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

In person

- Fill out and submit a blue speaker card which is available in the meeting room

Via Zoom

- Use the raise hand feature in Zoom to indicate you wish to make a public comment
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
 - If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

Submitting written comments or materials


- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item topic in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.


To observe the Planning Committee Meeting,
please visit: <https://www.ebmud.com/about-us/board-directors/board-meetings/>

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 7, 2024

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: David A. Briggs, Director of Operations and Maintenance 

SUBJECT: Fiscal Year 2024 (FY 2024) Annual Readiness Report

SUMMARY

Policy 7.03 – Emergency Preparedness/Business Continuity requires the District have an Emergency Preparedness Program to prepare for and actively manage emergency functions. The policy also requires the District maintain a Business Continuity Program to minimize and recover critical business disruptions quickly in an emergency. The status of these programs during FY 2024 will be reviewed at the November 12, 2024 Planning Committee meeting.

DISCUSSION

Hazards such as earthquakes, wildfires, power outages, pandemics, or cyberattacks can impact the District's critical infrastructure and disrupt business functions. The Emergency Preparedness Program and Business Continuity Plans (BCP) include response plan preparations, training and exercises, mitigation actions such as availability of repair materials, and outreach to communities to minimize the impact of these hazards and accelerate recovery. The District periodically updates risk assessments and the Emergency Operations Plan (EOP) to maintain compliance with America's Water Infrastructure Act (AWIA) and other relevant requirements. The District's FY 2024 Annual Readiness Report is attached.

NEXT STEPS

Along with regular annual updates to plans and training, the District plans to complete the following in FY 2025:

- Update AWIA risk assessments and the EOP and certify with the U.S. Environmental Protection Agency.
- Work with cities and counties on planning for emergency drinking water distribution.
- Meet with mutual aid partners to improve response capabilities.

CCC:DAB:sd

Attachment: Fiscal Year 2024 (FY 2024) Annual Readiness Report

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FISCAL YEAR 2024 (FY 2024) ANNUAL READINESS REPORT

Emergency Planning

The District has 21 Business Continuity Plans (BCPs). Each BCP is updated every two years and exercised annually. In FY 2024, 14 BCPs were updated (one work group updated their BCP a year early) and 22 exercises were conducted. Follow-up actions from exercises are documented to improve preparedness.

The District has 28 Site Specific Emergency Action Plans (SSEAPs) and an Emergency Operations Plan (EOP), which support emergency preparedness, response, and operational continuity. Multiple annexes were updated, including the Tier 1 Water Quality Public Notification Plan, Declaration of District Emergency, and the Earthquake Response Plan. A new annex was created for the Commodity Point of Distribution Water Manifold Plan. The SSEAPs satisfy related Cal/OSHA requirements. The EOP and SSEAPs are updated every five years, or as needed. Two SSEAPs are due for updates in FY 2025 and the EOP will be updated in September 2025 (FY 2026).

The annual Emergency Operations Team (EOT) exercise was conducted on May 16, 2024. The exercise focused on reviewing and updating the EOP with a variety of external subject matter experts. Representatives from the Federal Emergency Management Agency (FEMA) and California Governor's Office of Emergency Services (Cal/OES) joined the breakout groups and provided support in the discussions.

In an emergency, District personnel are contacted via the emergency notification system (ENS) to report their availability. District-wide ENS drills are conducted twice a year and an additional two times each year by each department. The response rate for the District-wide drills was 99 percent for the April 16, 2024 drill and 98 percent for the September 21, 2024 drill.

The District actively meets with communities to jointly plan for emergency water distribution following a major seismic event. Meetings include the Offices of Emergency Services in Alameda and Contra Costa counties. While District staff focus on pipeline repair, alternative potable water supply could be provided at Commodity Points of Distribution (C-PODs) using vendor-supplied bottled water, federal or state government supplied bottled water, and/or from hydrants connected to the District's water distribution system. In 2024, the District collaborated with Contra Costa County to establish a framework for the District to assist local agencies with providing potable water at C-PODs via a hydrant manifold. District staff fabricated 80 hydrant manifolds for emergency deployment that are stored at District sites throughout the service area.

