BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT

375 - 11th Street, Oakland, CA 94607 Office of the Secretary: (510) 287-0440

AGENDA

REGULAR CLOSED SESSION

Tuesday, December 10, 2024
11:00 a.m.
Boardroom
375 11th Street
Oakland, CA 94607

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

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.

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Existing litigation pursuant to Government Code section 54956.9(d)(1):

   a. *Saji Pierce, et al. v. East Bay Municipal Utility District, et al.*
   USDC, N.D. Cal., Case No. 3:21-cv-04325-AGT

   b. *Ralph A. Lowe, Sr., et al. v. East Bay Municipal Utility District*
   Contra Costa County Superior Court, Case No. C23-00109

   c. *Maxwell Hampton v. East Bay Municipal Utility District, et al.*
   Alameda County Superior Court, Case No. RG21102437

2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.

(The Board will discuss Closed Session agenda items in Conference Room 8.)

REGULAR BUSINESS MEETING
1:15 p.m.

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance
- 2024 Assignments for Committees, Joint Powers Authorities, and Associations – December 10, 2024

ANNOUNCEMENTS FROM CLOSED SESSION:

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.

CONSENT CALENDAR: (Single motion and vote approving 11 recommendations including 2 resolutions.)

1. Approve the Regular Meeting Minutes of November 26, 2024.

2. File correspondence with the Board.

3. Authorize a direct award contract beginning on or after December 10, 2024 to DXP Enterprises for supplying one spare KSB centrifugal pump for Pump Station M for a total cost, after the addition of taxes, not to exceed $108,377.

4. Authorize a direct award contract beginning on or after December 10, 2024 to Schwing Bioset, Inc., for supplying spare parts for dewatered sludge cake pumps at the Main Wastewater Treatment Plant Dewatering Facility for a total cost, after the addition of taxes, not to exceed $937,125.

5. Authorize an agreement beginning on or after December 10, 2024, with the City of Berkeley in an amount not to exceed $146,575 to upgrade 205 District gate valve boxes after street paving.

6. Authorize an agreement beginning on or after December 10, 2024 with S.P. Cramer & Associates, Inc. dba Cramer Fish Sciences in an amount not to exceed $1,159,423 to develop and implement a long-term monitoring and adaptive management plan for the newly inundated sub-tidal wetland habitat on the McCormack-Williamson Tract.

7. Authorize an agreement beginning on or after December 10, 2024 with West Publishing Corporation in an amount not to exceed $138,682 through June 30, 2027 for online legal research resources and tools.

CONSENT CALENDAR: (Continued)

8. Authorize actions related to customer online payment processing services.

    8.1. Ratify the extension of the agreement originally authorized under Board Motion No. 179-15 with Kubra Data Transfer Ltd. and the payment of $41,000 for online payment processing services during the period of May 3, 2024 through December 10, 2024.

    8.2. Authorize an amendment to extend the agreement originally authorized under Board Motion No. 179-15 with KUBRA through December 10, 2029 with two options to renew for additional one-year periods, and to increase the agreement amount by $900,000, which incorporates the ratified amount from the action above, for a total amount not to exceed $2,400,000 for online payment processing services.

9. Authorize an amendment to the agreement originally authorized under Board Motion No. 177-22 with Schneider Electric Systems USA, Inc. to increase the agreement amount by $1,119,423 to a total amount not to exceed $2,693,943 and extend the agreement term to June 30, 2026 for on-site technical consulting services in support of cybersecurity protection for Industrial Controls Systems.

10. Adopt a resolution authorizing the General Manager to execute an amendment to the grant agreement originally authorized under Board Resolution No. 35372-23 with the California Department of Water Resources for implementation of Lower Mokelumne River habitat improvements to increase the maximum grant amount by $200,000 to a total amount not to exceed $7,700,000, and to provide for the use of the additional grant funds to reimburse the cost of a planned collaborative study with the United States Geological Survey of outmigrating juvenile Chinook salmon survival in the Mokelumne River and the Sacramento-San Joaquin Delta. (Resolution)

11. Adopt a resolution to exercise the District's authority to collect delinquent charges from owner-occupied single-family residential accounts via the property tax rolls. (Resolution)

PUBLIC HEARING:

12. Conduct a public hearing and take actions on the Report and Recommendation of the General Manager for Revisions to the Recreation Use Fee Schedule for Calendar Year 2025 Not Subject to Proposition 218, which was filed with the Board on November 12, 2024.

    12.1. Conduct a public hearing on the Report and Recommendation of the General Manager for Revisions to the Recreation Use Fee Schedule for Calendar Year 2025 Not Subject to Proposition 218, which was filed with the Board on November 12, 2024.

    12.2. Adopt the Recreation Use Fee Schedule for CY 2025 contained within the Report. (Resolution)

DETERMINATION AND DISCUSSION:

13. Adopt the proposed amendments to the Watershed and Recreation Rules and Regulations. (Resolution)

14. Adopt resolutions commending Director Doug A. Linney, Director Lesa R. McIntosh, and Director William B. Patterson and acknowledging their public service achievements.

    14.1. Adopt a resolution commending Director Doug A. Linney and acknowledging his public service achievements. (Resolution)

    14.2. Adopt a resolution commending Director Lesa R. McIntosh and acknowledging her public service achievements. (Resolution)

    14.3. Adopt a resolution commending Director William B. Patterson and acknowledging his public service achievements. (Resolution)

15. General Manager's Report.
    - Monthly Report – November 2024

REPORTS AND DIRECTOR COMMENTS:

16. Committee Reports:
    - Finance/Administration
    - Planning

17. Other Items for Future Consideration.

18. Director Comments.

ADJOURNMENT:

The Board meetings scheduled for December 24, 2024 have been canceled. The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 14, 2025.

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.

BOARD CALENDAR

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, December 10	**Planning Committee** **Legislative/Human Resources Committee** **Board of Directors** ***Special Meeting*** **Board of Directors**	9:30 a.m. Boardroom 10:30 a.m. Boardroom 11:00 a.m. Boardroom 1:15 p.m. Boardroom	• Backflow Prevention Program Update • Discovery of Golden Mussels in the Delta *Canceled* • Declare 2024 Election Results • Closed Session • Regular Meeting
Tuesday, December 24	**Finance/Administration Committee** **Board of Directors**		*Canceled* *Canceled*
Wednesday, December 25 & Thursday December 26	**Christmas Holiday**		*Offices closed*
Wednesday, January 1, 2025	**New Year's Holiday**		*Offices closed*
Tuesday, January 14, 2025	**Planning Committee** **Legislative/Human Resources Committee** **Board of Directors**	TBD Boardroom TBD Boardroom 11:00 a.m. Boardroom 1:15 p.m. Boardroom	*Canceled* • Closed Session • Regular Meeting

<u>2024 Board Committee Members</u>

Finance/Administration	Katz {Chair}, Chan, Patterson
Legislative/Human Resources	Patterson {Chair}, McIntosh
Planning	Young {Chair}, Chan, Linney
Sustainability	Linney {Chair}, Katz, Young

EBMUD

APPENDIX

Closed Session and Regular Business Meetings
11:00 a.m. and 1:15 p.m.

EBMUD public Board meetings will be conducted in person and accessible via Zoom.
These meetings are recorded, live-streamed, and posted on the District's website.

*Online**
https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09
Webinar ID: 970 6508 6667
Passcode: 238500

*By Phone**
Telephone: 1 669 900 6833
Webinar ID: 970 6508 6667
Passcode: 238500
International numbers available: https://ebmud.zoom.us/u/adMXn1VnPp

*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 Board President 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 line 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 view the livestream of Board meetings, please visit:
https://www.ebmud.com/about-us/board-directors/board-meetings/

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: December 10, 2024

MEMO TO: Board of Directors

FROM: Lesa R. McIntosh, President

SUBJECT: 2024 Assignments for Committees, Joint Powers Authorities (JPA), and Associations – Updated as of December 10, 2024

Director Luz Gómez was appointed to represent Ward 2 on April 9, 2024. On April 23, 2024, the Board approved Director Gómez's assignment to the EBMUD Legislative/Human Resources Committee; JPA Boards for DSRSD/EBMUD Recycled Water Authority (DERWA), Freeport Regional Water Authority, and Upper Mokelumne River Watershed Authority (alternate); and as an alternate for the Special Districts Association of Contra Costa County. Director Gómez stepped down from these roles when her term expired November 5, 2024. Director Gómez was subsequently elected to represent Ward 2 during the general election on November 5, 2024, and the Board confirmed the election results at a Special meeting on December 10, 2024. Listed below are assignment updates. The Board will consider reassigning Director Gómez to the roles listed above at its Regular meeting on December 10, 2024. The Board is scheduled to review and approve updated assignments at its Regular meeting on January 28, 2025.

Planning Director Young, Chair Director Chan Director Linney	***2nd Tuesday of the month at 9:15 a.m.*** Administration Center Building
Legislative/Human Resources Director Patterson, Chair Director Gómez President McIntosh	***2nd Tuesday of the month at 10:15 a.m.*** Administration Center Building
Finance/Administration Director Katz, Chair Director Chan Director Patterson	***4th Tuesday of the month at 10:00 a.m.*** Administration Center Building
Sustainability Director Linney, Chair Director Katz Director Young	***4th Tuesday, quarterly, time to be determined*** Administration Center Building
DSRSD/EBMUD Recycled Water Authority (DERWA) Director Chan Director Gómez Director Young, Alternate	***1st Monday in Feb.;*** ***3rd Monday in May;*** ***4th Monday in March, July, Sept., and Nov.*** ***meets at 6:00 p.m.*** Contact: Florence T. Wedington Tel: 510-287-1625

Freeport Regional Water Authority
Director Patterson
Director Gómez
Director Katz, Alternate

2nd Thursday, quarterly at 10:00 a.m., location to be announced

Los Vaqueros Reservoir Joint Powers Authority
Director of Water and Natural Resources Tognolini
Director Linney, Alternate

2nd Wednesday of the month at 9:30 a.m., location to be determined
Contact: Grace W. Su
Tel: 510-287-7013

Retirement Board
Director Chan
Director Young

3rd Thursday odd numbered months at 9:00 a.m.
Administration Center Building
Contact: Valerie Weekly
Tel: 510-287-0760

Upper Mokelumne River Watershed Authority
Director Patterson
Director Gómez, Alternate
Director Katz, Alternate

4th Friday of January, April, and October; and third Friday of August, at 10:00 a.m.
McLean Hall, Pardee Center

Business Forum (Ad Hoc)
Director Linney
President McIntosh
Director Patterson

Meeting dates, times, and location to be determined

EBMUD/EBRPD Liaison
Director Katz
Director Chan
Director Young, Alternate

Meeting dates, times, and location to be determined

Oakland Chamber of Commerce
Director Linney
Director Patterson, Alternate

Special Districts Association of Alameda County/Special Districts Selection Committee
Director Chan, Member
Director Katz, Alternate
Director Patterson, Alternate

Special Districts Association of Contra Costa County
Director Young, Member
Director Gómez, Alternate

Draft Prepared By
RC
Secretary of the District

MINUTES

Tuesday, November 26, 2024
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California

Regular Closed Session Meeting

President Lesa R. McIntosh called to order the Regular Closed Session Meeting of the Board of Directors at 11:51 a.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Andy Katz, Doug A. Linney, William B. Patterson, Marguerite Young and President Lesa R. McIntosh were present at roll call.

Staff participants included General Manager Clifford C. Chan and General Counsel Derek T. McDonald.

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President McIntosh announced the closed session agenda and the Board convened to Administration Building Conference Room 8 for discussion.

Regular Business Meeting

President McIntosh called to order the Regular Meeting of the Board of Directors at 1:27 p.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Andy Katz, Doug A. Linney, Director William B. Patterson, Marguerite Young and President Lesa R. McIntosh were present at roll call.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, and Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President McIntosh led the Pledge of Allegiance.

PRESENTATION

General Manager Clifford C. Chan announced that for the 19th consecutive year, the District received the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting for its Annual Comprehensive Financial Report (ACFR). The ACFR is evaluated by an impartial panel of judges to ensure it meets the high standards of the program. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. The following staff were present to represent the team responsible for producing the report: David Glasser, Controller; Yenny Coburn, Accountant III; Winsun Hsieh, Accounting Systems Supervisor; and Johnny Wong, Accountant I. Director Katz, Chair of the Finance/Administration Committee presented the award to staff on behalf of the Board thanked them for their work.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

There was no public comment.

CONSENT CALENDAR

- Item 11 was pulled from the Consent Calendar for separate discussion.

- Motion by Director Katz, seconded by Director Linney, to approve the recommended actions for Items 1-10 on the Consent Calendar carried (6-0) by the following voice vote: AYES (Chan, Katz, Linney, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).

1. **Motion No. 218-24** – Approved the Regular Meeting Minutes of November 12, 2024.

2. The following correspondence was filed with the Board: **1)** Speakers' Bureau and Outreach Record CY24, dated November 25, 2024.

3. **Motion No. 219-24** – Awarded a contract to the lowest responsive/responsible bidder, Garney Pacific, Inc., in an amount not to exceed $10,847,300 for the construction of the Main Wastewater Treatment Plant Grit Dewatering Equipment Replacement and Reactor Drain Improvements, under Specification SD-432.

4. **Motion No. 220-24** – Awarded a contract to the lowest responsive/responsible bidder, Garney Pacific, Inc., in an amount not to exceed $6,766,000 for the construction of the Main Wastewater Treatment Plant Secondary Clarifier Rehabilitation Phase 4, under Specification SD-459.

5. **Motion No. 221-24** – Authorized United Health Care (UHC) premium increase of 24.25 percent to take effect on January 1, 2025, for retirees in the UHC Medicare Advantage plan.

6. **Motion No. 222-24** – Authorized an amendment to the agreement originally authorized under Board Motion No. 199-19 with Fidelity Workplace Services LLC to extend the agreement term through December 31, 2028, with two options to renew for additional one-year periods and approve mutual indemnification for recordkeeping and administration services of the District's 401(a), 401(k), and 457 deferred compensation plans.

7. **Motion No. 223-24** – Authorize an amendment to the agreement originally authorized under Board Motion No. 103-18 with Horizon Water and Environment, LLC to increase the agreement amount by $280,561 to a total amount not to exceed $629,076 for additional environmental services in support of routine maintenance activities for the Mokelumne Aqueduct System.

8. **Motion No. 224-24** – Authorized the General Manager to execute Amendment No. 4 to the Memorandum of Understanding between Placer County Water Agency and East Bay Municipal Utility District, increasing the District's share of costs for the development of a long-term water transfer project by an additional $360,000.

9.1. **Motion No. 225-24** – Ratifed the extension of the agreement with Quadient, Inc. originally authorized under the General Manager's authority and the total payment of $53,376.33 for providing maintenance services for bill inserting software and equipment rendered between July 1, 2024 through June 30, 2025.

9.2. **Motion No. 226-24** – Authorized an amendment to extend the agreement originally authorized under The General Manager's authority with Quadient, Inc. through June 30, 2026 and to increase the agreement amount by $119,626.33, which incorporates the ratified amount from the action above, for a total amount not to exceed $199,458.75 for providing maintenance for the bill inserting software and equipment.

10. **Motion No. 227-24** – Approved the October 2024 Monthly Investment Transactions Report.

11. **Adopt a resolution approving the adoption of a Board of Directors Governance Manual and rescission of previous resolutions, directives, Board practices, policies and/or administrative ordinances related to Board governance.**

Director Chan asked if the manual being considered for adoption was the same version discussed during the October 22, 2024 Regular Board meeting. She also asked when the Board would vote on the three Board governance policies ((revised Policy 6.04 - Ethics of the EBMUD Board of Directors, revised Policy 4.14 - Reimbursement of Director Expenses, and a new policy on the Protection of Whistleblowers). General Counsel Derek T. McDonald confirmed the manual being considered had been updated based on Board direction received during the October 22 meeting. Those updates included revisions to sub-sections 3.04(a), 3.05(b), and 4.04(d). He also confirmed that the appendix, which did not require Board approval, had been updated. The three governance policies will be finalized through the District's review process and presented to the Finance/Administration Committee and Board for approval in early 2025. Board members (except Director Chan) approved Secretary of the District Rischa S. Cole's request to include their signatures on the final document. Board members thanked each other and staff for working together to develop the manual and policies and expressed the information will be useful for new Board members and guidance for Board governance. President McIntosh requested a roll call vote.

- Motion by Director Patterson, seconded by Director Katz, to approve the recommended actions for Item 11 carried (5-1) by the following roll call vote: AYES (Katz, Linney, Patterson, Young, and McIntosh); NOES (Chan); ABSTAIN (None); ABSENT (None).

  Resolution No. 35428-24 – Adopting The East Bay Municipal Utility District Board Of Directors Governance Manual And Rescinding Resolution No. 33131-98 And Prior Board Directives.

12. **General Manager's Report.**

General Manager Clifford C. Chan announced The Speakers' Bureau and Outreach Record CY24 had been provided at Board places and that staff would begin presenting water supply updates in January 2025.

REPORTS AND DIRECTOR COMMENTS

13. **Committee Reports.**

- Filed with the Board were the Minutes for the November 12, 2024 Planning Committee.

- President McIntosh reported the Board met earlier for the Infrastructure Workshop where staff provided a presentation on Capital Improvement Program (CIP) project elements to address aging infrastructure, maintenance and reliability, climate change adaptation, and regulatory requirements to upgrade and maintain the water and wastewater systems. The presentation also included a discussion on the primary drivers of the District's infrastructure needs, highlights of major projects for both the water and wastewater systems, the updated CIP development process, and fiscal considerations.

- Finance/Administration Committee Chair Andy Katz reported the Committee met earlier and received updates on the Monthly Investment Transactions Report for October 2024, Employee Reimbursements of at Least $100 (AB 1542) – June 30, 2024, and the Fiscal Year 2024 Audited Financial Statements.

- Director Young reported the Ad Hoc Committee comprised of Director Chan, Director-elect Gómez, and Director Young along with the General Manager, General Counsel, and Secretary met on November 21 to interview firms to facilitate the 2025 Board of Directors Retreat. Four firms were invited, and three firms were interviewed – Equity Through Action, Cavenaugh Consulting, and The Pivotal Group. The team will meet this afternoon to make a final selection. The Board will receive an update on the final selection and next steps in an information memo prior to the December 10 meeting.

14. **Other Items for Future Consideration.**

None.

15. **Director Comments.**

- Director Chan reported viewing the film "Planet Walker" by John Francis on November 23 and said she has flyers available about the film.

- Director Patterson wished everyone a Happy Thanksgiving.

- Director Young reported presenting the resolution adopted by the Board recognizing the Town of Moraga's 50th anniversary at the Moraga City Council meeting on November 13. Director Young also reported submitting three pieces for the District's Employee Art exhibit which will be displayed in the 2nd floor gallery of the Administration Building beginning in early December through early January 2025.

- Directors Katz and Linney, and President McIntosh had no reports.

ADJOURNMENT

President McIntosh adjourned the meeting at 1:47 p.m.

SUBMITTED BY:

_____
Rischa S. Cole Secretary of the District

APPROVED: December 10, 2024

_____
Lesa R. McIntosh, President of the Board

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EBMUD

BOARD ACTION

Agenda Number:	3.	Meeting Date:	December 10, 2024

TITLE **PURCHASE SPARE CENTRIFUGAL PUMP**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize a direct award contract beginning on or after December 10, 2024 to DXP Enterprises (DXP) for supplying one spare KSB centrifugal pump for Pump Station M for a total cost, after the addition of taxes, not to exceed $108,377.

SUMMARY

This purchase is for one KSB centrifugal pump for the Pump Station M facility in Alameda as a spare to the existing four pumps. DXP is the only vendor for the original equipment manufacturer (OEM) KSB pump.

DISCUSSION

Pump Station M is located on Bay Farm Island and pumps raw sewage to Alameda Island and into the District's interceptor system. The station consists of four newly installed pumps. Each pump includes casings and internal pump elements that match the dimensions and configuration of the pump station, as well as meet the design pump curve and output specifications. Only the OEM KSB pumps fit the pump station's dry well exactly and meet the necessary flow output to ensure proper pumping rates from the pump station.

The design of the pump station requires three pumps to be online to meet peak wet weather flows. If more than one pump is inoperable, flow demands may not be met. Due to long lead times and availability of parts, a damaged pump could take months to repair. The purchase of a spare pump will facilitate repairs should one become damaged, worn or fail, ensuring that three pumps will remain in continuous operation and wet weather flow demands can be met.

This contract supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

VENDOR SELECTION

A direct award for this contract is needed because KSB is the original equipment manufacturer and DXP is the only KSB vendor. A KSB pump is required for absolute compatibility of parts and fit with the existing KSB pumps.

SUSTAINABILITY

Economic

Funding for this purpose is available in the FY 2025 adopted capital budget for General Wastewater.

Originating Department: Wastewater	**Department Director or Manager:** Amit K. Mutsuddy	**CEP Forms?** Yes	**Board Action Type:** Materials and Supplies
Funds Available: FY2025, Award #7000341, Page 126	**Budget Coding:** 21-911-0000-3100061-53010		**Approved:**
Attachments: P-035; P-061			

Title:	Purchase Spare Centrifugal Pump	Meeting Date:	December 10, 2024

Social
This purchase will allow for prompt replacement of any failing equipment and increase operational reliability.

Environmental
Pump Station M is a critical facility that protects public health and water quality in San Francisco Bay. This purchase will provide increased operational reliability by having parts available onsite to maintain this critical infrastructure.

ALTERNATIVES

Delay or do not proceed with purchase. This alternative is not recommended because four reliable pumps are crucial for the facility and having a spare pump in inventory increases operational reliability.

Select a different vendor. This alternative is not recommended because the facility requires OEM pumps and DXP is the only distributor for the OEM pump.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Materials and Supplies Agreement Spare KSB Pump Purchase	November 7, 2024

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
DXP Enterprises Houston, TX	Sole Source		**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**100.0%**
	Ethnicity	**Gender**	**White Women**	**2%**	**0.0%**
$108,377 *	White	Men	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: DXP Enterprises	$108,377	White	X		100.0%						
SUBS: None											
TOTAL	$108,377				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	1,488	407	839	2,734
Percent of Total Employees:	54.4%	14.9%	30.7%	
MSA Labor Market %:	31.5%	26.1%	42.4%	
MSA Labor Market Location:	Texas			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration : NA

*Total not to exceed: $108,377

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Spare KSB Pump Purchase**

Materials and Supplies Agreement

DATE: 11/7/2024

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number			**B**	**H**	**A/PI**	**AI/AN**	**TOTAL**	**PERCENT**	**MSA %**
RP	**WM**	**Company Wide**	149	531	70	5	755	27.6%	42.4%
DXP Enterprises		Manager/Prof	17	67	23	3	110	16.9%	
Folusho Peters		Technical/Sales	78	182	31	1	292	22.9%	
5301 Hollister Dr.		Clerical/Skilled	0	0	0	0	0	0.0%	
Houston, TX 77040		Semi/Unskilled	54	282	16	1	353	39.8%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
816-504-7266		AA Plan on File:	**NA**		Date of last contract with District:			**7/27/2021**	
		Co. Wide MSA:	**Texas**		# Employees-Co. Wide:		**2,734**	Bay Area:	**0**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

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BOARD ACTION

Agenda Number:	4.	Meeting Date:	December 10, 2024

TITLE **PURCHASE SPARE PARTS FOR DEWATERING CAKE PUMPS**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize a direct award contract beginning on or after December 10, 2024 to Schwing Bioset, Inc., for supplying spare parts for dewatered sludge cake pumps at the Main Wastewater Treatment Plant (MWWTP) Dewatering Facility for a total cost, after the addition of taxes, not to exceed $937,125.

SUMMARY

This contract is for the purchase of major replacement components for the MWWTP Dewatering Facility's cake pumps, including housings, shaft/screw sections, bearings, and other parts. Schwing Bioset, Inc. is the original equipment manufacturer for the cake pumps.

DISCUSSION

The MWWTP Dewatering Facility consists of five dewatering centrifuges. Each centrifuge is paired with a pump for dewatered sludge (called "cake") to deliver the cake to truck loadout hoppers. Three of the five centrifuges and cake pumps were installed during the original construction of the building in the 1970s; the two larger cake pumps are also over 10 years old. Because of their age, some of the components and parts on the cake pumps are significantly worn and require frequent maintenance or repair. Parts for the older cake pumps are still available from the manufacturer but have a long lead time. This contract will enable critical parts to be ordered in advance of breakdowns, substantially reducing downtime and allowing for planned rehabilitation of the equipment.

This contract supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

VENDOR SELECTION

A direct award for this contract is needed because Schwing Bioset, Inc. is the original equipment manufacturer and the only manufacturer of the required replacement components.

SUSTAINABILITY

Economic

Funding for this purpose is available in the FY 2025 adopted capital budget for General Wastewater and the FY 2025 adopted operating budget.

Originating Department: Wastewater	**Department Director or Manager:** Amit K. Mutsuddy	**CEP Forms?** Yes	**Board Action Type:** Materials and Supplies
Funds Available: FY2025; Award #7000341; Page 126	**Budget Coding:** 21-911-0000-3100061-53010 21-911-9142400-53010		**Approved:**
Attachments: P-035; P-061			

Title:	Purchase Spare Parts for Dewatering Cake Pumps	Meeting Date:	December 10, 2024

Social
This purchase will replace failing dewatering equipment parts and increase operational reliability, reducing emergency work required of staff and promoting environmental compliance.

Environmental
The MWWTP is a critical facility that protects public health and water quality in San Francisco Bay. This purchase will provide increased operational reliability by having parts available onsite to maintain the infrastructure.

ALTERNATIVES

Delay or do not proceed with purchase. This alternative is not recommended because the existing equipment is old and requires on-site spare parts to facilitate maintenance and ensure reliability.

Select a different vendor. This alternative is not recommended because the existing equipment requires original equipment manufacturer parts and Schwing Bioset, Inc. is the original equipment manufacturer.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Materials and Supplies Agreement Dewatering Cake Pumps Spare Parts Purchase	September 19, 2024

CONTRACTOR:

Schwing Bioset, Inc.
Somerset, WI

Sole Source

BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP	
	Ethnicity	Gender
$937,125 *	White	Men

PERCENTAGE OF CONTRACT DOLLARS

Availability Group	Contracting Objectives	Participation
White Men	25%	100.0%
White Women	2%	0.0%
Ethnic Minorities	25%	0.0%

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Schwing Bioset, Inc.	$937,125	White	X		100.0%						
SUBS: None											
TOTAL	$937,125				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	125	21	10	156
Percent of Total Employees:	80.1%	13.5%	6.4%	
MSA Labor Market %:	47.5%	42.8%	9.6%	
MSA Labor Market Location:	Wisconsin			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration : Two years, with three options to renew for additional one-year periods.

*Total not to exceed: $937,125

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Dewatering Cake Pumps Spare Parts Purchase**

Materials and Supplies Agreement

DATE: 9/19/2024

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number	Number of Ethnic Minority Employees						
			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM	Company Wide	3	6	1	0	10	6.4%	9.6%
Schwing Bioset, Inc.		Manager/Prof	0	2	0	0	2	3.1%	
Kim Noreen		Technical/Sales	2	4	0	0	6	26.1%	
350 SMC Dr.		Clerical/Skilled	0	0	0	0	0	0.0%	
Somerset, WI 54025		Semi/Unskilled	1	0	1	0	2	4.3%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
715-888-2703		AA Plan on File:	NA		Date of last contract with District:			10/18/2021	
		Co. Wide MSA:	Wisconsin		# Employees-Co. Wide:		156	Bay Area:	0

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	5.	Meeting Date:	December 10, 2024

TITLE **CITY OF BERKELEY GATE VALVE BOX UPGRADES**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize an agreement beginning on or after December 10, 2024, with the City of Berkeley (City) in an amount not to exceed $146,575 to upgrade 205 District gate valve boxes after street paving.

SUMMARY

The City is completing paving projects in various streets containing District water distribution pipes and valves. This agreement will allow the City or its contractor to modify the District's gate valve boxes to facilitate street paving and to upgrade the gate valve boxes to current District standards once the paving is completed.

DISCUSSION

The District has approximately 87,000 valves in the water distribution system buried under public streets and rights-of-way. These valves are critical to operating and maintaining the water distribution system. A box surrounds each valve to allow access to the valve.

The City is paving various streets under the City's FY2024 Street Rehabilitation Project. This agreement will allow the City's contractor to lower 205 valve boxes to facilitate surface paving on the condition that the City's contractor then upgrades each valve box to grade using District-supplied materials and in accordance with current District standards. District staff will inspect and approve the work prior to paying the City for installing new valve boxes. The services contracted for in the agreement cannot be satisfactorily performed under the District civil service and therefore contracting out is proper.

This agreement supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

SERVICE PROVIDER SELECTION

The City selected the contractor under the City's FY2024 Street Rehabilitation Project (Specification No. 24-11624-C).

SUSTAINABILITY

Economic

Funding for this purpose is available in the FY 2025 adopted capital budget for Pipeline Appurtenances.

Originating Department: Maintenance and Construction	**Department Director or Manager:** Crystal J. Yezman	**CEP Forms?** N/A	**Board Action Type:** General Services
Funds Available: FY2025; Award #7000164; page 30	**Budget Coding:** 11.723.2009539.53110		**Approved:**
Attachment(s): N/A			

Title:	City of Berkeley Gate Valve Box Upgrades	Meeting Date:	December 10, 2024

Social
Local 444 was notified of this agreement on October 7, 2024. The District and Local 444 met on October 7, 2024, to discuss their concerns. The District will continue to meet with Local 444 to discuss their concerns; however, Local 444 does not oppose this agreement.

Environmental
Water distribution valves are critical for isolating pipes and minimizing property and environmental damage due to main breaks. This agreement will limit the time the valves are inaccessible for emergency response during the paving project and improve future access.

ALTERNATIVE

Perform the work with District forces. This alternative is not recommended because District resources would not be available to meet the City's schedule requirements.

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EBMUD

BOARD ACTION

Agenda Number:	6.	Meeting Date:	December 10, 2024

TITLE **AQUATIC ECOSYSTEM ASSESSMENT OF THE MCCORMACK-WILLIAMSON TRACT AGREEMENT**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize an agreement beginning on or after December 10, 2024 with S.P. Cramer & Associates, Inc. dba Cramer Fish Sciences (CFS) in an amount not to exceed $1,159,423 to develop and implement a long-term monitoring and adaptive management plan for the newly inundated sub-tidal wetland habitat on the McCormack-Williamson Tract (MWT).

SUMMARY

This agreement is for the development and implementation of a long-term monitoring and adaptive management plan that will collect a suite of biotic (target fish, predators and prey items) and abiotic (water quality, depth and velocity) data designed to evaluate the biological benefits of the newly inundated sub-tidal wetland habitat on the MWT for both juvenile salmonids and native fish. This project is identified in the District's Department of Water Resources (DWR) grant agreement to support the Healthy Rivers and Landscapes Agreement (HRL formerly known as the Voluntary Agreements) initiative, which is part of the State Water Resources Control Board's Water Quality Control Plan Update process for the Bay-Delta.

DISCUSSION

On August 11, 2022, the District signed the Memorandum of Understanding (MOU) advancing a term for the HRL, which will update and implement the Bay-Delta Water Quality Control Plan. As part of the 2022 MOU, the District proposed both flow and non-flow measures as the Mokelumne River's contribution to the HRL. The non-flow measures include restoration of a minimum of 25 acres of suitable floodplain rearing habitat, and 1 acre of instream rearing habitat on the Lower Mokelumne River.

In January 2024, the District secured a $7,500,000 grant (no match required) from the Department of Water Resources (DWR). This grant funds a large-scale restoration and maintenance program for juvenile salmonids on the Mokelumne River to: 1) restore critical in-channel and floodplain rearing habitat; 2) maintain and enhance critical spawning habitat; and 3) monitor newly inundated freshwater sub-tidal marsh habitat.

Under this project, staff will work with CFS and their sub-consultants to develop and implement a long-term monitoring and adaptive management plan for the newly inundated sub-tidal wetland habitat on the MWT, which will provide much needed high-quality rearing and spawning habitat along the Mokelumne River salmon migration corridor. Work for this project is funded by the grant from DWR. Staff will oversee the consulting agreement, as well as provide technical, logistical and project management direction during the proposed work. Ultimately, this project will determine the suitability of the habitat on the MWT for Chinook

Originating Department: Water and Natural Resources	**Department Director or Manager:** Michael T. Tognolini	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: FY 2025; Award #7000070; Vol 2 page 24	**Budget Coding:** 11-483-3100097-52310		**Approved:**
Attachment(s): P-035; P-061			

Title:	Aquatic Ecosystem Assessment of the McCormack-Williamson Tract Agreement	Meeting Date:	December 10, 2024

salmon and steelhead in the Lower Mokelumne River as well as other native fish species that inhabit the area. The services contracted for in the agreement cannot be satisfactorily performed under the District civil service and therefore contracting out is proper.

This project supports the District's Water Quality and Environmental Protection Strategic Plan goal.

CONSULTANT SELECTION

A request for proposals was posted on the District website. Four firms submitted proposals. CFS was selected because they best met the evaluation criteria. CFS carefully described how their approach to monitoring fish populations and biotic and abiotic factors driving habitat suitability will improve the District's overall understanding of how the MWT can ultimately contribute to the survival and resilience of salmonids and other native fish populations in the Mokelumne River. Furthermore, CFS demonstrated a distinct understanding of how this monitoring project factors into the District's larger goals as outlined in the Lower Mokelumne River Joint Settlement Agreement, Anadromous Fish Restoration Program, and HRL.

SUSTAINABILITY

Economic

Funds for this agreement are available in the FY 2025 adopted capital budget of the River and Watershed.

Grant funding has been secured from DWR in the amount of $7,500,000.

Social

Local 2019 was notified on October 14, 2024 of this agreement and did not raise any specific issues related to this agreement.

Environmental

The project will have environmental benefits including resource conservation and will help the District meet its commitments to the HRL Program. The development and implementation of long-term monitoring and adaptive management is not a project subject to the California Environmental Quality Act (CEQA) because it does not have the potential for resulting in either a direct physical change in the environment of reasonably foreseeable indirect physical change in the environment. CEQA Guidelines section 15306 also exempts data collection and resource evaluation activities, which would include the long-term monitoring for the lands. CFS currently either holds, or will apply for and maintain, all appropriate permits required to collect and analyze the biotic and abiotic samples for the proposed project.

ALTERNATIVES

Perform the work with District forces. This alternative is not recommended because the District does not have the resources to support the full workload and the level of monitoring required by the HRL for this project. District staff will conduct a suite of new monitoring within the freshwater portions of the Mokelumne River; however, there is a need to contract out the work specifically monitoring the MWT in the sub-tidal wetland habitat due to differences in expertise and amount of added work required to complete this task.

Title:	Aquatic Ecosystem Assessment of the McCormack-Williamson Tract Agreement	Meeting Date:	December 10, 2024

Do not implement the Project. This alternative is not recommended because the District has received grant funding to support the implementation of this project, and furthermore the implementation will help the District meet the commitments described under the HRL.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Professional Services Agreement Aquatic Ecosystem Assessment of the McCormack-Williamson Tract: A Long-Term Collaborative Monitoring Initiative for Salmonid Restoration	October 29, 2024

CONTRACTOR:
S.P. Cramer & Associates, Inc.
dba Cramer Fish Sciences
Portland, OR

PERCENTAGE OF CONTRACT DOLLARS

BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		Availability Group	Contracting Objectives	Participation
			White Men	25%	100.0%
	Ethnicity	Gender	White Women	6%	0.0%
$1,159,423 *	White	Men	Ethnic Minorities	25%	0.0%

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: S.P. Cramer & Associates, Inc. dba Cramer Fish Sciences	$1,098,341	White	X		94.7%						
SUBS: GEI Consultants, Inc.	$61,082	White	X		5.3%						
TOTAL	$1,159,423				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	38	34	9	81
Percent of Total Employees:	46.9%	42.0%	11.1%	
MSA Labor Market %:	39.0%	33.7%	27.3%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation - 100% White Men participation.
Contract Duration: NA

*Total not to exceed: $1,159,423

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	YES	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Aquatic Ecosystem Assessment of the McCormack-Williamson Tract: A Long-Term Collaborative Monitoring Initiative for Salmonid Restoration**

Professional Services Agreement

DATE: 10/29/2024

Ethnic Minority Percentages From U.S. Census Data

	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

Number of Ethnic Minority Employees

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	**WM**	S.P. Cramer & Associates, Inc. dba Cramer Fish Sciences Kyle Burdick 7525 NE Ambassador Place, Suite C Portland, OR 97720 503-491-9577	**Company Wide**	0	4	3	0	7	8.6%	27.3%
			Manager/Prof	0	0	1	0	0	2.1%	
			Technical/Sales	0	4	2	0	6	20.0%	
			Clerical/Skilled	0	0	0	0	0	0.0%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	0	0	0	0	0	0.0%	39.9%
			AA Plan on File:	**NA**		Date of last contract with District:		**9/10/2024**		
			Co. Wide MSA:	**USA**		# Employees-Co. Wide:		**81**	Bay Area:	**0**
S	**WM**	GEI Consultants, Inc. Summer Pardo 11010 White Rock Rd., STE 200 Rancho Cordova, CA 95670 916-217-7350	**Company Wide**	INFORMATION NOT PROVIDED						
			Manager/Prof							
			Technical/Sales							
			Clerical/Skilled							
			Semi/Unskilled							
			Bay Area							
			Co. Wide MSA:							
P	**WW: L/SBE**	Stillwater Ecosystem, Watershed and Riverine Sciences dba Stillwater Sciences Harmony Miller 2855 Telegraph Ave, Ste 400 Berkeley, CA 94705 503-523-7516	**Company Wide**	1	0	3	0	4	12.5%	53.9%
			Manager/Prof	0	0	2	0	2	7.4%	
			Technical/Sales	0	0	0	0	0	0.0%	
			Clerical/Skilled	1	0	1	0	2	50.0%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	1	0	3	0	4	12.5%	39.9%
			Co. Wide MSA:	**Alameda**		# Employees-Co. Wide:		**0**	Bay Area:	**32**
P	**WW: LBE**	Environmental Science Associates Annette Bonilla 2600 Capitol Avenue, Ste. 200 Sacramento, CA 95816 415-962-8459	**Company Wide**	2	16	14	1	33	27.3%	37.3%
			Manager/Prof	1	10	12	1	24	24.2%	
			Technical/Sales	0	1	2	0	3	50.0%	
			Clerical/Skilled	1	5	0	0	6	37.5%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	0	0	0	0	0	0.0%	39.9%
			Co. Wide MSA:	**Sacramento**		# Employees-Co. Wide:		**0**	Bay Area:	**0**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	7.	Meeting Date:	December 10, 2024

TITLE **ONLINE LEGAL RESEARCH RESOURCES AND TOOLS**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize an agreement beginning on or after December 10, 2024 with West Publishing Corporation in an amount not to exceed $138,682 through June 30, 2027 for online legal research resources and tools.

DISCUSSION

West Publishing Corporation provides exclusive legal materials, resources, and proprietary tools required by the Office of General Counsel (OGC) to conduct the day-to-day online legal research functions necessary to defend the District against pending and potential claims and litigation and to provide legal guidance to the Board of Directors, Senior Management, and staff.

SERVICE PROVIDER SELECTION

OGC has explored using LexisNexis, the only other large online legal research company, that provides online legal research resources and has utilized both LexisNexis and West Publishing Corporation in the past. OGC has found that LexisNexis does not offer the essential and relevant online legal research resources necessary to meet the District's legal needs.

SUSTAINABILITY

Economic

The FY 2025 adopted operating budget includes funding for the first seven months of this agreement. Funding for the additional years will be considered as part of the associated budget development process.

ALTERNATIVE

Do not authorize this agreement. This alternative is not recommended as the required and necessary online legal research resources and tools are not available through any other provider.

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Originating Department: Office of General Counsel	**Department Director or Manager:** Derek McDonald	**CEP Forms?** Yes	**Board Action Type:** General Services
Funds Available: FY 2025	**Budget Coding:** 11-130-8851100-52410		**Approved:**
Attachment(s): P-035; P-031			

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
General Services Agreement Authorize Agreement for Online Legal Resarch Resources and Tools	November 25, 2024

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
West Publishing Corporation Eagan, MN	Direct Award		**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**0.0%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$138,682 *	-	-	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: West Publishing Corporation	$138,682	Publicly Held							100.0%		
SUBS: None											
TOTAL	$138,682				0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	**White Women**	**Ethnic Minorities**	**Total Employees**
No. of Employees:	1,719	1,379	598	3,696
Percent of Total Employees:	46.5%	37.3%	16.2%	
MSA Labor Market %:	47.6%	43.1%	9.3%	
MSA Labor Market Location:	Minnesota			

COMMENTS

Contract Equity Participation: Zero Contract Equity participation. Firm is a Publicly Held Corporation.
Contract Duration: 3.5 years.

*Total not to exceed: $138,682

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Authorize Agreement for Online Legal Resarch Resources and Tools**

General Services Agreement

DATE: 11/25/2024

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees								
Company Name, Owner/Contact Person, Address, and Phone Number			**B**	**H**	**A/PI**	**AI/AN**	**TOTAL**	**PERCENT**	**MSA %**
RP	**PHC**	**Company Wide**	101	126	308	0	535	14.5%	9.3%
West Publishing Corporation		Manager/Prof	58	74	226	0	358	13.5%	
Brian Lemley		Technical/Sales	17	21	29	0	67	10.6%	
2900 Ames Crossing Road, Suite 100		Clerical/Skilled	13	21	40	0	74	23.3%	
Eagan, MN 55121		Semi/Unskilled	13	10	13	0	36	40.9%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
763-326-4505		AA Plan on File:	**NA**		Date of last contract with District:		**NA**		
		Co. Wide MSA:	**Minnesota**		# Employees-Co. Wide:		**3,696**	Bay Area:	**0**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	8.1. - 8.2.	Meeting Date:	December 10, 2024

TITLE **CUSTOMER ONLINE PAYMENT PROCESSING SERVICES**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

- Ratify the extension of the agreement originally authorized under Board Motion No. 179-15 with Kubra Data Transfer Ltd. (KUBRA) and the payment of $41,000 for online payment processing services during the period of May 3, 2024 through December 10, 2024.
- Authorize an amendment to extend the agreement originally authorized under Board Motion No. 179-15 with KUBRA through December 10, 2029 with two options to renew for additional one-year periods, and to increase the agreement amount by $900,000, which incorporates the ratified amount from the action above, for a total amount not to exceed $2,400,000 for online payment processing services.

SUMMARY

The District offers its customers tools such as online electronic bill (e-bill) enrollment, presentment, and payment options to enhance the customer experience and reduce paper waste. In 2015, the District selected KUBRA to implement the e-bill solution through a competitive process. The e-bill solution was launched May 2, 2017. Today, this solution serves as the primary billing and payment interface for approximately 32 percent of District customers. To continue to offer customers this e-bill solution, amending the agreement with KUBRA is recommended.

DISCUSSION

The District uses KUBRA's system as an e-bill solution to enable customers to view and pay water bills electronically, as well as make recurring and one-time payments. KUBRA accepts various payment types such as credit, debit, ACH/e-Check, and allows customers to pay through other channels including telephone, call center representatives, and mobile devices. There are currently 127,447 (or approximately 32%) customer accounts enrolled in e-bill presentment and payment services. In calendar year 2023, KUBRA processed over 599,000 transactions and processed over $158 million in recurring bill payments.

In addition to processing recurring bill payments, KUBRA's system offers one-time payments for customers. In 2023, KUBRA processed over $82 million one-time bill payments for over 259,000 transactions (approximately 10% of the customer payments). With the expectation of increased use of one-time payments, the District is working on expanding payment options by adding Apple Pay, Google Pay, and Venmo by spring 2025. Currently, the convenience fee charged by KUBRA for one-time payments is $2.99. Effective January 1, 2025, the convenience fee will increase to $3.50 due to increased fees KUBRA incurs associated with processing credit

Originating Department: Customer and Community Services	**Department Director or Manager:** Andrew L. Lee	**CEP Forms?** Yes	**Board Action Type:** General Services
Funds Available: FY 2025	**Budget Coding:** 11.335.1601.8602100.52430.000000		**Approved:**
Attachment(s): P-035; P-061			

Title:	Customer Online Payment Processing Services	Meeting Date:	December 10, 2024

card payments. The convenience fees are third-party charges, and none are retained by the District. Once implemented, these new payment options are expected to offer customers more flexibility in bill payment and further reduce paper waste.

The agreement with KUBRA, authorized under Board Motion No. 179-15, expired on May 2, 2024. Due to the necessary services KUBRA provides for electronic bill presentment and payment collection, as well as extended negotiations with KUBRA, staff was unable to seek an extension before the agreement expired. However, KUBRA continued to provide the services. During this time there was sufficient funds remaining in the purchase order to cover payment of the services. Thus, staff is seeking the Board's ratification of the extension of the agreement from May 3, 2024 to December 10, 2024.

This agreement supports the District's Long-Term Financial Stability and Customer and Community Services Strategic Plan goals.

SERVICE PROVIDER SELECTION

In October 2014, a request for proposals was posted on the District's website and sent to ten firms with expertise in online payment processing. Seven firms submitted a proposal, and four firms were invited for an on-site interview and system demonstration. KUBRA was selected after a comprehensive evaluation of offerings and reference checks. For the past seven years, the District has received outstanding services from KUBRA. Additionally, significant resources and time have been invested implementing their services and 32 percent of the District's customers have adopted this solution for bill presentment and payment. Using an alternative consultant could significantly impact billing and payment services for customers. Therefore, it is recommended to amend the agreement with KUBRA.

SUSTAINABILITY

Economic
The FY 2025 adopted operating budget includes funding for the first year of this multi-year agreement. Funding for the additional years will be considered as part of the associated budget development process.

Social
This program offers customers e-bill presentment and payment options, which reduces the use of paper and promote sustainability.

Environmental
Providing an e-bill presentment and payment option will help reduce paper statements and mailing expenses.

ALTERNATIVES

Do not amend the agreement with KUBRA. This alternative is not recommended because significant cost and effort would be required to convert existing customers to a new platform.

Implement an alternative e-bill solution. This alternative is not recommended because implementing an alternative solution will require costly integration work and could have significant impact on billing and payment services for customers.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Professional Services Agreement - Amendment Agreement for Customer Online Payment Processing Services	November 26, 2024

CONTRACTOR:

Kubra Data Transfer Ltd.
Piscataway, NJ

Direct Award

BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		PERCENTAGE OF CONTRACT DOLLARS		
			Availability Group	**Contracting Objectives**	**Participation**
			White Men	**25%**	**100.0%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$900,000 *	White	Men	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Kubra Data Transfer Ltd.	$900,000	White	X		100.0%						
SUBS:											
TOTAL	$900,000				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	83	23	136	242
Percent of Total Employees:	34.3%	9.5%	56.2%	
MSA Labor Market %:	39.0%	33.7%	27.3%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration: Seven years, with two options to renew for additional one-year periods.

*Total contract not to exceed: $2,400,000 = $1,500,000 (Original) = $900,000 (Amendment)

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Agreement for Customer Online Payment Processing Services**

Professional Services Agreement - Amendment

DATE: 11/26/2024

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number	Number of Ethnic Minority Employees						
			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM	Company Wide	26	66	41	0	133	55.0%	27.3%
		Manager/Prof	6	15	36	0	57	39.0%	
		Technical/Sales	0	1	0	0	1	7.7%	
		Clerical/Skilled	4	9	1	0	14	77.8%	
		Semi/Unskilled	16	41	4	0	0	93.8%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		10/28/2015		
		Co. Wide MSA:	USA		# Employees-Co. Wide:		242	Bay Area:	0
P	EMM: MM	Company Wide	31	43	14	-	88	69.3%	48.4%
		Manager/Prof	4	3	7	-	14	50.0%	
		Technical/Sales	-	-	-	-	0	0.0%	
		Clerical/Skilled	11	16	-	-	27	77.1%	
		Semi/Unskilled	16	24	7	-	47	83.9%	
		Bay Area	-	-	-	-	-	0.0%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide:		127	Bay Area:	0
P	Publicly Held	Company Wide	166	80	336	7	589	26.6%	27.2%
		Manager/Prof	106	59	323	7	495	26.1%	
		Technical/Sales	4	2	2	-	8	9.1%	
		Clerical/Skilled	55	19	11	-	85	36.5%	
		Semi/Unskilled	1	-	-	-	1	50.0%	
		Bay Area	1	1	-	-	2	5.3%	39.9%
		Co. Wide MSA:	Total USA		# Employees-Co. Wide:		2,217	Bay Area:	38
p	Publicly Held	Company Wide	307	38	229	1	575	36.2%	27.2%
		Manager/Prof	273	37	222	1	533	35.9%	
		Technical/Sales	-	-	-	-	0	0.0%	
		Clerical/Skilled	34	1	7	-	42	43.8%	
		Semi/Unskilled	-	-	-	-	-	0.0%	
		Bay Area	-	-	-	-	-	0.0%	39.9%
		Co. Wide MSA:	Total USA		# Employees-Co. Wide:		1,587	Bay Area:	0
P	EMM: A/PI	Company Wide	INFORMATION NOT PROVIDED						
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	

Kubra Data Transfer Ltd.
Natassia Flanjak
30 Knox Drive
Piscataway, NJ 08854
905-624-2220 x604

Kubra America West, Inc.
R. Braden Short
14105 S. Normandie Ave, #2
Gardena, CA 90249
310-756-1717

Official Payments Corporation
Claire Imaye
6060 Coventry Dr
Elkhorn, NE 68022
402-390-7600

Fiserv Solutions, Inc.
Michelle Flint
4411 East Jones Bridge Road
Norcross, GA 30092
916-565-7417

Paymentus Corporation
Dushyant Sharma
13024 Ballantyne Corporate Place
Charlotte, NC 28277
980-255-3000

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	9.	Meeting Date:	December 10, 2024

TITLE

AMEND AGREEMENT FOR CYBERSECURITY CONSULTING SERVICES TO SUPPORT INDUSTRIAL CONTROL SYSTEMS

ACTION

☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize an amendment to the agreement originally authorized under Board Motion No. 177-22 with Schneider Electric Systems USA, Inc. to increase the agreement amount by $1,119,423 to a total amount not to exceed $2,693,943 and extend the agreement term to June 30, 2026 for on-site technical consulting services in support of cybersecurity protection for Industrial Controls Systems (ICS).

SUMMARY

This agreement is to provide consulting services to assist with cybersecurity improvements, maintenance, and support of the cybersecurity infrastructure in the ICS environment.

DISCUSSION

Cyber threats facing the District continue to evolve in sophistication. These consultant services will help maintain the District's cybersecurity infrastructure and address ongoing improvements to the cybersecurity environment.

In September 2022, under Motion No. 177-22, the Board authorized an agreement for on-site technical consulting services in support of cybersecurity improvements and Microsoft Windows infrastructure support for ICS in an amount not to exceed $1,574,520 for two years. This amendment will increase the agreement by $1,119,423 for a total amount not to exceed $2,693,943 and extend the agreement term to June 30, 2026.

This item supports the District's Long-Term Financial Stability Strategic Plan goal.

CONSULTANT SELECTION

In July 2022, a request for proposals was posted on the District's website and sent to four firms. Two proposals were received. Schneider Electric Systems USA, Inc. was selected based on their knowledge of ICS and experience with cybersecurity in the ICS environment.

SUSTAINABILITY

Economic

The FY 2025 adopted operating budget includes funding for the first seven months of this multi-year agreement. Funding for the additional year will be considered as part of the associated budget development process.

Social

Local 2019 was notified of this amendment on November 20, 2024 and did not raise any specific issues related to this amendment.

Originating Department: Information Systems	**Department Director or Manager:** Orlando W. Leon	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: FY 2025	**Budget Coding:** 255/8877300/52310		**Approved:**
Attachment(s): P-035; P-061			

Title:	Amend Agreement for Cybersecurity Consulting Services to Support Industrial Control Systems	Meeting Date:	December 10, 2024

Safeguarding the District's ICS environment is a high priority in view of increasing cybersecurity threats. This amendment will help facilitate the District's goal of providing safe and uninterrupted services to its customers.

ALTERNATIVE

Complete the work with District forces. This alternative is not recommended because Schneider Electric Systems USA, Inc. provides the required specialized knowledge, expertise, and emergency support needed to support the ICS/Operating Technology environment firewalls, network switches and routers, and implementation of cybersecurity improvements. District staff are fully dedicated to other high-priority IT projects and cannot take on this additional work.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Professional Services Agreement - Amendment Cybersecurity Consulting Services to Support Industrial Control Systems	November 12, 2024

CONTRACTOR:

Schneider Electric Systems USA, Inc.
Foxboro, MA

BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		PERCENTAGE OF CONTRACT DOLLARS		
			Availability Group	**Contracting Objectives**	**Participation**
			White Men	**25%**	**100.0%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$1,119,423 *	White	Men	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES:											
Schneider Electric Systems USA, Inc.	$1,119,423	White	X		100.0%						
SUBS:											
None											
TOTAL	$1,119,423				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	47	10	18	75
Percent of Total Employees:	62.7%	13.3%	24.0%	
MSA Labor Market %:	24.5%	21.6%	53.9%	
MSA Labor Market Location:	Alameda			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration: Until June 30, 2026.

*Total not to exceed: $2,693,943 = $1,119,423 (Amendment) + $1,574,520 (Original)

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Cybersecurity Consulting Services to Support Industrial Control Systems**

Professional Services Agreement - Amendment

DATE: 11/12/2024

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number	Number of Ethnic Minority Employees						
			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM	Company Wide	INFORMATION NOT PROVIDED						
		Schneider Electric Systems USA, Inc.	Manager/Prof						
		Patti Mulroney	Technical/Sales						
		70 Mechanic Street	Clerical/Skilled						
		Foxboro, MA 02035	Semi/Unskilled						
			Bay Area						
		346-773-6310	AA Plan on File:						
			Co. Wide MSA:						
P	WM: LBE	Company Wide	13	19	97	0	129	56.8%	27.3%
		MGT of America Consulting, LLC	Manager/Prof	13	19	97	0	129	58.1%
		Darci Isherwood	Technical/Sales	0	0	0	0	0	0.0%
		2251 Harvard Street, Suite 134	Clerical/Skilled	0	0	0	0	0	0.0%
		Sacramento, CA 95815	Semi/Unskilled	0	0	0	0	0	0.0%
		(Local office)	Bay Area	0	0	0	0	0	0.0% 39.9%
		402-770-2292	Co. Wide MSA:	Total USA		# Employees-Co. Wide:		227	Bay Area: 0

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	10.	Meeting Date:	December 10, 2024

TITLE

FIRST AMENDMENT TO THE DEPARTMENT OF WATER RESOURCES GRANT FOR IMPLEMENTATION OF LOWER MOKELUMNE RIVER HABITAT IMPROVEMENTS

ACTION

☐ Motion: ☒ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Adopt a resolution authorizing the General Manager to execute an amendment to the grant agreement originally authorized under Board Resolution No. 35372-23 with the California Department of Water Resources (DWR) for implementation of Lower Mokelumne River habitat improvements to increase the maximum grant amount by $200,000 to a total amount not to exceed $7,700,000, and to provide for the use of the additional grant funds to reimburse the cost of a planned collaborative study with the United States Geological Survey (USGS) of outmigrating juvenile Chinook salmon survival in the Mokelumne River and the Sacramento-San Joaquin Delta.

SUMMARY

The District was originally awarded grant funds from DWR in 2023 to support early implementation of Healthy Rivers and Landscapes Agreement (HRL formerly known as Voluntary Agreements) habitat projects. This amendment to the grant agreement would provide additional grant funds to support technical work, including data synthesis and modeling, expected to be performed by USGS as part of a planned fish survival study which the District expects to perform together with DWR. The fish survival study, including the technical work proposed to be reimbursed with grant funds, will improve the ability to analyze how proposed Delta water management actions, such as the HRL and the Delta Conveyance Project, may impact outmigrating Mokelumne-origin Chinook salmon.

DISCUSSION

On August 11, 2022, the District signed the Memorandum of Understanding (MOU) advancing the HRL, which will update and implement the Bay Delta Water Quality Control Plan. The HRL includes a suite of flow and non-flow measures meant to protect the beneficial uses of the Bay Delta, including improving habitat for native fish. As part of the 2022 MOU, the District proposed both flow and non-flow measures as the Mokelumne River's contribution to the HRL.

As part of the 2023 California State budget process, DWR obtained funding for habitat improvement projects associated with the HRL. DWR originally awarded the District $7.5 million for non-flow measures related to the HRL, including floodplain design and restoration, gravel maintenance and augmentation, fabrication and installation of fish safe water diversion screens, and biological monitoring of the McCormack-Williamson tract (newly inundated sub-tidal wetland habitat along the Mokelumne River). Under this amendment, DWR will add $200,000 to the agreement such that the total agreement will now be increased to

Originating Department: Water and Natural Resources	**Department Director or Manager:** Michael T. Tognolini	**CEP Forms?** N/A	**Board Action Type:** Grant
Funds Available: FY2025; Award#7000070; Vol.2; page 24	**Budget Coding:** 11.481.3100087.52310		**Approved:**
Attachment(s): Resolution			

Title:	First Amendment to the Department of Water Resources Grant for Implementation of Lower Mokelumne River Habitat Improvements	Meeting Date:	December 10, 2024

$7.7 million to support technical work, including data synthesis and modeling, expected to be performed by USGS as part of a planned fish survival study, which the District expects to perform together with DWR.

This amendment will fund work with researchers at the USGS to explore the impact of Delta hydrodynamics on route selection, migration timing, Delta residence time, and entrainment risk under present and future Delta water operational scenarios. To complete this task, the District and USGS will jointly design a telemetry (fish tagging) study that the District will implement. USGS will carry out the multi-state mark-recapture survival modeling, ultimately integrating the findings into the Survival, Travel Time, and Routing Simulation (STARS) model or a suitable alternative. Additionally, USGS will perform statistical and other analytical assessments of historical and future hydraulic data to enhance the predictive capability for the survival and routing of migrating Chinook salmon from the Mokelumne River through the Delta. Finally, USGS will provide a comprehensive report one year following study completion detailing the models used, methodologies employed, results, validation procedures, and conclusions drawn from the study.

This agreement requires the District to indemnify and hold harmless the State of California from claims and damages arising out of the project or the grant agreement. This agreement supports the District's Water Quality and Environmental Protection Strategic Plan goal.

SUSTAINABILITY

Economic

Grant funding has already been secured from DWR in the amount of $7,500,000 (will be increased to $7.7 million).

Existing budget authority is provided under Section 8 of Board Resolution No. 35372-23 for the portion of the project's costs funded by the grant.

Environmental

The proposed action to amend the grant agreement is exempt from the requirements of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061 because there is no possibility that this action may have a significant effect on the environment. The additional reimbursable work is for a modeling study and does not commit any party to any particular course of work. CEQA Guidelines section 15306 also exempts basic data collection, research and resource and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

ALTERNATIVE

Do not authorize the General Manager to execute an amendment to the grant agreement with DWR.

This alternative is not recommended because the new task and associated funds would support analysis of benefits from habitat improvements on the lower Mokelumne River and could help the District meet future HRL obligations.

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Draft Prepared By

_____
Office of General Counsel

RESOLUTION NO._____

AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES FUNDING CERTAIN MEASURES FOR LOWER MOKELUMNE RIVER HABITAT IMPROVEMENTS

Introduced by Director ; Seconded by Director

WHEREAS, the East Bay Municipal Utility District (District) has, in connection with the State Water Board's pending process to update the Bay-Delta Water Quality Control Plan, signed a Memorandum of Understanding (MOU) advancing implementation of Healthy Rivers and Landscapes Agreement (HRL) habitat projects; and

WHEREAS, pursuant to the MOU, the District offered to provide flow and non-flow measures to support beneficial uses within the Bay-Delta watershed, including certain habitat programs and projects to improve conditions for anadromous fish in the Lower Mokelumne River; and

WHEREAS, the Legislature has appropriated funds for programs and projects that improve environmental conditions to promote recovery of native fish species in the Sacramento-San Joaquin watershed, including habitat restoration projects, and, pursuant to that appropriation, the Department of Water Resources (DWR) entered into a Funding Agreement with the District under which DWR agreed to reimburse the District's costs to perform certain habitat programs and projects specified in the Funding Agreement, up to $7.5 million; and

WHEREAS, DWR awarded the District $7.5 million for non-flow measures related to the HRL, including floodplain design and restoration, gravel maintenance and augmentation, fabrication and installation of fish safe water diversion screens, and biological monitoring of the McCormack-Williamson tract; and

WHEREAS, the District and DWR wish to amend the agreement to allow for $200,000 in additional funding such that the total agreement amount will be increased to $7.7 million; and

WHEREAS, under the terms of the amendment to the agreement, the additional funds will support technical work, including data synthesis and modeling, expected to be performed by United States Geological Survey and paid by the District as part of a planned fish survival study of Mokelumne River-origin salmonids to be jointly conducted by the District and DWR;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that the East Bay Municipal Utility District's General Manager or designee is hereby authorized and directed to execute the proposed amendment to the Funding Agreement

with the Department of Water Resources and to submit any required documents, invoices, and reports required to obtain grant funding.

ADOPTED this 10th day of December, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

EBMUD

BOARD ACTION

Agenda Number:	11.	Meeting Date:	December 10, 2024

TITLE

AUTHORIZE THE COLLECTION OF DELINQUENT CHARGES FROM OWNER-OCCUPIED SINGLE-FAMILY RESIDENTIAL ACCOUNTS THROUGH THE DISTRICT'S LIEN AND PROPERTY TAX TRANSFER AUTHORITY

ACTION

☐ Motion: ☒ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Adopt a resolution to exercise the District's authority to collect delinquent charges from owner-occupied single-family residential (SFR) accounts via the property tax rolls.

SUMMARY

At its December 8, 2020 meeting, the Board adopted Resolution No. 35211-20 which approved the use of flow restrictors to enforce payment of delinquent balances on SFR accounts and authorized the expansion of the District's authority to transfer delinquent charges to the property tax rolls, as provided for under Municipal Utility District (MUD) Act Section 12811.1(c) to owner-occupied SFRs. The Board of Directors must adopt a resolution to declare its authority to authorize staff to transfer unpaid charges to the property tax rolls for delinquent owner-occupied SFR accounts.

DISCUSSION

In September 2024, the District began implementing measures authorized by Board Resolution No. 35211-20 to enforce payment of delinquent SFR balances. For tenant-occupied SFR accounts, the District uses flow restrictors to address nonpayment of bills for water service. The flow restrictor allows for a minimal amount of water for consumption for tenant-occupied SFR accounts that have become delinquent and have been unresponsive to the District's outreach efforts. For owner-occupied SFRs with bills that are delinquent for more than 100 days and have been unresponsive to the District's outreach efforts, the District intends to exercise its authority to enforce payment by filing liens and collecting the unpaid amounts on the property tax rolls in the same manner delinquent amounts are collected for multi-family residential (MFR) accounts.

Currently, there are approximately 4,100 delinquent accounts for owner-occupied SFRs, with delinquent charges totaling $6.6 million.

MUD Act Section 12811.1 authorizes the District to impose liens on unpaid balances and collect any delinquent fees and charges for services rendered on the tax roll in the same manner as property taxes. On January 11, 2011, the District exercised this authority by Resolution No. 33802-11 to impose liens and collect delinquent fees and charges from MFR accounts, thus establishing the District's MFR Lien Program.

Originating Department: Customer and Community Services	**Department Director or Manager:** Andrew L. Lee	**CEP Forms** N/A	**Board Action Type:** Administrative
Funds Available: N/A	**Budget Coding:** N/A		**Approved:**
Attachment(s): Resolution			

Title:	Authorize the Collection of Delinquent Charges from Owner-Occupied SFR Accounts Through the District's Lien and Property Tax Transfer Authority	Meeting Date:	December 10, 2024

The District's authority to collect delinquent charges on the tax rolls for SFR accounts is limited by MUD Act Section 12822.6 which prohibits a municipal utility district from seeking to recover unpaid charges or penalties incurred by a tenant in an account established by that tenant from the property owner. Under this section, the District cannot collect delinquent charges incurred on an account established by a tenant through a lien or property tax roll from the owner of record.

However, Section 12811.1(c) authorizes the District to collect delinquent fees and charges through the property tax rolls from the owner of record of an SFR where the owner of record also established the account for water and wastewater service. To address the 4,100 delinquent accounts for owner-occupied SFRs, the District seeks to exercise its authority as an additional method to collect delinquent charges pursuant to Section 12811.1(c).

The process for transferring delinquent charges to the property tax rolls for owner-occupied SFRs will be the same process used for the District's MFR Lien Program. Property owners will receive an advance notice of the delinquent charges. If the delinquent charges remain unpaid, the District will begin the process to transfer the charges to the property tax rolls by providing the property owners with notice and the opportunity to contest the charges at an annual public hearing in July. The District will provide customers who are subject to collection through the property tax transfer with information on the District's Customer Support Program, which includes financial assistance for those that are income eligible, payment plans, and payment extensions. For those who are unresponsive and fail to make arrangements with the District, the delinquent charges will be transferred to the property tax rolls each year in August, beginning in 2025.

This resolution supports the District's Long Term-Financial Stability Strategic Plan goal.

SUSTAINABILITY

Economic

The total arrears for owner-occupied SFR accounts have grown to $6.6 million. Similar to the MFR Lien Program, the District expects to recover approximately 85-90 percent of the unpaid delinquent charges from owner-occupied SFRs in Fiscal Year 2026 after transferring the charges to the Alameda and Contra Costa counties' 2025-2026 property tax rolls. The District is legally obligated under Proposition 218 to collect funds for services provided.

Social

The SFR Lien Program addresses delinquencies among owner-occupied SFR customers while recognizing the importance of the human right to water.

ALTERNATIVE

Do not adopt this resolution. This alternative is not recommended as the District would have to reinstate water shutoffs in order to collect delinquent water bills from owner-occupied SFRs.

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Draft Prepared By

Office of General Counsel

RESOLUTION NO._____

AUTHORIZE THE COLLECTION OF DELINQUENT CHARGES FROM OWNER-OCCUPIED SINGLE-FAMILY RESIDENTIAL ACCOUNTS THROUGH THE DISTRICT'S LIEN AND PROPERTY TAX TRANSFER AUTHORITY

Introduced by Director ; Seconded by Director

WHEREAS, currently, there are approximately 4,100 delinquent East Bay Municipal Utility District customer accounts that are owner-occupied Single Family Residential Accounts (SFRs), with delinquent charges amounting to $6.6 million dollars; and

WHEREAS, Section 12811 of the Municipal Utility District Act (MUD Act) authorizes the Board of Directors to provide for the collection of fees, tolls, rates, rentals, or other charges in any lawful manner and to provide for collection by action at law; and

WHEREAS, Section 12811.1(c) of the MUD Act provides that a district may, by resolution or ordinance, provide that any delinquent fees, tolls, rates, rentals, or other charges, together with interest and penalties thereon, including any delinquent fees, tolls, rates, rentals, or other charges for services rendered to a lessee, tenant, or subtenant, impose a lien and collect delinquent charges on the tax roll in the same manner as property taxes; and

WHEREAS, on January 11, 2011, the District exercised this authority by Resolution No. 33802-11 to collect delinquent fees and charges from Multi-Family Residences (MFRs) through liens and on the property tax roll in the same manner as property taxes; and

WHEREAS, the District desires to exercise the authority conferred pursuant to Section 12811.1(c) of the MUD Act to collect delinquent charges arising from owner-occupied SFRs by imposing liens and transferring delinquent charges to the property tax rolls in the same manner as property taxes;

NOW, THEREFORE, BE IT RESOLVED that the District shall exercise its authority to collect delinquent fees, tolls, rates, rentals or other charges, together with interest and penalties incurred by owner-occupied SFRs by imposing liens and transferring delinquent charges to the tax roll in the same manner as property taxes.

BE IT FURTHER RESOLVED that the collection of such delinquent fees, tolls, rates, rentals or

other charges, together with interest and penalties incurred by owner-occupied SFRs, shall be subject to subsections (c) through (g) of Section 12811.1 of the MUD Act.

ADOPTED this 10th day of December, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

EBMUD

BOARD ACTION

Agenda Number:	12.1.-12.2.	Meeting Date:	December 10, 2024

TITLE **REVISIONS TO THE RECREATION USE FEES FOR CALENDAR YEAR 2025**

ACTION ☐ Motion: ☒ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

- Conduct a public hearing on the Report and Recommendation of the General Manager for Revisions to the Recreation Use Fee Schedule for Calendar Year (CY) 2025 Not Subject to Proposition 218 (Report), which was filed with the Board on November 12, 2024.
- Adopt the Recreation Use Fee Schedule for CY 2025 contained within the Report.

SUMMARY

The existing Recreation Use Fee Schedule for CY 2025 dictates that the Mobilehome Space Fees will change from CY 2024 to CY 2025 based on the percent change in the HUD FMR index for two-bedroom homes averages for Amador and Calaveras counties. Staff recommends this methodology be retained but that a "cap and carryforward balance" system be added to distribute larger annual increases over multiple years. The Recreation Use Fees, including the Mobilehome Space Fees, are not subject to Proposition 218.

The Recreation Use Fee Schedule for CY 2025 was initially adopted by the Board of Directors on June 11, 2024, along with other changes to rates, charges and fees recommended in the "Report and Recommendation of the General Manager – Revisions to the Water and Wastewater System Schedule of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2025," which was filed with the Board on May 14, 2024. At that time, the Mobilehome Space Fees, per District practice established in the 2010 Mokelumne Watershed Master Plan, were adopted as the "CY 24 Rate + HUD FMR". In a footnote, the Recreation Use Fee Schedule explains that:

> "HUD FMR is the Housing and Urban Development Fair Market Rents Index which is published by HUD each October. The mobilehome rental space rate will be adjusted annually based on the percent change in the HUD FMR index for 2-bedroom homes averaged for Amador and Calaveras Counties."

The proposal to revise the Recreation Use Fee Schedule to add a fee cap and carryforward balance to the Mobilehome Space Fees was discussed at the October 22, 2024 Finance/Administration Committee meeting. The Committee supported the proposal.

The fee cap and carryforward balance proposal was discussed at the November 12, 2024 Board meeting. At the meeting, the Board approved the motion to file the Report, which contained proposed revisions to the Mobilehome Space Fees. The Board set a Public Hearing for December 10, 2024 to consider the Report.

Originating Department: Water and Natural Resources	**Department Director or Manager:** Michael T. Tognolini	**CEP Forms?** N/A	**Board Action Type:** Administrative
Funds Available: N/A	**Budget Coding:** N/A		**Approved:**
Attachment(s): Recreation Use Fees for Calendar Year 2025; Resolution			

Title:	Revisions to the Recreation Use Fees for Calendar Year 2025	Meeting Date:	December 10, 2024

As reflected in the Report, the footnote for the Mobilehome Space Fees has been expanded to include the following language:

> "Any percent increase shall initially be capped at 5 percent with the ability to increase the cap up to 10 percent. The balance of a fee increase more than 5 percent shall be placed into a fee carryforward balance and applied to the next year's fee adjustment up to the fee cap. Any balance remaining that was not applied due to the cap shall carry forward to the following year. If the HUD FMR increases more than 5 percent in a way that results in a carryforward balance in excess of 8 percent, the fee cap would increase to 8 percent. If the carryforward balance exceeds 12 percent, the fee cap would increase to 10 percent."

If adopted by the Board following the December 10, 2024 Public Hearing, the Recreation Use Fee Schedule for CY 2025 will go into effect on January 1, 2025. The Mobilehome Residency Law requires that mobilehome tenants receive written notice at least 90 days before any rent increase. Therefore, the changes to Mobilehome Space Fees reflected in the Recreation Use Fee Schedule will occur following the required 90-day notice to the tenants. Staff anticipates the notice will be sent to the tenants by the concessionaire by January 1, 2025.

ALTERNATIVE

Do not accept the recommended changes to the Recreation Use Fee Schedule. This alternative is not recommended because staff communications with Mobilehome Park residents indicate that residents are supportive of the changes.

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RECREATION USE FEES FOR 2025
January – December 2025[1]
EFFECTIVE 01/01/2025

The following fees apply to use of the District's recreation facilities at Camanche Hills Hunting Preserve, Camanche Reservoir, Lafayette Reservoir, Pardee Reservoir, San Pablo Reservoir and on the District's Watershed Trail System.

All other (not included in this schedule) charges and fees for merchandise and services provided to the public in connection with the public uses of the recreation areas and facilities thereat shall be determined by the concessionaire or the District and shall be reasonable and consistent with charges for similar merchandise and services at similar locations.

General Discount Program – Discounts from fees listed may be offered to attract new customers and/or improve revenues. General discounts will be applied for specified time frames and apply fairly and uniformly. General discounts must be approved by the Director of Water and Natural Resources Department in advance.