Flexible hoses will be used to connect distribution system piping if pipelines fracture after a significant seismic event. This temporary piping allows rapid recovery of the distribution system and add resiliency near earthquake faults. These hoses, valves, and deployment equipment were inventoried, and some components need replacement. District staff plans to purchase new components and conduct a functional exercise in FY 2025.

Board of Directors Standby Officers

Policy 7.03 – Emergency Preparedness/Business Continuity outlines how the Board of Directors designates Standby Officers to serve in their place should any Board member be unavailable in an emergency. The policy was revised on September 24, 2024, allowing each Board member to designate a minimum of two and no more than three Standby Officers. The Board reaffirmed and appointed a total of fifteen Standby Officers in 2024. There is presently one vacancy in two wards.

Mutual Aid Preparation

The District continues to meet with Los Angeles Department of Water and Power (LADWP), San Francisco Public Utilities Commission, Contra Costa Water District, and Las Vegas Valley Water District to discuss mutual aid logistics. These meetings include an annual meeting and monthly collaboration phone calls. The annual meeting took place on September 7, 2023. District staff also participated in LADWP's tabletop exercise on June 4, 2024.

District staff continue to serve on the California Water/Wastewater Agency Response Network (CalWARN) Region II steering committee and on the advisory board of the Cal/OES Early Earthquake Warning System.

Federal Regulatory Requirements

The District maintains an Emergency Action Plan (EAP) for the Lower Mokelumne River Project (FERC Project 2916) in accordance with Federal Energy Regulatory Commission (FERC) requirements. On September 20, 2023, the District hosted a Joint Agency Seminar and a functional exercise as part of the EAP. Following these events, the EAP was updated on December 29, 2023 and distributed to relevant stakeholders. A notification drill was not required or conducted because a functional exercise was completed. Additionally, in FY 2024, a security assessment was completed, leading to an update of the FERC security plan.

The District continues to periodically update risk assessments and the EOP to maintain compliance with America's Water Infrastructure Act (AWIA) and other relevant requirements. The next update will occur in FY 2025.

Public Safety Power Shutoffs (PSPS)

PG&E continued its PSPS Program in FY 2024 during high-wind and dry conditions. Power shutoffs can impact District facilities and disrupt operations. In response, the District deploys portable generators and pumps at critical pumping plants during the wildfire season.

In FY 2024, the District deployed 29 portable generators at pump stations in high-risk wildfire areas of the service area. No PSPS events occurred in the District's service area or upcountry in FY 2024. The 29 portable generators were secured using a long-term lease. The District purchased five portable generators that were delivered in January 2024. PSPS will continue to be managed as part of regular business operations and maintenance programs.

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 7, 2024

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager *CCC*

FROM: Michael T. Tognolini, Director of Water and Natural Resources *MTT*

SUBJECT: Update on the GreenGen Pumped Storage Project

SUMMARY

In September 2024, GreenGen Storage LLC (GreenGen) submitted a Draft License Agreement (DLA) to the Federal Energy Regulatory Commission (FERC) for a 400 megawatt (MW) pumped-storage hydropower system using reservoirs owned by PG&E in the upper Mokelumne River watershed. Staff are reviewing the DLA to understand the implications to the District's operations, and plan to submit a comment letter to FERC before the public review deadline on November 29, 2024. This item will be presented at the November 12, 2024 Planning Committee meeting.

DISCUSSION

GreenGen has been studying the use of PG&E's reservoirs as a pumped-storage hydropower project in the upper Mokelumne watershed since December 2017. All of the reservoirs are located upstream of Pardee Reservoir. In February 2023, when the Planning Committee was last updated, FERC had just approved GreenGen's Revised Study Plan.