District employees, retirees and immediate family receive free vehicle entry and boat launch, and a camping discount equal to the car entry fee (limit one per day).

Volunteer Discount Program – Free one-year Trail Use Permit and 50% discount on vehicle entry/parking and boat launch for those who contribute an annual minimum of 20 hours of volunteer work while participating in a District Volunteer Program.

Distinguished Veteran Discount Program – Holders of the California State Parks Distinguished Veteran Pass receive free day use and boat launch at all District recreation areas.

Fishing Access Permits are required for persons 16 years of age or older. Up to four children 15 years and under and accompanied by a person who possesses a valid CA fishing license and daily fishing access permit, may fish under that fishing access permit subject to the daily possession limit of the permit holder. Every accompanied child, over the allowed number of four, must have individual fishing access permits. Each child not accompanied by a fishing access permit holding adult must obtain his/her own fishing access permit.

No Fishing Access Permit is required on the two annual California Department of Fish and Wildlife Free Fishing Days.

[1]Fee years are by calendar year for all locations except the Camanche Hills Hunting Preserve where fees are implemented earlier for the hunting year October 1 - September 30.

CAMANCHE HILLS HUNTING PRESERVE[1]

PRESERVE LICENSE:	
Initiation Fee (Family)	$3,495.00
Initiation Fee (Corporate)	3,495.00
Annual Maintenance (Family)	300.00
Annual Maintenance (Corporate)	600.00
LICENSED GUIDE GOOSE HUNT (PER PERSON/HUNT)	200.00
ARCHERY RANGE AND COURSE	
7 Station 3-D Target Course	
Per person	12.00
FISHING ACCESS TO RABBIT CREEK ARM OF CAMANCHE LAKE AND FARM PONDS LOCATED ON CHHP RECREATIONAL AREA	
Public Fishing Access	10.00
CHHP Members Access	5.00
FISHING ACCESS TO RABBIT CREEK ARM OF CAMANCHE LAKE	
Public Fishing Access: Bow for Carp	10.00
RV PARKING AREA	
Nightly	10.00
Clubhouse Rental (daily)	500.00
Kitchen Rental (daily)	500.00
Grounds (daily)	500.00

[1]Fee years are by calendar year for all locations except the Camanche Hills Hunting Preserve where fees are implemented earlier for the hunting year October 1 - September 30.

Camanche Hills Hunting Preserve Discounts, Special Programs and Limitations

Pricing for planted bird hunting will be reviewed and approved by the Director of Water and Natural Resources.

Free bird hunting and sporting clays shooting is offered to the communications media, based on the availability of birds and sporting clays course.

Free use of the facilities is offered to non-profit hunting organizations for family, disabled and junior hunting functions.

A target shooting (sporting clay, trap, 5-stand and bunkers) discount of 15% is offered to Senior, Disabled, and active or retired military visitors.

A target shooting discount of 50% is offered to Distinguished Veteran Pass holders.

A driven pheasant shoot discount of 15% is offered to Senior, Disabled, active or retired military, and Distinguished Veteran Pass holders.

An RV parking discount of 50% is offered to Senior, Disabled and Distinguished Veteran Pass holders.

Daily field trial events are permitted on a limited basis. Fees range from $0 for qualified non-profit organizations to a maximum of $200.00.

EBMUD employees and retirees, concession employees and Tri-County (Amador, Calaveras and San Joaquin) Public Safety Personnel receive a 20% discount on food purchases and a 10% discount on sporting clays.

Discounts and incentives are separate and cannot be combined for a larger discount or incentive.

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS

VEHICLE ENTRY/PARKING CAR/MOTORCYCLE/SMALL VAN

Daily (Peak Season: May 1-September 30, weekends and holidays)	$20.50
Daily (Off-season, Peak Season weekdays)	12.50
Nightly (non-camping)	12.50
Annual (12 consecutive months)	235.00
Annual Senior/Disabled/Former POW/Disabled Veteran (12 Consecutive Months)	117.50
Combined Car/Boat Daily (Peak Season: May 1-September 30, weekends and holidays)	24.00
Combined Car/Boat Daily (Off-season, weekdays)	18.00
Annual Marina Overnight/Day Use (12 consecutive months)	255.00

VEHICLE ENTRY/PARKING LARGE VANS AND BUSES

Large Vans – 10-20 Passengers	23.00
Buses – 21+ Passengers	44.00

DOG

Daily (Fee charged each day in park)	6.75
Annual (12 consecutive months concurrent with Annual Parking Pass)	60.00

BOAT LAUNCH

Daily Peak Season (May 1- Sept 30), weekends and holidays. (Fee charged each day in park.)	17.75
Daily Off-season; Peak Season weekdays. (Fee charged each day in park.)	12.50
Night (Fee charged each day in park)	14.50
Annual (12 consecutive months)	200.00
Senior/Disabled/Former POW/Disabled Veteran Annual (12 consecutive months)	100.00

BOAT MOORING (Buoy)

Monthly: under 30 feet	330.00
30 feet & larger	400.00
Annual (12 consecutive months, any length)	3,000.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

BOAT SLIP OPEN (Excluding park entry)	
Daily	$42.00
Weekly	195.00
Monthly	440.00
8 Months	1,625.00
Key Security Deposit	15.00
BOAT SLIP COVERED – 24' Length Maximum (Excluding park entry)	
Daily	57.00
Weekly	235.00
Monthly	625.00
Annual (12 consecutive months)	2,600.00
Key Security Deposit	55.00
BOAT SLIP COVERED – Over 24' Length (Excluding park entry)	
Daily	62.00
Weekly	310.00
Monthly	750.00
Annual (12 consecutive months)	3,250.00
Key Security Deposit	55.00
RV/TRAILER/BOAT STORAGE (Excluding park entry)	
Monthly	175.00
12 Months, consecutive	925.00
Monthly – 30' Length Maximum (Concurrent with Mooring/Slip Rental)	80.00
Monthly – Over 30' (Concurrent with Mooring/Slip Rental)	115.00
Annual – 30' Length Maximum (Concurrent with Mooring/Slip Rental) (12 consecutive months)	400.00
Annual – Over 30' (Concurrent with Mooring/Slip Rental) (12 consecutive months)	535.00
Annual – concurrent with Mobilehome Space rent (12 consecutive months)	462.00
Annual – concurrent with Mobilehome Space rent (<28', 1 boat only, dry #3) (12 consecutive months)	200.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

FISHING ACCESS PERMIT	
Daily	$8.00
Annual	165.00
CAMPSITE (w/vehicle parking)	
Nightly (Peak Season: May 1 – September 30)	43.00
Nightly (Off-season)	26.00
Second Car Parking	18.00
Weekly (Peak Season: May 1 – September 30)	190.00
Weekly (Off-season)	125.00
Second Car Weekly	85.00
14 nights (Peak Season: May 1 – September 30)	380.00
14 nights (Off-season)	255.00
Camping Reservation Fee	13.00
PREMIUM CAMPSITES	
Nightly (Peak Season: May 1 – September 30)	52.00
Nightly (Off-season)	28.00
Second Car Parking	18.00
Weekly (Peak Season: May 1 – September 30)	235.00
Second Car Weekly	85.00
14 nights (Peak Season: May 1 – September 30)	470.00
14 nights (Off-season)	275.00
CAMPSITES WITH TENT STRUCTURES	
8 person nightly	90.00
8 person weekly	450.00
16 person nightly	151.00
16 person weekly	662.00
CAMPSITE (WALK-IN/BICYCLE PARKING – 8 PERSON/BIKE MAX)	
Nightly	25.50
Weekly	138.50
14 nights	262.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

GROUP CAMP (Nightly)	
12-Person Limit	$140.00
16-Person Limit	169.00
24-Person Limit	198.00
32-Person Limit	263.00
64-Person Limit	498.00
72-Person Limit	551.00
GROUP CAMP (Nightly, off-season)	
12-Person Limit	69.00
16-Person Limit	75.00
24-Person Limit	80.00
32-Person Limit	86.00
64-Person Limit	167.00
72-Person Limit	215.00
EQUESTRIAN – TURKEY HILL – 2 HORSES PER SINGLE SITE – "NO OFF-SEASON DISCOUNTS"	
General Assembly Area	105.00
Turkey Hill Single	69.00
Turkey Hill Double	132.00
Turkey Hill Triple	160.00
Turkey Hill Quad	212.00
Entire Turkey Hill (includes assembly area)	766.00
RV SITE	
Nightly	65.00
Weekly	350.00
Monthly	725.00
Season (6-Month Max)	2,175.00
Premium Sites Nightly (Peak Season)	73.00
Premium Sites Weekly (Peak Season)	375.00
TOWING	
Camanche Recreation Area per hour	170.00
MISCELLANEOUS	
Camanche Recreation Area Lake Tours	15.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

BOAT/VESSEL DECONTAMINATION

Vessel decontamination (up to 30')	$40.00
Vessels over 30' in length	40.00 + 5.00 for each 5' over 30'
Ballast tanks decontamination	10.00
Tank, bilge, live well decontamination only	30.00
PWC storage area decontamination only	30.00
Kayaks and Canoes decontamination	30.00

COTTAGE/MOTEL GENERAL

Camanche Recreation Area – Security Deposit	200.00
Additional Guest Charge (to maximum occupancy)	20.00

COTTAGE (4-Person Base)

May – Sept:	Night	210.00
	Week	1,075.00
Oct – April:	Night	140.00
	Week	725.00
	Month	1,975.00

COTTAGE (6-Person Base)

May – Sept:	Night	270.00
	Week	1,400.00
Oct – April:	Night	175.00
	Week	910.00
	Month	2,150.00

PARK MODEL (4-Person)

May – Sept:	Night	300.00
	Week	1,575.00
Oct – April:	Night	225.00
	Week	1,181.00
	Month	3,000.00

RESORT RENTAL (4 BEDROOM, 14 PERSON MAX)

May – Sept:	Night	460.00
	Week	2,400.00
Oct – April:	Night	245.00
	Week	1,275.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

MOBILEHOME (MONTHLY)

3 bedroom	CY24 Fee + HUD FMR[2]

MOBILEHOME SPACES (MONTHLY)

North Shore 1A	CY24 Fee + HUD FMR[2]
North Shore 1B	CY24 Fee + HUD FMR[2]
North Shore 2	CY24 Fee + HUD FMR[2]
South Shore	CY24 Fee + HUD FMR[2]

*Mobilehomes registered through Amador County receive a $2.50 credit on their monthly fee to reflect their payment of fire-related fees.

OTHER MOBILEHOME FEES (PER SPACE – MONTHLY)

Guest Fee	$75.00
Late Payment/Returned Check Fee	50.00

FACILITY RENTAL

Lakeside Hall Daily (hall only)	850.00
Lakeside Hall Daily (kitchen & serviceware included)	1,250.00
Lakeside Hall Cleaning and Equipment Deposit	1,000.00
Camanche Clubhouse Rental (North Shore)	205.00
Camanche Clubhouse Rental (South Shore)	145.00
Camanche Amphitheatre (South Shore)	500.00

[2]HUD FMR is the Housing and Urban Development Fair Market Rents Index which is published by HUD each October. The mobilehome rental space rate will be adjusted annually based on the percent change in the HUD FMR index for 2-bedroom homes averaged for Amador and Calaveras Counties. Any percent increase shall initially be capped at 5 percent with the ability to increase the cap up to 10 percent. The balance of a fee increase more than 5 percent shall be placed into a fee carryforward balance and applied to the next year's fee adjustment up to the fee cap. Any balance remaining that was not applied due to the cap shall carry forward to the following year. If the HUD FMR increases more than 5 percent in a way that results in a carryforward balance in excess of 8 percent, the fee cap would increase to 8 percent. If the carryforward balance exceeds 12 percent, the fee cap would increase to 10 percent.

Camanche Reservoir – North and South Shore Recreation Area Discounts, Special Programs, Limitations

Concessionaire Employees receive free entrance to and use of rental boats during off-hours, a 20% discount on food and merchandise, and a camping discount equal to the car entrance fee. Limited to one free vehicle entry and one free boat rental per employee per day.

Concessionaire and/or District may provide free entry and use of rental boats for disadvantaged groups (e.g., disabled, senior, youth, veteran), and for media to promote the recreation area.

Current Camanche Regional Park Advisory Board members and active field public safety personnel in Amador, Calaveras and San Joaquin County receive free day use entry.

Senior/Disabled receive 50% discount on annual entry and boat launch fees, and on non-holiday weekday boat rentals. Senior rates are for individuals with a driver's license or ID showing age 62 or older.

Active, reserve, retired, and veteran military personnel receive 20% discount on day use entry, boat rentals, (excluding rental of the party barge), camping and short-term (14-day) RV sites and lodging. Military identification required. Discount may not be combined with other offers.

Distinguished Veteran Pass holders receive free day use and boat launch and 50% discount on non-holiday weekday boat rentals.

Mobilehome Park Tenants receive 50% off non-holiday weekday boat rentals and additional 25% off for qualifying Senior/Disabled/Former POW/Disabled Veteran tenants; special additional incentives for non-holiday Tuesday boat rentals; a 40% discount on covered slip and mooring buoy fees (when available); and a 10% discount on regularly priced marina/store items not including fishing access permits, fishing license, prepared food/beverage, gasoline and propane.

Groups of four or less individuals meeting the criteria for disabled discounts shall be eligible to rent the 6-person ADA cottages at Camanche for the 4-person cottage rate.

Turkey Hill Equestrian Campground single site customers renting larger spaces due to single sites being occupied shall be charged the lesser prorated rate.

Concessionaire or District can issue return coupons for free entry or camping for dissatisfied customers.

Groups participating in volunteer District facility improvement programs receive 50% discount on entry and camping fees.

Short-term visitor passes may be issued for periods up to one-hour.

Camanche Reservoir – North and South Shore Recreation Area Discounts, Special Programs, Limitations (continued)

Campsite charges include one vehicle entry, and RV site charges include a second/tow vehicle. Monthly and Seasonal RV Park fees include one vehicle entry, but do not include electricity charge. Electricity is metered and charged separately. Each of the daily charges, except the fishing access permit, shall be valid and effective for the calendar day upon which the charge was made, from one hour before sunrise until one hour after sunset.

Fishing access permits are valid until midnight of said day.

Each of the weekly charges shall be valid and effective for the calendar week in which the charge is made, terminating at 1:00 p.m. on the seventh consecutive day of said period. The seasonal charges noted for each recreation area shall be valid and effective for a period not exceeding 24 consecutive hours and terminating at 1:00 p.m. during said period.

Check out time for all RV sites is 1:00 p.m.

Peak Season is May 1 – September 30. Off-season is October 1 – April 30.

Premium Campsite or Premium RV site is a site that due to enhanced amenities, waterfront access or other special features is rented at a higher rate than a standard site.

Standard campsites may have a maximum of 8 people and 2 vehicles.

Short-term visitor passes may be issued for periods of up to one-hour.

LAFAYETTE RECREATION AREA

ENTRY AND PARKING – CAR/MOTORCYCLE/SMALL VAN	
Daily	$7.00
Annual (new or renewal)	140.00
Annual (new or renewal) 2 years	280.00
Replacement hang-tag (Replacement limited to 1 hang-tag per year)	25.00
Parking Meters 1/2 hour	1.00
Senior/Disabled	
Season (new or renewal)	90.00
Season (new or renewal) 2 years	180.00
ENTRY AND PARKING – LARGE VANS AND BUSES	
Large Vans – 10-20 Passengers	22.00
Buses – 21+ Passengers	40.00
COMMERCIAL USES (in addition to the base fee noted below, the Director of Water and Natural Resources may set an additional fee to recover the District's direct costs plus overhead)	
Commercial Use	
Small (up to 10 people)	120.00
Medium (from 11 to 50 people)	600.00
Large (from 51 to 150 people)	1,200.00
BOAT LAUNCH	
Daily	4.00
Annual	100.00
Boat Inspection Fee	6.00
FISHING ACCESS	
Daily	6.00
GROUP PICNIC	
Small Site (Weekend/Holiday)	200.00
Small Site (Weekday/Non-Holiday)	100.00
Large Site (Weekend/Holiday)	350.00
Large Site (Weekday/Non-Holiday)	175.00
Special Events Fee	500.00 + $1/participant
Security Deposit	100.00

Lafayette Reservoir – Discounts, Special Programs, Limitations

District may provide free entry and use of rental boats for disadvantaged groups (e.g., disabled, senior, youth, veteran), and for media to promote the recreation area.

Senior/Disabled receive 50% discount on boat launch fees and on non-holiday weekday boat rentals. Senior rates are for individuals with a drivers' license showing age 62 or older.

Distinguished Veteran Pass holders receive free day use and boat launch and 50% discount on non-holiday weekday boat rentals.

PARDEE RECREATION AREA

VEHICLE ENTRY AND PARKING – CAR/MOTORCYCLE/SMALL VAN	
Daily/Nightly (Non-Camping)	$12.00
Season	136.00
Combined Car/Boat Daily	18.00
VEHICLE ENTRY AND PARKING – LARGE VANS AND BUSES	
Large Vans – 10-20 Passengers	22.00
Buses – 21+ Passengers	38.00
DOG	
Daily (Fee charged each day in park)	6.00
Season (Concurrent with Season Parking Pass)	55.00
STANDARD BOAT LAUNCH	
Daily (Fee charged each day in park)	12.00
Season	127.00
CARTOP BOAT LAUNCH (Float Tube, Kayak, Canoe, Scull)	
Daily	5.00
Season	50.00
BOAT SLIP (excluding park entry)	
Daily	12.00
Weekly	58.00
Monthly	132.00
Season	759.00
Season (concurrent with season RV)	704.00
FISHING ACCESS	
Daily	7.25
Annual	200.00
POOL USE	
Pool Access Wristband	3.00
Pool Access Wristband - Senior	2.00
MISCELLANEOUS	
RV/Campsite Reservation Fee	10.00

PARDEE RECREATION AREA (continued)

STANDARD CAMPSITE (w/vehicle parking)	
Nightly	$30.00
Second Car Parking	12.00
Weekly	150.00
Second Car Parking	60.00
PREMIUM CAMPSITE (w/vehicle parking)	
Nightly	35.00
Weekly	180.00
CAMPSITE (walk-in/bicycle parking)	
(8 person/8 bike maximum)	
Nightly	23.00
Weekly	138.00
DOUBLE CAMPSITE (16 people/2 vehicles)	
Nightly	56.00
Third or Fourth Vehicle	10.00
RV SITE	
Nightly	46.00
Weekly	264.00
Monthly	572.00
Season	4,505.00
Season – Premium Site	4,648.00
RV/TRAILER/BOAT STORAGE (excluding park entry)	
Weekly	35.00
Monthly	84.00
Season	561.00
Season – concurrent with season RV site	445.00
12-Month Consecutive	737.00
TOWING	92.00
RESERVABLE SITE/FACILITY (charges in addition to above fees)	
Small (25 or less people)	70.00
Medium (26-100 people)	100.00
Large (101-150 people)	150.00
Over 150 people	265.00
Café/Pool Day Use Area (refundable deposit)	60.00

PARDEE RESERVOIR – DISCOUNTS, SPECIAL PROGRAMS, LIMITATIONS

Concessionaire Employees receive free entrance to and use of rental boats during off-season hours, a 20% discount on food and merchandise, and a camping discount equal to the car entrance fee. Limited to one free vehicle entry and one free boat rental per employee per day.

Concessionaire and/or District may provide free entry and use of rental boats for disadvantaged groups (e.g., disabled, senior, youth, veteran), and for media to promote the recreation area.

Current Camanche Regional Park Advisory Board members and active field public safety personnel in Amador, Calaveras and San Joaquin County receive free day use entry.

Senior/Disabled receive 50% discount on annual entry and boat launch fees, and on non-holiday weekday boat rentals. Senior rates are for individuals with a driver's license or ID showing age 62 or older.

Active, reserve, retired, and veteran military personnel receive 20% discount on day use entry, boat rentals, (excluding Deluxe Pontoon), and dry camping (excluding RV hook-up sites). Military identification required. Discount may not be combined with other offers.

Distinguished Veteran Pass holders receive free day use and boat launch and 50% discount on non-holiday weekday boat rentals.

Concessionaire or District can issue return coupons for free entry or camping for dissatisfied customers.

Groups participating in volunteer District facility improvement programs receive 50% discount on entry and camping fees.

Campsite charges include one vehicle entry, and RV site charges include a second/tow vehicle.

Monthly and Seasonal RV Park fees include one vehicle entry, but do not include electricity charge. Electricity is metered and charged separately.

Each of the daily charges, except the fishing access permit, shall be valid and effective for the calendar day upon which the charge was made, from one hour before sunrise until one hour after sunset. Fishing access permits are valid until midnight of said day.

Each of the weekly charges shall be valid and effective for the calendar week in which the charge is made, terminating at 1:00 p.m. on the seventh consecutive day of said period.

Each of the nightly charges shall be valid and effective for a period not exceeding 24 consecutive hours and terminating at 1:00 p.m. during said period.

Premium Campsite or Premium RV site is a site that due to enhanced amenities, waterfront access or other special features is rented at a higher rate than a standard site.

PARDEE RESERVOIR – DISCOUNTS, SPECIAL PROGRAMS, LIMITATIONS (continued)

Standard campsites may have a maximum of 8 people and 2 vehicles.

Short-term visitor passes may be issued for periods up to one hour.

SAN PABLO RECREATION AREA

ENTRY AND PARKING – CAR/MOTORCYCLE/SMALL VAN	
Daily	$7.00
Daily (Special Events)	5.00
Season	120.00
Replacement Pass (limited to 1 pass per year)	25.00
ENTRY AND PARKING – LARGE VANS AND BUSES	
Large Vans – 10-20 Passengers	22.00
Buses – 21+ Passengers	40.00
COMMERCIAL USES (in addition to the base fee noted below, the Director of Water and Natural Resources may set an additional fee to recover the District's direct costs plus overhead)	
Small (up to 10 people)	120.00
Medium (from 11 to 50 people)	600.00
Large (from 51 to 150 people)	1,200.00
STANDARD BOAT LAUNCH	
Daily	8.00
Season (Entry & Boat Launch)	170.00
Boat Inspection Fee	10.00
CARTOP BOAT LAUNCH (Float Tube, Kayak, Canoe, Scull)	
Daily	4.00
Season (Entry and Cartop Launch)	124.00
FISHING ACCESS	
Daily	7.00
GROUP PICNIC	
Large Sites (Oaks) daily	300.00
Large Sites (Pines) daily	200.00
Security Deposit	100.00
GAZEBO, Daily Rental	100.00
Security Deposit	100.00
TOWING	40.00

SAN PABLO RESERVOIR – Discounts, Special Programs, Limitations

Concessionaire Employees receive free entrance to and use of rental boats during off-season hours, a 20% discount on food and merchandise. The discount is limited to one free vehicle entry and one free boat rental per employee per day. To qualify, a concession employee must work a minimum of 20 hours per week, Sunday through Saturday.

Concessionaire and/or District may provide free entry and use of rental boats for disadvantaged groups (e.g., disabled, senior, youth, veteran), and for media to promote the recreation area.

Concessionaire or District can issue return coupons for free entry or camping for dissatisfied customers.

Each of the daily charges, including the fishing access permit, shall be valid and effective for the calendar day upon which the charge was made, from the time the park opens until it closes each day.

Groups participating in volunteer District facility improvement programs receive 50% discount on entry fees.

Senior/Disabled receive 50% discount on season passes and on non-holiday weekday boat rentals. Senior rates are for individuals with a driver's license or ID showing age 62 or older.

Distinguished Veteran Pass holders receive free day use and boat launch and 50% discount on non-holiday weekday boat rentals.

Unless determined otherwise, the recreation season is mid-February through November (dates selected by concessionaire with District approval).

WATERSHED TRAIL SYSTEM

WATERSHED TRAILS

Daily Permit	$3.00
Annual Permit	10.00
Three-Year Permit	20.00
Five-Year Permit	30.00
Low-income Annual Permit	0.00

Draft Prepared By

Office of General Counsel

RESOLUTION NO._____

ADOPTING RECREATION USE FEE SCHEDULE FOR CALENDAR YEAR 2025 AND APPROVING AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DIRECTING STAFF TO FILE A NOTICE OF EXEMPTION

Introduced by Director ; Seconded by Director

WHEREAS, the Recreation Use Fee Schedule for Calendar Year (CY) 2025 was initially adopted by the Board of Directors (Board) of the East Bay Municipal Utility District (District) on June 11, 2024 (Resolution No. 35405-24), along with other changes to rates, charges and fees recommended in the "Report and Recommendation of the General Manager – Revisions to the Water and Wastewater System Schedule of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2025" as filed with the Board on May 14, 2024; and

WHEREAS, the existing Recreation Use Fee Schedule for CY 2025 dictates that the Mobilehome Space Fees will change from CY 2024 to CY 2025 based on the percent change in the Housing and Urban Development's Fair Market Rents index for two-bedroom homes averages for Amador and Calaveras counties pursuant to District practice established in the 2010 Mokelumne Watershed Master Plan; and

WHEREAS, on November 12, 2024, the General Manager filed with the Board a Report and Recommendation of the General Manager for Revisions to the Recreation Fee Schedule for Calendar Year 2025 (Report); and

WHEREAS, the Report contained recommendations for modifications to the Recreation Use Fee Schedule previously adopted by the Board for CY 2025; and

WHEREAS, the Recreation Use Fee Schedule contained in the Report has been revised to add a "cap and carryforward balance" system to distribute larger annual increases to the Mobilehome Space Fees over multiple years; and

WHEREAS, the Recreation Use Fees, including any revisions thereto, described in this Resolution are not subject to Article XIII D, Section 6, of the California Constitution (Proposition 218); and

WHEREAS, a public hearing on December 10, 2024, noticed in the manner and for the time required by law, was conducted by the Board, at which time all interested persons were afforded an opportunity to be heard on the Report and on the proposed revisions to the Recreation Use Fee Schedule; and

WHEREAS, all comments pertaining to the Report and the recommendations therein, including with respect to any revisions to the Recreation Use Fee Schedule, have been given full opportunity to be heard by the Board; and

WHEREAS, the Board has fully considered the Report and any and all of such aforesaid comments; and

WHEREAS, the District is acting as the lead agency under the California Environmental Quality Act (CEQA) and has determined that this action is exempt from CEQA pursuant to Public Resources Code section 21080(b) and CEQA Guidelines section 15273 because this involves the modification and approval of rates and other charges for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; (3) meeting financial reserve needs and requirements; or (4) obtaining funds for capital projects, necessary to maintain service within existing service areas;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District hereby finds and determines the following:

1. The findings contained in the Report and the foregoing recitals set forth in this Resolution are true and correct and by this reference are incorporated herein and made a part hereof.

2. The charges and fees not subject to Proposition 218 adopted herein are imposed, where applicable, to recover no more than the reasonable costs of providing the relevant services. The charges adopted herein are not imposed upon real property or upon a person as an incident of property ownership and were not calculated or developed on the basis of any parcel map, including an assessor's parcel map.

3. The Recreation Use Fee Schedule is imposed for specific products, services, benefits, and privileges provided, or for entrance to, use of, rental of, or lease of property and those rates, charges, and fees do not exceed the reasonable costs to the District of providing those products, benefits, privileges, and services to the payors, or in the case of fees for entrance to, use of, rental of, or lease of property, the fees do not exceed the reasonable value of the property interest provided.

BE IT FURTHER RESOLVED:

4. The Recreation Use Fee Schedule, attached hereto as Exhibit A, is hereby adopted and, subject to law, the rates, charges, fees, and provisions therein contained are hereby fixed and established to be effective January 1, 2025 for services rendered on or after that date.

5. Changes to Mobilehome Space Fees reflected in the Recreation Use Fee Schedule will occur at the start of the next month following the legally required 90-day notice to lessees.

BE IT FURTHER RESOLVED:

6. The District, as lead agency under CEQA, has evaluated the potential environmental impacts of adopting the fees and charges set forth herein. As the decision-making body for the District, the Board has reviewed and considered the information contained in the administrative record for the adoption of the fees and charges. Based on information in the administrative record, including the Report, and the District's evidence-based estimates of the costs of providing relevant services, the Board finds that the aforesaid actions constitute modification and approval of charges for the purpose of meeting operating expenses, and will not result in the expansion of the Water and Wastewater Systems; and the Board therefore determines that its aforesaid actions are exempt from the requirements

of CEQA under Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273. The Board further determines the actions set forth in this Resolution are also exempt from the requirements of CEQA as actions with no possibility of causing a significant effect on the environment. The Board hereby directs the Secretary of the District to file a Notice of Exemption in accordance with applicable statutes and regulations with the County Clerks of Alameda, Amador, and Calaveras Counties.

7. If any section, subsection, clause, or phrase in this Resolution or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this Resolution or the application of such provisions to other persons or circumstances shall not be affected thereby and shall remain in full force and effect until modified or superseded by action of this Board. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

8. To the extent that the fees or charges established by this Resolution are inconsistent with any rates, fees, or charges previously adopted by the District, it is the explicit intention of the Board that the fees or charges adopted in this Resolution shall prevail.

9. The appropriate officers of the District are hereby authorized to take such steps as shall be necessary to impose, enforce and collect said fees charges, and regulations.

10. This Resolution shall take effect immediately upon its adoption, provided that the revised charges and fees shall take effect at the times stated herein.

ADOPTED this 10th day of December, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

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RECREATION USE FEES FOR 2025
January – December 2025[1]
EFFECTIVE 01/01/2025

The following fees apply to use of the District's recreation facilities at Camanche Hills Hunting Preserve, Camanche Reservoir, Lafayette Reservoir, Pardee Reservoir, San Pablo Reservoir and on the District's Watershed Trail System.

All other (not included in this schedule) charges and fees for merchandise and services provided to the public in connection with the public uses of the recreation areas and facilities thereat shall be determined by the concessionaire or the District and shall be reasonable and consistent with charges for similar merchandise and services at similar locations.

General Discount Program – Discounts from fees listed may be offered to attract new customers and/or improve revenues. General discounts will be applied for specified time frames and apply fairly and uniformly. General discounts must be approved by the Director of Water and Natural Resources Department in advance.

District employees, retirees and immediate family receive free vehicle entry and boat launch, and a camping discount equal to the car entry fee (limit one per day).

Volunteer Discount Program – Free one-year Trail Use Permit and 50% discount on vehicle entry/parking and boat launch for those who contribute an annual minimum of 20 hours of volunteer work while participating in a District Volunteer Program.

Distinguished Veteran Discount Program – Holders of the California State Parks Distinguished Veteran Pass receive free day use and boat launch at all District recreation areas.

Fishing Access Permits are required for persons 16 years of age or older. Up to four children 15 years and under and accompanied by a person who possesses a valid CA fishing license and daily fishing access permit, may fish under that fishing access permit subject to the daily possession limit of the permit holder. Every accompanied child, over the allowed number of four, must have individual fishing access permits. Each child not accompanied by a fishing access permit holding adult must obtain his/her own fishing access permit.

No Fishing Access Permit is required on the two annual California Department of Fish and Wildlife Free Fishing Days.

[1]Fee years are by calendar year for all locations except the Camanche Hills Hunting Preserve where fees are implemented earlier for the hunting year October 1 - September 30.

CAMANCHE HILLS HUNTING PRESERVE[1]

PRESERVE LICENSE:	
Initiation Fee (Family)	$3,495.00
Initiation Fee (Corporate)	3,495.00
Annual Maintenance (Family)	300.00
Annual Maintenance (Corporate)	600.00
LICENSED GUIDE GOOSE HUNT (PER PERSON/HUNT)	200.00
ARCHERY RANGE AND COURSE	
7 Station 3-D Target Course	
Per person	12.00
FISHING ACCESS TO RABBIT CREEK ARM OF CAMANCHE LAKE AND FARM PONDS LOCATED ON CHHP RECREATIONAL AREA	
Public Fishing Access	10.00
CHHP Members Access	5.00
FISHING ACCESS TO RABBIT CREEK ARM OF CAMANCHE LAKE	
Public Fishing Access: Bow for Carp	10.00
RV PARKING AREA	
Nightly	10.00
Clubhouse Rental (daily)	500.00
Kitchen Rental (daily)	500.00
Grounds (daily)	500.00

[1]Fee years are by calendar year for all locations except the Camanche Hills Hunting Preserve where fees are implemented earlier for the hunting year October 1 - September 30.

Camanche Hills Hunting Preserve Discounts, Special Programs and Limitations

Pricing for planted bird hunting will be reviewed and approved by the Director of Water and Natural Resources.

Free bird hunting and sporting clays shooting is offered to the communications media, based on the availability of birds and sporting clays course.

Free use of the facilities is offered to non-profit hunting organizations for family, disabled and junior hunting functions.

A target shooting (sporting clay, trap, 5-stand and bunkers) discount of 15% is offered to Senior, Disabled, and active or retired military visitors.

A target shooting discount of 50% is offered to Distinguished Veteran Pass holders.

A driven pheasant shoot discount of 15% is offered to Senior, Disabled, active or retired military, and Distinguished Veteran Pass holders.

An RV parking discount of 50% is offered to Senior, Disabled and Distinguished Veteran Pass holders.

Daily field trial events are permitted on a limited basis. Fees range from $0 for qualified non-profit organizations to a maximum of $200.00.

EBMUD employees and retirees, concession employees and Tri-County (Amador, Calaveras and San Joaquin) Public Safety Personnel receive a 20% discount on food purchases and a 10% discount on sporting clays.

Discounts and incentives are separate and cannot be combined for a larger discount or incentive.

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS

VEHICLE ENTRY/PARKING CAR/MOTORCYCLE/SMALL VAN

Daily (Peak Season: May 1-September 30, weekends and holidays)	$20.50
Daily (Off-season, Peak Season weekdays)	12.50
Nightly (non-camping)	12.50
Annual (12 consecutive months)	235.00
Annual Senior/Disabled/Former POW/Disabled Veteran (12 Consecutive Months)	117.50
Combined Car/Boat Daily (Peak Season: May 1-September 30, weekends and holidays)	24.00
Combined Car/Boat Daily (Off-season, weekdays)	18.00
Annual Marina Overnight/Day Use (12 consecutive months)	255.00

VEHICLE ENTRY/PARKING LARGE VANS AND BUSES

Large Vans – 10-20 Passengers	23.00
Buses – 21+ Passengers	44.00

DOG

Daily (Fee charged each day in park)	6.75
Annual (12 consecutive months concurrent with Annual Parking Pass)	60.00

BOAT LAUNCH

Daily Peak Season (May 1- Sept 30), weekends and holidays. (Fee charged each day in park.)	17.75
Daily Off-season; Peak Season weekdays. (Fee charged each day in park.)	12.50
Night (Fee charged each day in park)	14.50
Annual (12 consecutive months)	200.00
Senior/Disabled/Former POW/Disabled Veteran Annual (12 consecutive months)	100.00

BOAT MOORING (Buoy)

Monthly: under 30 feet	330.00
30 feet & larger	400.00
Annual (12 consecutive months, any length)	3,000.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

BOAT SLIP OPEN (Excluding park entry)	
Daily	$42.00
Weekly	195.00
Monthly	440.00
8 Months	1,625.00
Key Security Deposit	15.00
BOAT SLIP COVERED – 24' Length Maximum (Excluding park entry)	
Daily	57.00
Weekly	235.00
Monthly	625.00
Annual (12 consecutive months)	2,600.00
Key Security Deposit	55.00
BOAT SLIP COVERED – Over 24' Length (Excluding park entry)	
Daily	62.00
Weekly	310.00
Monthly	750.00
Annual (12 consecutive months)	3,250.00
Key Security Deposit	55.00
RV/TRAILER/BOAT STORAGE (Excluding park entry)	
Monthly	175.00
12 Months, consecutive	925.00
Monthly – 30' Length Maximum (Concurrent with Mooring/Slip Rental)	80.00
Monthly – Over 30' (Concurrent with Mooring/Slip Rental)	115.00
Annual – 30' Length Maximum (Concurrent with Mooring/Slip Rental) (12 consecutive months)	400.00
Annual – Over 30' (Concurrent with Mooring/Slip Rental) (12 consecutive months)	535.00
Annual – concurrent with Mobilehome Space rent (12 consecutive months)	462.00
Annual – concurrent with Mobilehome Space rent (<28', 1 boat only, dry #3) (12 consecutive months)	200.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

FISHING ACCESS PERMIT	
Daily	$8.00
Annual	165.00
CAMPSITE (w/vehicle parking)	
Nightly (Peak Season: May 1 – September 30)	43.00
Nightly (Off-season)	26.00
Second Car Parking	18.00
Weekly (Peak Season: May 1 – September 30)	190.00
Weekly (Off-season)	125.00
Second Car Weekly	85.00
14 nights (Peak Season: May 1 – September 30)	380.00
14 nights (Off-season)	255.00
Camping Reservation Fee	13.00
PREMIUM CAMPSITES	
Nightly (Peak Season: May 1 – September 30)	52.00
Nightly (Off-season)	28.00
Second Car Parking	18.00
Weekly (Peak Season: May 1 – September 30)	235.00
Second Car Weekly	85.00
14 nights (Peak Season: May 1 – September 30)	470.00
14 nights (Off-season)	275.00
CAMPSITES WITH TENT STRUCTURES	
8 person nightly	90.00
8 person weekly	450.00
16 person nightly	151.00
16 person weekly	662.00
CAMPSITE (WALK-IN/BICYCLE PARKING – 8 PERSON/BIKE MAX)	
Nightly	25.50
Weekly	138.50
14 nights	262.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

GROUP CAMP (Nightly)	
12-Person Limit	$140.00
16-Person Limit	169.00
24-Person Limit	198.00
32-Person Limit	263.00
64-Person Limit	498.00
72-Person Limit	551.00
GROUP CAMP (Nightly, off-season)	
12-Person Limit	69.00
16-Person Limit	75.00
24-Person Limit	80.00
32-Person Limit	86.00
64-Person Limit	167.00
72-Person Limit	215.00
EQUESTRIAN – TURKEY HILL – 2 HORSES PER SINGLE SITE – "NO OFF-SEASON DISCOUNTS"	
General Assembly Area	105.00
Turkey Hill Single	69.00
Turkey Hill Double	132.00
Turkey Hill Triple	160.00
Turkey Hill Quad	212.00
Entire Turkey Hill (includes assembly area)	766.00
RV SITE	
Nightly	65.00
Weekly	350.00
Monthly	725.00
Season (6-Month Max)	2,175.00
Premium Sites Nightly (Peak Season)	73.00
Premium Sites Weekly (Peak Season)	375.00
TOWING	
Camanche Recreation Area per hour	170.00
MISCELLANEOUS	
Camanche Recreation Area Lake Tours	15.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

BOAT/VESSEL DECONTAMINATION

Vessel decontamination (up to 30')	$40.00
Vessels over 30' in length	40.00 + 5.00 for each 5' over 30'
Ballast tanks decontamination	10.00
Tank, bilge, live well decontamination only	30.00
PWC storage area decontamination only	30.00
Kayaks and Canoes decontamination	30.00

COTTAGE/MOTEL GENERAL

Camanche Recreation Area – Security Deposit	200.00
Additional Guest Charge (to maximum occupancy)	20.00

COTTAGE (4-Person Base)

May – Sept:	Night	210.00
	Week	1,075.00
Oct – April:	Night	140.00
	Week	725.00
	Month	1,975.00

COTTAGE (6-Person Base)

May – Sept:	Night	270.00
	Week	1,400.00
Oct – April:	Night	175.00
	Week	910.00
	Month	2,150.00

PARK MODEL (4-Person)

May – Sept:	Night	300.00
	Week	1,575.00
Oct – April:	Night	225.00
	Week	1,181.00
	Month	3,000.00

RESORT RENTAL (4 BEDROOM, 14 PERSON MAX)

May – Sept:	Night	460.00
	Week	2,400.00
Oct – April:	Night	245.00
	Week	1,275.00

CAMANCHE RESERVOIR – NORTH SHORE AND SOUTH SHORE RECREATION AREAS (continued)

MOBILEHOME (MONTHLY)

3 bedroom	CY24 Fee + HUD FMR[2]

MOBILEHOME SPACES (MONTHLY)

North Shore 1A	CY24 Fee + HUD FMR[2]
North Shore 1B	CY24 Fee + HUD FMR[2]
North Shore 2	CY24 Fee + HUD FMR[2]
South Shore	CY24 Fee + HUD FMR[2]

*Mobilehomes registered through Amador County receive a $2.50 credit on their monthly fee to reflect their payment of fire-related fees.

OTHER MOBILEHOME FEES (PER SPACE – MONTHLY)

Guest Fee	$75.00
Late Payment/Returned Check Fee	50.00

FACILITY RENTAL

Lakeside Hall Daily (hall only)	850.00
Lakeside Hall Daily (kitchen & serviceware included)	1,250.00
Lakeside Hall Cleaning and Equipment Deposit	1,000.00
Camanche Clubhouse Rental (North Shore)	205.00
Camanche Clubhouse Rental (South Shore)	145.00
Camanche Amphitheatre (South Shore)	500.00

[2]HUD FMR is the Housing and Urban Development Fair Market Rents Index which is published by HUD each October. The mobilehome rental space rate will be adjusted annually based on the percent change in the HUD FMR index for 2-bedroom homes averaged for Amador and Calaveras Counties. Any percent increase shall initially be capped at 5 percent with the ability to increase the cap up to 10 percent. The balance of a fee increase more than 5 percent shall be placed into a fee carryforward balance and applied to the next year's fee adjustment up to the fee cap. Any balance remaining that was not applied due to the cap shall carry forward to the following year. If the HUD FMR increases more than 5 percent in a way that results in a carryforward balance in excess of 8 percent, the fee cap would increase to 8 percent. If the carryforward balance exceeds 12 percent, the fee cap would increase to 10 percent.

Camanche Reservoir – North and South Shore Recreation Area Discounts, Special Programs, Limitations

Concessionaire Employees receive free entrance to and use of rental boats during off-hours, a 20% discount on food and merchandise, and a camping discount equal to the car entrance fee. Limited to one free vehicle entry and one free boat rental per employee per day.

Concessionaire and/or District may provide free entry and use of rental boats for disadvantaged groups (e.g., disabled, senior, youth, veteran), and for media to promote the recreation area.

Current Camanche Regional Park Advisory Board members and active field public safety personnel in Amador, Calaveras and San Joaquin County receive free day use entry.

Senior/Disabled receive 50% discount on annual entry and boat launch fees, and on non-holiday weekday boat rentals. Senior rates are for individuals with a driver's license or ID showing age 62 or older.

Active, reserve, retired, and veteran military personnel receive 20% discount on day use entry, boat rentals, (excluding rental of the party barge), camping and short-term (14-day) RV sites and lodging. Military identification required. Discount may not be combined with other offers.

Distinguished Veteran Pass holders receive free day use and boat launch and 50% discount on non-holiday weekday boat rentals.

Mobilehome Park Tenants receive 50% off non-holiday weekday boat rentals and additional 25% off for qualifying Senior/Disabled/Former POW/Disabled Veteran tenants; special additional incentives for non-holiday Tuesday boat rentals; a 40% discount on covered slip and mooring buoy fees (when available); and a 10% discount on regularly priced marina/store items not including fishing access permits, fishing license, prepared food/beverage, gasoline and propane.

Groups of four or less individuals meeting the criteria for disabled discounts shall be eligible to rent the 6-person ADA cottages at Camanche for the 4-person cottage rate.

Turkey Hill Equestrian Campground single site customers renting larger spaces due to single sites being occupied shall be charged the lesser prorated rate.

Concessionaire or District can issue return coupons for free entry or camping for dissatisfied customers.

Groups participating in volunteer District facility improvement programs receive 50% discount on entry and camping fees.

Short-term visitor passes may be issued for periods up to one-hour.

Camanche Reservoir – North and South Shore Recreation Area Discounts, Special Programs, Limitations (continued)

Campsite charges include one vehicle entry, and RV site charges include a second/tow vehicle. Monthly and Seasonal RV Park fees include one vehicle entry, but do not include electricity charge. Electricity is metered and charged separately. Each of the daily charges, except the fishing access permit, shall be valid and effective for the calendar day upon which the charge was made, from one hour before sunrise until one hour after sunset.

Fishing access permits are valid until midnight of said day.

Each of the weekly charges shall be valid and effective for the calendar week in which the charge is made, terminating at 1:00 p.m. on the seventh consecutive day of said period. The seasonal charges noted for each recreation area shall be valid and effective for a period not exceeding 24 consecutive hours and terminating at 1:00 p.m. during said period.

Check out time for all RV sites is 1:00 p.m.

Peak Season is May 1 – September 30. Off-season is October 1 – April 30.

Premium Campsite or Premium RV site is a site that due to enhanced amenities, waterfront access or other special features is rented at a higher rate than a standard site.

Standard campsites may have a maximum of 8 people and 2 vehicles.

Short-term visitor passes may be issued for periods of up to one-hour.

LAFAYETTE RECREATION AREA

ENTRY AND PARKING – CAR/MOTORCYCLE/SMALL VAN	
Daily	$7.00
Annual (new or renewal)	140.00
Annual (new or renewal) 2 years	280.00
Replacement hang-tag (Replacement limited to 1 hang-tag per year)	25.00
Parking Meters 1/2 hour	1.00
Senior/Disabled	
Season (new or renewal)	90.00
Season (new or renewal) 2 years	180.00
ENTRY AND PARKING – LARGE VANS AND BUSES	
Large Vans – 10-20 Passengers	22.00
Buses – 21+ Passengers	40.00
COMMERCIAL USES (in addition to the base fee noted below, the Director of Water and Natural Resources may set an additional fee to recover the District's direct costs plus overhead)	
Commercial Use	
Small (up to 10 people)	120.00
Medium (from 11 to 50 people)	600.00
Large (from 51 to 150 people)	1,200.00
BOAT LAUNCH	
Daily	4.00
Annual	100.00
Boat Inspection Fee	6.00
FISHING ACCESS	
Daily	6.00
GROUP PICNIC	
Small Site (Weekend/Holiday)	200.00
Small Site (Weekday/Non-Holiday)	100.00
Large Site (Weekend/Holiday)	350.00
Large Site (Weekday/Non-Holiday)	175.00
Special Events Fee	500.00 + $1/participant
Security Deposit	100.00

Lafayette Reservoir – Discounts, Special Programs, Limitations

District may provide free entry and use of rental boats for disadvantaged groups (e.g., disabled, senior, youth, veteran), and for media to promote the recreation area.

Senior/Disabled receive 50% discount on boat launch fees and on non-holiday weekday boat rentals. Senior rates are for individuals with a drivers' license showing age 62 or older.

Distinguished Veteran Pass holders receive free day use and boat launch and 50% discount on non-holiday weekday boat rentals.

PARDEE RECREATION AREA

VEHICLE ENTRY AND PARKING – CAR/MOTORCYCLE/SMALL VAN	
Daily/Nightly (Non-Camping)	$12.00
Season	136.00
Combined Car/Boat Daily	18.00
VEHICLE ENTRY AND PARKING – LARGE VANS AND BUSES	
Large Vans – 10-20 Passengers	22.00
Buses – 21+ Passengers	38.00
DOG	
Daily (Fee charged each day in park)	6.00
Season (Concurrent with Season Parking Pass)	55.00
STANDARD BOAT LAUNCH	
Daily (Fee charged each day in park)	12.00
Season	127.00
CARTOP BOAT LAUNCH (Float Tube, Kayak, Canoe, Scull)	
Daily	5.00
Season	50.00
BOAT SLIP (excluding park entry)	
Daily	12.00
Weekly	58.00
Monthly	132.00
Season	759.00
Season (concurrent with season RV)	704.00
FISHING ACCESS	
Daily	7.25
Annual	200.00
POOL USE	
Pool Access Wristband	3.00
Pool Access Wristband - Senior	2.00
MISCELLANEOUS	
RV/Campsite Reservation Fee	10.00

PARDEE RECREATION AREA (continued)

STANDARD CAMPSITE (w/vehicle parking)	
Nightly	$30.00
Second Car Parking	12.00
Weekly	150.00
Second Car Parking	60.00
PREMIUM CAMPSITE (w/vehicle parking)	
Nightly	35.00
Weekly	180.00
CAMPSITE (walk-in/bicycle parking)	
(8 person/8 bike maximum)	
Nightly	23.00
Weekly	138.00
DOUBLE CAMPSITE (16 people/2 vehicles)	
Nightly	56.00
Third or Fourth Vehicle	10.00
RV SITE	
Nightly	46.00
Weekly	264.00
Monthly	572.00
Season	4,505.00
Season – Premium Site	4,648.00
RV/TRAILER/BOAT STORAGE (excluding park entry)	
Weekly	35.00
Monthly	84.00
Season	561.00
Season – concurrent with season RV site	445.00
12-Month Consecutive	737.00
TOWING	92.00
RESERVABLE SITE/FACILITY (charges in addition to above fees)	
Small (25 or less people)	70.00
Medium (26-100 people)	100.00
Large (101-150 people)	150.00
Over 150 people	265.00
Café/Pool Day Use Area (refundable deposit)	60.00

PARDEE RESERVOIR – DISCOUNTS, SPECIAL PROGRAMS, LIMITATIONS

Concessionaire Employees receive free entrance to and use of rental boats during off-season hours, a 20% discount on food and merchandise, and a camping discount equal to the car entrance fee. Limited to one free vehicle entry and one free boat rental per employee per day.

Concessionaire and/or District may provide free entry and use of rental boats for disadvantaged groups (e.g., disabled, senior, youth, veteran), and for media to promote the recreation area.

Current Camanche Regional Park Advisory Board members and active field public safety personnel in Amador, Calaveras and San Joaquin County receive free day use entry.

Senior/Disabled receive 50% discount on annual entry and boat launch fees, and on non-holiday weekday boat rentals. Senior rates are for individuals with a driver's license or ID showing age 62 or older.

Active, reserve, retired, and veteran military personnel receive 20% discount on day use entry, boat rentals, (excluding Deluxe Pontoon), and dry camping (excluding RV hook-up sites). Military identification required. Discount may not be combined with other offers.

Distinguished Veteran Pass holders receive free day use and boat launch and 50% discount on non-holiday weekday boat rentals.

Concessionaire or District can issue return coupons for free entry or camping for dissatisfied customers.

Groups participating in volunteer District facility improvement programs receive 50% discount on entry and camping fees.

Campsite charges include one vehicle entry, and RV site charges include a second/tow vehicle.

Monthly and Seasonal RV Park fees include one vehicle entry, but do not include electricity charge. Electricity is metered and charged separately.

Each of the daily charges, except the fishing access permit, shall be valid and effective for the calendar day upon which the charge was made, from one hour before sunrise until one hour after sunset. Fishing access permits are valid until midnight of said day.

Each of the weekly charges shall be valid and effective for the calendar week in which the charge is made, terminating at 1:00 p.m. on the seventh consecutive day of said period.

Each of the nightly charges shall be valid and effective for a period not exceeding 24 consecutive hours and terminating at 1:00 p.m. during said period.

Premium Campsite or Premium RV site is a site that due to enhanced amenities, waterfront access or other special features is rented at a higher rate than a standard site.

PARDEE RESERVOIR – DISCOUNTS, SPECIAL PROGRAMS, LIMITATIONS (continued)

Standard campsites may have a maximum of 8 people and 2 vehicles.

Short-term visitor passes may be issued for periods up to one hour.

SAN PABLO RECREATION AREA

ENTRY AND PARKING – CAR/MOTORCYCLE/SMALL VAN	
Daily	$7.00
Daily (Special Events)	5.00
Season	120.00
Replacement Pass (limited to 1 pass per year)	25.00
ENTRY AND PARKING – LARGE VANS AND BUSES	
Large Vans – 10-20 Passengers	22.00
Buses – 21+ Passengers	40.00
COMMERCIAL USES (in addition to the base fee noted below, the Director of Water and Natural Resources may set an additional fee to recover the District's direct costs plus overhead)	
Small (up to 10 people)	120.00
Medium (from 11 to 50 people)	600.00
Large (from 51 to 150 people)	1,200.00
STANDARD BOAT LAUNCH	
Daily	8.00
Season (Entry & Boat Launch)	170.00
Boat Inspection Fee	10.00
CARTOP BOAT LAUNCH (Float Tube, Kayak, Canoe, Scull)	
Daily	4.00
Season (Entry and Cartop Launch)	124.00
FISHING ACCESS	
Daily	7.00
GROUP PICNIC	
Large Sites (Oaks) daily	300.00
Large Sites (Pines) daily	200.00
Security Deposit	100.00
GAZEBO, Daily Rental	100.00
Security Deposit	100.00
TOWING	40.00

SAN PABLO RESERVOIR – Discounts, Special Programs, Limitations

Concessionaire Employees receive free entrance to and use of rental boats during off-season hours, a 20% discount on food and merchandise. The discount is limited to one free vehicle entry and one free boat rental per employee per day. To qualify, a concession employee must work a minimum of 20 hours per week, Sunday through Saturday.

Concessionaire and/or District may provide free entry and use of rental boats for disadvantaged groups (e.g., disabled, senior, youth, veteran), and for media to promote the recreation area.

Concessionaire or District can issue return coupons for free entry or camping for dissatisfied customers.

Each of the daily charges, including the fishing access permit, shall be valid and effective for the calendar day upon which the charge was made, from the time the park opens until it closes each day.

Groups participating in volunteer District facility improvement programs receive 50% discount on entry fees.

Senior/Disabled receive 50% discount on season passes and on non-holiday weekday boat rentals. Senior rates are for individuals with a driver's license or ID showing age 62 or older.

Distinguished Veteran Pass holders receive free day use and boat launch and 50% discount on non-holiday weekday boat rentals.

Unless determined otherwise, the recreation season is mid-February through November (dates selected by concessionaire with District approval).

WATERSHED TRAIL SYSTEM

WATERSHED TRAILS

Daily Permit	$3.00
Annual Permit	10.00
Three-Year Permit	20.00
Five-Year Permit	30.00
Low-income Annual Permit	0.00

EBMUD

BOARD ACTION

Agenda Number:	13.	Meeting Date:	December 10, 2024

TITLE **AMEND WATERSHED AND RECREATION RULES AND REGULATIONS**

ACTION ☐ Motion: ☒ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Adopt the proposed amendments to the Watershed and Recreation Rules and Regulations (Rules and Regulations).

SUMMARY

The District periodically revises and updates the 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 proposed revisions will prohibit the use of personal watercraft on Camanche Reservoir and add definitions of electric bicycles and electric scooters. These proposed revisions will improve safety and the visitor experience at Camanche Recreation Area and help staff enforce the use of electric bicycles and electric scooters. Additionally, minor revisions were made to clarify existing rules, better organize sections, and ensure consistency with state laws. The proposed revisions were discussed at the November 12, 2024 Planning Committee meeting. The Committee unanimously approved the proposed amendments. The proposed amendments were also presented to the Camanche Regional Park Advisory Board (CRPAB) on November 21. The CRPAB heard public comments concerning the proposed revisions and recommended the District host a public workshop before presenting to the Board for consideration. The CRPAB meeting was the public workshop, and staff is not recommending another one.

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 were made throughout the document that reflect feedback from customers, staff input, and suggestions from District concessionaires and law enforcement partners. Key changes include the following:

Definition of electric bicycles and electric scooters. The following definitions were added to Section III. Definitions to define electric bicycles and scooters and assist staff with enforcing existing rules so that larger devices like electric motorcycles, which are not compatible with existing recreation uses, may be removed from recreation areas:

“Electric bicycle” - A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts.

Originating Department: Water and Natural Resources	**Department Director or Manager:** Michael T. Tognolini	**CEP Forms?** N/A	**Board Action Type:** Administrative
Funds Available: N/A	**Budget Coding:** N/A		**Approved:**
Attachment(s): Proposed Amendments Watershed and Recreation Rules and Regulations; Resolution			

Title:	Amend Watershed and Recreation Rules and Regulations	Meeting Date:	December 10, 2024

"Electric scooter" - A personal device with no more than three wheels that has handlebars, is designed to be stood upon by the operator, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a speed of no more than 15 miles per hour on a paved level surface.

Prohibition of personal watercraft on Camanche Reservoir. Personal watercraft are currently prohibited on all District reservoirs, with the exception of Camanche Reservoir. The proposed revision amends the existing subsection concerning the use of personal watercraft to include all District reservoirs. Subsection 6.28 has been amended to read:

6.28 [No person shall] Operate or otherwise use any personal watercraft (e.g., jet skis, hydrofoils) on any District reservoir.

SUSTAINABILITY

Economic
Revenue from concessionaire fees may be indirectly affected by the proposed prohibition of personal watercraft, but is expected to recover in two to four years.

Social
The proposed amendments are consistent with input from visitors, staff, and partnering law enforcement agencies, and will improve the user experience at Camanche Recreation Area by reducing persistent violations involving personal watercraft and improve the safety of visitors by removing personal watercraft and electric motorcycles from the recreation areas.

ALTERNATIVE

Do not amend the Rules and Regulations. This alternative is not recommended because the proposed changes reflect input from the public and staff and provide additional measures to protect public safety and watershed resources.

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EXHIBIT A

WATERSHED AND RECREATION RULES AND REGULATIONS

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I. AUTHORITY

These Rules and Regulations are adopted by the Board of Directors of the East Bay Municipal Utility District ("EBMUD" or "District") pursuant to Sections 117060 and 117105 of the Health and Safety Code, the Municipal Utility District Act, the Vehicle Code, and any and all other relevant federal, state, and local law, regulation, or ordinance.

i. These Rules and Regulations apply to all District lands, waters and facilities unless expressly indicated otherwise.

ii. Pursuant to section 12821(b) of the Public Utilities Code, any violation of the following Rules or Regulations is an infraction and is punishable by (1) a fine not exceeding $50 for the first violation; (2) a fine not exceeding $100 for a second violation of the same regulation within one year; and (3) a fine not exceeding $250 for each additional violation of the same regulation within one year.

iii. Pursuant to the Vehicle Code, any violation of section 14 of the Rules and Regulations may result in removal of a vehicle.

iv. In addition, EBMUD may pursue any legal or equitable relief available to it for violation of any of these Rules or Regulations.

II. GENERAL PROVISIONS

2.1 The following Rules and Regulations shall apply to all persons except to the following:

a) District employees, District contractors, employees of District contractors, District concessionaires, and employees of District concessionaries acting within the scope of their authorized duties.

b) Employees of federal, state, county or municipal governments acting within the scope of their authorized duties and with prior permission of the District.

c) Persons possessing District Land Use, Special Use, Property Entry or Watershed Entry Permits when such permit specifically suspends a Rule or Regulation and when said person is in compliance with all conditions of the permit and with all other Rules and Regulations.

d) Leaseholders acting within the scope of their lease and in compliance with all conditions of the lease and with all other Rules and Regulations.

2.2 District employees, District contractors, employees of District contractors, District concessionaires, and employees of District concessionaries shall abide by the laws of the State of California and all applicable county and municipal ordinances.

2.3 Special regulations enacted for an area or a subject do not preclude the application of these Rules and Regulations unless expressly so indicated.

2.4 Visitors registered as primary for any campsite are responsible for the actions and conduct of all other occupants, guests and invitees. Such responsibility shall include, but not be limited to, financial responsibility for any breakage, destruction, or vandalism of the Park's recreational facilities and common areas. An eviction of the primary and all campers from the campsite may also occur in accordance with section 2.5 of these regulations.

2.5 The District or its authorized representative for any length of time may withdraw or revoke the privilege of access to District watershed lands or waterways or the use of any facility for reasons of safety, security, or environmental protection or for violation of any Rule or Regulation or of any statute.

2.6 The District or its representative may prohibit all fires in any recreation area at any time.

II. GENERAL PROVISIONS (Cont'd)

2.7 If any section, subsection, sentence, clause or phrase of these Regulations is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity and the enforceability of the remaining sections, subsections, sentences, clauses, and phrases of these Regulations.

2.8 Where a section herein or regulation adopted pursuant thereto is amended or repealed, acts and commissions prior thereto may be prosecuted as though such section or regulation had not been so amended or appealed.

2.9 These Regulations shall take effect and be in force upon their passage.

III. DEFINITIONS

3.1 "Approved fire container" – A manufactured receptacle the design of which prevents the escape of rolling embers from a campfire. Fire rings constructed of rock or other native materials are specifically excluded.

3.2 "Aquaplane" – Any aquaplane, plank, surfboard, water ski, or other device used for the transporting, conveyance or carrying of a person or animal that is towed or pulled by a boat by means of a rope, chain, cable, wire or other connection.

3.3 "Authorized Personnel/Representative" – The General Manager of the District, any peace officer, or other persons or employees of the District acting under the authority of the General Manager.

3.4 "Beach" – To run, haul, drive, or bring ashore a vessel.

3.5 "Bicycle" – A device upon which any person may ride, designed to be propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels and lacking a motor of any kind.

3.6 "Boat" – A vessel requiring numbering and registration per California State law.

3.7 "Boating permit" – A receipt showing fees paid for daily boating access or an affixed decal showing current paid annual boating access fees.

3.8 "Board" – The Board of Directors of the East Bay Municipal Utility District.

3.9 "Campsite" – A developed or undeveloped campsite.

3.10 "Canoe" – A light, narrow vessel with sharp ends and curved sides that is usually, but not exclusively, propelled by paddles.

3.11 "Concessionaire" – Any person who through contract, lease, or other written agreement with the District is authorized to operate recreation facilities on District lands and waters.

3.12 "Corrosive" – Any substance capable of destroying by chemical action living tissue through contact.

3.13 "Developed area" – Any area defined as a public road open to vehicular traffic, parking lot, paved trail, lawn, playground, picnic area, campground, building, or any other area specifically designated as such by the District.

III. DEFINITIONS (Cont'd)

3.14 "Developed campsite" – An established area within the boundaries of a recreation area that contains a picnic table, fire ring, and campsite number.

3.15 "Dimensions of vessel" – The overall width of the hull is measured on a horizontal plane at the widest section of the hull excluding any attachments. The length is measured from end to end over the deck, excluding the sheer.

3.16 "District" – The East Bay Municipal Utility District lands and waters, and facilities owned, controlled, or managed by the East Bay Municipal Utility District and excluding Chabot Reservoir and the adjoining lands leased to the East Bay Regional Park District.

3.17 "East Bay Area" – District-owned watershed lands surrounding Briones, Lafayette, San Pablo and Upper San Leandro Reservoirs.

3.18 "Electric bicycle" – A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts.

3.19 "Electric scooter" – A personal device with no more than three wheels that has handlebars, is designed to be stood upon by the operator, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a speed of no more than 15 miles per hour on a paved level surface.

3.20 "Flammable" – Any substance capable of burning during normal handling and which may produce harmful gas or particles.

3.21 "Golf cart" – A vehicle having not less than three wheels in contact with the ground, having an unladen weight less than 1,300 pounds, which is designed to be and is operated at not more than 15 MPH and designed to carry golf equipment and not more than two persons including the driver.

3.22 "Greywater" – Wastewater that does not contain the products of bodily functions being mainly the product of bathing, showering, dishwashing, and similar activities.

3.23 "Improved road" – A paved, graveled, or graded route or way that is maintained and open to vehicle travel.

3.24 "Irritants" – Any substance capable of causing a local inflammatory reaction to a person's skin or body.

3.25 "Kayak" – A portable covered frame vessel with small openings for one or two persons and propelled by double-bladed paddles.

III. DEFINITIONS (Cont'd)

3.26 "Mokelumne Area" – District-owned lands surrounding Camanche and Pardee Reservoirs.

3.27 "Launch" – To make ingress or egress to a waterway with a vessel or float tube.

3.28 "Launching area" – An area specifically designated to allow ingress and egress to a waterway with a vessel or float tube.

3.29 "Marina" – A recreational boating facility that provides services, facilities for storage of boats, launching and retrieving vessels, as well as embarking and disembarking of boat operators and passengers. This includes floating structures, docks (except designated fishing docks), launch ramp, as well as shoreline within 30 feet of these facilities.

3.30 "Moor" – To make fast or secure a vessel by cables, anchors, or lines.

3.31 "Motorboat" – Any vessel propelled by machinery, whether or not such machinery is the principal source of propulsion.

3.32 "Occupy" – To maintain a reasonable and obvious physical presence after having obtained and displayed as required all necessary permits.

3.33 "Permission" – Written permission granted by the District, the General Manager of the District or authorized designee, unless otherwise expressly provided.

3.34 "Person" – Any natural person, partnership, firm, corporation, club, municipality, district or public agency, and associations or combinations of persons whenever acting for themselves or by any agent, servant, or employee.

3.35 "Personal flotation device" – A jacket, vest, cushion or ring buoy designed to support a person in water and approved by the U.S. Coast Guard, shown by a stencil marking or tag bearing the name and address of the manufacturer, the approval #, the amount of flotation in the device and the type of device.

3.36 "Personal float fishing device" – A multi-compartmented device designed to float not more than one person, propelled by fins and being not more than seven feet and ten inches in length.

III. DEFINITIONS (Cont'd)

3.37 "Personal watercraft (e.g., jet skis, hydrofoils)" – A vessel 13 feet in length or less, propelled by machinery, that is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

3.38 "Recreation area" – Those parts of District-owned, controlled, or managed lands, water and facilities that have been designated as a "Recreation Area" by the District. Excluded from this definition are Chabot Reservoir and the adjoining lands leased to the East Bay Regional Park District.

3.39 "Recreational vehicle" or "RV" – A motorized vehicle or trailer that contains enclosed living quarters with a sink and toilet.

3.40 "Red flag alert" – Weather-related events that can lead to extreme fire behavior; includes Fire Weather Watches and Red Flag Warnings as determined by the National Weather Service or a Manager of Watershed and Recreation.

3.41 "Reservoir" – Refers to Briones Reservoir (Contra Costa County), Lafayette Reservoir (Contra Costa County), Camanche Reservoir (Amador, San Joaquin, and Calaveras Counties), Pardee Reservoir (Amador and Calaveras Counties), San Pablo Reservoir (Contra Costa County), and Upper San Leandro Reservoir (Alameda and Contra Costa Counties).

3.42 "RV site" – An established area within the boundaries of a recreation area that contains a picnic table, electrical, sewer, water hookups, and RV site number.

3.43 "Service animal" – Dogs that are individually trained to do work or perform tasks for people with disabilities.

3.44 "Site standards" – Criteria established by the District and posted in the Recreation Area that regulates the use, cleanliness, neatness, sanitary or occupancy conditions.

3.45 "Smoking" – Inhaling, exhaling, burning or carrying any lighted pipe, cigar, cigarette, weed, plant or other combustible organic or chemical substance, the smoke from which is specifically designed or intended to be inhaled or drawn into the nose or mouth. In addition, "smoking" for the purpose of these Rules and Regulations includes the use of any vaping device, of any product name or descriptor, which releases gases, particles or vapors into the air as a result of combustion, electrical ignition or vaporization intended to be drawn into the nose or mouth (excluding any United States Food and Drug Administration approved nebulized medication).

III. DEFINITIONS (Cont'd)

3.46 "Special event" – A meeting, event, occasion or performance attended by a group of individuals at an District recreation area or on watershed land necessitating planning, logistic or operational support from District staff in addition to staff's normal scheduled duties, and likely to disrupt or displace the activities of regular users of recreation areas or watershed lands.

3.47 "Strong sensitizers" – Any substance capable of causing allergic or hypersensitive reactions to a person's skin or body.

3.48 "Sunrise and sunset" – Those times designated as sunrise and sunset in the published Tide Table Predictions of the National Aeronautical and Oceanographic Commission and adjusted according to Pacific Daylight Savings Time.

3.49 "Swimming aid" – An air mattress, inflatable water toy, inner tube, raft less than six feet in length or other aid to floatation not designed to minimize or prevent bodily contact with the water.

3.50 "Take" – To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in such conduct.

3.51 "Toxic" – Any substances capable of producing injury, illness or damage to humans, livestock or terrestrial and aquatic wildlife through ingestion, inhalation or absorption.

3.52 "Trail" – All designated District hiking and equestrian trails, and staging areas except those staging areas shared with other agencies.

3.53 "Ultralite aircraft" – aircraft that is used or intended for use in a manned operation in the air by a single occupant and for the recreation or sport purposes only as further defined in the Federal Aviation Regulations.

3.54 "Undeveloped campsite" – An established area within the boundaries of a recreation area that allows for overnight camping but does not contain a picnic table, fire ring, and a posted campsite number.

3.55 "Vehicle" – A device by which any person or property may be transported on any District roadway, trail, or land, except (a) devices propelled exclusively by human power, (b) electric-powered conveyance devices specifically designed to transport people with disabilities.

III. DEFINITIONS (Cont'd)

3.56 "Vessel" – Includes every description of watercraft used or capable of being used as a means of transportation on water.

3.57 "Wake" – A visible wave of white water created by the movement of a vessel through the water and measuring six inches or more when measured trough to crest.

3.58 "Wake surfing" – the activity of propelling a person on a surfboard or similar equipment forward with a boat's wake instead of being towed or pulled by a rope, chain, cable, wire or other connection.

3.59 "Waste matter" – Any bottles, cans, wastepaper, litter, waste products, trash, motor oil, debris, human or animal excrement, or contaminating, hazardous or polluting substances of any kind.

3.60 "Watershed" – All lands, water, and facilities owned, controlled, or managed by the District which are, or may be used to gather, store, transport, treat, distribute, or otherwise process water for use as a public water supply or for power generation, flood control purposes, grazing of domestic animals, or for recreational purposes.

3.61 "Watershed trail" – Staging areas, trail access points, designated trails, and a corridor fifty feet to each side of designated traisl outside of a recreation area and exclusive of waterways, restricted areas and non-District properties.

3.62 "Waterway" – Any reservoir, river, pond, stream, creek, or part thereof, within a District watershed.

3.63 "ADA site" – A site designated to accommodate persons with disabilities.

IV. GENERAL RULES

No person shall:

4.1 Report or cause to be reported or communicate any false report of an emergency or any other information that such person knows to be false to any District employee, authorized representative, peace officer, or an employee of District's concessionaire.

4.2 Engage in conduct or use or broadcast any threatening, abusive, boisterous, loud, insulting, indecent or explicit language or gesture that unreasonably and unnecessarily impairs the lawful use and enjoyment of a watershed by another person or impairs the ability of any employee of the District or the concessionaire to perform authorized duties.

V. ACCESS

No person shall:

5.1 Enter, use, or travel through area of any watershed that is posted "NO TRESPASSING" or "RESTRICTED."

5.2 Enter upon any watershed except at points designated by the District for entry.

5.3 Enter, use, or travel through areas of any watershed normally open to public access that have been temporarily closed.

5.4 Enter any watershed with a motor vehicle without payment of the respective vehicle fee established by the District, fail to properly display at the front driver's side, the proper permit, or enter, use, occupy, or otherwise remain in a building, structure, facility, swimming complex, parking area, picnic area, campsite, trail, or other area within any watershed for which a fee is charged unless that person has paid the required fee.

5.5 Be within any designated portion of any watershed open for recreation during any time other than the designated operating hours, or where no hours are designated, during any time between one half-hour after sunset and one half-hour before the following sunrise.

5.6 Use a gate card, entry pass, boating permit, trail permit, or other permit issued to another person for entry or use of District's watershed.

5.7 Fail to present or surrender a gate card, entry pass, boating permit, trail permit or other permit when requested by authorized personnel.

5.8 Permit unauthorized use of any District gate card, entry pass, boating permit, trail permit or other permit.

5.9 Enter the Lafayette Recreation Area with a vehicle pulling a trailer.

5.10 Fail to comply with the terms of an access revocation issued in accordance with section 2.5.

5.11 Claim a picnic table without an individual present.

5.12 Enter Camanche or Pardee Recreation Area without first registering at the front gate and showing appropriate photo identification unless entering by vehicle.

5.13 Save, claim, or in any way reserve a parking space.

5.14 Hold any special event without first obtaining permission from the District.

VI. BOATING

OPERATIONS

No person shall:

6.1 Violate any section or provision of the California Harbors & Navigation Code, the California Vehicle Code, the California Code of Regulations, or the Health & Safety Code while operating, using, storing, maintaining, or launching any vessel on any District's watershed.

6.2 Operate or place any vessel on a District watershed without first paying the established fee and obtaining a boating permit.

6.3 Place or launch a vessel in or on District waterways except in designated areas.

6.4 Moor to any structure, buoy, buoy line, log boom, boat restraining barrier, float or dock placed in any District waterway except designated mooring buoys or to place any private mooring facilities on any District waterway unless otherwise posted.

6.5 Beach or moor a vessel to any shoreline overnight without a valid boat mooring buoy permit, or a nightly boat launch permit, or a campsite permit. Valid campsite permits allow for beaching or mooring only to shoreline areas immediately adjacent to the rented site.

6.6 Operate or use on any vessel on Lafayette Reservoir which is powered by any means other than oars, paddles, electric motor, or sails.