Between February 2023 and February 2024, GreenGen completed several studies, including modeling, to help address some of the District's concerns associated with potential water supply and temperature impacts. District staff participated in several technical workshops, met with GreenGen, and submitted a comment letter to FERC in April 2024 requesting more detailed responses to District questions, particularly related to water quality.

In September 2024, GreenGen completed a DLA that described the proposed project and operations, which is summarized in Table 1. Staff's questions regarding the project effects have been adequately addressed based on a review of the DLA, discussions in public workshops, and a meeting with GreenGen in October 2024.

Table 1. Summary of Proposed Project & Operations in the DLA

Item	Proposal	Reason for Change
Reservoirs Used	PG&E’s Lower Bear and Salt Springs	Removed Upper Bear due to cost and feasibility
Generating Capacity	400 megawatts (MW) with space for an additional 200 MW	Avoids raising dams; reduces impacts
Volume of Water	Up to 1,810 acre-feet	Lower generating capacity
PG&E Operations	No long-term or carryover effects on overall water levels and releases.	No change
PG&E Generation	GreenGen may need to compensate PG&E for reduced generation.	GreenGen’s generating capacity is much larger than PG&E
Construction	2027 to 2030	No change
In-Service Year	2031	

GreenGen’s modeling indicates that water temperatures in the Mokelumne River downstream of where releases from Lower Bear and Salt Springs reservoirs combine will decrease by less than 1°C, which is a potential benefit for District operations. The lower temperature is a result of elevation and bathymetric differences between the two reservoirs from changes in the gradient driving heat loss and gain dynamics in the system. Along with the intakes being located on the bottom of the reservoirs and the volume being moved through the project representing a small fraction of the combined total volume of both reservoirs. GreenGen’s modeling also indicated little to no change in PG&E operations, which implies little to no change in flows into Pardee Reservoir.

District staff still has concerns regarding the lack of detail surrounding the proposed water right GreenGen will need to support the proposed project and will propose Protection, Mitigation, and Enhancement Measures (PMEs, a FERC licensing term) to monitor the effects of the project to ensure and confirm no impacts to District operations.

NEXT STEPS

Staff will submit a comment letter on the DLA to FERC by November 29, 2024 outlining District concerns around water rights and will propose new PMEs. Meanwhile, GreenGen is planning to complete a Final License Application in 2025. Before submitting the Final License Application, GreenGen will need to respond to comments on the DLA. The submission of the Final License Application will be followed by completion of California Environmental Quality Act and National Environmental Policy Act review, and approval of a State 401 Water Quality Certification. All of these steps will provide the District additional opportunities to review and comment on the project.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 7, 2024

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager *CCC*

FROM: Michael T. Tognolini, Director of Water and Natural Resources *MTT*

SUBJECT: Proposed Revisions to Watershed and Recreation Rules and Regulations and Camanche Recreation Area Seasonal Alcohol Prohibition

SUMMARY

The District periodically updates its Watershed and Recreation Rules and Regulations which govern usage of watershed areas to ensure water supply and environmental protection, public safety, fiscal responsibility, and consistency with state laws and codes. The Rules and Regulations were last updated in 2018. The majority of the proposed revisions are minor editorial changes intended to clarify definitions and regulations, and ensure consistency in the document. Substantive changes proposed include the prohibition of motorized personal watercraft (PWC) like jet-skis and hydrofoils on Camanche Reservoir, and the addition of definitions for electric bicycles and electric scooters. Staff is also initiating a seasonal alcohol prohibition at the Camanche Recreation Area beginning May 1, 2025 through September 30, 2025. This prohibition does not require a change to the Rules and Regulations and will recur annually on a permanent basis. A presentation on these proposed changes will be made at the November 12, 2024 Planning Committee meeting.