6.7 Operate or use on any District waterway any vessel less than 7 feet, 10 inches in length except 1) at the Mokelumne River Day Use Area; 2) at Camanche in NO WAKE – 5 MPH or NO BOAT ZONES; or 3) when towed on Camanche Reservoir as an aquaplane by a registered vessel.

6.8 Use personal float fishing devices at Pardee, Camanche, Lafayette, or San Pablo Reservoirs in violation of any of the following rules:

a) Personal float fishing devices must only be used in NO WAKE – 5 MPH zones.

b) Personal float fishing device users must wear chest waders, except at Camanche Reservoir.

c) Personal float fishing devices must not be used in areas where their use is prohibited.

d) Personal float fishing devices must be launched, landed and used only in designated areas.

e) Motorized personal float fishing devices are not allowed.

f) Personal float fishing device users at Pardee, Lafayette, and San Pablo Reservoirs must register and pay the required fee for such use.

g) Personal float fishing device users must make themselves conspicuous and visible to others, including to boaters and vessels.

h) Personal float fishing devices shall not be used between sunset and the following sunrise.

i) Personal float fishing devices are not allowed on Briones or Upper San Leandro Reservoirs.

6.9 Operate or use on any District waterway, except at Camanche Reservoir and at the Mokelumne River Day Use Area, any vessel that does not prevent bodily contact with the water during the routine operation of the vessel.

6.10 Operate a vessel on any District waterway, or portion thereof, which has been designated closed to the public.

6.11 Operate any vessel within one hundred feet of any dock or marina while trolling or fishing.

TIME RESTRICTIONS

No person shall:

6.12 Operate any vessel on any District waterway between one-half hour after sunset and one-half hour before sunrise.

6.13 Moor, anchor, or occupy any private vessel between one-half hour after sunset and one-half hour before the following sunrise on any District waterway except at Camanche Reservoir or except as otherwise provided by District written permit.

VI. BOATING (Cont'd)

SPEED RESTRICTIONS

No person shall:

6.14 Operate or tow any vessel at a speed greater than 5 MPH or at a speed that creates a wake within two hundred feet of any reservoir shoreline, fishing dock, swimming area, boathouse, marina, launch ramp, landing float, floating restroom, or in any designated "no wake" areas.

6.15 Operate any vessel in excess of the speed limits posted on the waterway.

MISCELLANEOUS

No person shall:

6.16 Enter with a vessel any District waterway when an authorized representative of the District has determined that the waterway has reached the maximum number of vessels for safe and reasonable boating or the vessel is unsafe, overloaded or undersized, improperly equipped, unsanitary, inadequately muffled to deaden the noise according to State noise level standards and criteria, or not registered according to State law.

6.17 Ride or sit or allow any person to ride or sit in or on areas within or upon a vessel not designed for passengers.

6.18 Organize, hold, participate in, or otherwise sponsor any boat race, drag race, regatta, fishing derby or other event on any District waterway unless permitted in writing by the District. However, fishing derbies at Camanche and Pardee do not require a permit issued by the District.

6.19 Operate or use any raft, aquaplane, surfboard, sailboard, or similar device, or engage in wake surfing on any District waterway except in designated areas at Camanche Reservoir and at the Mokelumne River Day Use Area whether used individually, towed, or used for towing.

6.20 Operate any vessel within any portion of a District waterway not open to the public or closed to boating by protective lines of buoys, log booms, boat restraining barriers, or regulatory signage, or to operate or to permit any vessel to pass through any lines of buoys, log booms, boat restraining barriers, or regulatory signage designating such closed area.

6.21 Operate or use any vessel on any District waterway without at all times complying with all conditions upon which a boating permit is issued.

VI. BOATING (Cont'd)

6.22 Enter any District waterway with a vessel which has an unsealed sink, drain or flush toilet, or which is determined to be in a mechanical condition that would allow a pollutant to enter a waterway. Such determination shall only be made by an authorized representative of the District.

6.23 Occupy a moored or beached vessel at night without a sealed toilet onboard.

6.24 Enter with a vessel any District waterway when an authorized representative of the District has determined that a condition unsafe to boating exists due to excessive wind or other hazard.

6.25 Launch, operate or use at Camanche South Shore ponds any swimming aid, any motorized vessel, or any vessel not between 6 and 12 feet in length. Coast Guard regulations requiring personal flotation devices for each person on board manually propelled vessels less than 16 feet are in force on the Camanche South Shore ponds. Subsection 6.25 shall not apply to personal float fishing devices operated in accordance with section 6.8 of these rules and regulations.

6.26 Launch, operate or use at San Pablo Reservoir a vessel that is powered by any other means than:

- Oars
- Paddles
- Sails
- An Electric motor
- Inboard gasoline-powered engine
- 4-cycle gasoline-powered outboard engine
- Any gasoline-powered outboard engine that meets a low emissions engine performance standard equivalent to 4-cycle engine emissions based on a comparison of equivalent of horsepower ranges, using certified emissions data from U.S. Environmental Protection Agency's air pollution program for gasoline spark-ignition marine engines. Outboard engines which meet this performance standard will be listed by manufacturer and model and posted at the San Pablo Recreation Area.

6.27 Operate any vessel, float-tube, canoe, kayak, raft or any other flotation device on any District waterway without first complying with all requirements of the current Vessel Inspection Program.

VI. BOATING (Cont'd)

6.28 Operate or otherwise use any personal watercraft (e.g., jet skis, hydrofoils) on any District reservoir.

VII. CAMPING

No person shall:

7.1 Camp on any watershed except in designated camping areas

7.2 Occupy a campsite or vessel for more than 14 days within a 30-day period at any District campsite or reservoir.

7.3 Occupy a campsite, RV site, or trailer parking or storage space unless: (a) the established charge for the total length of time of the stay has been paid in advance, (b) the site or space to be occupied has been designated for such respective use by District, and (c) the person applying for such site or space has shown proof of age 18 years or older and has registered in writing, giving all information as may be required by the District.

7.4 Occupy any recreational vehicle or vessel while it is in a designated dry storage area.

7.5 Install any guy wires, ropes, braces, or other external supports outside recreational vehicles or other facilities in the camping, trailer parking or storage areas, except those specifically allowed by the District.

7.6 Park more than two vehicles at any campsite, except at sites designated for additional vehicles.

7.7 Fail to adhere to “site standards” as established by the District.

7.8 Occupy a campsite with more than eight (8) people or (4) tents per site except in sites designated for additional people.

7.9 Allow livestock to enter, travel through or occupy any portion of a recreation area, except for horses and llamas and other approved trail animals while being ridden or led on a designated watershed trail or while being transported by trailer to a designated trail staging area or while in a camp area specifically designated for trail animal use.

7.10 Occupy or reserve any designated “Whole Access Site” without obtaining the appropriate permit.

7.11 Be under the age of 18 and loiter in any recreational area, other than in the minor's designated campsite, after posted quiet time hours unless (1) the minor is accompanied with his or her parent or guardian or other adult person having the care and custody of the minor; (2) the minor is upon an emergency errand directed by the minor’s parent or guardian or other adult person having the care and custody of the minor; or (3) the minor is traveling directly to or from a restroom facility to their campsite.

VII. CAMPING (Cont'd)

7.12 Register more than one recreational vehicle in a single campsite. Higher occupancy campsites such as double, triple, quadruple sites, etc. may have two, three and four recreational vehicles, respectively.

7.13 Fail to establish a proper, water-tight, grey or black water connection when connecting to the park's provided sewer drain inlet.

7.14 Set up more than one tent in an RV site.

7.15 Register into a campsite any vehicle or recreational vehicle that is not operational upon check-in. An operational vehicle capable of legally towing a trailer must accompany all tow-behind trailers. The tow vehicle must be registered into the campsite for the same duration as the trailer.

VIII. COMMERCIAL USES

No person shall:

8.1 Take a commercial photograph or make a commercial movie or video within any watershed without a permit issued by the District.

8.2 Sell or offer to sell, or to engage in the business of soliciting, selling, or peddling any food, beverage, good, ware, merchandise or service within any watershed without first obtaining permission from the District.

8.3 Advertise any services by means of posting handouts or handbills, within any watershed.

8.4 Drive, operate, or enter with any vehicle for the purpose of doing business within any watershed, except in the service of the District or its concessionaire.

8.5 Sell or transport a Christmas tree in any watershed without a sales receipt, except within the Pardee and Camanche Recreation Areas.

IX. DANGEROUS OR HAZARDOUS ACTIVITIES

No person shall:

9.1 Engage in any activity or operate any device recklessly or negligently within any watershed so as to endanger any animal or the life, limb, or property of any person.

9.2 Drive, chip, or in any other manner play or practice golf, or hit golf balls within any watershed, unless the areas have been designated by the District for that use.

9.3 Operate self-propelled or remote-controlled model airplanes, drones, boats, automobiles, or other model craft of any kind or description within any watershed except in designated areas.

9.4 Operate a hang-glider, parachute, kite tube, traction kite**,** parasail or similar device within any watershed.

9.5 Cause damage or loss of property to the District, concessionaire, or any other visitor to District property.

9.6 Possess or discharge any gun, firearm, paint gun, spear, bow and arrow, fishing bow, crossbow, slingshot, air or gas weapon, or any other dangerous weapon within or into the boundaries of any watershed, except for approved firearms, bow and arrow or fishing bow within the Camanche Hills Hunting Preserve.

9.7 Use or possess fireworks of any kind within any watershed.

9.8 Conduct or participate in “hardball” baseball games, or to play “catch” with a hardball baseball within any watershed unless the area has been designated for that use.

9.9 Smoke on East Bay Area watershed lands or reservoirs except in areas designated and posted “Smoking Permitted”.

9.10 Smoke on Mokelumne Area watershed lands or reservoirs except in permitted campsites and paved parking lots, and other areas designated and posted “Smoking Permitted”.

9.11 Smoke in a “no-smoking” posted area

9.12 Fail to comply with District fire prevention measures during a Red Flag Event.

IX. DANGEROUS OR HAZARDOUS ACTIVITIES (Cont'd)

9.13 Dive or jump from bluffs, cliffs, rocks or structures within any watershed.

9.14 Swing by means of a rope, cable, or chain except in a playground with designated equipment for such use.

9.15 Allow any child under the age of 14 and unaccompanied by an adult access to any District waterway or swimming pool.

9.16 Bring any glass bottle or glass container into any Camanche day use area where swimming is allowed, into any area below the high water mark of Camanche Reservoir that is not defined as a campsite, or into any other area that has been posted "No Glass".

X. GENERAL NUISANCE

No person shall:

10.1 Remove any "RESERVED" sign from any picnic area, day use area, campsite, RV site, or facility that has been reserved.

10.2 Occupy or hold a picnic area, day use area, campsite, RV site or facility that has been reserved by another person.

10.3 Use or operate any audio device, musical instrument, television set, public address system, mobile phone, portable speaker, generator, electronic device, or other machine in such a manner as to disturb the peace, quiet, and comfort of any watershed users or any reasonable person of normal sensitivity residing in the area. The use of any such device or machine, such that the sound produced is audible at a distance in excess of fifty feet, shall be deemed a prima facie violation of subsection 10.3 of these Rules and Regulations.

10.4 Land any aircraft on any watershed except in the case of an emergency forced landing.

10.5 Practice, or attempt to practice, the landing, take-off, or taxiing of any aircraft over or upon any watershed.

10.6 Operate or cause to be operated any aircraft or ultralight aircraft which disturbs or causes harm to any of the flora or fauna within any watershed or which impairs the lawful use and enjoyment of a watershed by any person.

10.7 Operate or cause to be operated, any aircraft over any watershed at a height lower than 500' in height.

10.8 Expose or permit to be exposed to public view, a woman's breasts (except for breast-feeding), or the genital or anal region of a person's body.

10.9 Use a portable generator without permission of the District except at Pardee and Camanche Recreation Areas, Camanche Hills Hunting Preserve and the Mokelumne River Day Use Area.

10.10 Possess, use, assemble, inflate, or otherwise utilize trampolines or air-filled play devices, such as bounce houses or slides.

10.11 Fail to abide by posted Quiet Time regulations.

X. GENERAL NUISANCE (Cont'd)

10.12 Fill portable swimming or wading pools within any recreation area.

10.13 Possess alcoholic beverages in areas posted no alcohol.

XI. PROTECTION OF PROPERTY AND RESOURCES

No person shall:

11.1 Violate any section or provision of the California Department of Fish and Game Code while on any District watershed.

11.2 Use a metal detector or similar device within any watershed.

11.3 Injure, take or intentionally disturb any rock, mineral, plant, fungi, artifact, vertebrate, or invertebrate, or to damage its habitat within any watershed, without the District's express written permission. The person shall have in hand the District's express written permission at all times. This subsection 11.3 shall not apply to fish taken in accordance with California State law at reservoirs and in areas designated by the District as open to the public for that purpose and to approved game taken at the Camanche Hills Hunting Preserve.

11.4 Introduce, plant or relocate any plant or animal onto any watershed without the District's express written permission in possession.

11.5 Fish from any District-designated prohibited shoreline, including the total shorelines of Briones Reservoir (Contra Costa County), Upper San Leandro Reservoir (Contra Costa and Alameda Counties), the Rabbit Creek Arm of Camanche Reservoir north of Camanche Parkway (Amador County) and posted sections of any other waterways in accordance with California State Fishing Regulations.

11.6 Fish in any tributary that is on District property.

11.7 Fish in any District reservoir without a valid fishing access permit. The person shall have in hand the District's express written permission at all times. Please note up to four children under sixteen years of age may fish under a permit purchased by an accompanying adult.

11.8 Violate any conditions or limitations on a valid fishing access permit. Please note all conditions or limitations shown on a permit shall apply collectively to all persons fishing under the permit.

XI. PROTECTION OF PROPERTY AND RESOURCES (Cont'd)

11.9 Light, build, or maintain any fire within any watershed, except in fire rings or BBQs at Camanche, Lafayette, Pardee, or San Pablo Recreation Areas. Additionally, approved fire containers may be utilized in designated areas provided that they are used within existing fire rings or BBQs and only if the minimum 5-foot bare ground clearance in all directions is achieved. This subsection 11.9 shall not apply to approved fire containers used in the Primitive Overflow and Miner's Camp only if the minimum foot-bare ground clearance in all directions is achieved.

11.10 Light, build, or maintain any fire at Camanche or Pardee Recreation Areas that has a flame length greater than 4 feet from the ground or which is not completely within the fire ring, BBQs, or approved fire container.

11.11 Burn any plastics, polystyrene foam, rubber, tar, construction materials, gasoline, diesel fuel, motor oil, or any other items prohibited by the local air pollution control district. Gasoline-fueled camp stoves are permissible in accordance with other provisions set forth in these regulations.

11.12 Gather wood or other fuel within any watershed without the District's express written permission in possession.

11.13 Cut, carve, deface or destroy any object within any watershed or to paint, mark, paste, or fasten upon any object within any watershed, any bill, advertisement, or inscription, without the District's express written permission except upon message boards provided by the District for public use.

11.14 Possess or use any live fish, mollusk, crustacean, amphibian, reptile or any other bait contained, preserved or transported in water as bait in any District waterway. Dead mollusks (except frozen or freeze-dried clams) are also prohibited.

11.15 Fish within fifty yards of a fish planting truck while planting fish and for one half-hour after said plant.

11.16 Operate a hydraulic dredge within any watershed.

11.17 Fish, jump, dive or swim from floating restrooms, marina**,** boathouse, or launching docks and ramps.

11.18 Remove recyclables from any designated recycling station, or to remove water or other commodity from any watershed.

11.19 Leave any fire unattended.

XI. PROTECTION OF PROPERTY AND RESOURCES (Cont'd)

11.20 Feed any feral animals or wildlife at any time.

11.21 Remove, disturb, use, damage, or otherwise tamper with any District equipment or lifesaving device deployed in the Watershed unless explicitly authorized to do so or said device is being used in the course of an actual emergency.

11.22 Discharge any material or waste into or through any toilet, sink drain, or other sewer inlet that may cause, contribute, or trigger obstruction of flow, damage to sewer system or facilities, or that is classified as a toxic, corrosive, flammable, irritant, or strong sensitizer.

11.23 Discharge waste into the District sewerage disposal facilities, including but not limited to RV wastewater connections or the sewer dump station, that causes, threatens to cause or is capable of causing, either alone or by interaction with other substances:

a) Interference with the wastewater treatment process, or overloading of the sewerage facilities, or excessive collection or treatment costs, or use of a disproportionate share of the capacity of the sewerage facilities;

b) Interference with any wastewater reclamation process which does or may operate in conjunction with the sewerage facilities, or overloading, or a breakdown of such reclamation process, or excessive reclamation costs, or any product of the treatment process which renders such reclamation process impracticable or not feasible under normal operating conditions;

c) A detrimental environmental impact, or a nuisance wherever located, or a condition unacceptable to any public agency having regulatory jurisdiction over operation of the sewerage facilities;

d) Discoloration, or any other adverse condition in the quality of the effluent from the sewerage facilities such that receiving water quality requirements established by any statute, rule, regulation, ordinance, or permit condition cannot be met by the District;

e) Conditions at or near the sewerage facilities, or any portion thereof, which cause or may cause the District to be in violation of the requirements of the law;

XI. PROTECTION OF PROPERTY AND RESOURCES (Cont'd)

f) Pollutants introduced into the sewerage facilities that pass through or interfere with the operation of the sewerage facilities;

g) Any substance which will cause the sewerage facilities to violate its National Pollutant Discharge Elimination System permit or State Waste Discharge Requirements or the receiving water quality standards.

11.24 Fail to immediately report to a District or concession representative, the discharge to the environment of sewage from an RV, trailer, camper, other vehicle or structure.

11.25 Waste potable water supplied by the water systems in the watershed or recreation areas, or to fail to comply with any water use prohibition during a declared water shortage emergency.

XII. SANITATION

No person shall:

12.1 Bring any dog, cat, or other animal, other than a Service Animal, onto any watershed, except 1) on specifically designated fire roads and trails or 2) into recreation areas.

12.2 Bring more than three dogs onto watershed trails and recreation areas, or have more than three dogs per 8-person campsite, unless otherwise posted. If a campground has posted dog limits, then those limits shall be the effective maximum.

12.3 Bring into or have any dog or other pet or service animal in any designated recreation area unless such animal is contained or securely leashed, which requires the leash be either securely attached to a stationary object or retained in the possession of a person capable of exercising control. Leashes must not be extended to more than 6 feet. This subsection 12.3 shall not apply to dogs off-leash at the Camanche Hills Hunting Preserve for bird hunting purposes and at other designated and posted dog permissive areas.

12.4 Bring any dog, cat, or other animal, other than a Service Animal, onto any portion of a recreation area that is posted prohibiting such use.

12.5 Permit any dog, other than Service Animals, or other pet to enter any part of San Pablo Recreation Area other than the west side parking lots and picnic areas.

12.6 Bring any dog into any recreation area unless said dog meets all county requirements for dog ownership and for custody, unless the person has current proof of rabies vaccination of said dog, and unless appropriate District fees have been paid.

12.7 Fail to promptly remove from any recreation area to an appropriate receptacle, any fecal matter deposited thereon by a dog or any other animal in said person's charge.

12.8 Permit any dog, cat, horse, cattle, goat or other domestic animal to swim, wade, drink from or otherwise come into contact with the waters of any District waterway, except 1) at the Mokelumne River Day Use Area, and 2) horses may drink from and dogs may enter Camanche Reservoir while under physical control of their handler.

12.9 Make bodily contact with the waters of any District waterway except at the Mokelumne River Day Use Area and in Camanche Reservoir.

XII. SANITATION (Cont'd)

12.10 Clean fish within any watershed, except at places designated and provided by the District for fish cleaning that are equipped with fish cleaning facilities and receptacles for the deposit of waste substances.

12.11 Deposit, place, dispose of, discharge or allow any waste matter, including greywater and litter, to enter any District waterway or watershed. This subsection 12.11 shall not apply to the proper deposit, placement, disposal, discharge, or allowance of waste matter at waste receptacles or sanitary facilities designated and provided for such use by the District.

12.12 Ride, drive, lead or keep any saddle or pack animal in any recreation area except that portion which is the most direct route from the front gate to the staging area or equestrian campground.

VIII. TRAILS

No person shall:

13.1 Enter or use any watershed trail without a valid Trail Use Permit in possession.

13.2 Leave the designated watershed trails, leave trail gates open, or disturb, molest or interfere with livestock or wildlife within any watershed. In areas approved for such use, bicycles shall not leave the improved portion of the trail.

13.3 Ride, drive, lead, or keep any saddle or pack animal in a reckless or negligent manner so as to endanger the life, limb, or property of any person or animal, or to allow the saddle or pack animal to stand unattended or insecurely tied.

13.4 Enter or to remain upon any designated watershed trail between sunset of one day and sunrise of the following day.

13.5 Gain access to any designated watershed trail except from staging areas or designated entry points.

13.6 Enter any designated watershed trail with a stallion or colt.

13.7 Enter or use any designated watershed trail without at all times complying with all conditions upon which the trail permit was issued and all conditions that are posted.

XIV. VEHICLES

No person shall:

14.1 Violate any section or provision of the California Vehicle Code while operating or using any vehicle on any District watershed.

14.2 Exceed the posted vehicle speed limit.

14.3 Drive a vehicle upon any road, trail, path, lawn, landscaped area, thoroughfare, parking space, or other portion of any watershed closed to vehicle entry

14.4 Operate any internal combustion engine of any kind within any watershed without an efficient, operative muffler and spark arrester approved by the United States Forest Service.

14.5 Perform any non-emergency vehicle or vessel maintenance on any District watershed.

14.6 Operate any vehicle other than on improved roads or parking areas that are open for public travel.

14.7 Operate any vehicle in the recreation area that is not licensed for use on the highway. This subsection 14.7 shall not apply to the operation of an all terrain vehicle (ATV) or a utility terrain vehicle (UTV) solely in designated areas at the Camanche Hills Hunting Preserve, provided the driver of the ATV or UTV is at least 18 years of age.

14.8 Knowingly permit any person to ride unrestrained within any truck bed or upon any portion of a vehicle not designed for passengers

14.9 Knowingly permit any person to ride on any towed trailer or trailered boat while being transported on any road, except that persons may ride in trailered boats while launching on a launch ramp.

14.10 Operate any golf cart on District watershed, except at the Camanche Hills Hunting Preserve or under the following conditions:

a. The golf cart is registered for use on the street or highway with the California Department of Motor Vehicles;

b. The operator of the golf cart possesses a current driver's license;

c. The golf cart is covered by insurance required for vehicles operating on the highway in the State of California;

XIV. VEHICLES (Cont'd)

d. The golf cart is properly equipped as required by the California Vehicle Code;

e. The golf cart operator complies with the Rules of the Road, Division 11 of the California Vehicle Code.

XV. PARKING

No vehicle shall be and no person shall cause a vehicle to be:

15.1 Parked in any restricted parking zone or other area not designated for parking.

15.2 Parked longer than the designated time period.

15.3 Parked, except when directed otherwise by a District employee or its authorized representative, in any of the following places or manners:

a. In areas where prohibited as indicated by "No Parking" signs.

b. On any fire trail.

c. On any equestrian or hiking trail.

d. Blocking or obstructing any gate, entrance, or exit.

e. Taking up more than one "marked" parking place in any authorized parking area.

f. Blocking or obstructing the free flow of traffic.

g. Within 15 feet of a fire hydrant.

h. Adjacent to any curb painted red.

i. In any recreation area or watershed beyond the posted closing time, except pursuant to a valid permit that provides otherwise.

j. Without paying the fee in a parking lot where a fee is charged.

k. A permit or receipt is not displayed in a conspicuous place upon the vehicle so as to be easily observed, where a permit or receipt is issued, at the Lafayette Reservoir, San Pablo Reservoir, Camanche Reservoir, and Pardee Reservoir Recreation Areas. In a parking lot on District property for the purpose of advertising or attempting to sell a vehicle.

l. In any area not designated for parking.

m. In violation of posted parking restrictions.

n. In a metered parking space without paying the posted parking meter fee.

15.4 Parked beyond posted parking time limits.

XV. PARKING (Cont'd)

15.5 Parked or remain standing within any watershed or recreation area for 72 or more consecutive hours, except in camping areas pursuant to a valid parking permit.

15.6 Parked without displaying a special license plate issued pursuant to section 5007 of the Vehicle Code or without displaying a distinguishing placard issued pursuant to section 22511.55 or 22511.59 of the Vehicle Code in a stall or space designated for such exclusive use. Any vehicle in violation of subsection 15.6 of these Rules and Regulations may be fined or may be removed from such stall or space in accordance with section 22511.8 of the California Vehicle Code.

15.7 Parked for 72 consecutive hours or more without a permit. Any vehicle in violation of subsection 15.7 may be removed as provided in the California Vehicle Code. Furthermore, whenever a peace officer has reasonable grounds to believe that a vehicle has been abandoned within the Watershed or Recreation Area, the vehicle may be removed as authorized by Vehicle Code 22669(a).

15.8 Any vehicle in violation of section 15 will be removed in accordance with the California Vehicle Code.

15.9 In any prosecution involving a violation of section 15, prima facie evidence shall consist of proof that the vehicle was parked in violation of such section or subsection, together with proof that the defendant was at the time the registered owner of the vehicle. This subsection 15.9 shall apply only when the following conditions are complied with:

a. While the vehicle is parked in violation of these Rules and Regulations or violation of law, a notice shall be securely attached to the vehicle stating the section of the Rules or Regulations or law violated, the approximate time of the violation, and the location, time, and place for appearance by the registered owner.

XVI. BICYCLES, SKATEBOARDS, ROLLER SKATES, ROLLER BLADES, ETC.

No person shall:

16.1 Operate any bicycle, roller skates, roller blades, or similar conveyance except in designated recreation areas and on improved roads and trails provided for this use, and only during designated hours and days.

16.2 Operate any bicycle or similar conveyance on any watershed trail except as specifically provided on the Pinole Valley Multi-Use Trail and the Eagle's Nest Multi-Use Trail in the East Bay Watershed.

16.3 Operate any bicycle, roller skates, roller blades, or similar conveyance in a negligent, unsafe, or reckless manner, or in any way that endangers the life, limb or property of any person or in violation of any regulatory signs.

16.4 Operate any skateboard at Lafayette Recreation Area.

XVII. HUNTING

At Camanche Hills Hunting Preserve no person shall:

17.1 Violate any law or regulation of the California Fish and Game Code.

17.2 Hunt without payment of the appropriate fees.

17.3 Fail to sign the register in and out each day.

17.4 Hunt or be in the field without a valid California hunting license and field permit in their possession.

17.5 Possess or consume any alcoholic beverage while hunting or while in the field.

17.6 Hunt, or to be in the field for upland game without a blaze orange vest or hat.

17.7 Shoot in posted safety zones or closed areas.

17.8 Be under 18 years of age and hunt unless accompanied by an adult.

17.9 Shoot any non-game bird or other non-game animal.

17.10 Possess or discharge lead shot in any area of the Camanche Hills Hunting Preserve.

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Draft Prepared By

Office of General Counsel

RESOLUTION NO._____

AMENDING RULES AND REGULATIONS RELATING TO PUBLIC USE OF EAST BAY MUNICIPAL UTILITY DISTRICT WATERSHEDS, RESERVOIRS, AND RECREATION AREAS

Introduced by Director ; Seconded by Director

WHEREAS, uniform Watershed and Recreation Rules and Regulations (Rules and Regulations) have previously been established for all East Bay Municipal Utility District (District) watersheds, reservoirs, and recreation areas and for the District's trails system; and

WHEREAS, pursuant to District Ordinance No. 284 and Section 12821(b) of the Public Utilities Code, any violation of the District's Rules and Regulations is an infraction punishable by (1) a fine not exceeding $50 for a first violation; (2) a fine not exceeding $100 for a second violation of the same ordinance within one year; and (3) a fine not exceeding $250 for each additional violation of the same ordinance within one year; and

WHEREAS, the District periodically amends the Rules and Regulations governing usage of its watersheds and recreation areas to ensure public safety, environmental and fiscal responsibility, and consistency with state laws and codes; and

WHEREAS, it is now necessary to amend these Rules and Regulations to prohibit the use of personal watercraft on Camanche Reservoir and add definitions of electric bicycles and electric scooters, and to clarify existing rules, better organize sections, and ensure consistency with state laws;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that pursuant to Sections 117060 and 117105 of the Health and Safety Code:

Section I. The 2024 amendments to the Watershed and Recreation Rules and Regulations, as shown on the amended Watershed and Recreation Rules and Regulations, attached hereto as Exhibit A, are hereby adopted.

Section II. This Resolution shall take effect and be in force upon its passage. The Secretary of the District is hereby directed to cause a copy of this Resolution to be posted upon the areas described above, and to cause a summary of the amended Watershed and Recreation Rules and Regulations, along with an Internet address and the physical location where the complete text of the amended Watershed and Recreation Rules and Regulations may be viewed, to be published at least once in the East Bay Times (Oakland Tribune, Contra Costa Times, West County Times), the Stockton Record, the Amador Ledger Dispatch, the Calaveras Enterprise, and the Lodi News Sentinel, said newspapers being of general circulation published and in the counties of Contra Costa, Alameda, San Joaquin, Amador, and Calaveras, respectively, and in which counties the District's watershed lands and recreation areas are situated.

Section III. Resolution No. 35128-18, and any other resolutions or portions thereof in conflict with this Resolution are hereby rescinded.

ADOPTED this 10th day of December, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

EBMUD

EXHIBIT A

WATERSHED AND RECREATION RULES AND REGULATIONS

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I. AUTHORITY

These Rules and Regulations are adopted by the Board of Directors of the East Bay Municipal Utility District ("EBMUD" or "District") pursuant to Sections 117060 and 117105 of the Health and Safety Code, the Municipal Utility District Act, the Vehicle Code, and any and all other relevant federal, state, and local law, regulation, or ordinance.

i. These Rules and Regulations apply to all District lands, waters and facilities unless expressly indicated otherwise.

ii. Pursuant to section 12821(b) of the Public Utilities Code, any violation of the following Rules or Regulations is an infraction and is punishable by (1) a fine not exceeding $50 for the first violation; (2) a fine not exceeding $100 for a second violation of the same regulation within one year; and (3) a fine not exceeding $250 for each additional violation of the same regulation within one year.

iii. Pursuant to the Vehicle Code, any violation of section 14 of the Rules and Regulations may result in removal of a vehicle.

iv. In addition, EBMUD may pursue any legal or equitable relief available to it for violation of any of these Rules or Regulations.

II. GENERAL PROVISIONS

2.1 The following Rules and Regulations shall apply to all persons except to the following:

a) District employees, District contractors, employees of District contractors, District concessionaires, and employees of District concessionaries acting within the scope of their authorized duties.

b) Employees of federal, state, county or municipal governments acting within the scope of their authorized duties and with prior permission of the District.

c) Persons possessing District Land Use, Special Use, Property Entry or Watershed Entry Permits when such permit specifically suspends a Rule or Regulation and when said person is in compliance with all conditions of the permit and with all other Rules and Regulations.

d) Leaseholders acting within the scope of their lease and in compliance with all conditions of the lease and with all other Rules and Regulations.

2.2 District employees, District contractors, employees of District contractors, District concessionaires, and employees of District concessionaries shall abide by the laws of the State of California and all applicable county and municipal ordinances.

2.3 Special regulations enacted for an area or a subject do not preclude the application of these Rules and Regulations unless expressly so indicated.

2.4 Visitors registered as primary for any campsite are responsible for the actions and conduct of all other occupants, guests and invitees. Such responsibility shall include, but not be limited to, financial responsibility for any breakage, destruction, or vandalism of the Park's recreational facilities and common areas. An eviction of the primary and all campers from the campsite may also occur in accordance with section 2.5 of these regulations.

2.5 The District or its authorized representative for any length of time may withdraw or revoke the privilege of access to District watershed lands or waterways or the use of any facility for reasons of safety, security, or environmental protection or for violation of any Rule or Regulation or of any statute.

2.6 The District or its representative may prohibit all fires in any recreation area at any time.

II. GENERAL PROVISIONS (Cont'd)

2.7 If any section, subsection, sentence, clause or phrase of these Regulations is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity and the enforceability of the remaining sections, subsections, sentences, clauses, and phrases of these Regulations.

2.8 Where a section herein or regulation adopted pursuant thereto is amended or repealed, acts and commissions prior thereto may be prosecuted as though such section or regulation had not been so amended or appealed.

2.9 These Regulations shall take effect and be in force upon their passage.

III. DEFINITIONS

3.1 "Approved fire container" – A manufactured receptacle the design of which prevents the escape of rolling embers from a campfire. Fire rings constructed of rock or other native materials are specifically excluded.

3.2 "Aquaplane" – Any aquaplane, plank, surfboard, water ski, or other device used for the transporting, conveyance or carrying of a person or animal that is towed or pulled by a boat by means of a rope, chain, cable, wire or other connection.

3.3 "Authorized Personnel/Representative" – The General Manager of the District, any peace officer, or other persons or employees of the District acting under the authority of the General Manager.

3.4 "Beach" – To run, haul, drive, or bring ashore a vessel.

3.5 "Bicycle" – A device upon which any person may ride, designed to be propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels and lacking a motor of any kind.

3.6 "Boat" – A vessel requiring numbering and registration per California State law.

3.7 "Boating permit" – A receipt showing fees paid for daily boating access or an affixed decal showing current paid annual boating access fees.

3.8 "Board" – The Board of Directors of the East Bay Municipal Utility District.

3.9 "Campsite" – A developed or undeveloped campsite.

3.10 "Canoe" – A light, narrow vessel with sharp ends and curved sides that is usually, but not exclusively, propelled by paddles.

3.11 "Concessionaire" – Any person who through contract, lease, or other written agreement with the District is authorized to operate recreation facilities on District lands and waters.

3.12 "Corrosive" – Any substance capable of destroying by chemical action living tissue through contact.

3.13 "Developed area" – Any area defined as a public road open to vehicular traffic, parking lot, paved trail, lawn, playground, picnic area, campground, building, or any other area specifically designated as such by the District.

III. DEFINITIONS (Cont'd)

3.14 "Developed campsite" – An established area within the boundaries of a recreation area that contains a picnic table, fire ring, and campsite number.

3.15 "Dimensions of vessel" – The overall width of the hull is measured on a horizontal plane at the widest section of the hull excluding any attachments. The length is measured from end to end over the deck, excluding the sheer.

3.16 "District" – The East Bay Municipal Utility District lands and waters, and facilities owned, controlled, or managed by the East Bay Municipal Utility District and excluding Chabot Reservoir and the adjoining lands leased to the East Bay Regional Park District.

3.17 "East Bay Area" – District-owned watershed lands surrounding Briones, Lafayette, San Pablo and Upper San Leandro Reservoirs.

3.18 "Electric bicycle" – A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts.

3.19 "Electric scooter" – A personal device with no more than three wheels that has handlebars, is designed to be stood upon by the operator, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a speed of no more than 15 miles per hour on a paved level surface.

3.20 "Flammable" – Any substance capable of burning during normal handling and which may produce harmful gas or particles.

3.21 "Golf cart" – A vehicle having not less than three wheels in contact with the ground, having an unladen weight less than 1,300 pounds, which is designed to be and is operated at not more than 15 MPH and designed to carry golf equipment and not more than two persons including the driver.

3.22 "Greywater" – Wastewater that does not contain the products of bodily functions being mainly the product of bathing, showering, dishwashing, and similar activities.

3.23 "Improved road" – A paved, graveled, or graded route or way that is maintained and open to vehicle travel.

3.24 "Irritants" – Any substance capable of causing a local inflammatory reaction to a person's skin or body.

3.25 "Kayak" – A portable covered frame vessel with small openings for one or two persons and propelled by double-bladed paddles.

III. DEFINITIONS (Cont'd)

3.26 "Mokelumne Area" – District-owned lands surrounding Camanche and Pardee Reservoirs.

3.27 "Launch" – To make ingress or egress to a waterway with a vessel or float tube.

3.28 "Launching area" – An area specifically designated to allow ingress and egress to a waterway with a vessel or float tube.

3.29 "Marina" – A recreational boating facility that provides services, facilities for storage of boats, launching and retrieving vessels, as well as embarking and disembarking of boat operators and passengers. This includes floating structures, docks (except designated fishing docks), launch ramp, as well as shoreline within 30 feet of these facilities.

3.30 "Moor" – To make fast or secure a vessel by cables, anchors, or lines.

3.31 "Motorboat" – Any vessel propelled by machinery, whether or not such machinery is the principal source of propulsion.

3.32 "Occupy" – To maintain a reasonable and obvious physical presence after having obtained and displayed as required all necessary permits.

3.33 "Permission" – Written permission granted by the District, the General Manager of the District or authorized designee, unless otherwise expressly provided.

3.34 "Person" – Any natural person, partnership, firm, corporation, club, municipality, district or public agency, and associations or combinations of persons whenever acting for themselves or by any agent, servant, or employee.

3.35 "Personal flotation device" – A jacket, vest, cushion or ring buoy designed to support a person in water and approved by the U.S. Coast Guard, shown by a stencil marking or tag bearing the name and address of the manufacturer, the approval #, the amount of flotation in the device and the type of device.

3.36 "Personal float fishing device" – A multi-compartmented device designed to float not more than one person, propelled by fins and being not more than seven feet and ten inches in length.

III. DEFINITIONS (Cont'd)

3.37 "Personal watercraft (e.g., jet skis, hydrofoils)" – A vessel 13 feet in length or less, propelled by machinery, that is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

3.38 "Recreation area" – Those parts of District-owned, controlled, or managed lands, water and facilities that have been designated as a "Recreation Area" by the District. Excluded from this definition are Chabot Reservoir and the adjoining lands leased to the East Bay Regional Park District.

3.39 "Recreational vehicle" or "RV" – A motorized vehicle or trailer that contains enclosed living quarters with a sink and toilet.

3.40 "Red flag alert" – Weather-related events that can lead to extreme fire behavior; includes Fire Weather Watches and Red Flag Warnings as determined by the National Weather Service or a Manager of Watershed and Recreation.

3.41 "Reservoir" – Refers to Briones Reservoir (Contra Costa County), Lafayette Reservoir (Contra Costa County), Camanche Reservoir (Amador, San Joaquin, and Calaveras Counties), Pardee Reservoir (Amador and Calaveras Counties), San Pablo Reservoir (Contra Costa County), and Upper San Leandro Reservoir (Alameda and Contra Costa Counties).

3.42 "RV site" – An established area within the boundaries of a recreation area that contains a picnic table, electrical, sewer, water hookups, and RV site number.

3.43 "Service animal" – Dogs that are individually trained to do work or perform tasks for people with disabilities.

3.44 "Site standards" – Criteria established by the District and posted in the Recreation Area that regulates the use, cleanliness, neatness, sanitary or occupancy conditions.

3.45 "Smoking" – Inhaling, exhaling, burning or carrying any lighted pipe, cigar, cigarette, weed, plant or other combustible organic or chemical substance, the smoke from which is specifically designed or intended to be inhaled or drawn into the nose or mouth. In addition, "smoking" for the purpose of these Rules and Regulations includes the use of any vaping device, of any product name or descriptor, which releases gases, particles or vapors into the air as a result of combustion, electrical ignition or vaporization intended to be drawn into the nose or mouth (excluding any United States Food and Drug Administration approved nebulized medication).

III. DEFINITIONS (Cont'd)

3.46 "Special event" – A meeting, event, occasion or performance attended by a group of individuals at an District recreation area or on watershed land necessitating planning, logistic or operational support from District staff in addition to staff's normal scheduled duties, and likely to disrupt or displace the activities of regular users of recreation areas or watershed lands.

3.47 "Strong sensitizers" – Any substance capable of causing allergic or hypersensitive reactions to a person's skin or body.

3.48 "Sunrise and sunset" – Those times designated as sunrise and sunset in the published Tide Table Predictions of the National Aeronautical and Oceanographic Commission and adjusted according to Pacific Daylight Savings Time.

3.49 "Swimming aid" – An air mattress, inflatable water toy, inner tube, raft less than six feet in length or other aid to floatation not designed to minimize or prevent bodily contact with the water.

3.50 "Take" – To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in such conduct.

3.51 "Toxic" – Any substances capable of producing injury, illness or damage to humans, livestock or terrestrial and aquatic wildlife through ingestion, inhalation or absorption.

3.52 "Trail" – All designated District hiking and equestrian trails, and staging areas except those staging areas shared with other agencies.

3.53 "Ultralite aircraft" – aircraft that is used or intended for use in a manned operation in the air by a single occupant and for the recreation or sport purposes only as further defined in the Federal Aviation Regulations.

3.54 "Undeveloped campsite" – An established area within the boundaries of a recreation area that allows for overnight camping but does not contain a picnic table, fire ring, and a posted campsite number.

3.55 "Vehicle" – A device by which any person or property may be transported on any District roadway, trail, or land, except (a) devices propelled exclusively by human power, (b) electric-powered conveyance devices specifically designed to transport people with disabilities.

III. DEFINITIONS (Cont'd)

3.56 "Vessel" – Includes every description of watercraft used or capable of being used as a means of transportation on water.

3.57 "Wake" – A visible wave of white water created by the movement of a vessel through the water and measuring six inches or more when measured trough to crest.

3.58 "Wake surfing" – the activity of propelling a person on a surfboard or similar equipment forward with a boat's wake instead of being towed or pulled by a rope, chain, cable, wire or other connection.

3.59 "Waste matter" – Any bottles, cans, wastepaper, litter, waste products, trash, motor oil, debris, human or animal excrement, or contaminating, hazardous or polluting substances of any kind.

3.60 "Watershed" – All lands, water, and facilities owned, controlled, or managed by the District which are, or may be used to gather, store, transport, treat, distribute, or otherwise process water for use as a public water supply or for power generation, flood control purposes, grazing of domestic animals, or for recreational purposes.

3.61 "Watershed trail" – Staging areas, trail access points, designated trails, and a corridor fifty feet to each side of designated traisl outside of a recreation area and exclusive of waterways, restricted areas and non-District properties.

3.62 "Waterway" – Any reservoir, river, pond, stream, creek, or part thereof, within a District watershed.

3.63 "ADA site" – A site designated to accommodate persons with disabilities.

IV. GENERAL RULES

No person shall:

4.1 Report or cause to be reported or communicate any false report of an emergency or any other information that such person knows to be false to any District employee, authorized representative, peace officer, or an employee of District's concessionaire.

4.2 Engage in conduct or use or broadcast any threatening, abusive, boisterous, loud, insulting, indecent or explicit language or gesture that unreasonably and unnecessarily impairs the lawful use and enjoyment of a watershed by another person or impairs the ability of any employee of the District or the concessionaire to perform authorized duties.

V. ACCESS

No person shall:

5.1 Enter, use, or travel through area of any watershed that is posted "NO TRESPASSING" or "RESTRICTED."

5.2 Enter upon any watershed except at points designated by the District for entry.

5.3 Enter, use, or travel through areas of any watershed normally open to public access that have been temporarily closed.

5.4 Enter any watershed with a motor vehicle without payment of the respective vehicle fee established by the District, fail to properly display at the front driver's side, the proper permit, or enter, use, occupy, or otherwise remain in a building, structure, facility, swimming complex, parking area, picnic area, campsite, trail, or other area within any watershed for which a fee is charged unless that person has paid the required fee.

5.5 Be within any designated portion of any watershed open for recreation during any time other than the designated operating hours, or where no hours are designated, during any time between one half-hour after sunset and one half-hour before the following sunrise.

5.6 Use a gate card, entry pass, boating permit, trail permit, or other permit issued to another person for entry or use of District's watershed.

5.7 Fail to present or surrender a gate card, entry pass, boating permit, trail permit or other permit when requested by authorized personnel.

5.8 Permit unauthorized use of any District gate card, entry pass, boating permit, trail permit or other permit.

5.9 Enter the Lafayette Recreation Area with a vehicle pulling a trailer.

5.10 Fail to comply with the terms of an access revocation issued in accordance with section 2.5.

5.11 Claim a picnic table without an individual present.

5.12 Enter Camanche or Pardee Recreation Area without first registering at the front gate and showing appropriate photo identification unless entering by vehicle.

5.13 Save, claim, or in any way reserve a parking space.

5.14 Hold any special event without first obtaining permission from the District.

VI. BOATING

OPERATIONS

No person shall:

6.1 Violate any section or provision of the California Harbors & Navigation Code, the California Vehicle Code, the California Code of Regulations, or the Health & Safety Code while operating, using, storing, maintaining, or launching any vessel on any District's watershed.

6.2 Operate or place any vessel on a District watershed without first paying the established fee and obtaining a boating permit.

6.3 Place or launch a vessel in or on District waterways except in designated areas.

6.4 Moor to any structure, buoy, buoy line, log boom, boat restraining barrier, float or dock placed in any District waterway except designated mooring buoys or to place any private mooring facilities on any District waterway unless otherwise posted.

6.5 Beach or moor a vessel to any shoreline overnight without a valid boat mooring buoy permit, or a nightly boat launch permit, or a campsite permit. Valid campsite permits allow for beaching or mooring only to shoreline areas immediately adjacent to the rented site.

6.6 Operate or use on any vessel on Lafayette Reservoir which is powered by any means other than oars, paddles, electric motor, or sails.

6.7 Operate or use on any District waterway any vessel less than 7 feet, 10 inches in length except 1) at the Mokelumne River Day Use Area; 2) at Camanche in NO WAKE – 5 MPH or NO BOAT ZONES; or 3) when towed on Camanche Reservoir as an aquaplane by a registered vessel.

6.8 Use personal float fishing devices at Pardee, Camanche, Lafayette, or San Pablo Reservoirs in violation of any of the following rules:

a) Personal float fishing devices must only be used in NO WAKE – 5 MPH zones.

b) Personal float fishing device users must wear chest waders, except at Camanche Reservoir.

c) Personal float fishing devices must not be used in areas where their use is prohibited.

d) Personal float fishing devices must be launched, landed and used only in designated areas.

e) Motorized personal float fishing devices are not allowed.

f) Personal float fishing device users at Pardee, Lafayette, and San Pablo Reservoirs must register and pay the required fee for such use.

g) Personal float fishing device users must make themselves conspicuous and visible to others, including to boaters and vessels.

h) Personal float fishing devices shall not be used between sunset and the following sunrise.

i) Personal float fishing devices are not allowed on Briones or Upper San Leandro Reservoirs.

6.9 Operate or use on any District waterway, except at Camanche Reservoir and at the Mokelumne River Day Use Area, any vessel that does not prevent bodily contact with the water during the routine operation of the vessel.

6.10 Operate a vessel on any District waterway, or portion thereof, which has been designated closed to the public.

6.11 Operate any vessel within one hundred feet of any dock or marina while trolling or fishing.

TIME RESTRICTIONS

No person shall:

6.12 Operate any vessel on any District waterway between one-half hour after sunset and one-half hour before sunrise.

6.13 Moor, anchor, or occupy any private vessel between one-half hour after sunset and one-half hour before the following sunrise on any District waterway except at Camanche Reservoir or except as otherwise provided by District written permit.

VI. BOATING (Cont'd)

SPEED RESTRICTIONS

No person shall:

6.14 Operate or tow any vessel at a speed greater than 5 MPH or at a speed that creates a wake within two hundred feet of any reservoir shoreline, fishing dock, swimming area, boathouse, marina, launch ramp, landing float, floating restroom, or in any designated "no wake" areas.

6.15 Operate any vessel in excess of the speed limits posted on the waterway.

MISCELLANEOUS

No person shall:

6.16 Enter with a vessel any District waterway when an authorized representative of the District has determined that the waterway has reached the maximum number of vessels for safe and reasonable boating or the vessel is unsafe, overloaded or undersized, improperly equipped, unsanitary, inadequately muffled to deaden the noise according to State noise level standards and criteria, or not registered according to State law.

6.17 Ride or sit or allow any person to ride or sit in or on areas within or upon a vessel not designed for passengers.

6.18 Organize, hold, participate in, or otherwise sponsor any boat race, drag race, regatta, fishing derby or other event on any District waterway unless permitted in writing by the District. However, fishing derbies at Camanche and Pardee do not require a permit issued by the District.

6.19 Operate or use any raft, aquaplane, surfboard, sailboard, or similar device, or engage in wake surfing on any District waterway except in designated areas at Camanche Reservoir and at the Mokelumne River Day Use Area whether used individually, towed, or used for towing.

6.20 Operate any vessel within any portion of a District waterway not open to the public or closed to boating by protective lines of buoys, log booms, boat restraining barriers, or regulatory signage, or to operate or to permit any vessel to pass through any lines of buoys, log booms, boat restraining barriers, or regulatory signage designating such closed area.

6.21 Operate or use any vessel on any District waterway without at all times complying with all conditions upon which a boating permit is issued.

VI. BOATING (Cont'd)

6.22 Enter any District waterway with a vessel which has an unsealed sink, drain or flush toilet, or which is determined to be in a mechanical condition that would allow a pollutant to enter a waterway. Such determination shall only be made by an authorized representative of the District.

6.23 Occupy a moored or beached vessel at night without a sealed toilet onboard.

6.24 Enter with a vessel any District waterway when an authorized representative of the District has determined that a condition unsafe to boating exists due to excessive wind or other hazard.

6.25 Launch, operate or use at Camanche South Shore ponds any swimming aid, any motorized vessel, or any vessel not between 6 and 12 feet in length. Coast Guard regulations requiring personal flotation devices for each person on board manually propelled vessels less than 16 feet are in force on the Camanche South Shore ponds. Subsection 6.25 shall not apply to personal float fishing devices operated in accordance with section 6.8 of these rules and regulations.

6.26 Launch, operate or use at San Pablo Reservoir a vessel that is powered by any other means than:

- Oars
- Paddles
- Sails
- An Electric motor
- Inboard gasoline-powered engine
- 4-cycle gasoline-powered outboard engine
- Any gasoline-powered outboard engine that meets a low emissions engine performance standard equivalent to 4-cycle engine emissions based on a comparison of equivalent of horsepower ranges, using certified emissions data from U.S. Environmental Protection Agency's air pollution program for gasoline spark-ignition marine engines. Outboard engines which meet this performance standard will be listed by manufacturer and model and posted at the San Pablo Recreation Area.

6.27 Operate any vessel, float-tube, canoe, kayak, raft or any other flotation device on any District waterway without first complying with all requirements of the current Vessel Inspection Program.

VI. BOATING (Cont'd)

6.28 Operate or otherwise use any personal watercraft (e.g., jet skis, hydrofoils) on any District reservoir.

VII. CAMPING

No person shall:

7.1 Camp on any watershed except in designated camping areas

7.2 Occupy a campsite or vessel for more than 14 days within a 30-day period at any District campsite or reservoir.

7.3 Occupy a campsite, RV site, or trailer parking or storage space unless: (a) the established charge for the total length of time of the stay has been paid in advance, (b) the site or space to be occupied has been designated for such respective use by District, and (c) the person applying for such site or space has shown proof of age 18 years or older and has registered in writing, giving all information as may be required by the District.

7.4 Occupy any recreational vehicle or vessel while it is in a designated dry storage area.

7.5 Install any guy wires, ropes, braces, or other external supports outside recreational vehicles or other facilities in the camping, trailer parking or storage areas, except those specifically allowed by the District.

7.6 Park more than two vehicles at any campsite, except at sites designated for additional vehicles.

7.7 Fail to adhere to “site standards” as established by the District.

7.8 Occupy a campsite with more than eight (8) people or (4) tents per site except in sites designated for additional people.

7.9 Allow livestock to enter, travel through or occupy any portion of a recreation area, except for horses and llamas and other approved trail animals while being ridden or led on a designated watershed trail or while being transported by trailer to a designated trail staging area or while in a camp area specifically designated for trail animal use.

7.10 Occupy or reserve any designated “Whole Access Site” without obtaining the appropriate permit.

7.11 Be under the age of 18 and loiter in any recreational area, other than in the minor's designated campsite, after posted quiet time hours unless (1) the minor is accompanied with his or her parent or guardian or other adult person having the care and custody of the minor; (2) the minor is upon an emergency errand directed by the minor’s parent or guardian or other adult person having the care and custody of the minor; or (3) the minor is traveling directly to or from a restroom facility to their campsite.

VII. CAMPING (Cont'd)

7.12 Register more than one recreational vehicle in a single campsite. Higher occupancy campsites such as double, triple, quadruple sites, etc. may have two, three and four recreational vehicles, respectively.

7.13 Fail to establish a proper, water-tight, grey or black water connection when connecting to the park's provided sewer drain inlet.

7.14 Set up more than one tent in an RV site.

7.15 Register into a campsite any vehicle or recreational vehicle that is not operational upon check-in. An operational vehicle capable of legally towing a trailer must accompany all tow-behind trailers. The tow vehicle must be registered into the campsite for the same duration as the trailer.

VIII. COMMERCIAL USES

No person shall:

8.1 Take a commercial photograph or make a commercial movie or video within any watershed without a permit issued by the District.

8.2 Sell or offer to sell, or to engage in the business of soliciting, selling, or peddling any food, beverage, good, ware, merchandise or service within any watershed without first obtaining permission from the District.

8.3 Advertise any services by means of posting handouts or handbills, within any watershed.

8.4 Drive, operate, or enter with any vehicle for the purpose of doing business within any watershed, except in the service of the District or its concessionaire.

8.5 Sell or transport a Christmas tree in any watershed without a sales receipt, except within the Pardee and Camanche Recreation Areas.

IX. DANGEROUS OR HAZARDOUS ACTIVITIES

No person shall:

9.1 Engage in any activity or operate any device recklessly or negligently within any watershed so as to endanger any animal or the life, limb, or property of any person.

9.2 Drive, chip, or in any other manner play or practice golf, or hit golf balls within any watershed, unless the areas have been designated by the District for that use.

9.3 Operate self-propelled or remote-controlled model airplanes, drones, boats, automobiles, or other model craft of any kind or description within any watershed except in designated areas.

9.4 Operate a hang-glider, parachute, kite tube, traction kite**,** parasail or similar device within any watershed.

9.5 Cause damage or loss of property to the District, concessionaire, or any other visitor to District property.

9.6 Possess or discharge any gun, firearm, paint gun, spear, bow and arrow, fishing bow, crossbow, slingshot, air or gas weapon, or any other dangerous weapon within or into the boundaries of any watershed, except for approved firearms, bow and arrow or fishing bow within the Camanche Hills Hunting Preserve.

9.7 Use or possess fireworks of any kind within any watershed.

9.8 Conduct or participate in “hardball” baseball games, or to play “catch” with a hardball baseball within any watershed unless the area has been designated for that use.

9.9 Smoke on East Bay Area watershed lands or reservoirs except in areas designated and posted “Smoking Permitted”.

9.10 Smoke on Mokelumne Area watershed lands or reservoirs except in permitted campsites and paved parking lots, and other areas designated and posted “Smoking Permitted”.

9.11 Smoke in a “no-smoking” posted area

9.12 Fail to comply with District fire prevention measures during a Red Flag Event.

IX. DANGEROUS OR HAZARDOUS ACTIVITIES (Cont'd)

9.13 Dive or jump from bluffs, cliffs, rocks or structures within any watershed.

9.14 Swing by means of a rope, cable, or chain except in a playground with designated equipment for such use.

9.15 Allow any child under the age of 14 and unaccompanied by an adult access to any District waterway or swimming pool.

9.16 Bring any glass bottle or glass container into any Camanche day use area where swimming is allowed, into any area below the high water mark of Camanche Reservoir that is not defined as a campsite, or into any other area that has been posted "No Glass".

X. GENERAL NUISANCE

No person shall:

10.1 Remove any "RESERVED" sign from any picnic area, day use area, campsite, RV site, or facility that has been reserved.

10.2 Occupy or hold a picnic area, day use area, campsite, RV site or facility that has been reserved by another person.

10.3 Use or operate any audio device, musical instrument, television set, public address system, mobile phone, portable speaker, generator, electronic device, or other machine in such a manner as to disturb the peace, quiet, and comfort of any watershed users or any reasonable person of normal sensitivity residing in the area. The use of any such device or machine, such that the sound produced is audible at a distance in excess of fifty feet, shall be deemed a prima facie violation of subsection 10.3 of these Rules and Regulations.

10.4 Land any aircraft on any watershed except in the case of an emergency forced landing.

10.5 Practice, or attempt to practice, the landing, take-off, or taxiing of any aircraft over or upon any watershed.

10.6 Operate or cause to be operated any aircraft or ultralight aircraft which disturbs or causes harm to any of the flora or fauna within any watershed or which impairs the lawful use and enjoyment of a watershed by any person.

10.7 Operate or cause to be operated, any aircraft over any watershed at a height lower than 500' in height.

10.8 Expose or permit to be exposed to public view, a woman's breasts (except for breast-feeding), or the genital or anal region of a person's body.

10.9 Use a portable generator without permission of the District except at Pardee and Camanche Recreation Areas, Camanche Hills Hunting Preserve and the Mokelumne River Day Use Area.

10.10 Possess, use, assemble, inflate, or otherwise utilize trampolines or air-filled play devices, such as bounce houses or slides.

10.11 Fail to abide by posted Quiet Time regulations.

X. GENERAL NUISANCE (Cont'd)

10.12 Fill portable swimming or wading pools within any recreation area.

10.13 Possess alcoholic beverages in areas posted no alcohol.

XI. PROTECTION OF PROPERTY AND RESOURCES

No person shall:

11.1 Violate any section or provision of the California Department of Fish and Game Code while on any District watershed.

11.2 Use a metal detector or similar device within any watershed.

11.3 Injure, take or intentionally disturb any rock, mineral, plant, fungi, artifact, vertebrate, or invertebrate, or to damage its habitat within any watershed, without the District's express written permission. The person shall have in hand the District's express written permission at all times. This subsection 11.3 shall not apply to fish taken in accordance with California State law at reservoirs and in areas designated by the District as open to the public for that purpose and to approved game taken at the Camanche Hills Hunting Preserve.

11.4 Introduce, plant or relocate any plant or animal onto any watershed without the District's express written permission in possession.

11.5 Fish from any District-designated prohibited shoreline, including the total shorelines of Briones Reservoir (Contra Costa County), Upper San Leandro Reservoir (Contra Costa and Alameda Counties), the Rabbit Creek Arm of Camanche Reservoir north of Camanche Parkway (Amador County) and posted sections of any other waterways in accordance with California State Fishing Regulations.

11.6 Fish in any tributary that is on District property.

11.7 Fish in any District reservoir without a valid fishing access permit. The person shall have in hand the District's express written permission at all times. Please note up to four children under sixteen years of age may fish under a permit purchased by an accompanying adult.

11.8 Violate any conditions or limitations on a valid fishing access permit. Please note all conditions or limitations shown on a permit shall apply collectively to all persons fishing under the permit.

XI. PROTECTION OF PROPERTY AND RESOURCES (Cont'd)

11.9 Light, build, or maintain any fire within any watershed, except in fire rings or BBQs at Camanche, Lafayette, Pardee, or San Pablo Recreation Areas. Additionally, approved fire containers may be utilized in designated areas provided that they are used within existing fire rings or BBQs and only if the minimum 5-foot bare ground clearance in all directions is achieved. This subsection 11.9 shall not apply to approved fire containers used in the Primitive Overflow and Miner's Camp only if the minimum foot-bare ground clearance in all directions is achieved.

11.10 Light, build, or maintain any fire at Camanche or Pardee Recreation Areas that has a flame length greater than 4 feet from the ground or which is not completely within the fire ring, BBQs, or approved fire container.

11.11 Burn any plastics, polystyrene foam, rubber, tar, construction materials, gasoline, diesel fuel, motor oil, or any other items prohibited by the local air pollution control district. Gasoline-fueled camp stoves are permissible in accordance with other provisions set forth in these regulations.

11.12 Gather wood or other fuel within any watershed without the District's express written permission in possession.

11.13 Cut, carve, deface or destroy any object within any watershed or to paint, mark, paste, or fasten upon any object within any watershed, any bill, advertisement, or inscription, without the District's express written permission except upon message boards provided by the District for public use.

11.14 Possess or use any live fish, mollusk, crustacean, amphibian, reptile or any other bait contained, preserved or transported in water as bait in any District waterway. Dead mollusks (except frozen or freeze-dried clams) are also prohibited.

11.15 Fish within fifty yards of a fish planting truck while planting fish and for one half-hour after said plant.

11.16 Operate a hydraulic dredge within any watershed.

11.17 Fish, jump, dive or swim from floating restrooms, marina**,** boathouse, or launching docks and ramps.

11.18 Remove recyclables from any designated recycling station, or to remove water or other commodity from any watershed.

11.19 Leave any fire unattended.

XI. PROTECTION OF PROPERTY AND RESOURCES (Cont'd)

11.20 Feed any feral animals or wildlife at any time.

11.21 Remove, disturb, use, damage, or otherwise tamper with any District equipment or lifesaving device deployed in the Watershed unless explicitly authorized to do so or said device is being used in the course of an actual emergency.

11.22 Discharge any material or waste into or through any toilet, sink drain, or other sewer inlet that may cause, contribute, or trigger obstruction of flow, damage to sewer system or facilities, or that is classified as a toxic, corrosive, flammable, irritant, or strong sensitizer.

11.23 Discharge waste into the District sewerage disposal facilities, including but not limited to RV wastewater connections or the sewer dump station, that causes, threatens to cause or is capable of causing, either alone or by interaction with other substances:

a) Interference with the wastewater treatment process, or overloading of the sewerage facilities, or excessive collection or treatment costs, or use of a disproportionate share of the capacity of the sewerage facilities;

b) Interference with any wastewater reclamation process which does or may operate in conjunction with the sewerage facilities, or overloading, or a breakdown of such reclamation process, or excessive reclamation costs, or any product of the treatment process which renders such reclamation process impracticable or not feasible under normal operating conditions;

c) A detrimental environmental impact, or a nuisance wherever located, or a condition unacceptable to any public agency having regulatory jurisdiction over operation of the sewerage facilities;

d) Discoloration, or any other adverse condition in the quality of the effluent from the sewerage facilities such that receiving water quality requirements established by any statute, rule, regulation, ordinance, or permit condition cannot be met by the District;

e) Conditions at or near the sewerage facilities, or any portion thereof, which cause or may cause the District to be in violation of the requirements of the law;

XI. PROTECTION OF PROPERTY AND RESOURCES (Cont'd)

f) Pollutants introduced into the sewerage facilities that pass through or interfere with the operation of the sewerage facilities;

g) Any substance which will cause the sewerage facilities to violate its National Pollutant Discharge Elimination System permit or State Waste Discharge Requirements or the receiving water quality standards.

11.24 Fail to immediately report to a District or concession representative, the discharge to the environment of sewage from an RV, trailer, camper, other vehicle or structure.

11.25 Waste potable water supplied by the water systems in the watershed or recreation areas, or to fail to comply with any water use prohibition during a declared water shortage emergency.

XII. SANITATION

No person shall:

12.1 Bring any dog, cat, or other animal, other than a Service Animal, onto any watershed, except 1) on specifically designated fire roads and trails or 2) into recreation areas.

12.2 Bring more than three dogs onto watershed trails and recreation areas, or have more than three dogs per 8-person campsite, unless otherwise posted. If a campground has posted dog limits, then those limits shall be the effective maximum.

12.3 Bring into or have any dog or other pet or service animal in any designated recreation area unless such animal is contained or securely leashed, which requires the leash be either securely attached to a stationary object or retained in the possession of a person capable of exercising control. Leashes must not be extended to more than 6 feet. This subsection 12.3 shall not apply to dogs off-leash at the Camanche Hills Hunting Preserve for bird hunting purposes and at other designated and posted dog permissive areas.

12.4 Bring any dog, cat, or other animal, other than a Service Animal, onto any portion of a recreation area that is posted prohibiting such use.

12.5 Permit any dog, other than Service Animals, or other pet to enter any part of San Pablo Recreation Area other than the west side parking lots and picnic areas.

12.6 Bring any dog into any recreation area unless said dog meets all county requirements for dog ownership and for custody, unless the person has current proof of rabies vaccination of said dog, and unless appropriate District fees have been paid.

12.7 Fail to promptly remove from any recreation area to an appropriate receptacle, any fecal matter deposited thereon by a dog or any other animal in said person's charge.

12.8 Permit any dog, cat, horse, cattle, goat or other domestic animal to swim, wade, drink from or otherwise come into contact with the waters of any District waterway, except 1) at the Mokelumne River Day Use Area, and 2) horses may drink from and dogs may enter Camanche Reservoir while under physical control of their handler.

12.9 Make bodily contact with the waters of any District waterway except at the Mokelumne River Day Use Area and in Camanche Reservoir.

XII. SANITATION (Cont'd)

12.10 Clean fish within any watershed, except at places designated and provided by the District for fish cleaning that are equipped with fish cleaning facilities and receptacles for the deposit of waste substances.

12.11 Deposit, place, dispose of, discharge or allow any waste matter, including greywater and litter, to enter any District waterway or watershed. This subsection 12.11 shall not apply to the proper deposit, placement, disposal, discharge, or allowance of waste matter at waste receptacles or sanitary facilities designated and provided for such use by the District.

12.12 Ride, drive, lead or keep any saddle or pack animal in any recreation area except that portion which is the most direct route from the front gate to the staging area or equestrian campground.

VIII. TRAILS

No person shall:

13.1 Enter or use any watershed trail without a valid Trail Use Permit in possession.

13.2 Leave the designated watershed trails, leave trail gates open, or disturb, molest or interfere with livestock or wildlife within any watershed. In areas approved for such use, bicycles shall not leave the improved portion of the trail.

13.3 Ride, drive, lead, or keep any saddle or pack animal in a reckless or negligent manner so as to endanger the life, limb, or property of any person or animal, or to allow the saddle or pack animal to stand unattended or insecurely tied.

13.4 Enter or to remain upon any designated watershed trail between sunset of one day and sunrise of the following day.

13.5 Gain access to any designated watershed trail except from staging areas or designated entry points.

13.6 Enter any designated watershed trail with a stallion or colt.

13.7 Enter or use any designated watershed trail without at all times complying with all conditions upon which the trail permit was issued and all conditions that are posted.

XIV. VEHICLES

No person shall:

14.1 Violate any section or provision of the California Vehicle Code while operating or using any vehicle on any District watershed.

14.2 Exceed the posted vehicle speed limit.

14.3 Drive a vehicle upon any road, trail, path, lawn, landscaped area, thoroughfare, parking space, or other portion of any watershed closed to vehicle entry

14.4 Operate any internal combustion engine of any kind within any watershed without an efficient, operative muffler and spark arrester approved by the United States Forest Service.

14.5 Perform any non-emergency vehicle or vessel maintenance on any District watershed.

14.6 Operate any vehicle other than on improved roads or parking areas that are open for public travel.

14.7 Operate any vehicle in the recreation area that is not licensed for use on the highway. This subsection 14.7 shall not apply to the operation of an all terrain vehicle (ATV) or a utility terrain vehicle (UTV) solely in designated areas at the Camanche Hills Hunting Preserve, provided the driver of the ATV or UTV is at least 18 years of age.

14.8 Knowingly permit any person to ride unrestrained within any truck bed or upon any portion of a vehicle not designed for passengers

14.9 Knowingly permit any person to ride on any towed trailer or trailered boat while being transported on any road, except that persons may ride in trailered boats while launching on a launch ramp.

14.10 Operate any golf cart on District watershed, except at the Camanche Hills Hunting Preserve or under the following conditions:

a. The golf cart is registered for use on the street or highway with the California Department of Motor Vehicles;

b. The operator of the golf cart possesses a current driver's license;

c. The golf cart is covered by insurance required for vehicles operating on the highway in the State of California;

XIV. VEHICLES (Cont'd)

d. The golf cart is properly equipped as required by the California Vehicle Code;

e. The golf cart operator complies with the Rules of the Road, Division 11 of the California Vehicle Code.

XV. PARKING

No vehicle shall be and no person shall cause a vehicle to be:

15.1 Parked in any restricted parking zone or other area not designated for parking.

15.2 Parked longer than the designated time period.

15.3 Parked, except when directed otherwise by a District employee or its authorized representative, in any of the following places or manners:

a. In areas where prohibited as indicated by "No Parking" signs.

b. On any fire trail.

c. On any equestrian or hiking trail.

d. Blocking or obstructing any gate, entrance, or exit.

e. Taking up more than one "marked" parking place in any authorized parking area.

f. Blocking or obstructing the free flow of traffic.

g. Within 15 feet of a fire hydrant.

h. Adjacent to any curb painted red.

i. In any recreation area or watershed beyond the posted closing time, except pursuant to a valid permit that provides otherwise.

j. Without paying the fee in a parking lot where a fee is charged.

k. A permit or receipt is not displayed in a conspicuous place upon the vehicle so as to be easily observed, where a permit or receipt is issued, at the Lafayette Reservoir, San Pablo Reservoir, Camanche Reservoir, and Pardee Reservoir Recreation Areas. In a parking lot on District property for the purpose of advertising or attempting to sell a vehicle.

l. In any area not designated for parking.

m. In violation of posted parking restrictions.

n. In a metered parking space without paying the posted parking meter fee.

15.4 Parked beyond posted parking time limits.

XV. PARKING (Cont'd)

15.5 Parked or remain standing within any watershed or recreation area for 72 or more consecutive hours, except in camping areas pursuant to a valid parking permit.

15.6 Parked without displaying a special license plate issued pursuant to section 5007 of the Vehicle Code or without displaying a distinguishing placard issued pursuant to section 22511.55 or 22511.59 of the Vehicle Code in a stall or space designated for such exclusive use. Any vehicle in violation of subsection 15.6 of these Rules and Regulations may be fined or may be removed from such stall or space in accordance with section 22511.8 of the California Vehicle Code.

15.7 Parked for 72 consecutive hours or more without a permit. Any vehicle in violation of subsection 15.7 may be removed as provided in the California Vehicle Code. Furthermore, whenever a peace officer has reasonable grounds to believe that a vehicle has been abandoned within the Watershed or Recreation Area, the vehicle may be removed as authorized by Vehicle Code 22669(a).

15.8 Any vehicle in violation of section 15 will be removed in accordance with the California Vehicle Code.

15.9 In any prosecution involving a violation of section 15, prima facie evidence shall consist of proof that the vehicle was parked in violation of such section or subsection, together with proof that the defendant was at the time the registered owner of the vehicle. This subsection 15.9 shall apply only when the following conditions are complied with:

a. While the vehicle is parked in violation of these Rules and Regulations or violation of law, a notice shall be securely attached to the vehicle stating the section of the Rules or Regulations or law violated, the approximate time of the violation, and the location, time, and place for appearance by the registered owner.

XVI. BICYCLES, SKATEBOARDS, ROLLER SKATES, ROLLER BLADES, ETC.

No person shall:

16.1 Operate any bicycle, roller skates, roller blades, or similar conveyance except in designated recreation areas and on improved roads and trails provided for this use, and only during designated hours and days.

16.2 Operate any bicycle or similar conveyance on any watershed trail except as specifically provided on the Pinole Valley Multi-Use Trail and the Eagle's Nest Multi-Use Trail in the East Bay Watershed.

16.3 Operate any bicycle, roller skates, roller blades, or similar conveyance in a negligent, unsafe, or reckless manner, or in any way that endangers the life, limb or property of any person or in violation of any regulatory signs.

16.4 Operate any skateboard at Lafayette Recreation Area.

XVII. HUNTING

At Camanche Hills Hunting Preserve no person shall:

17.1 Violate any law or regulation of the California Fish and Game Code.

17.2 Hunt without payment of the appropriate fees.

17.3 Fail to sign the register in and out each day.

17.4 Hunt or be in the field without a valid California hunting license and field permit in their possession.

17.5 Possess or consume any alcoholic beverage while hunting or while in the field.

17.6 Hunt, or to be in the field for upland game without a blaze orange vest or hat.

17.7 Shoot in posted safety zones or closed areas.

17.8 Be under 18 years of age and hunt unless accompanied by an adult.

17.9 Shoot any non-game bird or other non-game animal.

17.10 Possess or discharge lead shot in any area of the Camanche Hills Hunting Preserve.

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EBMUD

BOARD ACTION

Agenda Number:	14.1.	Meeting Date:	December 10, 2024

TITLE **RESOLUTION COMMENDING DIRECTOR DOUG A. LINNEY'S PUBLIC SERVICE ACHIEVEMENTS**

ACTION ☐ Motion: ☒ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Adopt a resolution commending Director Doug A. Linney and acknowledging his public service achievements.

DISCUSSION

Director Doug A. Linney was first elected to the East Bay Municipal Utility District (EBMUD) Board of Directors in 2000 and faithfully served for 25 years, as Director of Ward 5 representing Alameda, portions of Hayward, Oakland, and San Leandro, as well as the community of San Lorenzo, with integrity and dedication through six consecutive terms.

Director Linney exemplified admirable leadership, serving as Board President in 2009, 2010, 2021, and 2022, and Vice President in 2007, 2008, 2019 and 2020, fostering meaningful dialogue with District residents, stakeholders, and staff while addressing complex challenges with foresight and care.