DISCUSSION

The Rules and Regulations are organized into 15 sections providing general provisions, definitions, and rules specific to access, boating, camping, resource protection, sanitation, vehicle use, hunting and other topics. Revisions and clarifications are proposed throughout the document to ensure internal consistency, reflect feedback from customers, staff input, and suggestions from District concessionaires and law enforcement partners. Key changes include the following:

Amendment to Prohibit Motorized Personal Watercraft on Camanche Reservoir. The Rules and Regulations have been updated to reflect that use of motorized PWC including jet-skis and hydrofoils will be prohibited on Camanche Reservoir. This prohibition is in response to a high volume of visitor complaints and numerous incidents that have occurred involving PWC on Camanche Reservoir.

PWCs has been used on Camanche Reservoir for as long as the recreation area has been open to the public, but there has been an increase in PWC use since 2020. Accidents involving PWC make up 47 percent of all boating accidents on Camanche Reservoir, which is 28 percent higher than the reported national average. Many PWC launched on Camanche Reservoir are rented by users with no knowledge of how to safely operate the vessel or the basic laws and rules of boating. The most common problems with PWC are no-wake violations, reckless or dangerous operation, and operating near swimmers.

The majority of PWC operators contacted for these violations do not carry a California Boater Card, as required by state law. Because PWC are highly mobile and challenging to contact, a typical enforcement contact for a PWC violation by a District Ranger takes one to three hours to complete. During summer weekends and holidays, District Rangers spend 15 to 25 hours daily addressing PWC violations. The majority of enforcement contacts are initiated by complaints from visitors or observations from recreation concession staff. Because of the time commitment for each PWC enforcement contact, many reported violations are not addressed because rangers and law enforcement are already engaged in other PWC contacts or issues around the watershed.

Prohibiting PWC on Camanche Reservoir will reduce the number of boating accidents annually, and significantly improve the safety and enjoyment of swimmers near the shoreline of Camanche Reservoir.

Definition of Electric Scooters and Bicycles. There are no proposed changes to Rules and Regulations concerning the use of electric scooters or bicycles, but definitions for each have been added in order to distinguish these from larger more powerful vehicles like electric motorcycles. These definitions are consistent with East Bay Regional Park District's definitions of electric scooters and bicycles.

Camanche Recreation Area Seasonal Alcohol Prohibition. Effective 2025, the possession or consumption of alcohol will be prohibited at the Camanche Recreation Area, including Camanche Reservoir, from May 1 through September 30. This prohibition is in response to noise curfew violations, DUI incidents, physical fights, and accidents resulting in significant injuries or fatalities that were caused or exacerbated by alcohol consumption. Alcohol consumption often leads to disturbances that negatively affect the experience of other visitors, many of whom do not return to the park after a bad interaction with other visitors who have been drinking. This prohibition does not require amending the Rules and Regulations.

Since 2015, 45 percent of camping related violations reported at Camanche Recreation Area were associated with the consumption of alcohol. The actual number of violations is likely higher as rangers can only confirm that alcohol was a factor by observing alcohol containers at a campsite. Many violations are suspected to have been caused by visitors who were drinking and who display signs of intoxication. This is not reported unless verified by law enforcement.

Proposed Revisions to Watershed and Recreation Rules and Regulations and Camanche
Recreation Area Seasonal Alcohol Prohibition
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Other recreation areas like Lake Piru, Lake Silverwood, select areas of Sacramento County Regional Parks, and the United States Forest Service have implemented similar alcohol prohibitions resulting in a dramatic decrease in visitor incidents like DUI accidents, drownings, boating accidents, and fights.

NEXT STEPS

Staff will seek input from the Planning Committee prior to finalizing amendments to the Rules and Regulations which is scheduled for Board consideration at its December 10, 2024 meeting. Following adoption, the amended Rules and Regulations will be summarized in local and upcountry newspapers and posted on the District's website. Notices will also be placed at appropriate locations in the recreation areas and in the watershed.

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