As a steward of public trust, Director Linney represented EBMUD on the EBMUD/East Bay Regional Park District Liaison Committee for nine years, chaired key EBMUD committees—including Utility/Energy (now Sustainability), Planning, Finance/Administration, and Legislative/Human Resources—and consistently shaped policies that advanced the District's mission with thoughtfulness and clarity.

Director Linney's service transcends EBMUD through his involvement in community and environmental organizations, including the California League of Conservation Voters and California Interfaith Power and Light, further demonstrating his deep commitment to sustainability and public service.

The Board is being asked to adopt a resolution to formally acknowledge Director Linney for his contributions to the community and years of service to the District.

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Originating Department: Office of the Secretary	**Department Director or Manager:** Rischa S. Cole	**CEP Forms?** N/A	**Board Action Type:** Personnel
Funds Available: N/A	**Budget Coding:** N/A		**Approved:**
Attachment(s): Resolution			

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Draft Prepared By

Office of General Counsel

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST BAY MUNICIPAL UTILITY DISTRICT COMMENDING DIRECTOR DOUG A. LINNEY AND ACKNOWLEDGING HIS SERVICE TO THE EAST BAY MUNICIPAL UTILITY DISTRICT

Introduced by Director ; Seconded by Director

WHEREAS, Director Doug A. Linney was first elected to the East Bay Municipal Utility District (EBMUD) Board of Directors in 2000 and faithfully served for 25 years, representing Alameda, portions of Hayward, Oakland, and San Leandro, as well as the community of San Lorenzo, with integrity and dedication through six consecutive terms; and

WHEREAS, during his tenure, Director Linney exemplified admirable leadership, serving as Board President in 2009, 2010, 2021, and 2022, and Vice President in 2007, 2008, 2019 and 2020, fostering meaningful dialogue with EBMUD residents, stakeholders, and staff while addressing complex challenges with foresight and care; and

WHEREAS, as a steward of public trust, Director Linney represented EBMUD on the EBMUD/East Bay Regional Park District Liaison Committee for nine years, chaired key EBMUD committees—including Utility/Energy (now Sustainability), Planning, Finance/Administration, and Legislative/Human Resources—and consistently shaped policies that advanced EBMUD's mission with thoughtfulness and clarity; and

WHEREAS, Director Linney's enduring commitment to sustainability and environmental stewardship and advocacy for alternative energy strategies positioned EBMUD as a national leader in energy efficiency and resource management; and

WHEREAS, with strategic foresight and unwavering resolve, Director Linney championed the Water Supply Management Program 2040, ensuring a secure and reliable water future for generations to come, even amid growing demands and climate uncertainty; and

WHEREAS, beyond his leadership at EBMUD, Director Linney tirelessly advocated for state legislative incentives to promote renewable energy, combating climate change, and solidifying EBMUD's reputation as a pioneer in environmental responsibility; and

WHEREAS, Director Linney's advocacy extended to protecting the environmental health of the San Francisco Bay-Delta and supporting the designation of segments of the Mokelumne River as "wild and scenic," safeguarding the region's invaluable natural resources; and

WHEREAS, through initiatives such as the Bayside Groundwater Facility and the West Oakland Liaison Group, Director Linney built lasting trust and partnerships, addressing environmental concerns with empathy and accountability; and

WHEREAS, Director Linney's service transcends EBMUD through his involvement in community and environmental organizations, including the California League of Conservation Voters and California Interfaith Power and Light, further demonstrating his deep commitment to sustainability and public service;

NOW, THEREFORE, BE IT RESOLVED on behalf of the cities, communities, residents, and staff served by the East Bay Municipal Utility District, we extend our heartfelt gratitude to Director Doug A. Linney for his extraordinary service, steadfast dedication to the public good, and enduring contributions to a sustainable and vibrant future for our region.

LET THIS RESOLUTION serve as a lasting tribute to his visionary leadership, exemplary commitment, and profound impact on the well-being of the communities he so diligently served.

ADOPTED this 10th day of December, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

EBMUD

BOARD ACTION

Agenda Number:	14.2.	Meeting Date:	December 10, 2024

TITLE **RESOLUTION COMMENDING DIRECTOR LESA R. MCINTOSH'S PUBLIC SERVICE ACHIEVEMENTS**

ACTION ☐ Motion: ☒ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Adopt a resolution commending Director Lesa R. McIntosh and acknowledging her public service achievements.

DISCUSSION

Director Lesa R. McIntosh made history as the first African American woman appointed to the East Bay Municipal Utility District (EBMUD) Board of Directors in February 1999 and elected in 2002 to represent Ward 1, encompassing Hercules, San Pablo, portions of Pinole and Richmond, and the communities of Crockett, East Richmond, North Richmond, Rodeo, and Selby. Director McIntosh has served with distinction for over 25 years advocating tirelessly for the residents and businesses in the northernmost part of the District's service area.

Director McIntosh broke further ground as the first African American woman to serve as Vice President of the Board in 2005 and 2006, and as President in 2007, 2008, 2017, 2018, and 2024, where she provided visionary leadership and championed diversity, inclusivity and equity in all aspects of the District's work.

Under Director McIntosh's leadership, the Board launched the Water Supply Management Program 2040, a comprehensive strategy to ensure a reliable water supply for the East Bay through 2040, and in 2024, approved an update to the Climate Action Plan, addressing the critical challenges posed by climate change on water supply and quality.

Director McIntosh's dedication to service extended beyond EBMUD, as evidenced by her involvement with community organizations such as the Contra Costa County Bar Association, Black Women Organized for Political Action (BWOPA), the League of Women Voters, and her co-founding of the West County Democratic Club.

The Board is being asked to adopt a resolution to formally acknowledge Director McIntosh for her contributions to the community and years of service to the District.

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Originating Department: Office of the Secretary	**Department Director or Manager:** Rischa S. Cole	**CEP Forms?** N/A	**Board Action Type:** Personnel
Funds Available: N/A	**Budget Coding:** N/A		**Approved:**
Attachment(s): Resolution			

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Draft Prepared By

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Office of General Counsel

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST BAY MUNICIPAL UTILITY DISTRICT COMMENDING DIRECTOR LESA R. MCINTOSH AND ACKNOWLEDGING HER SERVICE TO THE EAST BAY MUNICIPAL UTILITY DISTRICT

Introduced by Director ; Seconded by Director

WHEREAS, Director Lesa R. McIntosh made history as the first African American woman appointed to the East Bay Municipal Utility District (EBMUD) Board of Directors in February 1999 and elected in 2002 to represent Ward 1, encompassing Hercules, San Pablo, portions of Pinole, Richmond, and the communities of Crockett, East Richmond, North Richmond, Rodeo, and Selby; and

WHEREAS, Director McIntosh has served with distinction for over 25 years, advocating tirelessly for the residents and businesses in the northernmost part of EBMUD's service area; and

WHEREAS, Director McIntosh broke further ground as the first African American woman to serve as Vice President of the Board in 2005 and 2006, and as President in 2007, 2008, 2017, 2018, and 2024, where she provided visionary leadership and championed diversity, inclusivity and equity in all aspects of EBMUD's work; and

WHEREAS, during her 2017 and 2018 presidency, Director McIntosh demonstrated steadfast commitment to affordability by expanding the Customer Assistance Program, increasing its reach to better support disadvantaged EBMUD customers; and

WHEREAS, Director McIntosh played a pivotal role in advancing diversity, equity, and inclusion (DEI) within EBMUD by spearheading the implementation of a DEI Cultural Audit, which served as the foundation for EBMUD's first Diversity, Equity, and Inclusion Strategic Plan in 2022; and

WHEREAS, under her leadership, the Board launched the Water Supply Management Program 2040, a comprehensive strategy to ensure a reliable water supply for the East Bay through 2040, and in 2024, approved an update to the Climate Action Plan, addressing the critical challenges posed by climate change on water supply and quality; and

WHEREAS, Director McIntosh has been a passionate advocate for engaging the community and stakeholders, representing EBMUD at various agencies, including the Special Districts Association of Contra Costa County, ACWA's Region 5 Board, and as an alternate member of the Los Vaqueros Reservoir Joint Powers Authority Board; and

WHEREAS, Director McIntosh's dedication to service extended beyond EBMUD, as evidenced by her involvement with community organizations such as the Contra Costa County Bar Association, Black Women Organized for Political Action (BWOPA), the League of Women Voters, and her co-founding of the West County Democratic Club;

NOW, THEREFORE, BE IT RESOLVED that we honor and celebrate the remarkable legacy of Director Lesa R. McIntosh, whose exemplary service, groundbreaking achievements, and unwavering commitment to equity, sustainability, and community engagement have left an indelible mark on EBMUD and the communities it serves. Her leadership will inspire generations and set a high standard for public service, and we extend our deepest gratitude and admiration for her dedication, accomplishments, and years of steadfast service.

ADOPTED this 10th day of December, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

EBMUD

BOARD ACTION

Agenda Number:	14.3.	Meeting Date:	December 10, 2024

TITLE **RESOLUTION COMMENDING DIRECTOR WILLIAM B. PATTERSON'S PUBLIC SERVICE ACHIEVEMENTS**

ACTION ☐ Motion: ☒ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Adopt a resolution commending Director William B. Patterson and acknowledging his public service achievements.

DISCUSSION

Director William 'Bill' Patterson was appointed by the East Bay Municipal Utility District (EBMUD) Board in September 1997, and, after being elected in 2000, has served six terms as Director of Ward 6, which encompasses portions of Oakland, including East Oakland, Fruitvale, and the area south of Park Blvd/5th Avenue to the San Leandro boundary.

Director Patterson served with distinction as EBMUD Board President from 2005 to 2007, making history as the first African American to hold this position, and as Vice President from 2003 to 2007, 2015 to 2018, and again in 2024, earning respect and admiration for his steadfast leadership.

Director Patterson valued collaboration and consistently championed partnerships to address complex challenges, exemplified by his active role and representation of the District on the Freeport Regional Water Authority) and Upper Mokelumne River Watershed Authority Boards.

Director Patterson's service extended far beyond EBMUD, enriching the East Bay community through his work with the Oakland Public Ethics and Parks and Recreation Commissions, the Workforce Investment Board, the Oakland NAACP, and organizations such as the Niagara Movement Foundation and Outdoor Afro.

The Board is being asked to adopt a resolution to formally acknowledge Director Patterson for his contributions to the community and years of service to the District.

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Originating Department: Office of the Secretary	**Department Director or Manager:** Rischa S. Cole	**CEP Forms?** N/A	**Board Action Type:** Personnel
Funds Available: N/A	**Budget Coding:** N/A		**Approved:**
Attachment(s): Resolution			

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Draft Prepared By

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Office of General Counsel

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST BAY MUNICIPAL UTILITY DISTRICT COMMENDING DIRECTOR WILLIAM B. PATTERSON AND ACKNOWLEDGING HIS SERVICE TO THE EAST BAY MUNICIPAL UTILITY DISTRICT

Introduced by Director ; Seconded by Director

WHEREAS, Director William "Bill" Patterson was appointed by the East Bay Municipal Utility District (EBMUD) Board in September 1997 and, after being elected in 2000, has served six terms as Director of Ward 6, which encompasses portions of Oakland, including East Oakland, Fruitvale, and the area south of Park Blvd/5th Avenue to the San Leandro boundary; and

WHEREAS, Director Patterson served with distinction as EBMUD Board President from 2005 to 2007, making history as the first African American to hold this position, and as Vice President from 2003 to 2007, 2015 to 2018, and again in 2024, earning respect and admiration for his steadfast leadership; and

WHEREAS, during his tenure on the Board, Director Patterson has been a tireless advocate and an influential voice in addressing nearly every issue EBMUD has faced over the past two decades, leaving a legacy of contributions that reflect his visionary leadership and profound commitment to public service; and

WHEREAS, Director Patterson's dedication to public health and safety drove EBMUD policies for lead testing in schools and daycare centers and statewide efforts to phase out lead plumbing, significantly enhancing public health protections in partnership with the late Alameda County Supervisor Wilma Chan; and

WHEREAS, Director Patterson valued collaboration and consistently championed partnerships to address complex challenges, as demonstrated by his active role and representation of EBMUD on the Freeport Regional Water Authority and Upper Mokelumne River Watershed Authority Boards; and

WHEREAS, Director Patterson represented EBMUD with integrity and excellence at community events, policy discussions, and professional conferences, earning trust and admiration from constituents and colleagues, while demonstrating unwavering commitment to EBMUD's mission, its ratepayers, and employees; and

WHEREAS, Director Patterson, often acknowledged as the "Conscience of the District," tirelessly served on the EBMUD Retirement Board to secure equitable outcomes, supported constituents facing financial hardships, championed diversity and inclusion, and ensured fair treatment of ratepayers across all levels of government; and

WHEREAS, Director Patterson's service extended far beyond EBMUD, enriching the East Bay community through his work with the Oakland Public Ethics and Parks and Recreation Commissions, the Workforce Investment Board, the Oakland NAACP, and organizations such as the Niagara Movement Foundation and Outdoor Afro;

NOW, THEREFORE, BE IT RESOLVED that the EBMUD Board of Directors and employees express their deepest respect, gratitude, and admiration to Director William "Bill" Patterson for twenty-seven years of extraordinary service. His leadership, vision, sincerity, and tireless

dedication have left an indelible mark on EBMUD and the communities it serves, ensuring his legacy will endure for generations.

ADOPTED this 10th day of December, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: December 10, 2024

MEMO TO: Board of Directors

FROM: Clifford C. Chan, General Manager CCC

SUBJECT: Monthly Report – November 2024

HIGHLIGHT

In November, seasonal salmonid field monitoring was conducted in the Mokelumne River. As of November 19, a total of 31,081 Chinook salmon have been observed passing the Woodbridge Irrigation District Dam. This is the largest Chinook salmon escapement since passage documentation began on the Mokelumne River in 1940. Staff continued to conduct weekly redd surveys, with a cumulative total of 2,184 Chinook salmon redds observed as of November 20. In addition, weekly carcass surveys began on October 24. To date, 188 Chinook salmon carcasses have been encountered and 26 heads collected for coded wire tag extraction. The Chinook salmon egg model projects the first Mokelumne River redd emergence on December 13. Using this projected date, the upstream trap will be set for the first time this season on December 16.

WATER SUPPLY

On November 15, staff participated in a site visit for the East Bayshore Recycled Water Project (EBRWP) Oakland Estuary Crossing Pipeline project prior to inspection by the Army Corp of Engineers (ACOE). The ACOE will handle the inspection work on behalf of the District and is partially funded by a federal grant. A new recycled water pipeline will be installed within a decommissioned water pipeline that crosses the Oakland Estuary. The inspection will be conducted to assess structural conditions of the abandoned pipeline and to obtain data for the design and construction of the new recycled water pipeline. The ACOE has contracted DR Reed & Associates to complete the inspection, which is currently scheduled for March 2025.

On November 18, staff met with the State Water Resources Control Board's (SWRCB) Division of Water Rights to discuss the District's hydropower licensing request. Staff has been working with the SWRCB to convert the Districts existing water right permits for hydropower generation into licenses and met with the new interim manager of the Division of Water Rights at the SWRCB to provide an overview of the District's hydropower water rights, the proposed change, and to request input on the proposed schedule. SWRCB agreed to provide feedback on the schedule in December 2024.

On November 20, staff attended the kickoff meeting with PG&E and Desert Research Institute to begin the study on Rain-on-Snow events in the Mokelumne watershed. This project team met at PG&E's Angels Camp facility to discuss the decision support tool to be developed for forecasting the potential for snowmelt to augment inflows to PG&E and EBMUD projects in the Mokelumne during winter storms. Fifty percent of this project is being funded through the U.S. Bureau of Reclamation's WaterSMART grant program.

On November 20, staff met with the Bay Area Regional Reliability (BARR) partners to learn about Alameda County Water District's (ACWD's) per- and polyfluoroalkyl substances (PFAS) issues in their water supply and projects to address PFAS. ACWD provided a presentation, and the group discussed ACWD's experience with developing their PFAS treatment system. BARR partners include ACWD, Bay Area Water Supply and Conservation District, Contra Costa Water District, EBMUD, Marin Water, San Francisco Public Utilities Commission, Santa Clara Valley Water District, and Zone 7 Water Agency. Approximately 15 people attended.

On November 25, staff submitted a comment letter to GreenGen in response to their Draft License Application (DLA) for a new pumped storage project at PG&E's Lower Bear & Salt Spring reservoirs. The DLA is a document submitted to the Federal Energy Regulatory Commission outlining potential terms of a new license. In the letter, staff highlighted the District's water right concerns and proposed specific project mitigation and enhancement measures.

Precipitation. The East Bay precipitation for November was 3.25 inches (100 percent of average) and the season total was 3.45 inches (68 percent of average). The Mokelumne precipitation for November was 5.27 inches (97 percent of average) and the season total was 6.75 inches (72 percent of average).

Water Releases

Camanche Reservoir. The average rate of Camanche release for November was 388 cfs (195 cfs generation, 167 cfs sluice, and 26 cfs through the hatchery), and the average flow below Woodbridge Dam was 329 cfs, both in accordance with the Joint Settlement Agreement "Normal & Above" water year criteria.

East Bay Reservoirs. East Bay reservoir releases continued in November and averaged 15 and 19 cfs for Chabot and Upper San Leandro reservoirs respectively.

Water Storage

Mokelumne reservoirs storage is 113 percent of average. As of November 30, 2024, Pardee was at 549.3 feet or 96 percent of average, and Camanche was at 221.1 feet or 124 percent of average. Combined Pardee and Camanche reservoir storage was 481,000 acre-feet compared to 491,000 acre-feet last year.

East Bay reservoirs storage is 107 percent of average. As of November 30, 2024, Upper San Leandro was at 453.5 feet or 133 percent of average, San Pablo was at 292.3 feet or 87 percent of average, and Briones was at 567.7 feet or 105 percent of average. Total terminal reservoir storage was 122,000 acre-feet compared to 128,000 acre-feet last year.

Mokelumne Aqueducts and Raw Water Pumping Plants. The average rate of Mokelumne Aqueduct draft for November 2024 was 146 MGD. Walnut Creek, Moraga and Briones Raw Water Pumping Plants remained offline for the month.

Water Production. Average rate of gross water production for November:

	November 2024	**November 2023**	**November 2020**	**Average of FY 2005-2007**
East of Hills	33 MGD	33 MGD	41 MGD	39 MGD
West of Hills	107 MGD	106 MGD	112 MGD	133 MGD
Total	**140 MGD**	**139 MGD**	**153 MGD**	**172 MGD**
Max Day Production	163 MGD (11/4/2024)	165 MGD (11/1/2023)	183 MGD (11/2/2020)	

Note: Data are all from preliminary daily operational reports and are subject to revision

WATER QUALITY AND ENVIRONMENTAL PROTECTION

Grizzly Peak Strategic Grant Shaded Fuel Break project update. On November 15, shrubs and trees were trimmed and removed from District watershed land within 100 feet of the edge of the roadway located near the urban/wildland interface, along Fish Ranch Road, to the Grizzly Peak intersection.

San Pablo Pine Tree Removal Project update. On November 21, the annual culling of standing dead, diseased and, hazard Monterey pines was completed. Approximately 250 pine trees were removed, completing the project work for 2024. The San Pablo Pines Project is located on the watershed east of San Pablo Reservoir in Contra Costa County.

On November 13, the District and the Department of Water Resources (DWR) signed a Joint Study Agreement and a Protest Dismissal Agreement for the Delta Conveyance Project (DCP). The District filed a protest against the DCP in relation to potential impacts to Mokelumne River fisheries. The two agreements commit DWR to participate and fund a study with the District on the migration of juvenile salmon and steelhead from the Mokelumne through the Delta and use modeling to determine any impacts from current or future water operations in the Delta. At its December 10, 2024 meeting the Board will be asked to consider an amendment to the grant agreement with DWR to increase the amount by $200,000 to support this work. The District will be coordinating with DWRD on study development in 2025, and implementation in spring 2026.

All authorized discharges from the Main Wastewater Treatment Plant (MWWTP) were in compliance with the permit limits for the month of November. This is the 303rd consecutive month that the MWWTP experienced no exceedances.

The District received no odor reports from the public in November.

INFRASTRUCTURE INVESTMENT

In November, a field demonstration of a non-invasive condition assessment was conducted on the District's water distribution pipelines. Preliminary results from the condition assessment are expected in mid-December and will provide information on the condition of the pipe and expected remaining useful life. If the condition assessment proves to be successful, this technology can be incorporated into the District's pipeline risk model and assist staff with selecting future pipeline replacement projects. Staff is researching other companies that provide similar types of non-invasive technologies and will work with vendors to conduct additional condition assessment pilot studies.

In November, staff completed a pipeline replacement project in the Magellan Drive area in Oakland. This project replaced cast iron pipe with approximately 1,430 feet of 6-inch mortar-lined zinc coated ductile iron pipe.

In November, staff completed a pipeline replacement project in the Huston Road and Pleasant Hill Road area in Pleasant Hill. This project replaced cast iron pipe with approximately 3,650 feet of 6- and 8-inch mortar-lined zinc coated ductile iron pipe.

In November, staff completed a pipeline replacement project in the Barrow Street area in San Leandro. This project replaced cast iron pipe with approximately 855 feet of 6-inch mortar-lined zinc coated ductile iron pipe.

In November, staff completed a pipeline replacement project in the Lovegrove Street area in San Pablo. This project replaced cast iron pipe with approximately 3,115 feet of 6-inch structurally enhanced polyvinyl chloride pipe and mortar-lined zinc coated ductile iron pipe.

In November, staff began a pipeline replacement project in the Sharene Lane area in Walnut Creek. This project will replace asbestos cement pipe with approximately 5,335 feet of 6- and 12-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in March 2025.

In November, staff began a pipeline replacement project in the South 15th Street area in Richmond. This project will replace cast iron pipe and asbestos cement pipe with approximately 1,200 feet of 6- and 8-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in January 2025.

In November, staff began two pipeline replacement projects in Berkeley. The La Loma Avenue area project will replace cast iron with approximately 6,320 feet of 6- and 8-inch mortar-

lined zinc coated ductile iron pipe and 6- and 8-inch earthquake resistant ductile iron pipe. This project is expected to be completed in May 2025. The Frontage Road area project will replace asbestos cement pipe with approximately 910 feet of 12-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in December 2024.

On November 6, staff co-hosted the annual Emergency Action Plan (EAP) Seminar jointly with Jackson Valley Irrigation District (JVID), Calaveras Public Utility District (CPUD), and PG&E. The EAP Seminar is required by the Federal Energy Regulatory Commission to review the emergency response plans for EBMUD, JVID, CPUD, and PG&E owned hydroelectric dams in Amador, San Joaquin, Calaveras, and Alpine counties. Representatives from the hosting agencies and external emergency management agencies participated including California Highway Patrol, Caltrans, local Fire agencies, county, city, and state Office of Emergency Services, and neighboring water agencies such as Calaveras County Water District, Amador Water Agency, and Woodbridge Irrigation District. Approximately 80 people attended.

On November 12, the District performed the annual dam safety inspections of Pardee and Camanche reservoirs with the California Division of Safety of Dams (DSOD). The inspections included a review of the dams, spillways, outlets, and instrumentation. The Pardee North 72-inch and South 42-inch low level outlet controls were also exercised in the presence of the DSOD inspector. No significant items of concern were noted.

On November 15, trail maintenance was completed on a section of the Mokelumne Coast to Crest Trail from James Bar to Patti's Point near Pardee Reservoir. Staff along with nine volunteers cut back branches and brush that had encroached on the trail.

Design of the North Interceptor Rehabilitation - Emeryville Project was completed under SD-454. This $8 million project includes cured-in-place pipelining of 2,500 feet of 66-inch sewer interceptor pipeline, mortar and epoxy lining for five manholes, and requires a large bypass pumping system to bypass sewer flows during lining installation. This project addresses severe corrosion and deterioration of the interior of the pipeline and manholes. Construction is expected to be completed in 2025.

Design of the Lafayette and Walnut Creek Water Treatment Plants (WTP) Chemical Systems Safety Improvements Project was completed under Specification 2194. This $50 million project includes replacing the chemical storage and feed equipment and implementing electrical upgrades at the Lafayette and Walnut Creek WTPs. This project is the last of three projects to upgrade the chemical systems at the WTPs; the first project covered the Orinda WTP and the second project covered the USL and Sobrante WTPs. The goal of these three projects is to improve the operator and environmental safety, maintainability and reliability of the chemical systems at the WTPs. Construction is expected to be completed in 2028.

Mains repaired in November totaled 89. The attached table lists the mains repaired by staff in November, sorted by city and street. The table indicates the source of the leaks in three categories: non-surfacing leaks discovered by leak detection technologies, breaks caused by

contractors or other agencies, and all other main breaks. The associated map shows the location of the main repairs.

CUSTOMER AND COMMUNITY SERVICES

In November, staff conducted six environmental education field trips for approximately 370 attendees. On November 5, a total of 42 students from Berkeley's Oxford Elementary School toured San Pablo Reservoir and Sobrante Water Treatment Plant. On November 12, staff led an environmental education program presenting Mokelumne River Fish Hatchery Operations and Life Cycles of Fish to a total of 85 seventh and eighth grade students from Oakview School in Acampo. On November 14, a total of 31 fifth grade students from Oakland's Joaquin Miller Elementary School toured Lafayette Reservoir and Lafayette Water Treatment Plant. On November 15, a total of 10 engineering students from Diablo Valley College toured the Walnut Creek Water Treatment Plant. On November 19, a total of 28 fifth grade students from Richmond's J.O. Ford Elementary School toured San Pablo Reservoir and Sobrante Water Treatment Plant. On November 21, a total of 105 students from Lodi Unified School District toured the Mokelumne River Fish Hatchery. On November 25, a total of 115 students from Lodi Unified School District toured the Mokelumne River Fish Hatchery.

On November 3, staff participated in the Unity Council's Dias De Los Muertos Festival in Oakland. Staff provided information on water conservation, drink tap messaging, the Customer Assistance Program, emergency preparedness, and District careers. The Water on Wheels trailer was present. Approximately 100,000 people attended.

On November 4, staff attended Woodbridge Irrigation District's and North San Joaquin Water Conservation District' tour of the Woodbridge Dam. Staff learned about salmon ladders, fish returns, and challenges.

On November 4, staff presented at the Lodi Tokay Rotary meeting. The presentation highlighted the history of EBMUD, the hatchery, and our restoration efforts on the Mokelumne River. Approximately 20 people attended.

On November 5, staff met with the City of Albany to coordinate construction activities. The two agencies shared information on current and upcoming work.

On November 7, installation of a new educational exhibit in the Administration Building lobby was completed. The display conveys the story "From Pardee Dam to the Bay" using graphics, text, objects, and media. The exhibit also includes a separate display area for water conservation. The educational exhibit provides an opportunity to engage with EBMUD's diverse communities and employees about EBMUD's mission, the important role of water and wastewater services in the East Bay, water supply, and watershed areas in the East Bay and the Sierra foothills.

On November 7, staff attended the Fairview Municipal Advisory Council meeting to learn more about community issues.

On November 7, staff met with the City of Oakland for the monthly utilities coordination meeting. The agencies shared information on current and upcoming work.

On November 8, staff met with the Los Angeles Department of Water and Power to share information on the District's residential non-payment policy.

On November 12, staff attended the Eden Municipal Advisory Council meeting to learn more about community issues.

On November 12, staff met with the City of Berkeley to coordinate construction activities. The two agencies shared information on current and upcoming work.

On November 12, staff participated in Millennium Challenge Corporation's webinar on water affordability. The Mongolia water sector is interested in learning more about water affordability and potentially implementing their own assistance program in Ulaanbaatar, Mongolia. Millennium Challenge Corporation is a bipartisan federal subsidiary that supports the world's most economically distressed countries to develop democratic governance and socio-economic infrastructure. Approximately 50 people attended.

On November 13, staff conducted a tour of the Main Wastewater Treatment Plant (MWWTP) for scientists from the Lawrence Berkeley National Laboratory. This group supports organizations to promote energy efficiency through the U.S. Department of Energy's 50001 Ready Program. The group was especially interested in energy generation and energy management aspects of MWWTP operations. Approximately 15 people attended.

On November 13, staff met with the City of El Cerrito to coordinate construction activities. The two agencies shared information on current and upcoming work.

On November 13, staff presented at the El Sobrante Municipal Advisory Council meeting. The presentation highlighted the District's residential non-payment policy. Approximately 25 people attended.

On November 13, staff presented at the Fairmede-Hilltop Neighborhood Council. The presentation highlighted the District's residential non-payment policy. Approximately 25 people attended.

On November 15, staff conducted a Water Walk tour of the Mokelumne River Fish Hatchery in Clements. Staff provided information on the hatchery and history of the Camanche Dam. Approximately 30 people attended.

On November 16, staff participated in a site visit for the East Bay Regional Park District's Advisory Committee at Tilden Regional Park. Staff provided information on collaborative wildfire mitigation efforts with the Grizzly Peak Strategic Grant. Approximately 40 people attended.

On November 16, the District and Contra Costa Water District co-presented at Educational Community for Homeowners Northern California 2024 Legal Update and Educational Seminar in Walnut Creek. The presentation highlighted Assembly Bill 1572, which limits the use of potable water to irrigate nonfunctional turf on most commercial, industrial, and irrigation properties. Approximately 140 people attended.

On November 16 and 17, staff conducted Water Walk tours of the San Pablo Reservoir in El Sobrante. In partnership with the Lindsay Wildlife Museum, on November 16, staff provided information on the reservoir, wildlife, and the watershed, and EBMUD's water system and conducted the same tour in Spanish on November 17. Approximately 25 people attended.

On November 18, staff attended the Castro Valley Municipal Advisory Council's General Purpose meeting to learn more about community issues.

On November 18, staff assisted the Calaveras Sheriff Office in locating lost hikers on the Mokelumne Coast to Crest Trail south of Pardee Reservoir. Staff began a search of the trail and located the two hikers just after sunset halfway between Middle Bar and Campo Seco. The hikers were uninjured and were transported to Campo Seco Staging Area where Calaveras Sheriff Deputies transported them back to their vehicle 12-miles away.

On November 19, staff met with the City of Oakland's Parks and Recreation Department and volunteers from Firestorm Memorial Garden to discuss the Summit Pressure Zone Phase II Project. The discussion included the project's impact on the Memorial Garden. Staff will work with volunteers and keep them updated during the project. Approximately 10 people attended.

On November 19, staff provided an interpretive lecture on the Mokelumne Fossil Discovery at the Brentwood Library. This lecture was part of the Insiders Adaptive and Inclusive Activities events for adults with developmental disabilities. Staff provided information on the latest research findings of the project as well as a display of fossils and geological samples. Approximately 60 people attended.

On November 20, staff presented on the use of advanced metering infrastructure (AMI) as part of the U.S. Environmental Protection Agency's WaterSense webinar series. The presentation highlighted how water use data can help facility managers monitor and understand water use patterns, identify leaks, and improve overall water management. Approximately 100 people attended.

On November 21, the District hosted the Camanche Park Advisory Board meeting at its Mokelumne Office in Valley Springs. Staff provided information on the newly announced alcohol prohibition and the proposed personal watercraft prohibition. Residents and park users expressed concerns about the prohibitions and the Advisory Board recommended a public workshop prior to a vote by EBMUD's Board. Approximately 35 people attended.

Media. A press release was issued on November 19 to Bay Area and upcountry media about the record-breaking salmon returns for the second year in a row; multiple outlets covered the press release (East Bay Times, Daily Kos, Indybay, Local News Matters, ACWA, Sierra Sun Online, Ledger Dispatch). The Lafayette Tower Seismic Upgrade Project is getting attention following a City of Lafayette press release and EBMUD statement (Patch, News 24/680, Bay Area Telegraph, SF Gate, Bay City News). The question of fluoride levels in water continues to be a subject of discussion (East Bay Times, KCBS, SF Chronicle, KTVU, CNN, NPR). Other media coverage included a summary of reservoir levels, including EBMUD's (NBC11, KTVU2) and a taste test comparing San Francisco Public Utilities Commission's water with EBMUD's (SF Chronicle). A retrospective for EBRPD's 90th anniversary covered the intertwined history of EBRPD and EBMUD (Oakland North, Richmond Confidential). A young journalist summarized potable reuse and recycled water in the Bay Area (Scot Scoop News).

Social Media:

Social Platform	Popular Topic	Impression Generation	# Followers	Change Over Last Month
X	HR intern recruitment	113	3,966	-43
Facebook	HR intern recruitment	1,193	2,307	20
Instagram	HR intern recruitment	2,598	2,591	17
LinkedIn	Engineering Aide recruitment	2,415	10,530	32
Nextdoor	Customer Pipeline protecting the bay	23,628		

Staff conducted public outreach to neighbors and interested parties on the following projects:

- East of Hills Facilities Demolitions and Improvements (San Ramon, Danville, Alamo)
- Happy Valley Pumping Plant and Pipeline Replacement (Orinda)
- Lafayette Reservoir Tower Seismic Upgrade (Lafayette)
- Orinda Water Treatment Plant Disinfection Improvements (Orinda)
- Summit Pressure Zone Phase II (Oakland)
- Walnut Creek Water Treatment Plant Pretreatment (Walnut Creek)

<u>Contract Equity</u>

On November 20, staff participated in the 2024 Bay Area Construction Workforce Conference in Oakland. Staff provided information on upcoming wastewater and engineering contracting opportunities, District careers, current and upcoming recruitments, job application processes, and provided Customer Assistance Program applications. The conference was sponsored by the Construction Trades Workforce Initiative, Construction Resource Center, Cypress Mandela Training Center, Oakland Unified School District, PG&E, Swinerton Builders, and Webcor Builder. Approximately 250 people attended.

Contract Equity staff participated in the following customer events and outreach activities:

- November 18 – Women's Business Enterprise Council Pacific's 2025 Strategic Planning Meeting – 11 attendees
- November 22 – Oakland Latino Chamber of Commerce Board Meeting – 12 attendees
- November 26 – Oakland Latino Chamber of Commerce Networking Mixer – 75 attendees

Water Conservation

On November 14, the District hosted the Landscape Advisory Committee sub-committee meeting at its Administration Building in Oakland. Topics included a review of the District's low water plant list, controller and spring audit rebate programs, the lawn conversation payback calculator and an update on the United States Bureau of Reclamation grant submittal. Approximately 15 people attended.

WORKFORCE PLANNING AND DEVELOPMENT

In November, staff provided three lectures in the U.C. Berkeley CE112 class on Water and Wastewater Finance. Topics included a financial overview, water sales and rates, affordability of water and wastewater rates, public utility budgeting, and financing capital expenses. Approximately 75 people attended.

On November 1, staff presented and participated in panel discussions at the Bay Delta Science Conference in Sacramento. The presentation highlighted the District habitat restoration efforts. The panel discussion highlighted the Bay Delta Water Quality Control Plan Update. The District was a conference sponsor. Approximately 50 people attended.

On November 12, staff presented to students in U.C. Berkeley's graduate-level Plants in the Built Environment course. The presentation provided an overview of how plants support and hinder wastewater treatment conveyance and operations, using examples from centralized and decentralized treatment systems. Approximately 30 people attended.

Staff participated in events/activities that support the District's long-term efforts to develop a diverse pipeline of candidates for future workforce needs and expand collaborative relationships with local partner organizations:

- **On November 1, staff participated in West Oakland Job Resource Center's Cohort graduation.** Staff provided information on District careers, upcoming recruitments, and application processes. Approximately 25 people attended.

- **On November 12, staff participated in Building Opportunities for Self-Sufficiency's Career Fair in Oakland.** Staff provided information on District careers, upcoming recruitments, and application processes. Approximately 100 people attended.

- **On November 21, staff participated in Richmond Workforce Development Board's Career Fair.** Staff provided information on District careers, upcoming recruitments, and application processes. Approximately 300 people attended.

Tuition Reimbursement

	November 2024	FY 2025 Total
# of Employees	8	55
# of Classes	10	72
Total Reimbursed	$6,065.43	$70,913.78

Employment Information

	November 2024	FY 2025 Total
Retirements – Regular	9	32
Retirements – Vested	1	2
Hires/Rehires	17	102
Other Separations	5	38

FINANCIAL STABILITY

In November, the District began filing liens on owner-occupied, single-family residential accounts unresponsive to outreach efforts about unpaid bills. Unpaid amounts for these accounts are placed as liens on the properties. Before a lien is recorded, customers receive advance notice with the opportunity to contest the lien and/or make payment arrangements. For those who remain unresponsive and fail to make arrangements with the District, a lien is recorded against the property at the County Recorder's Office. To date, 181 liens totaling $411,817.15 were filed in Alameda County, and 95 liens totaling $255,374.81 were filed in Contra Costa County. Any unpaid liens will be transferred to the property tax bill in August each year.

In November, the Oursan Ridge Conservation Bank sold 0.50 California red-legged frog conservation credits to EBMUD for $12,500 to mitigate for riparian impacts resulting from construction activities for the EBMUD's Orinda Water Treatment Plant Disinfection Improvements Project in Orinda. This was the 27th credit sale overall. A total of $2,509,830 has been raised from sales of conservation credits since the bank was created in April 2017.

In November, an additional qualified service provider was added to the agreements for bare equipment rentals. Western Pacific Crane & Equipment LLC meets District standards and has been added to increase flexibility and ensure service provider availability.

In November, an additional qualified service provider was added to the agreements for hydro/air-vacuum excavation services. Badger Daylighting Corp. meets District standards and has been added to increase flexibility and ensure service provider availability.

Capital Budget Transfers. In November 2024, there were no capital transfers. Through November 30, 2024, there have been four capital transfers in FY 2025, for a total of $3.6 million in the Water System and $7.3 million in the Wastewater System.

The estimated earned revenue from the Main Wastewater Treatment Plant Power Generation Station's surplus power sales for November is $42,290. The District sold renewable power and related Renewable Energy Credits (RECs) to the Port of Oakland. The sale of RECs generated $14,160 from the Port of Oakland. Earned revenue for FY 2025 is estimated at $323,012 or 81 percent of the total FY 2025 budget of $400,000.

The estimated earned revenue from Mokelumne power sales for November is $137,224. The estimated net revenue from Mokelumne power sales for November is $137,224. The District sold renewable power and related Renewable Energy Certificates (RECs) to Marin Clean Energy (MCE). A scheduled outage of PG&E's transmission system limited generation at Pardee in November. Sales of RECs generated $16,040 from MCE. Resource Adequacy capacity sales to NRG Business Marketing LLC and Ava Community Energy earned $67,260 and $3,563 respectively. Estimated earned revenue to date through November is $7,111,931 or 65 percent of the budgeted revenue for FY 2025, $10,200,000. The forecasted revenue for FY 2025 is $12,144,718.

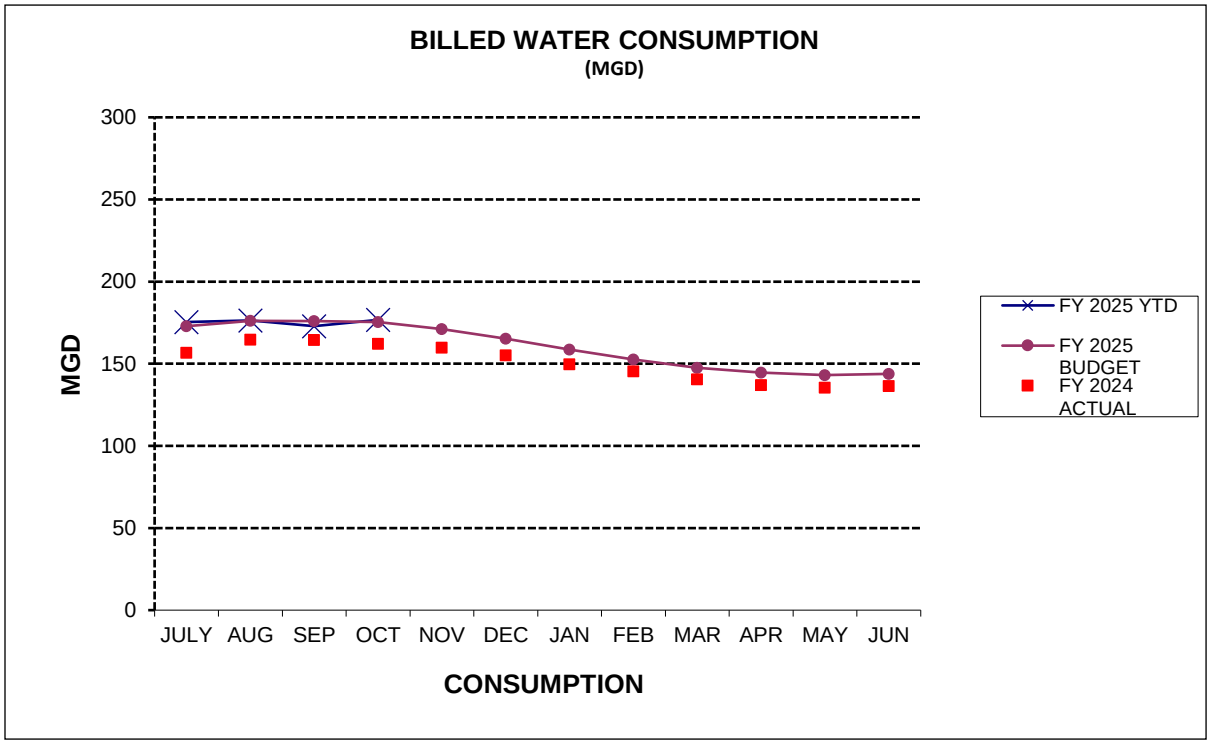
There were no material, supply, or construction contracts from $80,001 to $100,000 and there were four general and professional service agreement from $30,001 up to $80,000 approved by the General Manager in November 2024.

VENDOR NAME	DATE AWARDED	CEP STATUS	ITEM (S) PURCHASED	PROJECT	CONTRACT TERM	VALUE
Megawatt Engineering	11/4/24	Asian Men	Quality assurance/quality control and peer review of modifications to the Power Generation Station and electrical power system at the Main Wastewater Treatment Plant	N/A	N/A	$60,000
Arbor Products LTD dba Expert Tree Service	11/6/24	White Men	Cleanup of illegal trash dump site on District property located near Pinehurst Road	N/A	N/A	$54,500
SES North America, Inc.	11/15/24	Unclassified	Professional services to optimize water distribution pump operation for energy efficiency	N/A	Two years	$60,000
CSRW Inc. dba Allied Construction Services	11/18/24	White Men	Roof replacement services on the Grounds Maintenance Building at Upper San Leandro Water Treatment Plant	N/A	N/A	$50,283

Water Sales (Consumption)

The following consumption information is the average water consumption in millions of gallons per day (MGD) for the first four months of FY 2025[1]. Budgeted average daily water consumption for FY 2025 is 143.9 MGD, noting that summer month consumption is generally higher due to outdoor watering. The table below shows the average billed water consumption information by customer class with a comparison to FY 2024 data for the same period of time.

Fiscal Year-to-Date Billed Water Consumption			
Usage Type	**FY 2025 (MGD)**	**FY 2024 (MGD)**	**Year-over-Year (% change)**
Residential	88.7	81.6	8.7%
Commercial	60.9	53.0	14.9%
Industrial	19.0	19.7	-3.6%
Public Authority	8.1	7.9	2.5%
Total Billed Water Consumption	**176.7**	**162.2**	**8.9%**

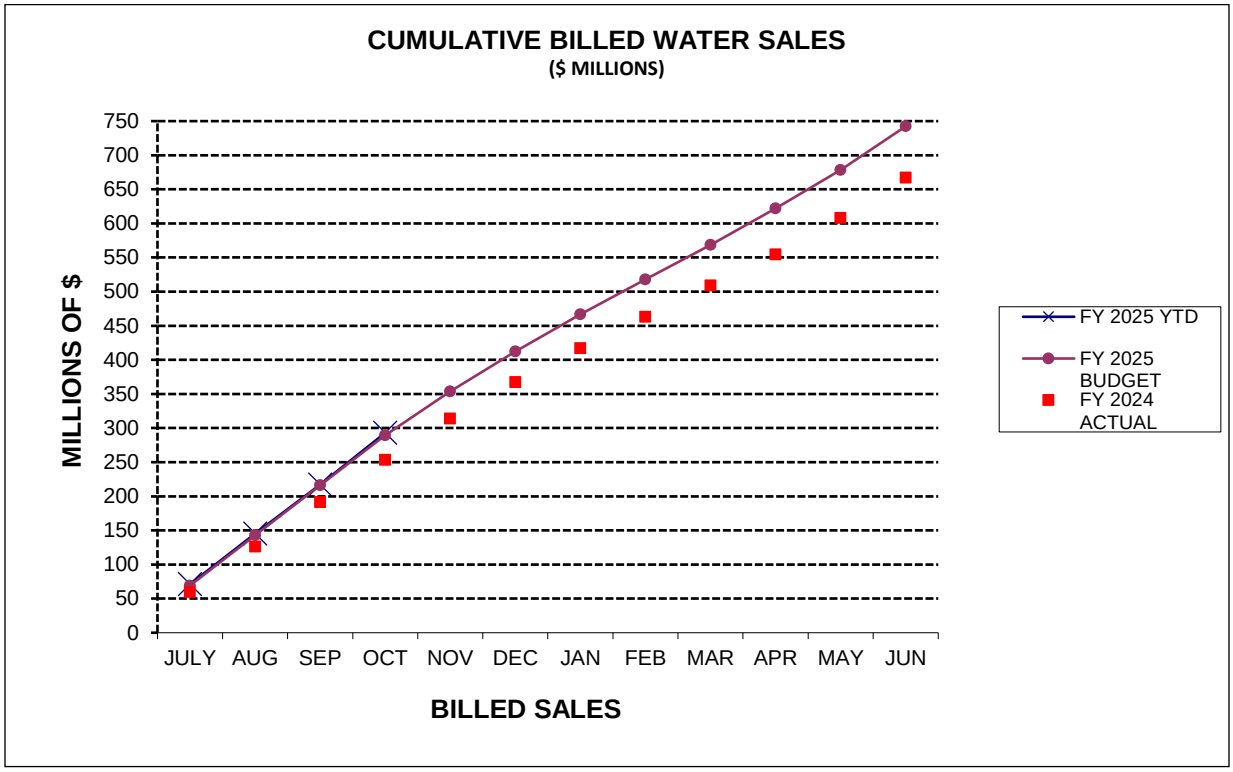


Source: Customer Information System

[1] Billed consumption is the amount of potable and non-potable water use for which EBMUD billed customers during the month and not actual customer usage within that month. During any month, roughly half of all EBMUD customers are billed for the prior two months of consumption. For example, a customer bill sent in early August would generally contain charges for water consumed in June and July.

Water Sales (Revenue)

Water revenues billed through the end of October were $293.0 million[2] or 15.7% more than the FY 2024 revenue for the same period of $253.3 million. This increase in water revenues is a result of higher consumption and an 8.5% rate increase (effective July 1, 2024). Total FY 2025 water revenues through October are $3.8 million (1.3%) more than the budgeted water revenue of $289.2 million.



Source: Customer Information System

[2] Water sales includes potable and non-potable water sales.

November 2024 MAIN BREAK REPAIRS										
City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
ALAMEDA		MARINA	DR	ASBESTOS CEMENT	8	1938	7,200	11/2/2024	11/6/2024	Y
ALAMEDA		SHERMAN	ST	STEEL	12	1960	17,280	11/6/2024	11/9/2024	Y
ALAMEDA		WHITEHALL	RD	STEEL	6	1958	18,000	11/13/2024	11/13/2024	Y
ALAMO		LAS TRAMPAS	RD	ASBESTOS CEMENT	8	1962	8,640	11/9/2024	11/14/2024	Y
BERKELEY		ARCH	ST	CAST IRON	6	1905	30,240	11/8/2024	11/14/2024	Y
BERKELEY		CALIFORNIA	ST	CAST IRON	6	1925	45,000	11/11/2024	11/12/2024	Y
BERKELEY		CALIFORNIA	ST	CAST IRON	6	1925	2,700	11/22/2024	11/23/2024	Y
BERKELEY		DWIGHT	WAY	CAST IRON	6	1925	4,500	11/1/2024	11/1/2024	Y
BERKELEY		HASTE	ST	CAST IRON	6	1953	900	11/14/2024	11/14/2024	Y
BERKELEY		HILLSIDE	AVE	ASBESTOS CEMENT	6	1961	900	11/28/2024	11/29/2024	Y
BERKELEY		OXFORD	ST	CAST IRON	6	1926	18,000	11/27/2024	11/27/2024	Y
BERKELEY		ROOSEVELT	AVE	CAST IRON	4	1929	8,640	11/10/2024	11/15/2024	Y
BERKELEY		SAN PABLO	AVE	ASBESTOS CEMENT	6	1958	36,000	11/2/2024	11/6/2024	Y
BERKELEY		STANNAGE	AVE	CAST IRON	6	1937	13,500	11/14/2024	11/14/2024	Y
BERKELEY		UNIVERSITY	AVE	ASBESTOS CEMENT	12	1954	0	11/21/2024	11/22/2024	Y
CASTRO VALLEY		BROOKDALE	BL	CAST IRON	8	1954	90,000	11/7/2024	11/7/2024	Y
CASTRO VALLEY		JAMES	AVE	CAST IRON	6	1954	0	10/28/2024	11/4/2024	Y
CASTRO VALLEY		SEAVIEW	AVE	CAST IRON	8	1954	0	10/31/2024	11/5/2024	Y
CASTRO VALLEY		SEVEN HILLS	RD	CAST IRON	8	1954	0	11/1/2024	11/6/2024	Y
DANVILLE		ONEIDA	CIR	ASBESTOS CEMENT	6	1980	5,760	11/18/2024	11/21/2024	Y
DANVILLE		SYCAMORE	CIR	ASBESTOS CEMENT	6	1972	30,240	11/12/2024	11/18/2024	Y
EL CERRITO		SAN PABLO	AVE	CAST IRON	6	1930	5,400	11/7/2024	11/8/2024	Y
EL CERRITO		TERRACE	DR	CAST IRON	4	1940	4,500	11/18/2024	11/18/2024	Y
EMERYVILLE		HOLDEN	ST	CAST IRON	8	1951	23,040	11/19/2024	11/22/2024	Y
KENSINGTON		COVENTRY	RD	CAST IRON	4	1936	7,200	11/26/2024	11/26/2024	Y
LAFAYETTE		BURTON VISTA	CT	NON METALLIC / PLASTIC	2	2004	9,000	11/13/2024	11/13/2024	Y
LAFAYETTE		HAPPY VALLEY	RD	ASBESTOS CEMENT	8	1956	4,500	11/3/2024	11/4/2024	Y
LAFAYETTE		LAS TRAMPAS	RD	ASBESTOS CEMENT	6	1958	4,500	11/11/2024	11/11/2024	Y
LAFAYETTE		MOUNTAIN VIEW	DR	CAST IRON	6	1938	17,280	11/24/2024	11/27/2024	Y

KPI = turn around time to repair the leak

November 2024 MAIN BREAK REPAIRS										
City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
LAFAYETTE		RANCHO DEL HAMBRE		ASBESTOS CEMENT	8	1974	18,000	11/21/2024	11/21/2024	Y
LAFAYETTE		TOFFLEMIRE	DR	ASBESTOS CEMENT	6	1978	4,500	11/14/2024	11/14/2024	Y
LAFAYETTE		VALS	LN	CAST IRON	4	1947	2,880	11/2/2024	11/3/2024	Y
LAFAYETTE		WARNER	CT	ASBESTOS CEMENT	6	1952	5,760	11/19/2024	11/22/2024	Y
LAFAYETTE		WEST	RD	CAST IRON	4	1947	9,000	11/5/2024	11/5/2024	Y
OAKLAND		2ND	AVE	STEEL	30	1932	8,640	11/21/2024	11/26/2024	Y
OAKLAND		4TH	ST	CAST IRON	8	1958	20,160	10/30/2024	11/5/2024	Y
OAKLAND	E	21ST	ST	CAST IRON	8	1932	14,400	11/24/2024	11/25/2024	Y
OAKLAND	E	23RD	ST	CAST IRON	6	1940	9,000	11/1/2024	11/2/2024	Y
OAKLAND		25TH	AVE	CAST IRON	6	1936	4,500	11/13/2024	11/13/2024	Y
OAKLAND		41ST	AVE	CAST IRON	4	1948	900	11/1/2024	11/1/2024	Y
OAKLAND		53RD	AVE	CAST IRON	4	1936	2,700	11/19/2024	11/20/2024	Y
OAKLAND		76TH	AVE	CAST IRON	4	1945	21,600	10/30/2024	11/13/2024	Y
OAKLAND		85TH	AVE	CAST IRON	4	1911	3,600	11/16/2024	11/17/2024	Y
OAKLAND		92ND	AVE	CAST IRON	4	1911	0	11/7/2024	11/12/2024	Y
OAKLAND		101ST	AVE	ASBESTOS CEMENT	6	1946	17,280	11/17/2024	11/20/2024	Y
OAKLAND		4TH	AVE	CAST IRON	6	1936	63,000	11/13/2024	11/13/2024	Y
OAKLAND		BREED	AVE	CAST IRON	6	1927	10,080	11/7/2024	11/13/2024	Y
OAKLAND		BROADWAY		CAST IRON	8	1894	27,000	11/1/2024	11/1/2024	Y
OAKLAND		BUENA VISTA	AVE	CAST IRON	6	1925	1,800	11/20/2024	11/21/2024	Y
OAKLAND		ELLEN	ST	CAST IRON	6	1934	1,800	11/19/2024	11/19/2024	Y
OAKLAND		EXETER	DR	ASBESTOS CEMENT	6	1968	1,800	11/4/2024	11/4/2024	Y
OAKLAND		GREENLY	DR	CAST IRON	8	1946	0	11/21/2024	11/22/2024	Y
OAKLAND		HARWOOD	AVE	CAST IRON	6	1959	1,350	11/15/2024	11/15/2024	Y
OAKLAND		HOLLY	ST	CAST IRON	6	1927	36,000	11/2/2024	11/2/2024	Y
OAKLAND		LAWTON	AVE	CAST IRON	6	1937	23,040	11/13/2024	11/14/2024	Y
OAKLAND		MACARTHUR	BL	CAST IRON	6	1911	1,800	11/14/2024	11/15/2024	Y
OAKLAND		MACARTHUR	BL	CAST IRON	4	1918	9,000	11/23/2024	11/24/2024	Y
OAKLAND		MINNA	AVE	CAST IRON	6	1937	9,000	11/23/2024	11/24/2024	Y

KPI = turn around time to repair the leak

November 2024 MAIN BREAK REPAIRS										
City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
OAKLAND		OUTLOOK	AVE	CAST IRON	4	1927	5,400	11/17/2024	11/17/2024	Y
OAKLAND		OUTLOOK	AVE	CAST IRON	6	1940	1,350	11/17/2024	11/17/2024	Y
OAKLAND		RAILROAD	AVE	CAST IRON	8	1924	27,000	11/6/2024	11/7/2024	Y
OAKLAND		RETTIG	AVE	CAST IRON	6	1933	1,800	11/19/2024	11/19/2024	Y
OAKLAND		ROLAND	WAY	ASBESTOS CEMENT	8	1966	18,000	11/18/2024	11/18/2024	Y
OAKLAND		TELEGRAPH	AVE	CAST IRON	2	1943	900	11/26/2024	11/26/2024	Y
OAKLAND		THORNHILL	DR	CAST IRON	6	1939	900	11/6/2024	11/7/2024	Y
OAKLAND		TULIP	AVE	ASBESTOS CEMENT	6	1981	30,240	10/30/2024	11/5/2024	Y
ORINDA		CHARLES HILL	CIR	CAST IRON	4	1937	2,250	11/18/2024	11/18/2024	Y
ORINDA		LAS AROMAS		CAST IRON	6	1948	18,000	11/15/2024	11/15/2024	Y
ORINDA		LINDA VISTA		STEEL	6	1960	8,640	11/15/2024	11/17/2024	Y
ORINDA		SUNRISE HILL	RD	STEEL	6	1986	0	11/19/2024	11/25/2024	Y
PINOLE		HENRY	AVE	ASBESTOS CEMENT	6	1964	45,000	11/6/2024	11/6/2024	Y
PINOLE		TENNENT	CT	ASBESTOS CEMENT	4	1954	4,500	11/15/2024	11/16/2024	Y
PLEASANT HILL		MARYAL	RD	CAST IRON	4	1947	14,400	11/10/2024	11/14/2024	Y
RICHMOND		EMERIC	AVE	CAST IRON	4	1924	5,400	11/29/2024	11/30/2024	Y
RICHMOND		HIGHLAND	AVE	CAST IRON	6	1952	1,800	11/18/2024	11/18/2024	Y
RICHMOND		HILLTOP	DR	CAST IRON	6	1941	1,800	11/3/2024	11/3/2024	Y
RICHMOND		PULLMAN	AVE	ASBESTOS CEMENT	6	1972	18,000	11/12/2024	11/13/2024	Y
RICHMOND		ROLLINGWOOD	DR	CAST IRON	8	1943	27,000	11/23/2024	11/23/2024	Y
RODEO		SAN PABLO	AVE	STEEL	24	1936	900	11/14/2024	11/14/2024	Y
SAN LEANDRO		BANCROFT	AVE	CAST IRON	6	1928	0	11/22/2024	11/25/2024	Y
SAN LEANDRO		EVERGREEN	AVE	CAST IRON	6	1946	21,600	10/21/2024	11/4/2024	Y
SAN LEANDRO		WILLIAMS	ST	CAST IRON	6	1948	1,440	11/1/2024	11/1/2024	Y
SAN RAMON		LORETO	DR	ASBESTOS CEMENT	6	1974	0	11/4/2024	11/6/2024	Y
WALNUT CREEK		ECKLEY	LN	ASBESTOS CEMENT	8	1968	2,250	11/12/2024	11/12/2024	Y
WALNUT CREEK		NOB HILL	DR	ASBESTOS CEMENT	10	1955	1,350	11/24/2024	11/25/2024	Y
WALNUT CREEK		PALMER	RD	ASBESTOS CEMENT	8	1959	6,750	11/5/2024	11/5/2024	Y
WALNUT CREEK		RICHARD	LN	CAST IRON	4	1948	7,200	11/9/2024	11/9/2024	Y

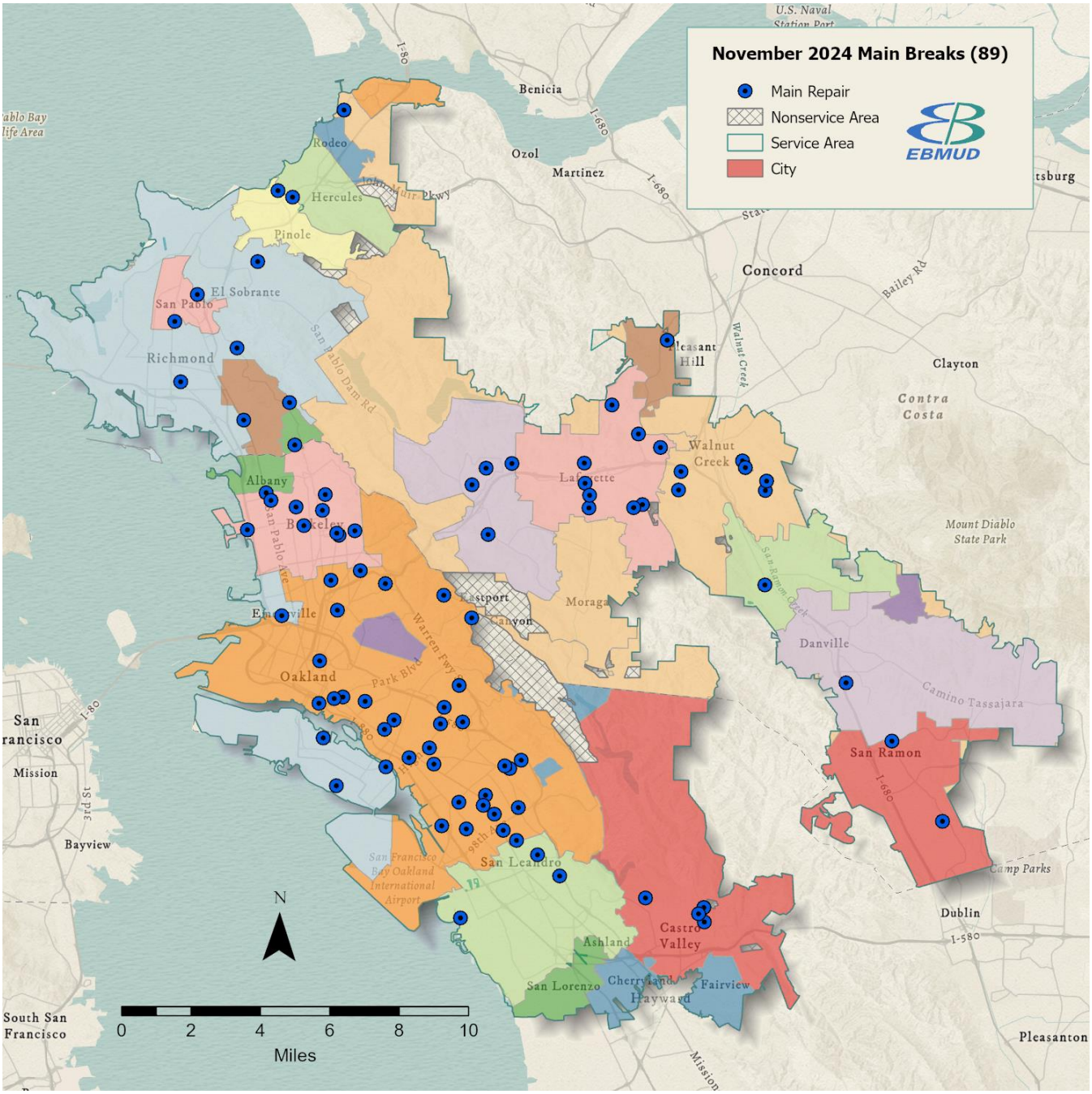
KPI = turn around time to repair the leak

November 2024 MAIN BREAK REPAIRS

City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
WALNUT CREEK		SARANAP	AVE	CAST IRON	6	1933	2,700	11/3/2024	11/4/2024	Y
WALNUT CREEK		WALNUT	BL	ASBESTOS CEMENT	6	1961	45,000	11/6/2024	11/6/2024	Y
							1,063,080			

Non-surfacing leaks discovered by leak detection technologies	3
Breaks caused by contractors or other agencies	2
Other main breaks	84
Total water main repairs	**89**

KPI = turn around time to repair the leak


November 2024 Main Breaks (89)
Main Repair
Nonservice Area
Service Area
City
EBMUD
Benicia
Ozol
Martinez
Rodeo
Hercules
Pinole
El Sobrante
San Pablo
Richmond
Concord
Clayton
Contra Costa
Walnut Creek
Lafayette
Moraga
Orinda
Albany
Berkeley
Emeryville
Oakland
Piedmont
Danville
San Ramon
Mount Diablo State Park
Camino Tassajara
Camp Parks
Dublin
Pleasanton
San Leandro
Ashland
Castro Valley
San Lorenzo
Cherryland
Hayward
Fairview
San Francisco Bay Oakland International Airport
San Francisco
Mission
Bayview
South San Francisco
N
0 2 4 6 8 10
Miles

Customer Account Delinquency Information
November 2024

(Data collection began September 1, 2017)

CUSTOMER ASSIST. PROGRAM (CAP) ENROLLMENT	Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24 [53]	Totals (since 9/1/2017)
New CAP Participants	211	252	250	283	271	265	**15,564**
CAP Renewals	236	216	210	218	193	166	**16,106**
CAP Departures	414	434	362	438	388	372	**22,571**
Total Active CAP Participants w/Active Accounts	9,674	9,965	10,135	10,275	10,367	10,499	**-**
PAYMENT PLANS	**Jun 24**	**Jul 24**	**Aug 24**	**Sep 24**	**Oct 24**	**Nov 24**	**Totals (since 9/1/2017)**
Approved Payment Plans	1,730	1,831	1,952	2,224	3,294	3,203	**244,421**
SERVICE INTERRUPTIONS - RESIDENTIAL	**Jun 24**	**Jul 24**	**Aug 24**	**Sep 24**	**Oct 24**	**Nov 24**	**Totals (since 9/1/2017)**
15-day Final Collection Notices[51]	17,204	17,075	18,632	17,995	17,448	15,162	**1,393,515**
48-hr Service Interruptions Notices[3,52]	11,583	11,748	12,052	10,409	12,541	10,779	**835,471**
TENANT OCCUPIED - FLOW RESTRICTORS	**Jun 24**	**Jul 24**	**Aug 24**	**Sep 24**	**Oct 24**	**Nov 24**	**Totals (since 9/1/2024)**
Service Interruption Orders/Door Hangers Generated	-			502	587	224	**1,313**
Service Interruptions Completed (Flow Restrictor Installed)	-	-	-	-	144	111	**255**
Number of Flow Restrictors Removed/Service Restored	-	-	-	-	72	70	**142**
Flow Restrictors Remain Installed	-	-	-	-	72	113	
OWNER OCCUPIED - SINGLE-FAMILY LIENS	**Jun 24**	**Jul 24**	**Aug 24**	**Sep 24**	**Oct 24**	**Nov 24**	**Totals (since 11/1/2024)**
Liens Filed	-	-	-	-	-	276	**276**
Released	-	-	-	-	-	-	
Transferred to Alameda Cty.	-	-	-	-	-	-	
Transferred to Contra Costa Cty.	-	-	-	-	-	-	
Total Transactions/Month	**-**	**-**	**-**	**-**	**-**	**-**	
FLOW RESTRICTOR TAMPERING[6]	**Jun 24**	**Jul 24**	**Aug 24**	**Sep 24**	**Oct 24**	**Nov 24**	**Totals**
Flow Restrictor Tampered	-	-	-	-	2	3	**5**
WATER THEFT	**Jun 24**	**Jul 24**	**Aug 24**	**Sep 24**	**Oct 24**	**Nov 24**	**Totals (since 9/1/2017)**
No. of Incidents	1	2	10	14	8	3	**563**
No. of 2nd or 3rd Occurrences	-	-	-	-	-	-	**41**
No. Water Theft Penalties Issued	-	-	-	-	-	-	**228**
No. of Appeals Received	-	-	-	-	-	-	**10**
No. of 1st Appeals Approved	-	-	-	-	-	-	**5**
No. of 1st Appeals Denied	-	-	-	-	-	-	**8**
MULTI-FAMILY LIENS[1]	**Jun 24**	**Jul 24**	**Aug 24**	**Sep 24**	**Oct 24**	**Nov 24**	**Totals (since 9/1/2017)**
Liens Filed	-	-	-	62	102	189	**7,110**
Released	35	178	131	228	14	340	**6,435**
Transferred to Alameda Cty.	-	-	224	-	-	-	**2,418**
Transferred to Contra Costa Cty.	-	-	44	-	-	-	**444**
Total Transactions/Month	**35**	**178**	**399**	**290**	**116**	**529**	**16,407**
BAD DEBT - WRITE OFFS[2]	**Jun 24**	**Jul 24**	**Aug 24**	**Sep 24**	**Oct 24**	**Nov 24**	**Totals (since 9/1/2017)**
Total Referred to Collection Agency	$259,360	$267,680	$512,874	$429,404	TBD	TBD	**19,468,477**
Write-Off % to Billed Revenue	0.39%	0.34%	0.62%	0.53%	TBD	TBD	

[1] Liens filed monthly represent delinquent accounts 4-6 months in arrears.
[3] 48-hour notices were generated, but not mailed to customers since March 23, 2020. Customers are receiving payment reminders in-lieu of 48-hours notices.
[51] Total Final Collection Notices sent to all Single Family Residence Accounts (Renter and Owner occupied)
[52] Total Interruption/Lien Notices sent to all Single Family Residence Accounts (Renter and Owner occupied)
[53] Report dated 2024-11-03. TBD: Nov 24- Bad Debt to be updated in Dec 24. Write-Off % for Oct/Nov pending. Updates: Nov 24- SFR Lien Data Added. Sep 24 - Write Off % updated.

**Notes: - Effective March 12, 2020, the District suspended "Disconnects Due to Non-Payment" (DNP) to residential customers, withheld mailing 48-hr notices to customers, and began restoring service to all customers shut off as of January 2020. The DNP information will be omitted from this table until the District resumes DNP activities.*

Water Theft

Water Theft Type/City	Alameda	Alamo	Albany	Berkeley	Castro Valley	Crockett	Danville	El Cerrito	El Sobrante	Emeryville	Hayward	Hercules	Lafayette
Meter	7	1	2	19	4	3	1	2	3	1	8	6	2
Illegal Connection	0	1	0	3	0	0	0	0	0	0	0	0	0
Hydrant	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**7**	**2**	**2**	**22**	**4**	**3**	**1**	**2**	**3**	**1**	**8**	**6**	**2**

Water Theft Type/City	Oakland	Orinda	Piedmont	Pinole	Richmond	Rodeo	San Lorenzo	San Leandro	San Pablo	San Ramon	Walnut Creek	Total as of 9/1/2017
Meter	357	1	1	6	97	7	2	12	6	2	2	552
Illegal Connection	4	1	0	0	0	1	0	0	0	0	1	11
Hydrant	0	0	0	0	0	0	0	0	0	0	0	0
Total	**361**	**2**	**1**	**6**	**97**	**8**	**2**	**12**	**6**	**2**	**3**	**563**

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: December 5, 2024

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager CCC

FROM: Rischa S. Cole, Secretary of the District RC

SUBJECT: Finance/Administration Committee Minutes – November 26, 2024

Director April Chan called to order the Finance/Administration Committee meeting at 8:45 a.m. in the Administration Building Boardroom. Chair Andy Katz arrived at 8:48 a.m. and Director William B. Patterson arrived at 8:54 a.m. Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Director of Finance Sophia D. Skoda, Controller David Glasser, and Secretary of the District Rischa S. Cole. Additional participants included Christian Townes, CPA with Lance, Soll and Lunghard, LLP.

Public Comment. None.

Presentations/Documentation. None.

Employee Reimbursements of at Least $100 (AB 1542) – June 30, 2024. General Manager Clifford C. Chan announced the agenda items would be presented out of order. He stated the Fiscal Year 2024 report was prepared in accordance with California Government Code section 53065.5. The code requires special districts, as defined by subdivision(a) of Section 56036, to at least annually, disclose any reimbursement paid by the special district within the immediately preceding fiscal year of at least $100 for each individual charge for services or products received. The report also includes reimbursements for the Board of Directors. The Committee raised no questions.

Fiscal Year (FY) 2024 Audited Financial Statements. Controller David Glasser introduced Christian Townes, CPA with Lance, Soll & Lunghard, LLP who provided an overview of the scope and timing of the audit as well as the auditor's responsibilities in auditing the District's financial statements, significant transactions, and internal controls. The audit was conducted under generally accepted auditing standards in the United States, Government Auditing Standards issued by the Comptroller General, and California's Minimum Audit Standards for special districts. Ms. Townes reported that the audit, based on the review of significant transactions, District policies and procedures, and audit test work results, resulted in an unmodified (clean) opinion confirming the District's financial statements are free from material misstatement and comply with all applicable Governmental Accounting Standards Board (GASB) standards. The audit fieldwork was conducted in two stages: interim field work in April and year-end fieldwork in August. No instances of fraud, waste, abuse or material weaknesses were found. However, a significant deficiency in internal control was identified involving the improper exclusion of $4.8 million in construction payments from accounts payable and construction-in-progress in FY 2024. Upcoming GASB statements that will impact the District include GASB Statement No. 101 on compensated absences (effective FY 2025) and GASB Statement No. 103 on financial reporting model improvements (effective FY 2026). Mr. Glasser and Ms. Townes addressed Committee questions on audit timing; the

availability of the single audit report; the definition of a Yellow Book audit; and the significant deficiency. Staff will implement process improvements and enhance its pre-audit review of post-year-end invoices to ensure activity is properly accrued and reflected in the correct fiscal year. Staff was asked to provide the single audit report to the Board when it becomes available and a future update on the process improvements discussed. Director Chan thanked staff and the auditor for the report. It was moved by Director Patterson, seconded by Director Chan, and carried (3-0) by voice vote to accept the report.

Monthly Investment Transactions Report. Director of Finance Sophia D. Skoda reviewed the October 2024 report and noted the portfolio is currently earning approximately 4.4 percent in interest. She added the total portfolio balance included funds invested on behalf of the District's Joint Powers Authorities. This item will be submitted to the Board for consideration at its meeting in the afternoon. The Committee raised no questions. It was moved by Director Chan, seconded by Director Patterson, and carried (3-0) by voice vote to accept the report.

Adjournment. Chair Katz adjourned the meeting at 9:05 a.m.

CCC/RSC

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